A NEW CRITIQUE OF THEORETICAL THOUGHT

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TRANSLATOR'S PREFACE

The present translation of Vol. II of DOOYEWEERD's: '*A New Critique of Theoretical Thought*' has greatly benefited by the vigilant and careful revision of my manuscript by my friend and collaborator DAVID H. FREEMAN, for which I offer him my sincerest thanks.

At the same time I wish to acknowledge my indebtness to the author of the book, Prof. Dr H. DOOYEWEERD, for many improvements in the field of philosophical terminology. The comparison of the original (Dutch) edition with the present version will reveal the insertion of a number of entirely new paragraphs and even whole sections done by the author.

Last but not least, I would thank the publishers as well as Professor DOOYEWEERD for the confidence they have put in me and the encouragement they have given me.

Rotterdam, February, 1955.

H. DE JONGSTE.

PART I

THE GENERAL THEORY OF THE MODAL SPHERES

CHAPTER I

THE FUNCTIONAL STRUCTURE OF THE MODAL SPHERES, BOTH IN THEIR SOVEREIGNTY WITHIN THEIR OWN ORBIT AND IN THEIR TEMPORAL COHERENCE OF MEANING

§ 1 - THE CRITERION OF A MODAL SPHERE

In the Prolegomena we discovered the cosmic order of time, which, as the limit to our 'earthly' temporal cosmos, determines the structure of reality in its diversity of meaning, both as regards its modal and typical laws and its subjectivity, including its subject-object-relations. The specific modal sovereignty of the different aspects of reality (with their various modal law-spheres) appeared to be founded in this cosmic order and at the same time made relative by it. *Founded:* for the specific modal sovereignty proved to be only possible in the temporal splitting up of the religious fulness of meaning, which in its turn is only given in the transcendent root of our cosmos. Made *relative:* for the modal law-sphere as a specific aspect of the meaning of temporal reality, proved to have no independent existence in itself, but rather to be interwoven with the temporal coherence of meaning. Cosmic time overarches the different aspects as *order,* and streams through their boundaries as *duration.*

> The relation between the specific sovereignty of each separate modal law-sphere and the temporal coherence of meaning of all the modal spheres is not intrinsically contradictory.

There is no antinomy between modal sovereignty and the temporal coherence of all the law-spheres. An intrinsic contradiction would exist, as it does in immanence-philosophy, if, and only if the specific modal sphere-sovereignty of a part of the aspects were sacrificed in favour of one or more of the other aspects of meaning. We shall revert to this subject later on. But there is no

antinomy in the acknowledgement that the modal law-spheres, irreducible among themselves, are nevertheless kept in a continuous coherence of meaning by cosmic time.

The continuity of cosmic time is not exhausted by any single specific aspect of meaning. Therefore this continuity cannot be comprehended in any concept, but only approximately apprehended in a transcendental *Idea,* and experienced in the pretheoretical attitude. As time cannot contain the religious *fulness* of meaning, it splits the latter into the *diversity* of the modal aspects. But without the temporal, relative *coherence* of meaning the *specific* sovereignty of the modal law-spheres would not be possible.

The criterion of a modal sphere and its abstract theoretical character.

By what criterion do we distinguish a modal law-sphere as an aspect of cosmic reality? To raise this question is not the same as asking: What is it that guarantees specific modal sphere-sovereignty? The former question is, to be sure, inseparable from the latter, but the criterion in the narrow sense is of an epistemological nature: it is concerned with the problem how a particular law-sphere can be recognized as an irreducible, separate modal aspect of reality. The second question lies on a more fundamental plane, it lies at the very basis of thought; it must be answered in the cosmonomic Idea as the *ὑπόθεσις* of philosophic thought itself, consequently also of the inquiry into the epistemological problem in the narrow sense, i.e. the question about the *theoretical criterion of the law-sphere.* This insight has been gained in our transcendental critique of theoretic thought. The latter has shown that, — no matter, whether the thinker has taken this into account in his critical self-reflexion or not — no question regarding our knowledge of temporal reality can have any meaning without a transcendental basic Idea.

And the facts are just as they were stated in the last part of the first volume. If the epistemological question is sounded to its very bottom, it is no longer possible to assign an isolated area to the problem of epistemology. The latter is indissolubly connected with our theoretical insight into the structure of the cosmos, and with our self-knowledge which transcends theory.

This will be clearly seen if we try for a moment to treat the question about the criterion of the modal law-sphere as an entirely independent problem. Arguing from the epistemo-

logical nature of this criterion, the reasoning will run along the following lines: Philosophy will always be theoretical in character. Philosophic thinking is analysis and synthesis of meaning. Every analysis of meaning, however, must be based on logical distinction, and where theoretical analysis is involved, it must be based on epistemological analysis. According to the transcendental basic Idea, on which our philosophic thought is founded, temporal reality cannot be of a logical nature; it is not even capable of being contained in a concept. If this is true, is not a modal law-sphere which is only theoretically knowable to us, after all a mere product of theoretical analysis and synthesis? And if so, what is gained by continuing to speak about the law-spheres as separate modal aspects of *the totality of temporal reality?* Had we not better assign a purely *epistemological* character to them?

However conclusive this reasoning may seem to be, it hides a new pitfall. To conclude from the epistemological nature of this *criterion* to the purely epistemological character of a *modal sphere* itself would only be justified, if theoretical thought were self-sufficient and could determine the criterion on its own authority, without being itself bound to the transcendental structure of the cosmos.

Such a pre-supposition implies that the knowable diversity of meaning is after all of a (transcendental) logical nature. And this pre-supposition is indeed not to be justified in a *purely epistemological manner.* It is dependent on a transcendental basic Idea which must be rejected from our Christian starting-point. Just as in an earlier part of this work logical identity has been recognized as identity in a specific aspect of meaning, it should be maintained now that also logical diversity is only diversity in the specific logical aspect of meaning.

This foundation of the epistemological criterion enables us to see that logical diversity, being subject to the logical principle of contradiction, can only have a specifically logical sense in the cosmic diversity of meaning.

The cosmic diversity of aspects has no existence without logical diversity, but the former certainly exceeds the latter. Once this fact has been established, it must be admitted that philosophic thought can only form an idea of the modal aspect by means of theoretical abstraction. Only the latter separates the aspects of experience and sets them apart in logical discontinuity.

So at the outset it should be acknowledged that the criterion of a

law-sphere must be a criterion of a specific inter-modal synthesis of meaning, which as such is of a theoretical character. If we are ever to gain theoretical knowledge of the modal aspects of meaning, we shall have to abstract the cosmic coherence in time.

> The criterion of a modal law-sphere, though of a theoretical nature, is nevertheless not founded in thought, but in the cosmic order of time.

But the criterion is not and cannot be founded in theoretical thought. Theoretical thought itself remains within the boundaries of the temporal horizon of meaning. Hence it lacks the self-sufficiency which, on the immanence standpoint, must necessarily deprive it of all meaning if this view were to be consistently sustained.

If theoretical thought is only possible on the basis of the cosmic order of time, the theoretical criterion of the modal sphere must be founded in this cosmic order. Of course this criterion must have a logical aspect to supply the required standard of analytic distinction, which is possible only in a synthesis with the abstracted aspects of meaning of a non-logical character. The situation is consequently as follows: the modal law-spheres themselves are specific aspects of human experience, founded in the order of cosmic time. They are experienced, though not explicitly, in the naïve, pre-theoretical attitude of mind. Their diversity of meaning is based on the law of refraction of cosmic time. But theoretical thought, though itself integrated into cosmic time, in building up its concept of a specific law-sphere must necessarily abstract the latter from the temporal continuity. The question how this entire process of abstraction is possible will be answered later on in a special chapter on the epistemological problem.

In order to find the theoretical criterion of a specific aspect of meaning, abstraction is to be carried still further.

> The criterion of a law-sphere as a modal concept of function. The functional structure of a law-sphere can only be understood after abstracting modal individuality.

In our theoretical investigation we shall for the present have to leave alone also the structures of individuality in order to find the general modal meaning which delimits one law-sphere from another.

This general modal meaning in its analytic-synthetic abstraction is the criterion of the law-sphere that we are trying to find.

It implies a functional structure of the law-sphere, insofar as every specific individuality of meaning within the latter is integrated by the general modal meaning into a functional coherence with all the other individualities presenting themselves in the same modal sphere.

Consider the following example taken from the spatial aspect. The spatial figures present an infinitely varied individuality of meaning among themselves, but, notwithstanding this fact, they are spatially correlated, integrated into functional coherence by the general modal meaning of the aspect, viz. by spatiality.

Geometry [1] makes use of this insight in assuming a functional conformity to law in the coherence of spatial figures which among themselves present the greatest possible individual divergences, such as a circle and a polygon, the circumference of a circle, and a tangent, parallel and non-parallel straight lines. But this assumption is only possible, because geometry does not really consider individual sensory images of spatial figures; these images as such have no original spatial meaning, as shall be explained later on. A not formalized geometry, in its specific synthesis of meaning, investigates the original spatial sphere itself, in which all spatial individualities are placed in a functional correlation by the general modal meaning of the sphere.

The concept of the latter is an apriori functional one [2], lying at the foundation of every idea by which one tries to grasp types of individuality within the law-sphere.

The functional modalities of meaning.

The general modal meaning of the law-sphere may be called a functional modality of the religious fulness of meaning. The functional structure of meaning, guaranteeing to the law-sphere its specific internal sovereignty, is indeed nothing but a modal splitting up of the totality of meaning, *in time*. This functional

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[1] We intend here only a geometry which has not been formalized. The formalization of modern geometry will occupy us in a later context.

[2] In advance the reader should guard against a constructive view of the apriori in our use of the term. When the epistemological problem is dealt with, it will appear that the apriori structure of reality can only be known from experience. But this is not experience as it is conceived by immanence-philosophy.

modal meaning has a law-side and a subject-side, just as cosmic time itself appeared to have (cf. Vol. I, p. 28).

We are now sufficiently alive to the fact that law and subject are mutually irreducible, notwithstanding the opinions of rationalists and irrationalists. Law and subject are only possible in their indissoluble correlation. The functional subject-side of the law-sphere is determined and delimited by the functional laws of the sphere. Both the law-side and the subject-side of the sphere are determined in their structural meaning by the cosmic order of time. Through the latter as refractional order the law-side and the subject-side of the law-sphere are integrated into a functional modality of the religious fulness of meaning. Here it appears clearly that the criterion of the law-sphere is absolutely dependent on the transcendental Idea of the totality of meaning. Any one who looks for the criterion of the modal aspects of reality, should first of all consider, in his theoretical self-reflection, to what basic denominator he wants to reduce the law-spheres in order to be able to compare them.

In the light of our transcendental basic Idea this denominator is found in the cosmic time-order, reflecting itself in the same manner in the modal structure of every aspect. But this time-order itself is to be viewed in its relation to the religious fulness of meaning. The specific modal aspect is incomprehensible outside of the transcendental Idea of its temporal coherence with all the other aspects, and outside of its reference to the totality and the *Ἀρχή* of all meaning.

§ 2 - THE CRITERION OF THE MODAL ASPECT OF MEANING IN ITS ABSOLUTE CONTRAST WITH THE FORM-NOTION OF IMMANENCE-PHILOSOPHY.

Already in the Prolegomena it appeared that the modal sovereignty of each law-sphere within its own orbit, conceived as a fundamental cosmological principle in our transcendental basic Idea, cannot possibly be recognized on the immanence-standpoint. Immanence-philosophy can only hold its own by a subjective elimination of the cosmic order of time and a primary absolutizing of theoretical thought. It should therefore be clear that the modal criterion by which we gain theoretical knowledge about the modal boundaries of the law-spheres, can in no way be reduced to any criterion by means of which immanence-philosophy tries to attain a theoretical determination of the diversity of meaning.

In the first place the form-matter-scheme of immanence-philosophy appears to be unserviceable in the theory of the modal spheres.

The form-matter scheme in ancient and medieval metaphysics.

In its philosophical use this scheme functioned in two ways, viz. a metaphysical and an epistemological one. In ancient and medieval metaphysics Form, as *οὔσια* or ground of being, had to impart a certain delimitation of meaning to chaotic matter (*ὕλη;* in PLATO the *μὴ ὂν*, in ARISTOTLE the *δυνάμει ὄν*, i.e. potentiality, possibility), which is in itself a-morphic, non-ordered.

PLATO held to the transcendent *being* of the ideal form-world in the Eleatic sense and included in it the numbers themselves (eidetic numbers) as well as the exact geometrical figures. A very rigorous *χωρισμός* (i.e. isolation) separates the ideal world of of true being from that of the phenomena subject to the material principle of becoming and decay. And yet in the ideal world PLATO sought the ground of being (*αἰτία*) of all perishable things. The metaphysical *χωρισμός* between the principle of matter and that of form entangled his thought in sharp antinomies. According to the first conception of his theory of Ideas, developed in the dialogue *Phaedo,* the *eidè* are of a *static* and *simple* nature. The things that have come into being in the phenomenal world are complex, which makes them liable to the material principle of perpetually coming into being and decaying. But how can the ideal form be the essential basis of perishable, complex things, if in the transcendent form-world there is no connection possible between the *eidè,* and if there is not any *paradeigma* here for the principle of matter (the principle of becoming and decay)?

In the so-called Eleatic dialogues *(Parmenides, Sophistes* and *Politikos)* PLATO tried to unite the principles of form and matter by means of a dialectical logic. He devised *eidè* of a complex character comprising dialectical relations between simple *eidè* (e.g. *being* as a dialectical unity of movement and rest). Since then he also tried to find an ideal *paradeigma* for the principle of matter in the transcendent world of the forms of being. This is the so-called *ἰδέα τοῦ ἀπείρου* (the foundation for the unlimited, the formless) which was called 'ideal matter' in Augustinian Platonic Scholasticism. Under the influence of Pythagoreanism PLATO assumes that the arithmetical series of numbers

(not the eidetic 'number in itself') has to make a dialectical connection possible between the transcendent form-world and the world of perishable things. It has to explain how the *one-ness* of the *eidos* can turn into *multiplicity* in the world of becoming and decay. In the Eleatic dialogues the attempt to establish a dialectical unity between the principles of matter and form led to a crisis in the doctrine of the Ideas. The *eidè* seem to lose their transcendence above the phenomenal world. But in the *Philèbos* this crisis has passed, and the newly introduced dialectical *eidè* prove to be complex entities, genera, comprising only that part of the ideal form-world which relates to things that have become. The simple *eidè* 'in themselves' are explicitly re-established. Only PLATO acknowledged that they are beyond human logic and can only be discerned intuitively. In accordance with the view explained in the *Politeia* they are the *ὑπόθεσις* of all dialectical conceptualization. After the manner of the Socratic Idea of the *καλοκάγαθον* (the beautiful and the good) the process of becoming in the sensible world is understood as a *γένεσις εἰς οὐσίαν*, i.e. a teleological development of matter to a being under the influence of divine formation by the Idea of the good and the beautiful. In contrast with the earlier conception of the pre-existence of the human rational soul PLATO now considers the latter to be composed of form and matter and includes it in the world of becoming. This raises the problem of the *Timaeus* concerning the 'erratic cause' (*πλανωμένη αἰτία*), originating from the *ἀναγκή* of the matter-principle which has to account for the chaotic, the evil in the perishable sensory world [1].

The Platonic conception of the process of becoming as a *γένεσις εἰς οὐσίαν* under the influence of the form-principle was the starting-point for ARISTOTLE in his last period. He broke with the Platonic separation between a transcendent ideal form-world and the empirical world of what has become. The transcendent *eidè* are rejected. The Platonic 'dialectical' *eidos*, composed of form and ideal matter is now conceived of as the *immanent essence* of the material substances in the empirical world. The essential form *(morphè)* of these substances is now considered as the teleological- or formal cause of the development of matter. As 'potential being' matter can only come into actual existence

[1] For the entire development of the Platonic doctrine of the *eidè* I may refer to volume I of my new trilogy *Reformation and Scholasticism in Philosophy* (1949) and the sources analysed in it.

through this form. The essential form of natural substances thus turns into the immanent teleological principle of their genesis, into an *entelechy* (immanent *telos*). In itself it has a universal character, but the specific matter of the substance makes it individual, as this matter is divisible and countable.

In ARISTOTLE this metaphysical notion of form, as the immanent teleological principle (entelechy) of an individual substance, is made relative by the world-order, conceived teleologically as an intelligible order, in which a lower kind of form in its turn becomes matter for a higher kind. Only the actual *νοῦς*, the actual reason, cannot become matter, because it is the *archè* (*ἀρχή*) of all delimitation of meaning.

The concept of substance.

This metaphysical principle of form and matter is unfit for our apprehension of the modal aspects of human experience. It is intended as an account of the permanent structural totality of individual things given in nature (physis), which are looked upon as substances. It has to explain how in the changes of their accidental qualities these things maintain their identity.

In my treatise on *The Concept of Substance in the Thomistic Doctrine of Being* [1], I have shown that this metaphysical concept, in its dialectical uniting of the Greek motives of form and matter, cannot at all do justice to the structural individuality of things in naïve experience. It is founded in an absolutized theoretical 'Gegenstand-relation'. 'Substances' are opposed as 'things in themselves' to human consciousness. They are represented as being quite independent of the latter, independent of possible sensible perception, independent of the theoretical logical function of thought. They are thus excluded from the subject-object relation which is essential to naïve experience (cf. *Prolegomena)*. While it is acknowledged that human consciousness stands in an intentional relation to the substances, this is considered to be immaterial for the reality of the substances in themselves. This view consequently breaks the integral coherence of all the modal aspects of our experience asunder. The 'substantial forms' qualifying or determining the meaning of the *eidos,* the essence of things, according to ARISTOTLE, are not conceived in the cadre of a modal aspect. The soul, for instance, is regarded as the

[1] Phil. Reform. 8 Year (1943) p. 65—99; 9 Year (1944) p. 1—41; 10 Year (1945) p. 25—48; 11 Year (1946) p. 22—52.

organizing form of the material body. To the soul are attributed all the qualities of the living substance which are not exclusively proper to its 'matter', (such as countability, divisibility and extension).

Doubtless, ARISTOTLE never thinks of the substantial form as a substance, as a 'Ding an sich'. The soul as substantial form can only realize itself in a specific kind of matter. But this form, too, as 'entelechy of the body', is a metaphysical subject of qualities belonging to different modal aspects (e.g., the biotic and psychical aspects in plants and animals; and the logical and post-logical in human beings).

Although the 'substantial form', as a theoretical abstraction, is considered to be a 'universal' which is individualized by matter, it lacks every modal determination. But this form-concept fails to account for the general functional coherence of all the phenomena presenting themselves within a definite aspect of our experience. It is exclusively and entirely directed to the supposed *internal structure of individual things* and to the *teleological order between their forms.*

Exactly for this reason modern physical science, desiring to investigate the functional coherence of all phenomena within the physical aspect, had to turn away from this metaphysical notion of form.

The critical elaboration of this subject is out of place in the present context and can only be discussed in the third volume.

The form-matter-scheme in Kantian philosophy.

A quite different philosophical function is given to the form-matter-scheme in KANT's *Critique of Pure Reason.* Here it primarily assumes an epistemological character. The term 'form' is no longer brought to bear on 'substance' (taken in a metaphysical sense), on 'the thing in itself'. Rather it turns into a transcendental condition of universally valid sensory experience, a constitutive apriori originating in 'the transcendental consciousness'.

Space and time are conceived of as apriori forms of sensory intuition. Since this intuition or perception functions within the modal psychical aspect of experience (i.e. that of feeling), space and time, insofar as they belong to the structure of this aspect, cannot have the original modal meaning of the mathematical aspects of spatiality and movement. HUME's psychological criticism of pure mathematics was irrefutable from the psychological

point of view. KANT nevertheless ascribes pure mathematical sense to space and time as apriori forms of sensory perception. So he eliminates the modal structure of sensory perception by effacing the modal boundaries of meaning between the mathematical and the psychical law-spheres, although he does not reduce pure space and time to sensory impressions. The modal structure of sensory space cannot have an original mathematical character.

In the same manner KANT's transcendental-logical thought-forms or categories are destructive to the insight into the modal structure of the different aspects of human experience. They imply, in fact, an inter-modal theoretical synthesis between the transcendental elements of the logical and of the mathematical and physical aspects of empirical reality. Nevertheless, KANT ascribes to them a purely logical meaning, although he acknowledges that they are concepts of a 'pure synthesis a priori', and constitutive for human experience only in a synthesis with sensory impressions. On the other hand, the Kantian conception of the 'matter' of human experience is intrinsically antinomous and incompatible with the modal structure of the aspects. It is conceived by him as a *sensory-psychical* material which, as such, lacks determination and order.

But, if the 'matter' of knowledge has *sensory* meaning, how can it, as such, be chaotic and unarranged? How can there be any question of *sensuous* 'matter', if this matter itself does not possess any inner modal determination and delimitation of meaning due to its own modal structure? The antinomy of the Greek conception of 'matter' as an absolute *apeiron,* analysed in PLATO's *Parmenides,* reappears here. The two forms of intuition, viz. space and time, by means of which KANT wants to establish the first apriori order in the chaotic mass of sensory impressions, certainly constitute no criterion of the sensory aspect of experience. They appeared to be conceived of in a mathematical sense which is not pertinent to the sensory impressions.

But KANT is not aware of this. His form-concept is no modal criterion of meaning at all, but it is explicitly meant to level out the boundaries of the modal aspects of experience, for the sake of the maintenance of logical thought as the transcendental law-giver of nature.

The relapse of neo-Kantian legal philosophers into the Aristotelian method of concept-formation.

The neo-Kantian students of a critical-idealistic theory of law immediately involved themselves in serious difficulties when, quite contrary to KANT's intentions, they tried to apply the epistemological form-matter scheme to the normative aspects of experience. They made this attempt to delineate the different '*provinces of knowledge*' from one another, in a transcendental logical way, in accordance with specific forms of thinking.

They saw the necessity of distinguishing the positive legal rules as a separate 'field of knowledge' from morality and the norms of social intercourse. In other words, they were confronted with the fundamental modal diversity in the aspects of human experience and tried to find a criterion. But KANT's critique of knowledge which knew of no other sciences than mathematics and mathematical physics, did not offer them a criterion for any modal aspect of meaning. Therefore they took refuge in Aristotelian logic and made the attempt to delimit the 'provinces of knowledge' from one another according to the *genus proximum* and the *differentia specifica.*

The modal aspects have no genus proximum.

But this method of concept-formation is not serviceable here in a really critical manner. The attempt must be made to arrive at a theoretical concept of the *general modal meaning* of the juridical aspect as such. This aspect must be delimited theoretically from the moral sphere, from that of social intercourse, and finally from all other modal aspects of experience.

But, since the different modal aspects are irreduceable to one another, there cannot be found a *genus proximum* in a *modal* sense. The modalities of meaning themselves are rather the *ultimate genera* of modal meaning under which are to be subsumed only *typical* and *individual* manifestations of the modalities *within the different aspects.* Consequently, the denominator of comparison for the different aspects can never be a *genus proximum.* This is also true on the immanence-standpoint. When here the basic denominator of the different aspects of human experience is sought in an absolutized non-logical aspect, the latter can no longer be considered as a modality; rather it is identified with reality itself as the bearer of all its aspects.

And, just as in metaphysics the '*substance*' cannot be the 'genus proximum' of its accidents, reality cannot be conceived

as the genus proximum of its modalities. The metaphysical concept of *being* can no more be handled in this sense. It has appeared in the Prolegomena of Vol. I that this concept was considered as an *analogical* one which is never to be used as a *genus* including *species.*

Why the Kantian categories cannot be subsumed under a genus proximum.

The transcendental-logical categories of KANT's epistemology could not be subsumed under a genus proximum because they were not conceived of as form-concepts in the sense of Aristotelian logic and metaphysics. They were not serviceable for the generic and specific distinction of different provinces of human knowledge. Rather they were supposed to have a creative function and to constitute the whole field of human science.

This is the meaning of KANT's sharp distinction between transcendental and formal logic.

It makes no sense to say that in Kantian epistemology the category of causality is the genus proximum of all natural-scientific thought-forms and that, in contradistinction to the causal manner of scientific thought, there is to be found in the transcendental consciousness a normative or a teleological generic category which, through the addition of *differentia specifica,* can constitute other fields of scientific experience.

The whole Aristotelian method of concept-formation according to a *genus proximum* and *differentia specifica* pre-supposes the existence of genera and species which are independent of logical thought and are only to be abstracted and classified by the latter. But this supposition contradicts the creative function which in Kantian epistemology is ascribed to the categories in respect to the '*Gegenstand*' of the transcendental logical function of thought.

It may be that this '*Gegenstand*' is constituted only by a theoretical synthesis of these categories with a given 'matter' of sensory impressions. But the latter is, as such, deprived of any generic and specific determination.

In KANT's *Critiques* there is no room for generic and specific concepts except in the teleological judgment which lacks any constitutive function in human knowledge. These concepts are viewed in a nominalistic manner, they are not founded in 'substantial forms'.

So we must conclude that the neo-Kantian legal philosophers

who tried to connect Kantian transcendental logic with the Aristotelian method of concept-formation according to genera and species, deviated from the fundamentals of Kantian epistemology. They took refuge in a method of classification which contradicts the very nature of KANT's transcendental logic.

The *genus proximum* and the *differentia specifica* construed by them to delineate the epistemological field of jurisprudence, were presented as transcendental-logical categories. They are, however, nothing but pseudo-generic and -specific concepts, for they lack any synthetical modal determination.

STAMMLER's concept of law.

This whole method of 'transcendental logical delimitation of the juridical sphere' may be exemplified by STAMMLER's fundamental concept of law (Rechtsbegriff).

STAMMLER conceives of the jural modality of experience as a form of thinking, as a logical ordering of the experiential 'matter' by means of specific categories. By this ordering the 'matter of experience' assumes an historical-economical nature! For this purpose, however, the legal aspect must first be reduced to a *genus proximum*, viz. to the universal category of *volition,* as the teleological fundamental form of thought *(teleological,* because the content of consciousness is arranged here in accordance with the relation of a means to an end). This form of thought as such is supposed to be diametrically opposite to the causal mode of thought in physical science. Next the attempt is made to trace the juridical 'differentia specifica' as a specific 'form of thinking', in contrast with the category of social intercourse, on the one hand, and the moral, and the 'religious' categories on the other. Law is then characterized together with the norms of social intercourse as a socially binding kind of volition, (i.e. 'socially' in the usual, undefined sense of the word), and as such it is contrasted with religion and morality, which are assumed to concern individual persons only. Then, by means of the characteristic of 'sovereignty' (Selbstherrlichkeit), law is delimited from the supposed purely inviting nature of the rules of intercourse (which STAMMLER styles 'convention'), and by means of the quality of inviolability it is marked off from arbitrariness. It is easily seen that both these 'differentia specifica' and the 'genus proximum' *volition* lack every kind of modal definiteness of meaning and are pseudo-logical concepts.

Thus the juridical aspect of human experience, as being a

'specific province of thought', is actually wrenched from the cosmic inter-modal coherence of meaning. Instead, it is made into a species of a transcendental-logical genus, which in its turn is conceived only in an antithetic-logical relation with the natural-scientific category of causality.

The neo-Kantian student of 'pure theory of law', H. KELSEN, applies essentially the same kind of method to delimit the juridical aspect from other 'provinces of thought', although he deduces the separate juridical categories in a different way from STAMMLER's. He uses the method of genetical-logical thought characteristic of the Marburg School.

The delimitation of the phenomenological *'regions'* in EDMUND HUSSERL.

Modern phenomenology, too, insofar as it is founded by EDMUND HUSSERL, does not rise above the essentially scholastic method of delineating the different spheres of its research according to genera and species. It delimits the 'regions' of the theory of science by carrying through this method in a very confusing way. HUSSERL gives the following definition:

> *'Region* is nothing but the supreme total generic unity belonging to a concretum; hence it is the essential unity which connects the highest genera relating to the lowest differences within this concretum. The eidetic extent of the 'region' comprises the ideal totality of the concrete unified complexes of differences of these genera; the individual extent comprises the ideal totality of the possible individuals of such a concrete essence' [1].

Seen in this light, KANT's 'synthetic basic concepts' or 'categories' are conceived of as 'regional basic concepts' ('essentially related to the definite region and its synthetic basic propositions'), and as many groups of categories are distinguished as there are 'regions' to be found.

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[1] *Ideen zu einer reinen Phänomenologie und phänomenol. Phil.* I. 30, 31: "Region" ist nichts anderes als die gesamte zu einem Konkretum gehörige oberste Gattungseinheit, also die wesenseinheitliche Verknüpfung der obersten Gattungen, die den niedersten Differenzen innerhalb des Konkretums zugehören.

'Der eidetische Umfang der Region befasst die ideale Gesamtheit konkret vereinheitlichter Komplexe von Differenzen dieser Gattungen, der individuelle Umfang die ideale Gesamtheit möglicher Individuen solcher konkreten Wesen.'

Here, too, the scholastic method of delimiting the 'regions' according to the 'genus proximum' and the 'differentia specifica' reigns supreme, obscuring the boundaries of the different modal meaning-aspects. In order to get a very clear idea of this method in HUSSERL we would suggest reading only the 12th and the 13th sections of the *Ideen*. We refer especially to the following passage:

> 'In this sense 'meaning as such', is the highest genus in the purely logical area of meanings(!); each definite form of a sentence or of a sentence-part, is an eidetic singularity; the sentence as such is a mediating genus. In the same way number as such is a supreme genus. Two, three, etc., are its lowest differences or particular eidetic units. In the material sphere(!) we find supreme genera like 'thing as such'(!), sensory quality, spatial form, 'experience as such'; the essential elements belonging to definite things, definite sensory qualities, spatial forms, experiences as such, are eidetic and material singularities of this sphere' [1].

§ 3 - THE CRITERION OF THE MODAL DIVERSITY OF MEANING AND THE PROBLEM OF THE DENOMINATOR OF COMPARISON CONCEIVED AS 'THE BEING OF WHAT IS' (SEIN DES SEIENDEN)

It is a characteristic, and also an alarming phenomenon in the recent development of immanence-philosophy that the ultimate basis for the criterion of the modal diversity of temporal reality has been undermined. This is due to the influence of the process of spiritual uprooting in recent Humanism briefly outlined in Part I of the first volume.

It reveals a crisis in the religious fundamentals of Humanistic thought which is much more destructive than that which we have observed in the transitional period resulting in KANT's *Critique of Pure Reason*. It implies that the faith in *'reason'*, as

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[1] "In diesem Sinn ist im reinlogischen Gebiete der Bedeutungen(!) "Bedeutung überhaupt" oberste Gattung, jede bestimmte Satzform, jede bestimmte Satzgliedform eine eidetische Singularität; Satz überhaupt eine vermittelnde Gattung. Ebenso ist Anzahl überhaupt eine oberste Gattung. Zwei, drei usw. sind deren niedersten Differenzen oder eidetische Singularitäten. In der sachhaltigen Sphäre(!) sind z.B. Ding überhaupt(!), sinnliche Qualität, Raumgestalt, Erlebnis überhaupt oberste Gattungen; die zu den bestimmten Dingen, bestimmten sinnlichen Qualitäten, Raumgestalten, Erlebnissen als solchen gehörigen Wesensbestände eidetische und dabei sachhaltige Singularitäten." (*Ideen* I, S. 25).

the origin of the *being* of temporal reality, has been shaken.

KANT's transcendental turning of theoretic thought to the Idea as the 'being of what is', as the root of reality, — a process that was completed in HEGEL's absolute Idealism — has become extremely problematic to modern Humanistic thought. Critical self-reflection on the supposed supra-temporal root of temporal experience has disappeared in philosophic thinking under the overpowering pressure of historistic positivism.

The Humanistic self-consciousness has now become aware of the fact that it has been uprooted. Deprived of the apriori of the faith in 'reason', it gets dispersed in the diversity of meaning without being capable of concentration. At the most it seeks to regain its sense of freedom and of sovereignty in a 'historic consciousness' which frees the mind of all 'dogmas', or it tries to regain true freedom in a super-rational existentialistic attitude.

DILTHEY's empirical and irrational historism, wanting to substitute the 'vivo' for the 'cogito' as its Archimedian point, thinks it can find the new foundation for philosophic reflection in historical life, which finds no resting-place and glides along with the historic process in its historic rhythm. This view is at the same time symptomatic of the apostasy from the spirit of German Idealism.

There are various modern attempts to find a new foundation for philosophic thought which bear the stamp of the decay of the former self-confidence.

NICOLAI HARTMANN, in his critical ontology, tried to build up a new metaphysics of knowledge, apart from any kind of idealistic or realistic apriori, by a critical examination of the contents of the gnoseological phenomenon. In this attempt the fundamental denominator of all the diversity of meaning is found in *'being'* which, comprising both the knowing subject and its 'Gegenstand', was supposed to differentiate itself in various ontological spheres. But the old idealistic postulate to the effect that the root of temporal reality is to be found in the Idea of reason, has been ruthlessly abandoned. The cognitive relation has been degraded to 'one of the many relations of 'being' [1] and knowledge

[1] *Grundzüge einer Metaphysik der Erkenntnis* (1921) S. 158:

'Erkenntnis ist ein ontologisch sekundäres Gebilde. Sie ist eine von vielen Seinsrelationen, aber in deren Gefüge eine durchaus sekundäre und abhängige. Denn Erkenntnis ist zwar vom Sein des Gegenstandes und des Subjekts abhängig, dieses aber nicht von ihr.'

['Knowledge is ontologically a secondary figure. It is one of many re-

is entirely at the mercy of a metaphysical *'being'* which is inscrutable in its root and meaning.

In this way even the sense of the transcendence of the selfhood above temporal reality, however much it may have led to the absolutizing of the rational functions in idealistic metaphysics, has been lost.

'Being', as the basic denominator of reality with HARTMANN, is an undefined, general notion ('being as such', 'Sein überhaupt'), the expression of the decay of the religious self-reflexion in Humanistic philosophy [1].

The 'being of what is' in Greek and scholastic realistic metaphysics.

In this respect there is indeed a striking contrast between modern ontology and ARISTOTLE's metaphysics as *πρώτη φιλοσοφία*, as a theory of the 'being of what is' (*τὸ ὄν ᾗ ὄν*) [2]. For here 'being' as a unity with its highest metaphysical principles (*ἀρχαί*) is directly founded in reason as *ἀρχὴ τῶν ἀρχῶν* which is the origin of the 'eternal truths'. It is not a generic concept here, but rather the noumenal ground of all generic concepts, and even exalted above the diversity of the categories [3]. In the primordial doctrine of the 'being of what is' all the first metaphysical basic concepts are treated.

Among the first transcendental determinations of 'being' are *'the being true'* and the *'being good'*. *'Being'* in an absolute actual sense is identical with the deity (the pure *νοῦς*, the "ens realissimum" as it is called in scholasticism).

Even in AUGUSTINE *'being'* and *'truth'* are identified: Veritas est id quod est [4].

In realistic Scholasticism 'being' is the highest of the 'transcendentalia'.

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lations of being, but in its structure it is always entirely secondary and dependent. For knowledge, it is true, is dependent on the being of the "Gegenstand" and the subject, but the latter does not depend on the former.')

[1] cf. op. cit. page 148 ff., where the 'notion of being' as 'the unity above the diversity' is deprived of any definiteness of meaning.

[2] *Metaph.* IV (I) 1, 1003 a 22: *ἔστιν ἐπιστήμη τις ἣ θεωρεῖ τὸ ὂν ᾗ ὂν καὶ τὰ τούτῳ ὑπαρχοντα καθ' αὑτό.*

[3] *Metaph.* IV (*Γ*) 3, 1005 a 27. *Praedicam.* C. 1; *Metaph.* X (I) 2, 1054 a 13.

[4] *Soliloqu.* I, II, c. 5, PL. 32 Sp. 889.

THOMAS AQUINAS in his first article of the *Quaestiones disputatae de veritate* calls 'being' the first and best known basic concept, to which all other notions lead back, because the intellect only determines the 'modes of being' [1].

In his *Summa Theologiae* absolute *'being'* is also identified with metaphysical (non-arithmetical) unity, which is in accordance with the Aristotelian way of thinking. Unity and plurality, the whole and its parts, and the basic notions resulting from them, together with potentiality and actuality are counted among the most universal and fundamental grounds of being [2].

In many respects the same view is held by DUNS SCOTUS, who (with AVICENNA, ALBERTUS MAGNUS and THOMAS) calls *'being'*, as 'transcendens', the first object of the intellect, from which the universal determinations of 'being' such as verum, bonum, etc., are derived as secondaries [3].

So in realistic metaphysics we invariably find 'the being of what is' conceived of as the rational ground of all diversity of meaning; and the fundamental notion of *'being'* is connected as closely as possible with the supreme principles of reason, on which the whole system depends.

In the case of HARTMANN, on the other hand, *'being'* taken in an ontological sense is entirely detached from the *Ἀρχή* and the Archimedian point, and therefore, philosophically speaking, it is a notion formed for the occasion, created in order to get out of a scrape.

The cognitive subject may be posited as the 'Reflektionspunkt' of *'being-in-itself'* by HARTMANN [4], but the really transcendental direction towards transcendence has been lost.

The 'being of what is' has changed from an 'ens nobis notissi-

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[1] *Quaest. disp. de veritate* qu. 1, art. 1. c.: 'Illud autem quod primo intellectus concipit quasi notissimum et in quo omnes conceptiones resolvit, est ens, ut Avicenna dicit in principio metaphysicae suae.'

[2] *Summa Theol.* I. qu. art. 2. c. j°. *Expos. in Metaph.* Prol.: 'Unde et illa scientia maxima est intellectualis quae circa principia maxime universalia versatur. Quae quidem sunt ens et ea quae consequuntur ens, ut unum et multa, potentia et actus.'

[3] *Quaest. sup. Metaph.* I, IV, q. 1 (Opera Omnia, Paris): 'Primum obiectum intellectus est ens ut commune omnibus.' Ib.I. VI qu. 3: 'Cum autem quodcumque ens sit per se intelligibile et nihil possit in quocunque essentialiter includi nisi ens, sequitur quod primum obiectum intellectus erit ens. Quascunque autem rationes transcendentes, quae sunt quasi passiones entis ut verum, bonum etc. sunt posteriores primo obiecto.'

[4] Ib., p. 201 fl.

mum' into an agnostic 'asylum ignorantiae', turned away from the selfhood; and in this unknown *'being'* the root, the ground of the *'being'* of the selfhood, has been concealed.

Thus the truly basic notion of *'being'* in realistic metaphysics has evaporated into an unqualified generic notion, whose diversity is delimited only by 'differentia specifica'.

The 'being of what is' as a philosophical basic denominator in HEIDEGGER's *'Sein und Zeit'*.

MARTIN HEIDEGGER, in his philosophy of existence, has thrown a great deal of energy into the investigation of the 'being of what is' in order to arrive at self-reflection, in the midst of the universal decay of self-confidence. In him, just as in HARTMANN, *'being'* ultimately remains an unqualified generic notion in its function as the common denominator of comparison for all diversity of meaning. But behind this unqualified notion the true philosopher seeks the 'being of what is' as a hidden deity which has left Western philosophy after the period of the Ionian philosophy of nature [1]. He vehemently turns on the old metaphysical equation of *being* and *non-differentiated* (rational) *unity*, because here *'being'* is conceived of as a "ständige Vorhandenheit" [2] (a constant datum), in fact as an Archimedean point (in the hypostatized ratio).

With this HEIDEGGER attacks the foundation of the whole of ancient and modern metaphysics, which on the basis of reason wanted to gain access to the 'being of what is', to the being of the selfhood as well as to that of the reality of nature. But he also turns against the naturalistic surrender of the idea of being to the blind facts of nature.

Human existence (Dasein) has been 'thrown into the world' (in der Welt geworfen, i.e. into the given reality of 'nature'), which as a blind 'Vorhandenes' binds its inner freedom. Given 'being' is *meaningless*, because it is not the internally *identical, not the selfhood.*

This 'Geworfenheit', the being thrown or 'thrownness' of the selfhood into the meaningless, is its state of rejection ('Verworfenheit'), its falling away into nothingness.

Only in its *awareness* of the nothingness of being, in its fear

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[1] This theme is especially developed in HEIDEGGER's book *Holzwege der Philosophie.*

[2] *Translator's note:* German "vorhanden" means 'at hand, present, given, existent in the usual sense of the word. H. D. J.

of death, does the 'Dasein' (the ex-sistent selfhood) turn in upon itself and reflect on its freedom, in order 'das Dasein enthüllend zu entwerfen' (to project its finite existence, revealing it in its inner essence) in the movement of historical existential time.

Thus, the selfhood is sought in reflecting historical being and it is distinguished from the given, static being of 'nature', the 'ontical being' which has no selfhood.

Historical existential being in its reflected or ontological sense, must be distinguished from the ontical being of *nature,* and it is here for the first time that the problem of being as the common denominator for the diversity of meaning crops up. For HEIDEGGER it stands to reason that this common denominator itself must not remain dispersed in the diversity of meaning. But with him the idea of being as the philosophical basic denominator of temporal reality can no longer have the rational analogous character it possessed in realistic metaphysics. And so with HEIDEGGER, just as with NICOLAI HARTMANN, the idea of being evaporates into a meaningless notion of genus, from which the fundamental diversity of meaning between the ontical being of nature and the free historical 'Dasein' (the existential being) can be gained only by means of the addition of *differentia specifica.*

'In what other way,' says HEIDEGGER, 'is the difference to be conceived between historicity and the ontic, and how can it be grasped in categories? We can only subsume the ontic and historicity under a more general unity, enabling us to compare and distinguish them. But then we must become alive to the following facts:

1 - the question about the meaning of historicity is an *ontological* problem, an inquiry into the structure of being of historical existence;
2 - the question about the ontic being is an *ontological* one about the structure of being of what is *not* in conformity with existentiality, about what is 'at hand', 'present', 'given' in the widest sense;
3 - the ontic is only one department of 'what is'. The idea of 'being' comprises both the ontic and historicity. It is this idea that must be capable of generic differentiation' [1].

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[1] *Sein und Zeit* (1927) p. 403: "Wie anders soll Geschichtlichkeit in ihrem Unterschied vom Ontischen philosophisch erfasst und "kategorial" begriffen werden, es sei denn dadurch, dass "Ontisches" sowohl wie

The last few sentences in this quotation are very characteristic. 'Being' as a common denominator of comparison has become an unqualified idea. It bears the same relation to the fundamental diversity of meaning of 'nature' and history as the genus-concept to its 'differentia specifica'. It is no longer an Archimedean point. The selfhood has been uprooted. Only in its dread of *'Nothingness'*, in its freedom to project its existence in the 'Sorge' (concern) and the existential awareness of death is it distinguished from the meaningless world (i.e. das Vorhandene, or things as given by nature), and does it transcend the latter.

The Humanist personality-ideal with its proud claims to sovereignty and freedom has met its doom in a philosophy of death, in which the selfhood can only come tot itself in 'concern' ("Sorge") [1], in projecting its future towards death.

With HEIDEGGER the selfhood is exclusively free in its 'anticipatory running forward (in hermeneutical reflection) to death" ("vorlaufen in den Tod"), it is the authentic self ("eigentlich selbst") only in its fundamental isolation by the silent dreadful *resolve* to accept the fate of its existence [2]; a resolve in which

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"Historisches" in eine ursprüngliche Einheit der möglichen Vergleichseinsicht und Unterscheidbarkeit gebracht werden? Das ist aber nur möglich, wenn die Einsicht erwächst:

1 - Die Frage nach der Geschichtlichkeit ist eine ontologische Frage nach der Seinsverfassung des geschichtlich Seienden;

2 - die Frage nach dem Ontischen ist die ontologische Frage nach der Seinsverfassung des nicht daseinsmässigen Seienden, des Vorhandenen im weitesten Sinne;

3 - das Ontische ist nur *ein* Bezirk des Seienden. Die Idee des Seins umgreift "Ontisches" *und* "Historisches". Sie ist es, die sich muss "generisch differenzieren" lassen."

[1] HEIDEGGER's ideas of "Dasein" (= human existence), "Zeit" (= time) and "Sorge" (= concern) as the essence of the selfhood, including the definition of "Dasein" as "Zeit und Geschichtlichkeit" (= time and historicity) show a striking resemblance to SPENGLER's Treatise on "Schicksalsidee und Kausalitätsprinzip" (=The idea of Fate and Causality). This part of *Der Untergang des Abendlandes,* Bnd. I, S. 164—221, is worth reading in this connection.

As far as I know this agreement between the two thinkers has not yet been pointed out. Notwithstanding the fact that their conceptions of 'historic being' are widely different, they are at one in their irrationalist historical attitude.

[2] *Sein und Zeit,* p. 323: The German text reads: "in der ursprünglichen Vereinzelung der verschwiegenen, sich Angst zumutenden Entschlossenheit."

the selfhood of its own free choice abides in nothingness (in das Nichts hinaushält) [1], accepting its 'thrown-ness' (Geworfenheit) in nothingness as its guilt.

The 'being of what is' (das Sein des Seiendes) is indeed the supremacy of Non-Being (= nothingness), into which the selfhood as *Dasein* (= the being there, i.e. human existential life) has been thrown in the movement of historical time, which originates from its own essence, and which it realizes with dread in so far as it really comes to itself.

In the comparative denominator, conceived of as the 'idea of Being', the fulness of meaning of reality is absent. The latter can never be related to its temporal diversity of meaning as the genus to its species.

§ 4 - *MEANING* AS THE BASIC DENOMINATOR IN IMMANENCE-PHILOSOPHY AND THE GROUND FOR THE DISTINCTION IN THIS PHILOSOPHY BETWEEN *MEANING* AND *REALITY* AS MERELY *HAVING* MEANING.

In the light of our transcendental basic Idea the criterion of the modal diversity of the law-spheres can only have for its transcendent created foundation the religious fulness of meaning as embodied in Christ, as the new root of our cosmos.

The sinful subjectivity of temporal reality, as will be presently explained in greater detail, has its sinful mode of being as (apostate) meaning only by virtue of the religious fulness of meaning of divine law, without whose determination and delimitation sinful reality would have no meaning and hence no existence or being.

The religious fulness of meaning (in no way self-sufficient, but wholly dependent) is the meaning-ground of all created existence.

This conception of meaning was defended in the Prolegomena of vol. I, where we repudiated any possible misinterpretation of our philosophy as a kind of symbolical idealism, a kind of meaning-ism.

Now the moment has come for a definitive comparison of this conception of meaning with that of immanence-philosophy.

It is remarkable that in Humanistic philosophy there has never been so much talk of 'meaning', of 'rendering meaningful', of

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[1] *Was ist Metaphysik?*, p. 26.

'interpreting meaning', as in recent times. And this is happening at the very moment when the former foundations of the idea of 'being of what is' — as established in the Humanistic cosmonomic Idea by the ideals of science and of personality — are being relativistically dissolved.

In the earlier phases of immanence-philosophy the metaphysical idea of being as the basis of the modal diversity of meaning appeared to be founded in the hypostatizing of reason.

Meaning was abstracted from its true religious fulness and from the real *Archè*. *Being,* as the ultimate metaphysical idea of reason, is indeed the being of a reason that has been made self-sufficient and independent, the "Vernunft", the *νοῦς*, in which the selfhood thinks it has found its Archimedean point.

In post-Kantian freedom-idealism the *Idea* becomes the only ground of being in a more and more radical sense; it contains the totality of meaning which it expands [in the modal diversity] through its dialectical self-development within time.

The metaphysical basis for the distinction between meaning and reality in immanence-philosophy.

In ancient idealistic metaphysics there is, however, always some *μὴ ὄν* in temporal reality as a counter-instance opposed to the true being, the rational ground of meaning. It is the *ἄπειρον*, the *ὕλη* (formless matter), the principle of becoming and decay. It is a constitutive element of the phenomenal sensory perceivable world. Nevertheless the phenomenon shares in the true 'Being' (*οὐσια*), and in this way becomes meaningful only through its relation to the latter (cf. the *μέθεξις* in PLATO and his doctrine of temporal, changeable reality as a *γένεσις εἰς οὐσιαν*). In Aristotelian metaphysics the phenomenon shares in the true being by means of its immanent essential form, which actualizes matter and has a teleological relation to the Deity as pure actual Form. The latter was identified with absolute theoretical thought having only itself as object (*νόησις νοησέως*).

Thus it was conceivable that temporal reality derives its meaning solely from reason without being itself meaning.

In pre-Kantian Humanistic metaphysics the distinction between phenomenon and noumenon continues to play its dominating part, and the true ground of Being is found in divine creative mathematical thought.

'Nature' as meaningless reality in FICHTE and the South-Western German school of neo-Kantianism.

When KANT ascribes primacy to the ideal of personality, and attributes to the Idea as noumenon a practical-moral sense, the true ground of being of temporal reality can no longer be found in mathematical thought. In FICHTE 'nature' as 'phenomenon' becomes the dialectical counterpole of the free I-ness, a dialectical negation (the non-ego) which — being meaningless in itself — acquires meaning only through its relation to the Idea, (as the material for the fulfilment of duty).

In the neo-Kantian philosophy of the South-Western German school this conception of meaning is carried through in its pregnant sense, but at the same time KANT's practical ethical metaphysics is given up. The practical Idea turns into an absolute, extra-temporal valid value, which as such is elevated to the transcendent ground of all temporal meaning.

The empirical reality of 'nature', as conceived of by natural science, is meaningless in itself; however, it assumes meaning through its relation to value, a relation which has not an ontological sense, but can be effectuated only by the judging subject in a synthetical act of consciousness. Thus the immanent "Akt-Sinn", accomplishing a subjective synthesis of reality and value, finds its ultimate ground in the transcendent meaning: viz. in *value*.

Meaning in HUSSERL's phenomonology.

In HUSSERL's phenomenology, meaning also remains 'ideal'. At least in the *Logische Untersuchungen* the words '*meaning*' (Sinn) and '*signification*' (Bedeutung) are used promiscuously. The phenomenologist seeks to restrict himself to the data by exclusively directing his intuitive gaze to the intentional acts of consciousness with their entire contents. From this point of view *meaning* becomes identical with the intentional relationship of the absolute, pure ego to the '*Gegenstand*' intended in the act of consciousness. It becomes identical with the '*reine Aktwesen*' both as regards its subjective *noetic* (= rendering meaningful) and its objective *noematic* (= possessing meaning) aspect [1].

[1] *Ideen* I, p. 185: "Ähnlich wie der Wahrnehmung hat *jedes intentionale* Erlebnis — eben das macht das Grundstück der Intentionalität aus — sein "intentionales Objekt", d.i. seinen gegenständlichen Sinn. Nur in anderen Worten: Sinn zu haben, bezw. etwas "im Sinne zu haben" ist der Grundcharakter alles Bewustseins, das darum nicht nur überhaupt Er-

In a typical absolutizing of the phenomenological attitude the transcendental noetic consciousness is conceived of as the *absolute* consciousness. The absolute consciousness with its immanent intentional content is held to form the residue of the methodical 'destruction of the world' (Weltvernichtung) which phenomenology pretends it can effect by a methodical ἐποχή of the entire natural attitude of experience, including its appreciative function [1]. The Greek word ἐποχή (epochè) here means: putting in parentheses, replacing the naïve attitude by the theoretical-phenomenological one without neglecting anything of the real content of the intentional act of consciousness.

"*All real units are 'units of meaning'*. Units of meaning presuppose *the noetic consciousness,* which on its part is absolute and does not owe its existence to another noesis" [2].

Meaning is consequently conceived of by HUSSERL as the intentional content of an 'act of consciousness' (Bewusstseinsakt), which content, characterized through 'intentions of the act', is sharply distinguished from purely sensory impressions (Empfindungen), in the same way as BRENTANO distinguishes them. These sense impressions can at the most be *objects of intentions* [3].

> 'Every Noema,' says HUSSERL, 'has a *content,* viz. its 'meaning', and through this it refers to its *Gegenstand'* [4]. Hence: meaning is 'the intended as such' in the intentional experience, and as such it can be fixed *eidetically,* i.e.: by means of the logical identification of its *eidos* (essence) abstracting all the individual possibilities of variation, as the *nucleus of the noema,* i.e. as the kernel of the intended *'Gegenstand'*. Meaning as the noematic kernel is then sharply distinguished from the apperceptional meaning ("Auffassungssinn", i.e. the intending of a *'Gegenstand'* in observation, imagination, remembrance, etc.) and the latter is also considered as an essential element in the full 'noema'. Finally, meaning is spoken

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lebnis, sondern Sinnhabendes, "Noetisches ist." [Just as observation, *every intentional* experience — and this very fact forms the fundamental element of intentionality — has its 'intentional object' i.e. its objective meaning. Or in other words: 'to mean' or 'to intend' is the fundamental character of all consciousness, which for this reason is not merely experience, but something that has meaning, something 'noetic'.]

[1] *Ideen* I, S. 91 ff.

[2] *Ideen* I, S. 106. *"Alle realen Einheite sind "Einheiten des Sinnes"*, Sinneseinheiten setzen sinngebendens Bewusstsein voraus, das seinerseits absolut und nicht selbst wieder durch Sinngebung ist."

[3] *Log. Unters.* II, I (2e Aufl.), S. 391 ff.

[4] *Ideen* I, S. 267: "Jedes Noema hat einen *"Inhalt"*, nämlich seinen "Sinn" und bezieht sich durch ihn auf seinen Gegenstand."

of as the 'noematic kernel in the mode of its fulness' ("im Modus seiner Fülle"), in which meaning is not only conceived in the intention of the "*Gegenstand im Was*" (the object in the *what*), but also in the intention of the "*Gegenstand im Wie*" (the object in the *how*) e.g. the different "Klarheitsfüllen" ((fulnesses of clarity), i.e. in the intended concreteness of the noematic meaning [1].

The subjectivistic view of meaning in PAUL HOFMANN.

A purely subjectivistic notion of meaning is advocated by PAUL HOFMANN, an adherent of the phenomenological school derived from DILTHEY's vitalistic philosophy. It forms a contrast with HUSSERL's conception of meaning as something objective (objektives Wesen) offering itself to the pure phenomenological intuition. 'Thing means 'object'. Meaning, however, is that in which or through which I experience a thing (knowing it and in every respect always valuing it also), i.e. that which, in contradistinction to its 'own' object, is no longer experienced as object, and cannot be conceived of as object *without any residue*. Just as 'meaning' is the opposite of 'thing', 'Verstehen' is the opposite of 'Schauen' (i.e. having the intended thing itself)' [2].

HOFFMANN, too, reverts to a 'pure I' in the sense of a pure (no longer objectifiable) "Erleben" (experience) which he explicitly conceives of as a limiting concept. However, he does not want to hypostatize meaning [3]. Rather he wishes to consider it as existing exclusively in the subjective sphere, as a 'mode of pure experience' (reines Erleben) that understands itself. Thus 'meaning' becomes the opposite of any kind of 'Gegenständlichkeit'. This phenomenological 'vitalistic philosophy' attempts to identify meaning and transcendental experience without per-

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[1] *Ideen* I, S. 273.

[2] PAUL HOFMANN: *Metaphysik oder verstehende Sinn-Wissenschaft* (1929), S. 3: "Sache heisst "Gegenstand", Sinn aber ist dasjenige, in dem und durch das ich einen "Gegenstand" oder eine Sache erlebe (wissend und allerdings auch stets zugleich wertend), was also diesem "*seinem*" Gegenstand gegenüber jedenfalls nicht mehr als Gegenstand erlebt wird, und was überhaupt nicht *ohne Rest* als Gegenstand gefasst werden kann. Wie nun Sinn das Gegenteil von Sache, so ist Verstehen das Gegenteil von Schauen, d.h. von die-Sache(vermeintlich)-selbst-haben." Cf. his study *Das Verstehen von Sinn und Seine Allgemeingültigkeit* (Jahrbuch für Charakterologie VI).

[3] As HUSSERL does, (and, according to HOFMANN, as HEIDEGGER does, too) by elevating meaning to an ideal "*für sich seiendes objectives Wesen*" (an ideal objective essence in itself).

ceiving that this "reines Erleben" (pure experience) itself, in its opposition to all temporal reality, results in a theoretical hypostasis, and as such is abstracted from true self-reflexion.

What is the meaning of a "reines Erleben" (pure experience) of which nothing can be said but this negation that it is opposed to all matter-of-factness, to all "Gegenständlichkeit" (identified with objectivity)?

It is typical for HOFMANN to call his philosophy, as the science of meaning, 'Logology'[1]. It was intended as the science "vom Sinne überhaupt" (of meaning as such) and this concept of "Sinn überhaupt" we shall make acquaintance with as a logicist, and therefore meaningless, generic concept.

A more detailed explanation of our own conception of meaning.

At the present stage, our discussion of the above-mentioned Humanistic views of meaning will suffice, and we shall now expound our own conception in greater detail.

The question: what is *meaning?* cannot be answered without our reflecting on the *Origin* and *unity* of all temporal meaning, because this answer depends on the cosmonomic Idea of philosophical thought. Not a single temporal structure of meaning exists in itself (an sich). That which *makes it into meaning* lies *beyond the limit of time.* Meaning is 'ex origine' the convergence of all temporal aspects of existence into one supertemporal focus, and this focus, as we have seen, is the religious root of creation, which has meaning and hence existence only in virtue of the sovereign creative act of God.

The fulness of meaning is implied in the religious image of God, expressing itself in the root of our cosmos and in the splitting up of that root in time.

This religious fulness of meaning, given only in Christ, as the new root of creation, is not an abstract *'eidos'*, not an 'Idea', but it implies the fulness of created reality, again directed to God.

Especially in accordance with the Christian confession about Creation, the Fall into sin, and Redemption, it will not do to conceive of created reality as merely the *bearer* of meaning, as *possessing* meaning, as is done in immanence-philosophy.

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[1] Op. cit. p. 61.

Such a conception remains founded in an Idea of the 'being of what is', which is incompatible with the radically Christian confession of the absolute sovereignty of God, the Creator, and of the fulness of created meaning in Christ. It is especially in conflict with the view resulting from the Christian attitude, stating that no single aspect of the meaning of reality may be depreciated in favour of certain absolutized aspects. There is an after-effect of the form-matter-scheme of immanence-philosophy discernible in the distinction between reality and meaning. In particular it is the opinion that 'meaning' would be exclusively ideal, supertemporal and abstract — a view found again in THEODOR LITT's conception of thinking in the so-called cultural sciences — which is the foundation of this distinction.

HUSSERL thinks he can carry ad absurdum the view that natural reality itself would be *meaning,* by means of the simple remark: meaning cannot be burnt down like a house. And again this remark is founded in the concept of matter and the (semi-Platonic) concept of form of immanence-philosophy: the sensory impressions of nature are 'merely factual reality'; meaning, however, is the *'eidos',* the ideal "Bedeutung" (signification). But, in the Christian attitude the Archimedean point is radically different from that of immanence-philosophy. If it is admitted that all the aspects of reality are aspects of meaning, and that all individual things exist only in a structure of meaning, so that the burning house itself, as regards its temporal mode of being as a 'thing', has an individual temporal structure of meaning, then HUSSERL's remark loses all its value.

If created things are only *the bearers of meaning,* they themselves must have another mode of being different from that of the dependent creaturely existence referring beyond and above itself, and in no way self-sufficient. Then with immanence-philosophy it must be possible *to abstract meaning from reality.*

Then we fall back into the form-matter-scheme of immanence-philosophy in whatever different varieties and shades of meaning it may be propounded. Then the religious fulness of meaning of our created cosmos in Christ must be an abstract value or a transcendental Idea and nothing more.

But, if *'meaning'* is nothing but the creaturely mode of being under the law, consisting exclusively in a religious relation of dependence on God, then branding the philosophy of the cosmonomic Idea as a kind of 'meaning-idealism' appears to be based on a fundamental misunderstanding.

I trust I have precluded once for all this misconception, which has arisen in a quarter so congenial to this philosophy.

The struggle to shake off the fetters of the basic schemes of immanence-philosophy from our thinking is an extremely difficult task, and it is quite explicable that there may arise some misunderstandings.

Should there be some misconception on my part, and should it be possible on biblical grounds to show that (religious) meaning is not the mode of being of created reality, I shall not for a moment hesitate to revise my conception on this point. If I see aright, however, the difference on this head between my view and that of STOKER, mentioned in the Prolegomena, is of a provisional character and is connected with the question raised by him, if Christian philosophy can indeed do without the *concept of substance.* Now I stick to my opinion that this question can only be considered to some purpose, if beforehand the preliminary question has been answered: What is the creaturely mode of being, what is the *being* of all created existence? The answer to the latter question is of primary importance; for the sense in which a new *concept of substance,* if any, is to be taken, depends on this answer.

And that is why I believe that it is not right to criticize the conception of *meaning* as the creaturely *mode of being* by means of *a concept of substance* of which the meaning has not been further defined.

The 'problem of substance' cannot be discussed in more detail before the investigation of the structures of individuality of temporal reality. We have observed that the theory of the modal law-spheres must have precedence for purposes of method.

But both the theory of the law-spheres and that concerning the structures of individuality must be founded in an Idea of the mode of being of creaturely reality as such, an Idea that is implied in the transcendental basic Idea.

Meaning in the fall of man.

There remains, however, another central problem of extreme importance: As regards his human nature, Christ is the root of reborn creation, and as such the fulness of meaning, the creaturely Ground of the meaning of all temporal reality. But our temporal world in its apostate religious root lies under God's curse, under the curse of sin. Thus there is a radical antithesis in the subject-side of the root of the earthly cosmos. It may be that this

antithesis has been reconciled by the Redemption in Jesus Christ, but in temporal reality the unrelenting struggle between the kingdom of God and that of darkness will go until the end of the world. The falling away from God has affected our cosmos in its root and its temporal refraction of meaning. Is not this a final and decisive reason to distinguish meaning from reality? Does not the radical antithesis between the kingdom of God and that of darkness, which our transcendental Idea itself also recognizes as fundamental for philosophic thought, compel us to accept an ultimate dualism between meaning and reality?

Is sinful reality still *meaning?* Is it not meaningless, or rather the adversary of meaning, since meaning can only exist in the religious dependence on its Origin?

Here we indeed touch the deepest problem of Christian philosophy. The latter cannot hope to solve it without the illumination of Divine Revelation if it wants to be guaranteed from falling back into the attitude of immanence-philosophy.

I for one do not venture to try and know anything concerning the problem that has been raised except what God has vouchsafed to reveal to us in His Word. I do not know what the full effect of unrestrained sin on reality would be like. Thanks to God this unhampered influence does not exist in our earthly cosmos. One thing we know, viz. that sin in its full effect does not mean the cutting through of the relation of dependence between Creator and depraved creation, but that the fulness of being of Divine justice will express itself in reprobate creation in a tremendous way, and that in this process depraved reality cannot but reveal its creaturely mode of being as *meaning.*

It will be meaning in the absolute subjective apostasy under the curse of God's wrath, but in this very condition it will not be a meaningless reality.

Sin causes spiritual death through the falling away from the Divine source of life, but sin is not *merely* privatio, not something *merely* negative, but a *positive,* guilty apostasy insofar as it reveals its *power,* derived from creation itself. Sinful reality remains apostate meaning under the law and under the curse of God's wrath. In our temporal cosmos God's Common Grace reveals itself, as KUYPER brought to light so emphatically, in the preservation of the cosmic world-order. Owing to this preserving grace the framework of the temporal refraction of meaning remains intact.

The Christian as a stranger in this world.

Although the fallen earthly cosmos is only a sad shadow of God's original creation, and although the Christian can only consider himself as a stranger and a pilgrim in this world, yet he cannot recognize the true creaturely ground of meaning in the apostate root of this cosmos, but only in the new root, Christ. Any other view would inevitably result in elevating sin to the rank of an independent counter-power opposed to the creative power of God [1]. And this would result in avoidance of the world, an unbiblical flight from the world. We have nothing to avoid in the world but *sin*. The war that the Christian wages in God's power in this temporal life against the Kingdom of darkness, is a joyful struggle, not only for his own salvation, but for God's creation as a whole, which we do not hate, but love for Christ's sake. We must not hate anything in the world but *sin*.

The apostate world cannot maintain any meaning as its own property in opposition to Christ. Common Grace.

Nothing in our apostate world can get lost in Christ. There is not any part of space, there is no temporal life, no temporal movement or temporal energy, no temporal power, wisdom, beauty, love, faith or justice, which sinful reality can maintain as a kind of property of its own apart from Christ.

Whoever relinquishes the 'world' taken in the sense of *sin*, of the *'flesh'* in its Scriptural meaning, does not really lose anything of the creaturely meaning, but on the contrary he gets a share in the fulness of meaning of Christ, in Whom God will give us *everything*. It is all due to God's common grace in Christ that there are still means left in the temporal world to resist the destructive force of the elements that have got loose;

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[1] In his *Kirchliche Dogmatik* KARL BARTH has tried to escape this consequence by deriving the positive power of sin from the 'Divine No' placed over against His 'Yes' with respect to His creative act. But this dialectical solution of the problem results in a dualistic (at the same time positive and negative) conception of creation.

The Divine 'No' cannot explain the power of sin, which as such is derived from creation itself, as we have stated in Vol. I.

The idea of a negative creation is destructive to the Biblical conception of the integral Origin of Heaven and earth, because it implies that sin has a power outside creation in its positive sense.

Creation itself implies the Divine 'No' with respect to sin in its negative sense as 'privatio'.

that there are still means to combat disease, to check psychic maladies, to practise logical thinking, to save cultural development from going down into savage barbarism, to develop language, to preserve the possibility of social intercourse, to withstand injustice, and so on. All these things are the fruits of Christ's work, even before His appearance on the earth. From the very beginning God has viewed His fallen creation in the light of the Redeemer.

We can only face the problem of the effect on temporal meaning that the partial working of the falling away from the fulness of meaning has in spite of common grace, when we have gained an insight into the modal structures of the law-spheres within the temporal coherence of meaning. But—and with this we definitively reject any separation of meaning from reality — meaning in apostasy remains real meaning in accordance with its creaturely mode of being. An illogical reasoning can occur only within the logical modality of meaning; illegality in its legal sense is only possible within the modality of meaning of the jural sphere; the non-beautiful can only be found within the modal aspect of meaning of the aesthetic law-sphere, just as organic disease remains something within the modal aspect of meaning of the biotic law-sphere, and so on. Sin, as the root of all evil, has no meaning or existence independent of the religious fulness of the Divine Law. In this sense St PAUL's word is to be understood, to the effect that but for the law sin is dead [1].

All along the line meaning remains the creaturely mode of being under the law which has been fulfilled by Christ. Even apostate meaning is related to Christ, though in a negative sense; it is nothing apart from Him.

As soon as thought tries to speculate on this religious basic truth, accessible to us only through faith in God's Revelation, it gets involved in insoluble antinomies. This is not due to any intrinsic contradiction between thought and faith, but rather to the mutinous attempt on the part of thought to exceed its temporal cosmic limits in its supposed self-sufficiency. But of this in the next section. For thought that submits to Divine Revelation and recognizes its own limits, the antithesis in the root of our cosmos is not one of *antinomy*; rather it is an opposition *on the basis of the radical unity of Divine Law*; just as in the temporal law-spheres justice and injustice, love and hatred

[1] Rom. 7 : 8: *χωρὶς γὰρ νόμου ἁμαρτία νεκρά.*

are not internally antinomous, but only contrasts determined by the norms in the respective modalities of meaning.

The religious value of the modal criterion of meaning.

If created reality is to be conceived of as meaning, one cannot observe too strictly the limits of the temporal modal law-spheres in philosophic thought. These limits have been set by the cosmic order of time in the specific 'sovereignty of the modal aspects within their own spheres'.

Any attempt to obliterate these limits by a supposedly autonomous thought results in an attack upon the religious fulness of meaning of the temporal creation.

If the attempt is made to reduce the modal meaning of the jural or that of the economic law-sphere to the moral one of the temporal love of one's neighbour, or if the same effort is made to reduce the modal meaning of number or that of language to the meaning of logic, it must be distinctly understood that the abundance of meaning of creation is diminished by this subjective reduction. And perhaps without realizing what this procedure implies, one puts some temporal aspect of reality in the place of the religious fulness of meaning in Christ. The religious value of the criterion of meaning is that it saves philosophic thought from falling away from this fulness.

§ 5 - THE LOGICAL ASPECT OF THE MODAL CRITERION OF MEANING AND THE METHOD OF ANTINOMY.

The principium exclusae antinomiae in its relation to the logical principle of contradiction.

In § 1 of this chapter the theoretical character of the criterion of a modal law-sphere was given prominence and reference was made to the logical side of this criterion.

The modal aspects are implicitly included in naïve experience. Their "ex-plication", the theoretical unfolding of the functional modalities of meaning from what has been given in the naïve attitude, is a task of philosophy, which has to make use of theoretical analysis and synthesis. Insight into a real synthesis of the logical function of thought with a non-logical aspect of experience can only be acquired on the condition of respecting the specific modal limits of the different law-spheres, including the logical one. Every attempt to erase these limits by a supposed autonomous theoretical thought results in theoretical antinomies. By laying bare such antinomies in immanence-philosophy, we

apply a method of criticism whose efficiency can be denied only by those who employ a dialectical logic either to overcome the ultimate antithesis in their religious starting-point by a pseudo-theoretical synthesis, or to project this basic antinomy as an unconquerable contradiction into temporal reality itself.

The method of antinomy has continually been applied in our critical treatment of the development of the basic antinomy between 'nature' and 'freedom' in Humanistic philosophy; but the *special* use of this method in the theory of the modal law-spheres has not yet been brought to light.

The nature of the theoretical antinomy. The principium exclusae antinomiae.

What is the nature of a theoretical antinomy? Antinomy literally means a 'contradiction between laws'. PLUTARCH uses the term in a juridical sense to denote an inner conflict in positive law, revealing itself in the fact that two opposing parties can explain the law in their own favour.

It is especially the original relation of antinomy to *law* (of course in this case taken in its fundamental cosmological sense, and not in a modally jural application) that makes it necessary to give all the more prominence to its essentially subjective character of being opposed to law. It is not the law itself, in its basic meaning of the cosmic order of the modal law-spheres that can be antinomic, nor can the laws of the different modal aspects contradict one another. But all theoretical antinomies are caused by theoretical thought involving itself in self-contradiction in theoretical judgments, because it forms an erroneous conception of the coherence in the modal diversity of the laws, thereby giving rise to a seeming mutual incompatibility of the latter.

Antinomy in its inter-modal character may not be identified with the intra-modal relation of contrariety.

Antinomy in this inter-modal theoretical sense ought to be sharply distinguished from the intra-modal relation of contrariety, including logical contradiction. Contraries like logical — illogical, polite — impolite, beautiful — ugly, lawful — unlawful, moral — immoral, belief — unbelief, and so on, present themselves *within the same modal aspect of meaning*. They do not contain a real antinomy between different modal law-spheres.

In its theoretical character the latter *implies* a logical contradiction; but a logical contradiction as such is not an antinomy in the inter-modal sense here intended, referring as it does to the transcendental Idea concerning the mutual coherence of meaning between the different modal aspects of experience.

Antinomy in the sense of a seeming contradiction between the essential laws of different modal aspects of meaning is refuted by the Idea of cosmic order. Anyone who accepts the cosmic order of time regulating the coherence of meaning between the laws of different modal spheres, cannot acknowledge any theoretical justification for antinomy. The transcendental Idea of cosmic order implies the *principium exclusae antinomiae.*

The essentially antinomic character of all speculative thought. The antinomy of the sole causality of God in speculative theology.

If theoretical thought is indeed bound by the temporal coherence of meaning of the modal law-spheres, any attempt on the part of this thought to overstep the limit of the cosmic order of time must lead to antinomy. For this reason all speculative thought is necessarily antinomic.

Our thought cannot really exceed the cosmic limit of time. What actually takes place in speculative thought is not an antinomic conceptual comprehension of the supertemporal, but merely a theoretical eradication of the modal limits between the temporal law-spheres by making certain modal aspects absolute.

Take for instance the notorious antinomy of speculative natural theology with its notion of the 'unconditional ultimate causality of God' proceeding from the impossibility of a *regressus in infinitum* in the empirical causal relations. This notion lands us in an insoluble contradiction with man's personal accountability for his actions, since it makes God the ultimate term of a series of causes and effects which must be conceived as continuous and leaving no single hiatus in the causal chain.

For, if any hiatus would be allowed in the temporal chain of causes and effects, by the introduction of "free causes", in the sense of subjects of normative imputation, the whole argument would lose its foundation.

This argument starts from 'material' sensory perceivable effects and from these effects seeks to find the causes. It is impossible in this empirical way to find a free cause as the subject

of normative imputation. The cause which can explain the effect must itself be the effect of another cause and so on.

It is not necessary that the causal relations found in this way are conceived of in a mechanical sense. But they cannot be of a normative character, because the normative imputation of an effect to a subject as its cause implies that the acting subject itself is a final point of reference in the normative aspects of the causal relation [1].

The Thomistic proofs of the existence of God.

The first and second Thomistic-Aristotelian proofs of the existence of God as unmoved Mover handle the concept of causality in the metaphysical sense of the Greek form-matter scheme.

Causality is conceived here in the transcendental-analogical sense of the fundamental concept of *being,* with its general transcendental determinations of matter and form, actuality and potentiality. This implies that the causal relation is used without any synthetical determination of its modal meaning.

In the Aristotelian principle: *Omne quod movetur ab alio movetur,* 'movement' is meant in the analogical sense of a transition of matter to form, and of potentiality to actuality.

As long as this principle is handled in its purely metaphysical sense, the argument based on it cannot prove anything, because it contains only a theoretical logical explanation of the consequences implied in the religious pre-supposition of the form-matter motive in its Aristotelian conception [2].

As soon, however, as it is related to human experience of movements in the temporal world, it is no longer possible to use the concepts of movement and causality in an undetermined *analogical* sense.

In this case it becomes necessary to define the events arranged in the chain of causes and effects which are supposed to demand an unmoved Mover as the ultimate cause. And now theoretical thought cannot escape from defining the modal and typical *sense* of its concept of causality.

If it is possible to arrange a series of different natural events

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[1] Cf. my treatise *The modal structure of the juridical causal nexus,* Mededeling Ned. Kon. Akademie van Wetenschappen (Nieuwe Reeks dl. 13, 2e ed. 1950).

[2] Cf. my treatise *The Transcendental Critique of Theoretical Thought and the Thomistic Theologia Naturalis* (Phil. Ref. 17 Year 1952, p. 151 ff).

and human actions in the same chain of causes and effects which would be infinite without assuming God as the ultimate cause, the normative aspects of causality must be eliminated on the grounds explained before.

As to the remaining aspects it must be stated that — if they are irreducible to each other — their inter-modal relation cannot be a causal one.

Consequently, it is necessary to define the modal aspect of causality meant in the empirical-theoretical argument.

But, by making God the absolute or ultimate cause of a theoretically abstracted modal series of causes and effects, this modal aspect is absolutized because of its being related to the absolute Origin outside of its inter-modal coherence with the other aspects and outside of the religious centre of human existence. And so the antinomy between 'causality' and normative responsibility of man is inescapable.

It does not matter whether causality is conceived of in a metaphysical-mechanical sense, or in a metaphysical-biological or in a metaphysical-psychological one; in either case it is inevitably in conflict with the modal meaning of the normative aspects of human behaviour, as soon as it is brought to bear on the latter. If, for example, an instance of rational human behaviour were capable of an entirely mechanistic explanation, there would not be any foundation for normative juridical or moral accountability.

Human action, however, is incapable of being enclosed in certain aspects of reality in a purely functionalistic way, since insofar as it is human behaviour, it takes its origin in the religious root of human existence.

To the extent that a human ego is qualified as the super-modal cause of his actions, we speak about causality in the transcendental sense of the radical unity of all its temporal modalities, which refers to the religious concentration-point of human existence beyond all and any modal diversity of meaning. This human ego cannot be arranged in a mechanical or psychological causal series.

And insofar as we continue to speak of God being the ultimate cause, we can do so only in the sense of the transcendental Idea of the Origin of all meaning, if we want to avoid the errors of speculative immanence-philosophy. God can never be the ultimate cause in a mechanical or other modal series of causes and effects. Rather He is the Origin of causality in the temporal

coherence and radical unity of all its modal aspects. A *purely modal* causality cannot refer to a *real* process, but only to a *theoretical abstraction.*

It has already been discussed in the Prolegomena that both Ideas (that of the radical unity and that of the Origin), contained in the transcendental basic Idea, are conclusive evidence of the fact that theoretical thought is not self-sufficient, *not even in its own sphere,* and that it is necessarily determined by the religious root of existence. Antinomy arises in the first place through ignoring this religious *determination* and *dependence* of theoretical thought, because this thought sets out to interpret God's causality or that of human volition in a *functionalistic* way. That which is *one* in the full sense of the word in the totality of meaning and in the Origin of all meaning respectively, turns into a contradiction between two modal functions of meaning, if interpreted functionalistically; the reason is that these two functions are made absolute in theoretical thought (e.g., mechanical causality and moral responsibility).

Any one who thinks he can solve such a speculative antinomy by granting man a certain measure of independence and freedom in his relation to God as 'prima causa' has not understood the true origin of this antinomy in speculative philosophy. For the speculative concept of cause (which implies an absolutization of a non-normative modal aspect of meaning as soon as it used in an argument which is based on a continuous series of causes) does not bear any limitation in its supposed applicability to the Absolute Origin of the cosmos.

If God, as a supposed unmoved Mover, is thought of as the ultimate cause in a purely mechanical series of causes and effects, His causal activity must be conceived in an *absolute mechanical* sense which has no room for any human responsibility. And the same consequence, viz. the exclusion of human responsibility, is implied in the absolutization of any other non-normative aspect of a causal process.

The source of the contradiction lies in this absolutizing itself. For human thought it is absolutely impossible to form a defined concept of causality in the supertemporal fulness of meaning or in the sense of God's creative act. Impossible, because human thought is bound within the limits of the temporal coherence of meaning.

Only in the transcendental Idea referring to the totality of meaning and to the *Ἀρχή* can human thought be *concentrated*

towards that which passes beyond its immanent boundaries.

That's why St PAUL's words are full of wisdom when he answers those who speculate on causality with reference to the will of God. "Thou wilt say then unto me, why doth He yet find fault? For who hath resisted His will?" "Nay, but, O man, who art thou that repliest against God?" This answer is a direct *dismissal* of speculative thought and it does *not enter into* the false method of posing problems used by speculative philosophy.

To philosophical thought, concentrating on Christ and on God Who reveals Himself in Christ, this speculative way of posing the problem of causality is simply impossible. Only abstract speculative theoretical thought can take it seriously.

Thus the theoretical antinomies of speculatieve thought after all prove to be antinomies related to the transcendental Idea of the inter-modal coherence between the different law-spheres.

In the same way the basic antinomy in the Humanistic cosmonomic Idea between the ideals of science and of personality appeared again and again to lead to a theoretical antinomy between mechanical causality and moral freedom.

KANT's conception of the nature and the origin of the theoretical antinomies.

The problem concerning the origin of the specific theoretical antinomies has been raised also from the immanence-standpoint. KANT, the founder of the theory of the antinomies in modern thought, is of opinion that their origin lies in the abuse of the theoretical, cosmological Ideas of reason outside of the scope of all experience. The theoretical Idea of reason is nothing but a regulator for the use of our understanding, without having any constitutive function in human knowledge. It stimulates the understanding to carry thought beyond every condition discovered in an empirical phenomenon, and to refer it to the totality of conditions. This totality is never given in experience, since it is to be conceived of as absolute, self-sufficient, unconditioned.

The Idea of reason viewed thus, is nothing but the category of thought freed from the limits set to it by experience; it is the "*bis zum Unbedingten erweiterte Kategorie*" [the category that has been extended to the unconditional].

Only the "categories" in which the synthesis contained in them form a *series,* are alleged to be capable of such 'extension

into the absolute'. And in this way KANT concludes that there are no more than four cosmological Ideas of reason (in accordance with the four points of view of KANT's table of categories).

These transcendental Ideas ought to be used theoretically only in such a way that they always urge the intellect, tied down to (sensory) experience, to add *new* determinations to those already found for some phenomenon. They are to be handled in such a way that they set an endless systematical task to theoretical knowledge.

If, however, the Idea is used as a metaphysical 'thing in itself' to which the categories of the understanding are applied as logical determinations without the aid of any sensory experience — as was done in rationalistic metaphysics — then reason inevitably gets involved in 'a dialectical illusion'. It sets up propositions that can neither be proved, nor be disproved by (sensory) experience. The remarkable thing in this "dialectical illusion" is that the thesis as well as the anti-thesis can be conceived without either of them being self-contradictory. They can both appeal to equally valid grounds of reason, but they contradict each other diametrically, notwithstanding. This is how in KANT the theoretical antinomies arise, whose number, according to him, is restricted to that of the cosmological Ideas. There are four of them, distinguished into two *mathematical* antinomies, relating to the limitedness or illimitableness of the world in time and space and to the infinite or the finite divisibility of matter; — and two *dynamic* antinomies, relating to the possibility or the impossibility of causality through freedom in the events of the world, and to the existence or the non-existence of the deity as the *ens realissimum*.

As appeared in the second part of the first volume, this Kantian conception of the nature and the origin of the theoretical antinomies is entirely dependent on the Kantian dualistic cosmonomic Idea with its isolating separation between the realm of experience (of nature) and that of super-sensory freedom.

In this dualism the fundamental antinomy between the ideal of science and that of personality is concealed. And this antinomy in KANT crystallized itself into the isolating separation between the theoretical realm of the understanding, restricted to the phenomenon, and the practical realm of reason, bearing on the super-sensory sphere of the absolute normative Ideas (noumena).

It is to be understood that KANT must find the origin of anti-

nomy in the obliteration of the boundary lines between the transcendental Idea and the intellectual concept of a "*Gegenstand*". The theoretical Idea can only refer in a theoretically transcendental sense to the transcendent root of temporal reality. To KANT this root is the Idea of the "homo noumenon", the autarchic legislator of moral freedom. But the theoretical Idea may not itself pretend to be a "*Ding an sich*", as the metaphysics of the mathematical science-ideal before KANT wanted it to do.

The origin of the special theoretical antinomies in the light of our transcendental basic Idea.

Anyone who has understood the importance of the transcendental basic Idea will no longer hold that Christian philosophy can agree with this Kantian view of the nature and origin of antinomy. But this need in no way be an impediment for us to recognize the elements of truth implied in KANT's extremely penetrating doctrine of the dialectic of pure reason.

KANT's controversy with speculative metaphysics in general, and with speculative divinity in particular, retains its fundamental value, insofar as he had an insight into the fact that theoretical antinomies must be founded in a certain speculative overstepping of the limits of theoretical thought. Especially his criticism of the speculative use of what he styles the category of causality is in this respect a proof of his genius.

In a positive sense this doctrine of the antinomies, however, is useless to us, because of the conception of experience and the Idea of the transcendent root of temporal reality that forms its basis.

And precisely KANT's identification of the reality of temporal experience with its *sensory* and *logical* aspects is a source of inner antinomies, just as is his absolutizing of the moral aspect of meaning to the transcendent noumenon. It will appear that philosophical thought cannot avoid antinomies by simply separating the concepts of natural science from the normative ones.

It is not even possible to ward off antinomy by observing the modal limits between the various law-spheres without recognizing the mutual cosmic coherence of meaning between them.

We have discovered the true origin of the antinomies in a subjective turning away on the part of theoretical thought from the cosmic order of time. This order is the foundation of the

inner sovereignty of the modal aspects within their own spheres, in their inter-modal coherence of meaning.

The special theoretical antinomy must consequently be due to a subjective violation of the modal sovereignty of the different law-spheres by theoretical thought.

Insofar as theoretical thought tries to avoid the antinomies that have arisen in this process, by separating and isolating a phenomenal and a noumenal world, embracing two different groups of mental functions ('nature' and 'normative freedom' in KANT), the antinomies are *not* really removed. The absolutized complexes of functions, dualistically separated from one another, cannot but cancel and exclude one another by this isolating separation.

In how far the antinomies are caused by a disregard of the meaning of the modal theoretical Ideas, can appear only in a later part of our work, in which the relation of the concept of a meaning-modus to the modal Idea will be explained in the light of our transcendental basic Idea. It will then appear that there must be as many classes of theoretical Ideas as there are modal law-spheres in temporal reality.

In any case it ought to be clear that the number of possible theoretical antinomies is much larger than KANT assumed in his "*Dialektik der reinen Vernunft*", and that the first three of the four that KANT formulated and examined, can be entirely explained by the causes indicated by us. The fourth (oriented to the ontological proof of God's existence) cannot be recognized as a special kind of antinomy, because it touches on the Idea of the Origin in the foundation of all philosophy. On the basis of KANT's cosmonomic Idea it can be reduced to the specific antinomy between the causality of nature, on the one hand, and morality, on the other.

Antinomies are bound to ensue from the attempt to wipe out the limits of meaning between the mathematical aspects of number and space; hence by either assuming the actual continuity of the approximative functions of number (the infinitesimal and the infinitely large number resulting from the continuous series of real numbers), or by resolving space into a collection of points conceived of as real numbers. Antinomies are bound to ensue from the attempt to reduce the modal mathematical aspect of motion to that of the original spatiality, or to resolve the energy-aspect of matter into a spatial collection of points (the antinomies of ZENO; the race between

ACHILLES and the tortoise, the flying arrow; KANT's second antinomy of the composition of matter). Antinomies must arise if we think the modal aspect of energy to be determined by the mathematical aspect of space (a more exact statement of KANT's first antinomy between the Ideas of finite and infinite 'world-space'). There arise necessarily antinomies, when it is attempted to enclose human activity entirely in its physical aspect (the antinomy between mechanical causality and normative responsibility in the various normative aspects of meaning; a more exact statement of KANT's third antinomy). Antinomies must of necessity ensue from the attempt to reduce the original (mathematical) aspect of spatiality to the sensory (objective psychical) space of sight or touch (this antinomy has been examined in the first volume in our chapter on HUME's psychologizing of mathematics) [1].

By ignoring the modal limits marking off the aspect of sensory feeling from that of logical analysis, one ends in antinomies (we refer again to HUME's psychologizing of logical thought). The same result will follow from a logicizing of the jural aspect (cf. the antinomies of KELSEN's so-called *"reine Rechtslehre"*, analysed in my Inaugural Address *"De Betekenis der Wetsidee voor Rechtswetenschap en Rechtsphilosophie"*, 1926).

Theoretical thought is confronted with antinomies when it breaks through the boundaries between the juridical aspect of retributive justice and that of moral love, and so on.

In developing the special theory of the law-spheres, we shall systematically examine the antinomies arising from the theoretical violation of the modal boundaries of meaning. But in the general theory of the law-spheres we shall also have continually to apply the method of antinomy.

The cosmic order is maintained when theoretical thought, failing to recognize the modal sphere-sovereignty of the various aspects of reality, gets involved in inner contradictions, revealed as logical contradictions in the logical aspect of the theory. Every theoretical antinomy is at bottom founded in a subjective turning of theoretical thought against the cosmic order underlying also the laws of logical thinking.

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[1] Vol. I, Part II, p. 238 ff.

The cosmological *principium exclusae antinomiae* is not identical with the logical principle of contradiction, but the former is the foundation of the latter.

The *principium exclusae antinomiae* is therefore by no means identical with the logical *principium contradictionis,* but rather its foundation.

Without the cosmic order of the law-spheres there is no possibility of logical thought, so that the logical principium contradictionis would be meaningless but for the cosmological principium exclusae antinomiae safeguarding the sphere-sovereignty of the modal aspects of reality within their inter-modal coherence of meaning. This especially distinguishes our theory of antinomy from that of the Kantian doctrine. According to KANT thesis and antithesis are separately conceivable without any inner contradiction. The antinomies, consequently, can in his view be reduced to merely logical contradictions, to a simple conflict between subjective thought and the logical principium contradictionis, which does not allow two contradictory logical judgments to be true at the same time and in the same respect.

From this logicizing of theoretic antinomy it appears most clearly that KANT tried to emancipate theoretical thought from the cosmic temporal order. This is why he has lost sight of the real states of affairs. The thesis about matter being limited by mathematical space (or vice versa the thesis of mathematical space being limited by matter); the thesis as to the infinite divisibility of matter; and that about the exclusively mechanical determination of human actions, are intrinsically antinomic *in a cosmological sense.* The immanence-standpoint itself is the origin of all cosmological antinomies ("cosmological" is here taken in the sense of our all-sided basic Idea of the cosmos, and not in the Kantian sense of the word).

Not before our analysis of the modal structures of the law-spheres can it be explained how immanence-philosophy is seemingly able to find a point of contact in these very structures for its theoretical violation of the boundaries between the modal aspects, from which the specific antinomies originate.

Antinomy plays havoc with the immanence-standpoint, affecting it in its very root, viz. in its dialectical religious basic motive. In the last instance it is due to the turning away of meaning from its true Origin, and to the emancipation of theoretical thought from the cosmic order of time in which the coherence of meaning is founded.

The method of antinomy tries to bring to light the consequences of this apostasy for theoretic thought. It is therefore pre-eminently a method of immanent criticism, because it tries to penetrate into other systems of philosophy along the lines of their own cosmonomic Idea. That is to say this method starts from their own pre-suppositions, and so lays bare the origin of the antinomy that has been brought to light.

The method of antinomy should consequently not be used exclusively from the viewpoint of the Christian cosmonomic Idea. As a method of criticism of immanence-philosophy it should enter into the transcendental basic Idea that forms the foundation of the system whose inner antinomies are to be discovered.

The analytical criterion of a modal law-sphere.

The method of antinomy is, however, not only useful in the discussion with immanence-philosophy. As a critical method it is still more important in the positive development of our own philosophic thought.

On the basis of our transcendental Idea of the cosmic time-order this method postulates analytical purity in concept-formation, and thereby requires an analytical criterion for distinguishing the modalities of meaning.

This analytical criterion has no more than a dependent function in the theory of the law-spheres. It wards off impure analyses of meaning, and especially has the task to guard against any method which results in levelling the specific modal aspects by means of concepts that are supposed to possess generic universality of meaning (the method of finding a genus proximum and the differentia specifica).

The analytic impurity of such pseudo-generic and pseudo-specific concepts is to be demonstrated by showing their multiplicity of meanings. The concrete importance of this logical criterion cannot appear until we are acquainted with the method of analyzing the modal structures of the aspects. In the present context we are only concerned with the value of the method of antinomy with respect to the discovery of the material (synthetical) criterion of a modal law-sphere. Here this method acquires an heuristic function. If we are in doubt whether the fundamental concepts of jurisprudence, economics, historical science, and so on, are related to specific modal aspects of human experience and empirical reality, we may try to reduce them to the fun-

damental concepts of other sciences whose modal fields of research have already been defined. When this attempt leads to specific insoluble antinomies, a negative proof has been given of a theoretical violation of the modal boundaries between irreducible law-spheres.

By applying this method to legal theory I was able to establish that the fundamental juridical concepts of causality, volition, power, interpretation etc. must have an irreducible modal juridical sense, since they do not permit themselves to be reduced to analogical concepts of other sciences without involving juridical thought in antinomies. But, because they are also used in other sciences — a state of affairs which refers to the inter-modal coherence of meaning between the different aspects — it is necessary to seek for the *orginal juridical meaning-moment* which alone can guarantee them their modal *juridical* sense. Here we are confronted with the modal structures of the aspects, which will be examined later on.

§ 6 - THE COSMIC TEMPORAL ORDER IN THE SUCCESSION OF THE LAW-SPHERES. SUBSTRATUM-SPHERES AND SUPERSTRATUM-SPHERES.

The modal structures of the law-spheres, as to their law-side and their subject-side, exhibit an order of increasing complication in accordance with the order of succession of the spheres in the temporal coherence of meaning.

Since DESCARTES the Humanistic science-ideal has assumed that there is a logically continuous order of the sciences investigating the different aspects of empirical reality. This order is supposedly determined by the increasing complication of one and the same method of thinking. In the terms of the neo-Kantian Marburg School this order is created by a logical process from which new categories of thought continually derive.

Immanence-philosophy has never posed the problem of a cosmic order of succession of modal law-spheres, with their specific sphere-sovereignty, intersecting the whole of temporal reality, its pre-logical aspects as well as its normative functions. And immanence-philosophy never could raise this problem, because it proclaimed philosophic thought to be self-sufficient, thereby necessarily eliminating the temporal order and inter-modal coherence of the law-spheres. This explains the unmethodical character especially of its treatment of the coherence between the normative aspects of reality.

If our cosmonomic Idea really supplies a reliable ὑπόθεσις for philosophic thought, the Idea of the meaning-coherence in the cosmic order must also be an Idea of the temporal order of succession of the modal law-spheres. It may then be asked what is the exact position of each of the latter in this temporal arrangement of aspects. Naturally, 'position', in this case does not refer to any spatial relation, but it means the relation to the cosmic order of time.

We have seen that the meaning-modalities of the law-spheres cannot be identified with 'categories of thought' in the sense of Kantian or neo-Kantian epistemology. Since we have rejected any such identification, the problem of the analysis of the modal structures of meaning of the different aspects and their subsequent synthesis has become the problem of their analysis from the fulness of their temporal coherence of meaning.

Our transcendental basic Idea does not allow of any arbitrary theoretical delimitation of these modal aspects. This implies the necessity of finding a new method of concept-formation, since the current methods neglect the modal meaning-structures.

When, for instance, did immanence-philosophy ever attempt to find the modal meaning of the juridical sphere by analyzing it from the cosmic coherence between all the modal aspects of experience, including the pre-logical modalities? When has this ever been done in earnest in the case of the modal meaning of the logical sphere, or the aesthetic, the historical, the moral sphere, or that of faith?

Because of the very nature of its philosophical basic denominator for the comparison of the different modal aspects immanence-philosophy was incapacitated to pose the problem correctly. We refer to the disturbing influence on the formation of concepts exercised by the form-matter scheme, or by the disruption of the integral empirical reality into a *noumenon* and a *phenomenon,* and by the reduction of this reality to a merely "physico-psychical" world.

Our hypothesis maintains the unbreakable inter-modal coherence of meaning between all experiential aspects. It implies the following methodical rules: The modal meaning-aspects of reality, enclosed in law-spheres, are not scattered about arbitrarily in a sort of chaotic disorder. On the contrary, they are arranged in the order of cosmic time, in a cosmic succession of prior and posterior. And this order of succession must be detec-

ted by a careful examination of the functional-modal structures of the law-spheres themselves.

The philosophy of the cosmonomic Idea does not proclaim this hypothesis as a gratuitous assertion, — a charge made by the Dutch philosopher J. P. VAN MULLEM in his neo-Kantian period, before he penetrated to the quintessence of this philosophy [1]. On the contrary, it is essential for this philosophy to account for the 'place' of each modal law-sphere by an exact analysis of its structure. It must, however, be borne in mind that we are not concerned with a certain 'arrangement of the classes of knowledge' in the sense intended by the above-mentioned writer, and as it occurs in the writings of the neo-Kantian GÖRLAND [2]. Our real aim is much rather to show how one sphere is founded on the other according to their modal structure of meaning in the cosmic temporal order [3].

The earlier modal spheres are the foundation of all the later modal aspects in an irreversible coherence of meaning. In the future this cosmic temporal relationship will be designated in such a way that the spheres forming the foundation of a certain modal aspect are called the substratum-spheres of the latter, and

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[1] *Analogon des Levens.* Annalen der critische phil. 2 (1932) 1 p. 131/2. Dr. VAN MULLEM acknowledged his fundamental misunderstanding of the theory of the law-spheres in an ample correspondence and he has presented a remarkable elaboration of this theory, projected by himself.

[2] GÖRLAND, *Prologik,* p. 347, where this writer argues that 'with increasing clarity and conciseness a certain order of succession has been created among the special sciences, which as a rule cannot be arbitrarily changed.' ["mit wachsender Deutlichkeit und Bündigkeit sich eine Reihenfolge unter spezifischen Wissenschaften sich herausgebildet hat, die allgemein sich nicht beliebig ändern läszt"].

[3] This is also the cardinal point of difference between the theory of the modal law-spheres and the theory of the 'spheres of being' developed by NICOLAI HARTMANN after the publication of my first Dutch trilogy. The 'ontological categories' of HARTMANN have nothing to do with the essential 'modal structures of meaning'. The latter pre-suppose the integral temporal coherence of meaning between all the modal aspects of empirical reality. HARTMANN's 'spheres of being' are not conceived of as modal aspects of meaning. His dichotomy between material being and ideal being *(geistiges Sein)* is ruled by the dualistic cosmonomic Idea of Humanist thought. And so is his 'Ethics', conceived of as *'materielle Wertphilosophie'*. This may suffice to refute the really surprising thesis of D. JELLEMA, Ph. D. of the University of West Virginia, according to which the theory of the modal spheres is an accommodation of HARTMANN's *'Schichtentheorie'* to the Christian standpoint. (Cf. his article *Dooyeweerd and Hartmann* in Calvin Forum, May 1954).

those which appear to have a later place in the cosmic order of time are indicated as its superstratum-spheres.

The two terminal spheres.

There must, however, be two terminal spheres in the cosmic order. The first has no modal substratum and the second has no superstratum. When distinguishing substratum-spheres from superstratum-spheres, we follow the cosmic order of time only in one definite direction (i.e. starting from the first terminal sphere of our cosmos). This reveals to us that the relationship between the foundation and its superstructure is essential in the inter-modal coherence of the modal structures of meaning. For the present it will be assumed that this relationship is irreversible. Later on the correctness of this hypothesis will be shown in detail. It should not be forgotten, however, that our Idea of cosmic time must point in the transcendental direction towards the selfhood that transcends time. Otherwise we run the risk of apostasy from the fulness of meaning.

The Scriptural conception of order in creation.

The Scriptures reveal God's act of creation. In their statement of this basic truth, which transcends all theoretical thought, they do not primarily appeal to certain temporal cognitive functions of man, but to *ourselves* in the religious root of our existence. They do not use theoretical scientific concepts, but by means of their central basic motive they appeal to the heart of man in the language of naïve experience.

And then they impress two things in our minds: man does not make his appearance in time until the whole foundation for the normative functions of temporal reality has been laid in the creation; and at the same time: in man the whole 'earthly' temporal cosmos finds its religious root, its creaturely fulness of meaning. Adam's fall into sin is the fall into sin of the whole 'earthly' world, which is not independent of the religious basic relation between God and the human race (in any of its temporal functions).

For that very reason the metaphysical conception of a natural reality in itself, independent of man, is un-biblical. The religious basic motives which gave rise to it, are incompatible with the Biblical one.

When, from the Thomistic metaphysical standpoint, 'natural reality in itself' is related to God as its ultimate cause and

end, it is forgotten that God has created the earthly cosmos in central relation to mankind and that, according to Holy Scripture, He does not look upon this cosmos apart from the heart of man.

And when this metaphysics ascribes 'objective' qualities of a sensory, logical, aesthetic and ethical character to natural things in themselves, it is forgotten that these 'objective' functions have meaning only in the subject-object relations of human experience; and the subjective functions of this experience cannot be ascribed to God, but are focussed in the human ego as their religious centre. In other words, the transcendental Idea of the Origin implies a transcendental Idea of the human ego as the religious centre of the empirical world.

The relation existing between the law-spheres, indicated here as the relation between foundation and superstructure, is not explicitely mentioned by Divine Revelation, because this Revelation does not set forth a philosophical theory about the temporal structures, but aims at the religious pre-suppositions of the latter. Since these pre-suppositions determine the contents of the cosmonomic Idea, the Idea of Creation in its Biblical sense keeps guiding our philosophic thought, when in theoretical knowledge we try to penetrate to the modal structures of meaning.

According to the temporal relationship between foundation and superstructure in the cosmic world-order, man is not there before the things of inorganic nature. But, viewed from the supertemporal creaturely root of the earthly world [1], this inorganic nature, just as the vegetable kingdom and the animal kingdom, has no existence apart from man, and man has been created as *the lord* of the creation.

The foundational and the transcendental direction in the cosmic order of time.

But then it must also be possible to follow the cosmic order of time in the reverse direction, and to approximate the coherence of meaning of the modal law-spheres by starting from the second terminal sphere, which we shall come to know as the sphere of faith. This reverse temporal direction cannot change the relationship between substratum and superstratum, but it is directed towards the religious root of our cosmos, in which the selfhood

[1] This is what in *Genesis* I is called the "earth" in its contradistinction to the "Heavens", viz. the temporal world concentrated in man.

participates in its transcendence beyond cosmic time. Under the guidance of the Idea of the totality of meaning philosophic thought is turned in a truly transcendental direction when it is recognized that the modal structure of the temporal modal spheres necessarily points to the religious fulness of meaning. This transcendental direction will appear when philosophical reflection starts from the second terminal aspect of our cosmos, and follows the modal spheres in the reverse order. It is the religious fulness of meaning that forms the foundation of all its modal refractions in cosmic time. If this Idea of the totality of meaning is to be actually maintained in philosophic thought, there must be a strict correlation between the two different directions of time, which for the present will be called the *foundational* and the *transcendental* directions. It is only the Biblical religious basic motive that gives the view of time the ultimate direction to the true fulness of meaning intended by our cosmonomic Idea. But we have not yet arrived at theoretical knowledge of the temporal order in the modal structures of meaning. We have done no more than giving our thought its ὑπόθεσις by means of the cosmonomic Idea in subjection to Divine Revelation.

Only in the theoretical analysis of the modal structures of meaning can it appear what scientific consequences are implied in the preliminary conception of our transcendental Idea of time as the Idea of the cosmic order of succession of the modal law-spheres.

CHAPTER II

THE MODAL STRUCTURES OF MEANING.

§ 1 - INTRODUCTION.

As an introduction to subsequent expositions I will raise a question which, to my knowledge, has never yet been brought to bear on the subject of the present chapter. And yet it is fundamental to our entire view of the structure of the modal aspects of human experience and to the whole method of scientific concept-formation.

This basic question is concerned with the analogical use of fundamental concepts in the different branches of science. The fundamental fields of research of the various *special* sciences are defined according to the different modal aspects of human experience in its integral sense, though within these modal boundaries there is room for further specializing [1].

At first sight it may seem that the analogical concepts are not bound to these special modal fields of research, but give expression to the inner unity of all scientific thought. But a closer analysis of their specific scientific meaning shows that the latter differs with the different modalities of the scientific viewpoint. Nevertheless, analogy doubtless refers to an inter-modal coherence of meaning between the aspects.

How is this state of affairs to be explained? Here we are confronted with a fundamental problem which has not found due philosophic interest in consequence of the immanence-standpoint as such, and the dialectical basic motives which rule the latter.

It is true that Greek and Scholastic logic and metaphysics paid special attention to the analogical concepts, and distinguished them from the generic and specific ones. In addition, real analogy was sharply distinguished from the mere metaphor of common speech. To the analogical fundamental concept of '*being*' (ana-

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[1] General sociology, anthropology etc. are not specific sciences in the sense meant here. The difficult problem concerning the delimitation of their fields of research will be discussed in Vol. III.

logia entis) all the others were related. This concept, however, was conceived of in a speculative metaphysical sense. It contained no reference to the cosmic order of time in which all modal difference of meaning is founded. The concept of 'being' was determined by the Greek dialectical basic motive of form and matter.

The origin of the analogical concept of Being.

PARMENIDES conceived of the eternal form of Being in a rigid metaphysical opposition to the matter-principle of the eternally flowing stream of becoming and decay. His concept of Being was in itself nothing but an hypostatization of the copula 'is' in the analytical relation of identity: *ἐστίν εἶναι*.

This is evident from PARMENIDES' identification of true Being with logical thought: *τὸ γὰρ αὐτὸ νοεῖν ἐστίν τε καὶ εἶναι*, this is to say: all Being is being of thought and thought is thought of Being. But this hypostatization of the analytical relation of identity was ruled by the religious form-motive. It is true that this motive was not conceived here in the pure sense of the cultural religion of the Olympian Gods. Probably under Orphic influence it had been joined with the old ouranic motive of the worship of the celestial sphere. So the eternal Being was conceived of in the ideal spherical form of the firmament. PARMENIDES says that the powerful *Anangkè* and *Dikè* hold it in the ties of this form, preventing it from plunging itself into the deceitful stream of becoming and decay.

Since ANAXAGORAS and SOCRATES, however, the Greek form-motive freed itself from this ouranic deformation and regained its original meaning. Form was now conceived of as an ideal *παράδειγμα*, an ideal pattern for the form-giving activity of the divine *Nous*, the Demiurge of the world of becoming and decay.

In his dialogues *Parmenides* and *Sophistes*, PLATO introduced a dialectical Idea of Being which should synthesize the Eleatic conception of the ever resting ideal form of being and the Heraclitean principle of the ever flowing stream of life. This dialectical Idea was nothing but the analytical correlation of identity and diversity; the analytical relation: S *is* P implies: S *is not* Q, R, S, T and so on, if the latter exclude P.

PARMENIDES had absolutized the Idea of Being in conceiving it only in the analytical relation of identity. The principle of becoming and decay was called a not-being, which cannot be

thought of. PLATO's dialectical Idea of Being was intended to synthesize positive and negative Being, the ὄν and the μὴ ὄν, and consequently the principles of form and matter. So the principle of becoming could participate in the dialectical Idea of Being. We have seen that in the dialogue *Philebus* all *genesis* is conceived of in the teleological sense of *genesis eis ousian,* a becoming to a form of being which gives expression to the divine Idea of the good and the beautiful. In this way the Eleatic determinations of Being by unity and verity were completed by those of goodness and beauty, and the dialectical Idea of Being was to embrace the general distinction of form and matter, *peras* and *apeiron.* This was the origin of the analogical concept of being which in Aristotelian and especially in scholastic metaphysics acquired a central and fundamental position. But it could not overcome the ultimate antithesis in the religious form-matter motive of Greek thought for lack of a higher point of departure for a real synthesis.

Consequently it lacked any relation to the radical unity of meaning (in the central, religious sphere). This unity, however, is the ultimate point of reference of all modal diversity and inter-modal coherence between the different aspects of temporal experience.

Therefore the analogical fundamental concept of 'being' could not offer any guidance to philosophical thought confronted with undeniable states of affairs within the modal structures of meaning.

Analogical concepts in principle lacking any relation to the cosmic time-order and to the radical unity of meaning, cannot be the foundation of our inquiry into these structures. From the outset they inevitably lead theoretical thought to levelling the modal structures of the aspects within which the analogical moments are discovered.

The relation of analogy, expressed in these modal structures, points to the inter-modal coherence of meaning determined by the cosmic order of time. It also points to the radical unity of the human ego as the religious centre of experience, and to the Divine Origin. It has no meaning without an order determining its sense and pointing beyond the modal diversity towards its radical identity transcending theoretical thought. An undetermined analogy of being is meaningless and unable to found any modal determination of a scientific concept.

In the metaphysical doctrine of *analogia entis* the 'transcen-

dental determinations and distinctions' of the fundamental concept of 'being' are themselves of an analogical character[1]. This shows that the vicious circle is closed here. The cause is that in this speculative metaphysics, in its pretended autonomy, attempts are made to exceed the limits of meaning. The speculative concept, applied in this procedure, is intended to embrace both the *Being* of God and the *meaning* of creation.

It is true that the fundamental difference of meaning implied in the analogical concept of *being* is related to the essential difference between the things participating in it. But the vicious circle in this metaphysics lies in the fact that this difference is supposed to depend on the analogical concept of 'being' itself. This concept is to embrace both the essential differences between the 'substances' and those between their 'accidents'. This means that an undetermined analogy is laid at the foundation of all categorical determinations of being. The latter are consequently involved in the same lack of determinateness, both the fundamental category of substance and each of its accidents. In other words, the ontological analogy is conceived apart from the *modal* diversity of meaning. This diversity determines the transcendental horizon of theoretical thought itself, and thereby the limits to which the analogical concept is bound, if it is to have any meaning. The ontological analogy cannot be its own foundation; it must be founded in a cosmic order determining its sense in the inter-modal coherence of the different aspects.

For this reason the relation of analogy must be investigated within the cadre of the modal structures of meaning, which are determined by this order. It should be considered on the factual basis of undeniable states of affairs presenting themselves in the fundamental analogical concepts of scientific thought.

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[1] In his *Critique of Pure Reason* (Transcendental Logic § 12) KANT has attempted to reduce these transcendental determinations (those of unity, verity and goodness) to the categories of unity, plurality and totality of his transcendental logic. According to him, they are nothing but these categories, conceived apart from their *a priori* relation to sensory experience and consequently taken in a merely formal-logical sense. This reduction is very artificial, especially the attempt to reduce 'verity', as a transcendental determination of Being, to KANT's category of plurality, and 'goodness' to the category of totality. In addition, KANT was not aware of the fact that his categories of quantity are nothing but analogical concepts, as will be explained in our further enquiry.

The latter give theoretical expression to the inter-modal coherence between the different aspects of human experience and empirical reality.

We shall begin with the description of these states of affairs accessible to everybody who is acquainted with theoretical terminology and with the difficulties implied in the theoretical distinction of the different modal aspects of meaning. A special difficulty in this description is the lack of a uniform terminology in the different languages and the linguistic ambiguity of words that may also have a metaphorical sense. This is the reason why, apart from the fundamental problem with which we are concerned here, the idea of a scientific alphabet of thought in the form of a symbolic logic has won so many adherents.

Why symbolic logic is not serviceable in our examination of the analogical concepts.

At first sight symbolic logic seems to be indispensable. It replaces words by a formal symbolic denotation, free from the ambiguities and irregularities of structure inherent in the different languages. It is intended to enable us to give exact formulation to scientific concepts and propositions of any kind, and to provide us with exact criteria as to their meaningfulness or lack of meaning.

But the very fact that this method of denotation can only be related to the *logical form* of propositions, classes and predicates with abstraction of their non-logical meaning-aspects, renders symbolic logic unserviceable in our present inquiry. We now have to investigate analogical expressions inherent in the denotation of the fundamental scientific concepts related to the inter-modal coherence of the modal aspects. This is to say, the modal meaning-structures and their interrelations are at issue. The inquiry into the latter is fundamental, also for formal logic.

Logistic is in constant danger of disregarding the modal limits of logical meaning, particularly in its inter-modal relation to the mathematical and linguistic aspects. Especially in the different trends of 'scientific empiricism' the opinion is defended that there is a logical unity of scientific language [1]. The concepts of

[1] An important representative of this opinion was O. NEURATH († 1945), who stimulated the publication of the *Encyclopedia of Unified Science* the first part of which appeared in two volumes under the title *'Foundations of the Unity of Science'*. The periodical 'Erkenntnis' (publ. since

the different branches of science are not considered to be of fundamentally different kinds, but to belong to one coherent system. But this opinion depends on an uncritical pre-supposition, inadequately called 'physicalism' [1]. According to it, every descriptive term in the language of science (taken in its widest sense) is connected with terms designating sensorily observable properties of things. This implies that in any description of undeniable states of affairs in the modal structures of the different aspects of human experience, these data are immediately reduced either to metaphors in linguistic expressions, or to formal-analytic relations, or to relations between sensory impressions.

The unity of scientific language intended here is acquired at the cost of a fundamental disturbance of the modal aspects to which the basic concepts of the different sciences are related.

The fundamental problem of the analogical concepts in scientific thought is eliminated in an uncritical manner, if the analysis and verification of these concepts is based on formal logic and the sensory aspect of human experience alone.

An adequate designation of the fundamental analogical concepts should give expression both to the inter-modal coherence and to the modal qualification of the analogical moments manifesting this coherence. Every modern language has found its own ways to designate these fundamental analogical concepts of the different branches of science.

1930), now continued as 'Journal of Unified Science', is the central review of this movement, which also has many adherents in the Warsaw school, the Cambridge school for Analytic Philosophy, and the Berlin Society for Scientific Philosophy.

[1] Cf. the statement of LUDWIG WITGENSTEIN, the author of the famous *Tractatus Logico-Philosophicus:* "The right method, properly speaking, would be the following: to say nothing except what can be said. Consequently propositions of natural science — that is to say something that has nothing to do with philosophy — and if somebody else wants to say something metaphysical we must always show that he has not given meaning to certain signs in his propositions." ["Die richtige Methode der Philosophie wäre eigentlich die: Nichts zu sagen, als was sich sagen lässt, also Sätze der Naturwissenschaft — also etwas, was mit Philosophie nichts zu tun hat —, und dann immer, wenn ein anderer etwas Metaphysisches sagen wollte, ihm nachzuweisen, dass er gewissen Zeichen in seinen Sätzen keine Bedeutung gegeben hat." *(Tractatus Logico-Philosophicus,* London 1922, prop. 6. 53).] I have called the term 'physicalism' inadequate for this movement, because its sensualistic interpretation of physics does not agree with the meaning of the scientific propositions of natural science.

The linguistic ambiguity of words in common parlance seems to be overcome by ascribing to the terms a special scientific meaning. But this does not guarantee real agreement on their signification. For the states of affairs concerning the modal meaning-structures to which the analogical concepts refer, are not explicitly examined in a philosophical manner.

As soon as philosophy attempts to account for these states of affairs, it will arrive at different interpretations depending on the different transcendental basic Ideas which lie at the foundation of philosophical thought. As a matter of fact these philosophical interpretations always rule the scientific use of the analogical concepts, either consciously or unconsciously. But for the sake of an adequate description of the states of affairs to which they really refer, it is necessary to consider them for a moment apart from these interpretations. Otherwise under the influence of philosophical prejudices one runs the risk of prematurely eliminating the problems involved.

The ambiguity of pre-theoretic terminology and the psychological study of the 'significa'.

It will be clear why the ambiguity in the pre-scientific use of terms does not concern us in this context. Our inquiry exclusively refers to the modal structures of meaning. Pre-theoretical experience does not explicitly distinguish the modal aspects as such; it conceives them only implicitly within the typical total structures of individuality. Therefore pre-theoretical terms are not the subject of our present inquiry.

Neither are we concerned here with a study of the 'significa' in a psychological sense, directed to an analysis of the volitional, emotional, indicative and formal elements in the subjective act of designation and to an enquiry into the so-called 'spreading of signification'. These examinations may be very important, but they cannot give a solution to the problem of the analogical basic concepts in the different branches of science.

For the purpose of our present investigations I shall put down a number of different *scientific* expressions denoting fundamental analogical concepts. Provisionally I do not make any attempt at systematic arrangement. As a rule these expressions are unhesitatingly used without any account being given of the modal structures of meaning they refer to.

Some examples of scientific expressions denoting fundamental analogical concepts. The original and the analogical use of numerical terms.

The scientific terms 'number' and 'quantity' have an original mathematical signification. They can be used in arithmetic without a special qualifying adjective denoting their general modal sense. The arithmetical adjectives 'rational', 'irrational', 'negative', 'positive', 'real' 'complex', etc. do not refer to different modal aspects.

They are related to the same arithmetical sphere.

But when we speak of 'unity', 'multiplicity' and 'totality' in *logic*, it is necessary to qualify these terms by the adjective 'logical'. A *logical* unity and multiplicity is not an arithmetical one, but has an inner coherence with the latter. A concept, viewed in its analytical aspect, is a logical unity in a multiplicity of logical characteristics. This multiplicity can be indicated by a number. By means of the analytical relation of implication[1] this multiplicity is synthesized to the logical unity of a concept. This relation is not an arithmetical one, although it cannot have any logical meaning without its coherence with originally numerical relations.

The same holds good as to the logical 'totality' of a propositional form (e.g.: All S imply P).

Jurisprudence also handles the terms 'unity and 'multiplicity' in a special modal sense. In a contract between two persons there are two volitional declarations. They are juridically joined to one juridical fact. There may be a concurrence of two, three, or more legal facts in one real deed. This legal multiplicity does not have an intrinsically quantitative sense, although extrinsically it can be indicated by a number. The legal relations between different facts are no numerical relations proper, since they are ruled by juridical norms. The question whether two or more facts are juridically to be viewed as one or more depends on legal standards alone. A legal subject is a unity in an immeasurable multiplicity of relations. It is always necessary in this case to qualify the terms one, two, three, etc. by the modal adjective 'juridical', if the jurist wants to avoid the confusion between his own numerical concept and that of arithmetic.

[1] The relation of implication is taken here in a wider sense than is usual in logistic, viz. in the sense of analytical inclusion.

The reason is that there is an insoluble coherence between the numerical and the juridical aspect, which does not affect their different modal meanings.

In ethics one speaks of a moral bi-unity of husband and wife in the marriage-bond. Social psychology speaks of a feeling of social unity in a multitude of men moved by the same ideal. Theology speaks of the Divine Tri-unity (the Trinity). In all these cases the numerical terms are obviously used in an analogical sense qualified by the modal adjective.

The original and the analogical use of the term space.

The same states of affairs are to be observed in the use of the word 'space'. It is a little confusing that this word has the form of a substantive. This evokes the idea that space is a thing, or, in the metaphysical turn of thought, that it is a substance.

There can evidently not exist a real thing corresponding to the term 'space'. There is only a modus, a modality of existence manifesting itself in modal relations of extension. The substantive had better be replaced by the adjective 'spatial'. But even in scientific usage the term 'space' has maintained its noun-form. We shall follow this custom without losing sight of the fact that this noun can only denote a modus, and not a thing. The scientific term 'space' as such has a non-analogical modal meaning in pure geometry only. For the present we shall pass over in silence the fact that the formalization of modern geometry has resulted in eliminating 'space' in its pure, original modal sense. As a matter of fact, this is only a methodical instrument of formal analysis, whose philosophical pre-suppositions will be examined later on. This formalization does not affect the application of the formal axioms and theorems to spatial functions in their original sense. This is done as soon as mathematics is concerned with the specific spatial subject-matter of geometry. It is, however, a little confusing that formalized geometry has retained the *term* 'space' ('formal space', as CARNAP says). For here its meaning is only dependent on the formal axioms accepted *a priori*. It does not at all explicitly refer to the spatial aspect of experience in its original modal sense, although it will appear from our later analysis of the modal structures that formal logic, too, implies a spatial analogy. This purely formal use of the term is unserviceable in an inquiry into the original modal meaning of space. It may be true that the latter is not identical with 'Euclidean space', but it does

not allow of any formalizing which would even eliminate its modal structure.

Therefore it is necessary to abandon any formalization of pure geometry in the descriptive stage of our examination concerning the original and the analogical use of scientific terms denoting fundamental scientific concepts.

In pure, but not formalized geometry the term 'space' can be used without an adjective qualifying its modal sense. The adjectives two-, three-, four- or n-dimensional, Euclidean and non-Euclidean do not concern different modal aspects of meaning, no more than the adjectives topological, projective or metrical. They all refer to one and the same modal aspect delimiting the field of pure geometry in its non-formalized sense.

The empiricist trend in mathematics is bound to deny this and to assert that sensory space is the original datum. This epistemological pre-supposition, however, is not relevant to this descriptive stage of our enquiry. For the present the only question is: which branch of science can use the term 'space' without an adjective denoting its fundamental *modal* sense? The answer is that only pure geometry, apart from its formalization, can do so. It is true that we hear of 'pure' or 'mathematical' space. These adjectives, however, do not add anything to the modal meaning of spatiality in its non-analogical sense. For 'pure' geometry (in its non formalized meaning) finds its special modal field of research in the original spatial aspect alone.

Physics, however, cannot use the fundamental concept of 'space' without adding the qualifying adjective 'physical'; psychology has to add the qualifying adjective 'sensory' (visual, tactile, auditory); jurisprudence speaks of a legal space of validity with reference to legal norms; economics uses the term 'space' with a modal economic qualification, etc. In all these cases the word no longer has the same *modal* signification. Science is here involved in an analogical use of terms which requires a general delimitation of their intended modal sense, if they are to be serviceable.

The fundamental meaning-moment which all the analogical concepts of space refer to, is doubtless that of *extension*. But the extensive relations are qualified here in different modal ways.

There can be no question of a metaphorical use of the word 'space' in these modal qualifications. If there were a metaphor, the term *in its scientific use* could simply be replaced by another

word or by a combination of terms without any spatial signification. But this is impossible. Although there is doubtless a modal difference of meaning between purely mathematical and objective sensory space, no psychologist can do without the term in its modal-psychical qualification. Rather he will maintain that sensory psychical space is 'real', whereas purely mathematical space is nothing but a logical construction. As observed, this would amount to a philosophical interpretation of the states of affairs we are confronted with. It would be premature in this descriptive phase of our inquiry, and it would disregard the complexity of the theoretical problems implied in the use of analogical concepts. It is not permitted to ignore the great modal diversity of meaning inherent in the word 'space' in its analogical scientific use.

As will be shown in more detail in our later investigations, the physical world-space is neither purely mathematical, nor sensory psychical. The same can be said with reference to historical, economical, aesthetic, juridical space, etc. All these modalities of extension cannot be of a sensory psychical character. Physical world-space in principle exceeds the horizon of sensory perception, although it has an inner relation to sensory extension. The remaining modalities mentioned here are no doubt founded in sensory space, but precisely in their *special* modal meaning they are not perceptible to the eye of sense.

The term territory (German: *Gebiet*), for instance, has an analogical spatial sense related to human command and legal competence. We can perceive a piece of ground with our eyes, but we cannot perceive in this way a territory of command and competence. The latter can only be *signified* (for instance through milestones or a national flag). A ship navigating under the Dutch flag is Dutch territory, wherever it may be. We know this only by the flag designating the nationality of the vessel, and from our knowledge of the rules of international law. Here the modal relations of extensiveness disclose a super-sensuous meaning and are subjected to special modal laws [1].

There must exist a close inter-modal meaning-coherence between the different modal significations of the word 'space'. This coherence finds its terminological expression either in the

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[1] This will be explained in greater detail later on in our analysis of the modal structures of meaning.

use of the word with or without special modal qualifications, or in specific nouns denoting space in a particular modal sense.

The original and the analogical use of the term economy.

Another example of the analogical modal use of a scientific term is supplied by the word 'economy'. Its foundational (non-analogical) scientific meaning is the sparing or frugal mode of administering scarce goods, implying an alternative choice of their destination with regard to the satisfaction of different human needs. The adjectives 'sparing' and 'frugal' do not have the limited sense of the economical term 'saving' (said of money for instance). They are only the correlatives of 'scarce' and refer to our awareness that an excessive or wasteful satisfaction of a particular need at the expense of other more urgent needs is uneconomical [1].

Economy demands the balancing of needs according to a plan, and the distribution of the scarce means at our disposal according to such a plan. In this fundamental sense the term is used in the science of economics, in which the word economy requires no further *modal* qualification.

Logic, however, uses this term in a logical sense, in its 'principle of *logical economy*' (das "denkökonomische Prinzip") and is obliged to denote this analogical meaning by the qualifying modal adjective [2]. In linguistic science we speak of 'economy of speech', or 'linguistic economy'. It is very remarkable that neither logical nor linguistic economy are found in pre-theoretical thought and in primitive languages respectively. They occur in a scientific and developed stage of thought and language only. These states of affairs are highly important to our analysis of the modal structures of meaning, although they have not found the philosophical interest they deserve.

The same remark applies to the use of the term 'economy' in its modal qualification by an adjective denoting the aspect of

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[1] 'Uneconomical' is of course not the same as 'non-economical'. The latter adjective would mean 'not belonging to the economical sphere', whereas an 'uneconomical' manner of behaviour can occur only *within* the economical aspect.

[2] ERNST MACH has omitted this qualifying adjective in the scientific-logical use of the term 'principle of economy'. But it cannot be denied that in economics this principle has a quite different meaning and that only here it can disclose its *original* sense.

social intercourse: conventional or ceremonial economy is not found in primitive society, but in developed social life only.

In the present context one should also pay attention to the use of the term in a technical sense. Economists make a sharp distinction between economy, in its original scientific meaning, and technique. They deny that the principle of economy which is applied to the solution of a technical problem has a scientific economic sense.

There is indeed a modal difference of meaning between economy in its original scientific sense and in its technical meaning. The latter is not ruled by the economical viewpoint proper but by that of technical control of the material to the highest degree of efficiency. Nevertheless, there is an undeniable coherence of meaning between economy proper and the technical sense of the term. The fundamental meaning-moment which every economical analogy refers to is that of frugality, the avoidance of superfluous or excessive ways of reaching our aim. And again we are confronted with the fact that on the part of technique this inter-modal coherence with the economical aspect is only developed at a higher stage of culture. Primitive technique lacks economy in this analogical sense.

On the other hand the term 'economy' is used in a modal aesthetical sense (cf. the Greek adage *μηδὲν ἄγαν*) irrespective of the difference between the primitive or the higher developed character of works of art. This is also the case with the term 'legal economy'[1] designating prevention of excessive reactions against tort or crime, and the subjection of these reactions to the principle of juridical proportion. (This is a new analogical term, since proportion has an originally mathematical meaning.) Even the primitive principle of *talion* implies this juridical economy, and it is thereby sharply distinguished from any form of orderless revenge.

I must again stress the undeniable coherence of meaning between the analogical and the non-analogical use of the term 'economy' excluding any idea of arbitrariness. The essential thing in all this is the scientific use of a term which in its proper sense denotes an original modal meaning, but in its analogical sense is qualified by a specific modal adjective. This adjective

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[1] This term is often used in the sense of legal technique; but this sense is not intended here.

denotes another modal aspect which, by means of an analogical moment of its structure, reveals its intermodal coherence with the original modus.

The original and the analogical use of the terms control, command, mastery or power.

This introduction will be concluded with a short examination of the analogical scientific use of the term command or control (German: Macht, Beherrschung).

There are many synonyms of these terms. In the first Dutch edition of this work I always used the Dutch words 'macht' or 'beheersing'. In Vol. I of the second (English) edition I choose the English term 'power'. But the latter is also used in the sense of 'faculty', and this latter term has no original *modal* signification, because it does not refer to a special *modal aspect* of human experience. In the analysis of the modal meaning-structures I shall therefore avail myself of the word power only in connection with the terms 'command', 'control', 'mastery'.

It is very important to choose the right terms in this inquiry, because many readers appear to experience great difficulty in distinguishing accurately between the modal aspects of meaning and the typical structures of individuality embracing and individualizing them. They have a natural inclination to identify the modal aspects with concrete phenomena which *function* in them. The fundamental difference between the modal 'how' and the concrete 'what' is easily lost sight of. A Dutch psychologist asked me, for instance, if it would not be necessary to introduce an aspect of human behaviour in my theory of the modal law-spheres. He did not see that human behaviour cannot be a modal aspect, because it is a concrete activity which in the nature of the case functions in all aspects of experience alike.

Such misunderstandings would be increased by using terms in my explanation which can denote either a modal aspect of meaning, or a concrete something, *a 'this' or a 'that'*. But it is very difficult indeed to evade this ambiguity in every English term employed here. Therefore I must always ask my readers to look behind the words for the states of affairs which I want to denote by them. Just as in the case of the word 'space', the term 'control' (=command, or power), in its noun-form cannot mean a 'thing', but only a modus, viz. a modality of social relationships implying a manner of exercising social in-

fluence or of controlling things, respectively. In the social sciences the word has different modal significations that should be sharply distinguished from 'natural force' and psychical suggestion. But the meaning of 'mastery' is foundational; it denotes cultural authority over persons or things, corresponding to a controlling manner of social form-giving according to a free project. In this original sense the term is used in the science of history, where it need not be qualified by an adjective denoting its specific *modal* meaning. As will be shown later on, the historical aspect of human experience, as such, is related to the development of human mastery, power, command or control in this non-analogical modal sense. The adjectives 'political', 'ecclesiastical' and the like do not denote *other general modalities of meaning.* They refer in history only to *typical* manifestations of command within the same modal aspect. Political power refers to the state, ecclesiastical power to the church. Both, state and church, are typical social structures of individuality, which as such function in all modal aspects of society alike, and can only individualize the modal meaning of the latter.

But when one speaks of *logical* command or control, the term refers to another modal aspect, viz. the analytical. Now the word acquires an analogical sense qualified by a special modal adjective. And here we again meet with a remarkable state of affairs, viz. the fact that logical control is not found in pre-theoretical thought, and that the analogical term has an indissoluble inter-modal coherence with the development of human command in its non-analogical historical sense.

By systematical theoretical concepts and propositions we really acquire a logical control of the field of inquiry. Pre-theoretical concepts and propositions lack this systematic character. Theoretical logic has its history, because it is involved in a process of logical moulding of the human mind, and *in this actual process* discloses cultural power in human society. The naïve pre-theoretical formation of concepts and the naïve use of logical principles show a uniform, unskilled character in the course of times and do not interest the student of history. But logical command is not itself mastery in its non-analogical historical sense. It is, as such, a modal logical meaning-figure, not an historical one. We shall return to this point in later examinations.

Jurisprudence handles a fundamental analogical modal concept denoted by the terms 'competency', 'legal power'. The Dutch term '*rechtsmacht*' is more pregnant in its denotation of

the specific modal qualification of the analogy, just as the French term '*pouvoir juridique*' and the German '*rechtliche Macht*'. The modal diversity of meaning between the non-analogical historical term 'command' or 'power', and the analogical term in its modal-juridical qualification, is not to be denied so long as the historicist or naturalist prejudices are eliminated.

It is a striking case of an evident disregard of the analogical character of the term 'power' in its modal-juridical qualification, when the famous German jurist GEORG JELLINEK identifies it with "rechtlich beschränkte Macht". For in this context he conceives the term "Macht" in its non-analogical historical sense. But the modal qualification 'juridical' cannot restrict the modal meaning of power or command in its original historical use. The antinomy in this interpretation of the analogical juridical term manifests itself in JELLINEK's well-known construction of legal power as a self-restriction of political power in its historical sense. This is a construction which also implies a confusion between the general modal juridical viewpoint and the sociological one directed to typical structures of individuality.

The fundamental analogical concept denoted by the German term "rechtliche Macht" has a normative legal sense, but it has an undeniable intermodal coherence of meaning with the term "Macht" in its non-analogical, historical-social meaning.

The true state of affairs referred to by this analogical relation is the following: in its modal juridical meaning 'power' is unilaterally founded in what is denoted by the general term 'power' (i.e. command) in the science of history. In the historical aspect this word has its original, non-analogical modal meaning. This is empirically proved by the fact that no juridical competency can maintain itself when the social[1] organs invested with it lose their social command or mastery in its original historical sense. Every realization of legal power pre-supposes an historical organization of command, and not vice versa.

One should also pay attention to the fact that this coherence of meaning between juridical power and historical command is realized even in primitive society. Consequently this realization is not restricted to the higher developed social order.

The same can be observed with regard to the other analogical

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[1] The adjective 'social' is not used here in the specific modal sense of the aspect of intercourse, but in the general sense embracing all modal aspects of human society alike.

modal concepts of power denoted by the terms 'aesthetical control', 'moral control', 'faith-power' etc. Their analogical modal significations are not to be confused with typical forms of historical power, if we want to prevent a general mixing up of the different modal aspects of meaning. An accurate analysis of all these significations is necessary. But in the present context every analysis is only provisional, because we have not yet developed our own theory about the modal structures of meaning.

In this introduction the only point is to establish undeniable states of affairs in the analogical use of scientific concepts. In the last analysis they are founded in the modal structures of meaning themselves and, as such, they are independent of subjective philosophical interpretations. The linguistic denotations of the fundamental analogical concepts demanded attention only insofar as they refer to these states of affairs which urge themselves upon the human mind. The latter reflect themselves in the structure of analogical scientific terms which is beyond any arbitrariness. In other words we do not want to develop a merely linguistic theory of significations.

Behind linguistic signification philosophy has to concentrate on the problem of the fundamental analogical modal concepts of the different branches of science.

The complexity of the analogical concepts.

This problem is in fact much more complicated than could appear in our introductory examinations. We have provisionally made a distinction between the analogical and the non-analogical or original scientific significations of the modal terms number, space, economy, command. Naturally this was only an arbitrary selection. The multiplicity of these modal terms is not at all exhausted by these few examples. But, what is still more important, a further analysis will show that the original modal concepts denoted by the non-analogical terms themselves contain analogical conceptual moments. This implies that analogical relationship is applied much more extensively in fundamental scientific concepts than could at first sight be supposed. This extremely complicated state of affairs should not be disregarded under the explicit or implicit influence of philosophical prejudices which demand the reduction of all fundamental concepts of the different branches of science to one and the same fundamental pattern.

Such prejudices imply a theoretical eradication of the modal structures of the different meaning-aspects, and are bound to lead astray the whole further scientific method of forming concepts and posing problems. Every philosophy must be confronted with the states of affairs to which the analogical modal concepts are related.

From a scientific viewpoint it is not permissible to develop an *a priori* philosophical theory concerning the coherence of the fundamental concepts of the different branches of science. The full complexity of the relevant states of affairs must first be examined in an accurate, unbiased manner. This is the really *empirical* way of philosophizing, viz. the attempt to give a philosophical account of the facts without mutilating their real meaning.

An empiricism which neglects the modal meaning-diversity of the different aspects of human experience is not entitled to claim the epithet 'scientific', because it eliminates the fundamental problem of the analogical concepts in scientific thought. It is merely a bad kind of *a priorism* and has nothing to do with symbolic logic, which as such is a splendid instrument of human thought. The question in what way we shall philosophically account for the states of affairs to which this conceptual analogy refers, will to a high degree depend on the transcendental basic Idea directing our theoretical reflection. For the problem of analogy here intended directly concerns the transcendental Idea regarding the inter-modal coherence and the mutual relation between the different modal aspects of human experience set asunder and opposed to one another in the theoretical '*Gegenstand-relation*'.

The provisional elemination of the philosophical prejudices in the description of the 'states of affairs' and the influence of the religious starting-points in this stage of the inquiry. No ἐποχή in the phenomenological sense.

The preceding introductory examinations have stressed the necessity of a provisional elimination of philosophical prejudices so long as we are engaged in a pure description of the 'states of affairs' to be accounted for by philosophy. But in this context the same objection can be expected encountered in the transcendental critique of theoretical thought, developed in Vol. I. Does this methodical suspension of philosophical prejudices

imply an elimination of the religious starting-points? If so, it would be necessary to accept a religious neutrality which contradicts at least the *universal* necessity of a religious basic motive with respect to theoretical inquiry. If not, the 'states of affairs' which should provide a common basis for philosophical discussion cannot satisfy this requirement.

My answer to this question is that the states of affairs described in the preceding introductory examinations urge themselves upon the human mind as soon as they have been detected, because they are really the same for everybody. But their discovery and the manner of description are not independent of a religious starting-point. For it is evident that the dialectical basic motives of immanence-philosophy must divert our attention from them, so that we have no concern in an exact description. Therefore I can agree without hesitation that the preceding inquiry into the states of affairs implied in the fundamental analogical concepts was not unprejudiced in a religious sense. But I must at the same time deny that this circumstance detracts from the fact that the 'states of affairs' here intended are a common basis for philosophical discussion.

I have granted repeatedly that other undeniable states of affairs have been detected in immanence-philosophy, that is to say under the influence of non-Christian basic motives. With reference to this point I do not claim a privileged position for a Christian philosophy which is ruled by the Biblical basic motive.

The ἐποχή of the philosophical prejudices required in this preliminary stage of our examination is in a certain sense exactly the reverse of the transcendental-phenomenological ἐποχή in HUSSERL. For the latter pretends to imply a methodological elimination of the natural attitude of experience inclusive of that of the empirical sciences, and in the first place of the religious commitment. The phenomena are considered here as the result of a phenomenological constitution by the transcendental consciousness. In this constitution everything intendable as immanent or transcendent is supposed to be produced as an essentially intentional object *(Gegenstand)*. It is evident that this transcendental-phenomenological 'reduction' of the world to an intentional objective correlate of the absolute transcendental ego implies a fundamental philosophical prejudice. In our conception of the methodological ἐποχή this prejudice should be eliminated in the preliminary stage of the inquiry into the states

of affairs implied in the use of the fundamental analogical concepts.

It is impossible to eliminate the religious starting-point of theoretical thought. But it is not impossible to perform a provisional ἐποχή of all specific philosophical interpretations of the states of affairs which are to be established in a precise way before we try to account for them in a philosophical theory.

§ 2 - THE COSMIC ORDER OF TIME IN THE STRUCTURAL COHERENCE.

The cosmonomic Idea directs and leads philosophical thought, and gives it the ὑπόθεσις without which it would be helplessly dispersed in the modal diversity of meaning. Our cosmonomic Idea postulates the cosmic time-order in the modal law-spheres.

But at what point is philosophic thought to make an entry into this cosmic temporal order, so that we are enabled to acquire theoretical knowledge of the place of the different modal law-spheres in it? Cosmic time appeared to be the pre-supposition of theoretical thought; the latter cannot transcend it; it has to abstract from the cosmic continuity in the temporal coherence of meaning in order to find its "*Gegenstand*" in the modal structure of the law-sphere that it sets out to investigate.

Consequently, only in the modal structures of the meaning-aspects themselves can theoretical thought enter into the cosmic order of time, though the latter itself can never be grasped in a concept. In the analysis of these modal structures the order of succession of the law-spheres, — be it in a discontinuous process of fixation by logical thought, — must be brought to light.

According to our cosmonomic Idea, each of the law-spheres is a temporal, modal refraction of the religious fulness of meaning. And as such every aspect expresses the whole of the temporal coherence of meaning in its own modal structure. If this is so, the temporal order of succession of the law-spheres must be expressed in this structure. Full justice ought to be done to the specific sphere-sovereignty of the modal law-spheres within their temporal coherence. Our cosmonomic Idea itself here provides philosophic thought with the hypothesis that must demonstrate its correctness in the analysis of the modal meaning-structures.

Nuclear meaning, modal retrocipations and anticipations.

The modal sphere-sovereignty can only be maintained within

the temporal inter-modal coherence of the different aspects, if the modal meaning of the law-spheres arranged between the initial and the final aspect has the following structure: it must have a nucleus guaranteeing the sphere-sovereignty of the entire aspect; and this kernel must be surrounded by a number of analogical modal moments which partly refer back to the meaning-kernels of all the earlier spheres, and partly refer forward to those of all the spheres that are later in the cosmic arrangement.

Let us represent this structure by a mathematical figure, viz. a circle divided into two equal halves. In the centre is the meaning-kernel; the radii drawn from the centre in the left hand half represent those modal moments of meaning that establish the coherence with the cosmically earlier spheres; and the radii in the right hand half stand for the modal meaning-moments maintaining the coherence with the law-spheres of a later position.

In future the anaphoric modal meaning-moments will be called the modal retrocipations; the modal moments referring forward will be styled the anticipations of the modal structure.

Modal retrocipations and anticipations remain qualified by the nucleus of the modal meaning.

Both the retrocipatory and the anticipatory moments remain qualified by the nucleus of the modal meaning. They do not adopt the nuclear meaning of the substratum-sphere or the superstratum-sphere respectively, to which they refer.

Since the modal structure of each aspect shows an indissoluble correlation between the law-side and the subject-side, this structure must manifest itself in its meaning-nucleus, its retrocipations and its anticipations, both on the law-side and on the subject-side.

The architectonic differentiation in the modal structure of the law-spheres.

If our Idea of the order of succession of the law-spheres is correct, an architectonic differentiation must be observable in their modal structure. The number of retrocipations must decrease, whereas the number of anticipations must increase in accordance with the number of law-spheres forming the substratum of a particular aspect, i.e. in proportion as its position in the cosmic order of time is earlier. And this again leads to the

idea that there are two terminal spheres, the first of which has no retrocipatory moments and the second has no anticipations in its modal structure.

The purport of his hypothesis cannot yet be fully realized and will become clear only after further investigations. The fact that the first terminal sphere lacks retrocipatory moments can never be any reason to absolutize its structural meaning, although this aspect is the foundation of all the other law-spheres. Its lack of retrocipations does not render it independent and unconditioned, because the structure of this modality of meaning is not self-determined.

All the modal spheres are founded in the cosmic time-order and are determined and limited by it. The law-spheres do not determine each other; they are only related to one another by this order in the sense of a relation between foundation and superstructure. From this it follows, that only in the foundational direction of the time-order can we state that a law-sphere is more or less complicated than its predecessor. The degree of complication depends here on the position of the sphere in the retrocipatory structure of its meaning. But when the transcendental direction of time is also taken into account, there is no difference in structural complication. For, in proportion to the decrease of the number of retrocipations in the meaning-structure there is an increase of anticipatory moments, and vice versa.

Observation: Perhaps, in this connection the objection may be made that in our analysis of the modal structures of meaning there is a continual use made of quantitative concepts, and even of spatial analogies. Dialectical philosophy will find this a proof of the fact that the theory of the law-spheres has relapsed into the objectifying attitude of special science. On the dialectical standpoint our method should be "*geisteswissenschaftlich*", otherwise our philosophy has not yet attained to transcendental self-reflection.

How thoroughly unfounded this objection is, can only be shown in the course of our investigations. In the present context it should only be observed that in the theory of the law-spheres we are engaged in a theoretical analysis of the modal structures of meaning. It must be established that it appears to be impossible to do this without our relevant synthetic concepts of meaning containing analogies of number and space. This proves that the logical sphere has its foundation in the aspects of number and space. For the rest our transcendental basic-Idea is a sufficient guarantee that philosophic thought cannot lose its direction to the selfhood, not even in these theoretical analyses.

The value of the analysis of modal meaning in tracing the original and irreducible nuclei of its modal structure.

The value of an analysis of the different modalities of meaning is this: it reveals the structure of a modality in cosmic time, and compels us to trace the original nuclear meaning-moment.

In its analytical abstraction this nucleus gives the fundamental analogical concepts a definitive modal qualification. It is true, the usual scientific terms for these concepts, examined in our introduction to this chapter, contain a general indication of the modal aspect in which the analogy presents itself. But we have noticed that these terms are handled without a closer analysis of the modal meaning-structures they refer to. The general adjectives giving these analogical terms their modal qualification, e.g. physical, psychical, logical, juridical, asthetical, etc. cannot prevent scientific thought from a false interpretation, so long as any insight into the modal structures of the aspects to which they refer is lacking. We have seen, for instance, how the analogical term 'juridical power' has been misunderstood even by famous scholars versed in legal thinking.

In the prevailing method of forming concepts the moments are unified in a relation of thought that has not been unequivocally qualified as to its modal meaning. Any one who has experienced the confusing equivocality of this procedure will at once admit the value of our analysis. Later on these unqualified general concepts will be discussed in greater detail. Logicism as a whole is essentially founded in the translation of the retrocipatory or the anticipatory moments in the structure of the analytical aspect into the original modal meaning-kernels they analogically refer to. For instance, the logicistic concepts of number, of continuity, of dimension, of motion, of 'pure signification', of the fundamental jural relations and so on, are entirely based on these essential shiftings of the modal meaning.

The special theory of the modal law-spheres must start with a scrupulously accurate analysis of the modal nuclei of meaning and should point out the non-original character of the modal analogies. This is still unbroken ground.

Merely by way of example I may refer to the dilemma in which modern mathematical thought is caught as regards its view of space.

IMMANUEL KANT's transcendentally psychologistic conception of pure space as an *a priori* 'intuitional form' of sensibility to which

geometry is bound, as well as his conception of the exclusive *a priori*-synthetical character of the Euclidean axioms and theorems had proved to be untenable after the discovery of the non-Euclidean geometries in the 19th century. For mathematics there seemed henceforth to be no alternative but the following: Either pure geometry was to be reduced to the study of a so-called formal space (CARNAP) [1] in the logistical sense of a continuous series of propositional functions having two or more dimensions (RUSSELL)[2] without reference to any meta-logical aspect [3]; or its propositions were to be construed from the basal intuition of the bare two-one ness after the manner of the intuitionists (BROUWER), as the form of the conceived multiplicity of the intervals of time. The intuitionists confine themselves to a complete arithmeticizing of geometry. But they hold to the quantitative nature of all mathematical entities, whose existence must be proved by the possibility of 'construction' from the basic quantitative intuition of time.

Logistic, on the other hand, reduces both pure arithmetic and pure geometry to logic. It speaks contemptuously of the *'exploded'* view which supposed it had to bind arithmetic to the investigation of 'quantitative relations' (RUSSELL). On this point formalism must agree with logistic.

This dilemma has been removed in the philosophy of the cosmonomic Idea. It no longer considers space in its pure original sense as an unqualified *a priori* 'form' of the sensory contents of objective perception. Nor can it attach any meaning to a pretended 'logical origin' of the concepts of number, space, dimensionality, and continuity. It must also reject the intuitionist conception that the whole field of pure mathematical research is constructed from a basic intuition of the bare two-oneness in the intervals of time.

It raises the question about the original nuclear modal mean-

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[1] Cf. R. CARNAP, *Der Raum* (Berlin, 1922) p. 14.

[2] Cf. *Principles of Mathematics*, p. 372.

[3] MAX BLACK, *The nature of Mathematics* (London 1933) p. 158, also eliminates the term 'formal space' in his statement:

"the last reason for restricting geometry to the study of space has disappeared, and the following view of the nature of geometry is generally accepted: a geometry does not deal with space but consists of a series of formulae (a logistician would say: propositional functions) which are deduced from a number of initial formulae (axioms)... and any interpretation of the symbols mentioned in the axioms which converts the latter into true propositions, is an interpretation of the geometry."

ing of space and number in the cosmic coherence of the law-spheres. Through this also the confusing unqualified notion of so-called 'empirical space' becomes useless in science.

§ 3 - PRELIMINARY ANALYSIS OF THE FIRST THREE MODAL STRUCTURES OF MEANING.

A - *A brief analysis of the original meaning of number.*

Although the systematic analysis of the modal structures of meaning can only be treated in the special theory of the law-spheres, we will now put our conception to the test by the analysis of some of them.

The original nuclear meaning of number, and the numerical analogy in the logical modality of meaning.

When we try to analyse the modal meaning of the numerical aspect, it is necessary to start with the natural cardinal numbers, in which this meaning discloses itself in its primitive and irreducible structure. For all the rational, irrational and complex numeral functions in the last analysis pre-suppose the natural numbers [1]. Every attempt to reduce the modal meaning of the latter to purely logical relations rests, as will appear, on a confusion between numerical analogies in the structure of the analytical relations and the original kernel of numerical meaning. The latter can be found in nothing but quantity (how much) disclosing itself in the series-principle of the numerical time-order with its + and — directions. This modal time-order itself is determined by the quantitative meaning of this aspect. KANT denatured the nuclear moment of the numerical aspect to a transcendental logical category, though he derived the different

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[1] Even MAX BLACK (*The Nature of Mathematics*, p. 38) states in his examination of the formalizing of pure mathematics in logistic: 'Arithmetic is in a peculiar position, since definite integers occur in all systems of axioms, but even that subject can be arranged as above to begin with axioms whose subject-matter consists of integers and relations between integers.' And a little further on he says: 'This apology for formal analysis requires two important reservations in the case of pure mathematics. (1) The natural numbers as we have just seen are in the peculiar position of occurring as constants in all axiom systems, and therefore marks denoting integers must be understood in a sense in which lines, points, etc. need not be understood. (2) No complete axiom system can be set up for 'real numbers'. That is to say in the two cases where the fundamental philosophical analysis of mathematics arises it will be found that no 'formal' analysis is adequate.' (p. 39/40).

numbers from the so-called schematizing of this category in time (as a transcendental form of sensory perception).

The view, however, that arithmetic is no more than a special branch of logic, has indeed been prevalent since the Humanistic science-ideal developed the idea of the "mathesis universalis". Many students of logistic suppose they possess in this splendid instrument of human thought all the requirements to deduce the number concept in a purely analytical way from the general logic of relations.

Now the logical modality of meaning has for its irreducible nucleus the *analytical* manner of distinction (or distinctiveness, respectively, when the analytical relations are viewed as modal subject-object-relations referring to the analytical characteristics of things). In the structure of this modality there is indeed an analogy of number to be found. This analogy, however, receives its determinateness of meaning only in the nucleus of logical meaning itself. This numerical analogy is the *analytical unity and multiplicity,* inherent in every analytical relation and in every concept according to its logical aspect. Every concept, viewed logically, is a *σύνθεσις νοημάτων*, the logical unification of various logical moments into an identical unity. The unifying-process develops according to the analytical norms of thought, viz. those of identity and contradiction.

Every analytical relation, even that of identity, implies a numerical analogy, because analysis itself is a manner of distinction, and distinction implies at least two terms: the one and the other.

As a numerical analogy the logical unity and multiplicity remain qualified by the analytical nucleus of logical meaning. But they undeniably refer back to the original nuclear meaning of number proper in the coherence of meaning of cosmic time.

The relation between number and logical multiplicity.

Logical unity and multiplicity, just as logical allness, are necessarily founded in the meaning of number, and not vice versa [1].

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[1] This is involuntarily admitted by A. RIEHL (though he takes the view, in accordance with KANT, that an abstract number is an *a priori* scheme of the logical category of quantity), when he says (*Der Phil. Kritizismus,* 2e Aufl., 1925, II, S. 15): "Durch alle Verschiedenheiten der Vorstellungen hindurch, über alle Unterbrechungen des empirischen Selbstbewusztseins hinweg erhält sich das eine: Ich denke, als numerisch mit sich identisch." [Through all varieties of representations, over all the interruptions of the

The logical characteristics, summarized in the unity of the concept, cannot be a logical multiplicity if they do not have their number. The fact that this cosmic order of time between number and logical multiplicity was lost sight of, can be explained in some writers because they deduced number from the subjective human act of counting. Counting is naturally impossible without analytical distinction. But is number in its original sense only the product of counting? This supposition cannot be correct, since every act of counting pre-supposes an at least implicit pre-theoretic sense of the meaning of number and its inner conformity to law.

Moreover, logical multiplicity is qualified in a modally analytical way. This multiplicity, in any case, is a dependent moment in the modal structure of the analytical aspect, deriving its qualification from the analytical nucleus of meaning.

A modal meaning-moment, lacking the qualifying character of a nucleus, can never be original, but always refers to another meaning-nucleus lying outside the modal aspect concerned. Logical multiplicity is a retrocipation to a substratum, and not an anticipation. This appears from the fact that the analytical meaning-nucleus always pre-supposes a numerical multiplicity, even in pre-theoretical thought. This is why numerical quantity must find its analogy in a modally logical sense in analytical multiplicity. In the pre-theoretic, naïve understanding the first multiplicity to which analytical distinction appeals, is of an objective sensory-psychic nature. Pre-theoretical distinction rests upon a primitive analysis of a *perceived sensory* multiplicity. But also this *sensory* multiplicity cannot be the original manifold. It must refer to an original multiplicity in the sense of discrete quantity. Animals cannot arrive at a logical concept of number. But they certainly have a sensory perception of multiplicity, which latter can in no case be of an analytical character.

And finally, the method of antinomy can be applied to the attempt to ascribe the original meaning of number to merely logical multiplicity.

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empirical self-consciousness one thing remains intact: 'I think', as being numerically identical with itself]. From this it follows, that even KANT's concept of the transcendental-logical unity of apperception, assumed to be the foundation of the 'category of quantity', appears not to be detached from the meaning of number. On the other hand, number is called "eine Schöpfung unseres Geistes" [a creature of the mind], (ibid., p. 96).

The proposition: 2 + 2=4 is true in the (theoretically grasped) original numerical meaning. But we should not try to deduce this addition only from analytical thought after the manner of logistic with the aid of the concept of class [1]. For then it appears that we get entangled in patent antinomies due to the theoretical attempt at erasing the modal boundaries between analytical and numerical multiplicity. Besides, there arises a vicious circle with respect to the cosmic temporal order of the two modal aspects concerned. The reason is that the extension of a class-concept presupposes number in its original sense [2].

The antinomy, implied in the attempt here intended, can be demonstrated as follows. The sign + is indeed the linguistic symbol signifying the positive direction of the temporal order in the originally quantitative sense of number. In the successive progress of counting the new addition of numbers in the + direction supposes a greater positional value in the series. The two first integers after 0 are really earlier in a quantitative sense than the two next added to them, because their positional value is smaller. The third added unit has the positional value 3, the fourth the positional value 4. If, however, it were allowed to interpret the + sign in an original analytic sense and not in an original quantitative meaning, the judgment 2 + 2=4 would *per se* be in conflict with the principium contradictionis. For, whichever way we turn, from a merely *logical synthesis* of two numbers there can never arise a new number. KANT saw this very clearly [3].

If logistic tries to avoid this antinomy by executing the operation of a 'logical addition' on *classes* and not on the *numbers* themselves, it moves in the vicious circle mentioned above. Let us consider the latter more in detail.

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[1] Cf.. e.g. B. RUSSELL. *The Principles of Mathematics*, Vol. I (1903) p. 119: "The chief point to be observed is, that logical addition of classes is the fundamental notion, while the arithmetical addititon of numbers is wholly subsequent." The deduction of number from the class-concept was first attempted by FREGE.

[2] That is to say the reduction of the integers to the analytical class-concept is not merely a tautology, which has a quite legitimate function in formal analysis. But it rests upon a fallacious ὕστερον πρότερον with regard to the cosmonomic place of the numerical and the analytical aspects.

[3] *Kr. der reinen Vernunft.* Einleitung S. 45 (W.W. vol. V, Grossherz. W. E. Ausg.).

Number and the *class*-concept. RUSSELL.

RUSSELL, — with WHITEHEAD one of the best philosophically trained mathematicians of this movement — admits that the logical addition of 1 and 1, according to the principles of symbolic logic, would always yield *one* as its result. That's why he gives the following definition: "1 + 1 is the number of a class *-w-* which is the logical sum of two classes *-u-* and *-v-* which have no common term and have each only one term" [1].

But it may be clear already in the present context that the antinomy RUSSELL tries to avoid by introducing the class-concept, reappears in the vicious circle of his definition.

RUSSELL tries to deduce the concept of number from the extension of the concept of class. But for the simple distinction of the classes he needs number in its original meaning of quantity [2].

In other words, RUSSELL's definition of the sum 1 + 1 remains burdened with the inner antinomy whose existence he himself admitted in the attempt to deduce the number 2 from a 'logical addition' of 1 and 1.

B - A brief analysis of the original modal meaning of space in its coherence with the meaning of number.

The structure of the original modal meaning of number does not show any retrocipation. Original quantity does not have *modal* substrata. According to their modal structure of meaning all the other law-spheres are founded in the numerical aspect. This means that the latter is the first modal terminal sphere of our cosmos.

MEINONG's *'Gegenstandstheorie'* and G. H. T. MALAN's critique of the first modal law-sphere.

This will be denied by Aristotelian scholasticism, which holds to the view that the 'ontological category' *πόσον* (how much?) pre-supposes numerable 'matter' in its spatial extension.

But this metaphysical view is not founded on a real analysis of the modal structures of the different aspects of human experience. The analysis of the modal structure of the spatial aspect will demonstrate that the latter pre-supposes the numerical one.

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[1] *Principles*, p. 119.

[2] This is also argued by CASSIRER, *Substanzbegriff und Funktionsbegriff* (1923) p. 66, who rightly rejects RUSSELL's defence against this objection.

From a quite different standpoint my view of the numerical aspect as the first terminal aspect of human experience has been attacked by G. H. T. MALAN, emeritus professor of philosophy at the University of the Oranje Free State (S. Africa), in his treatise *The First Sphere of* DOOYEWEERD (Die Eerste (Getals-)Kring van DOOYEWEERD), published in the Tijdskrif vir Wetenskap en Kuns of the S. African Academy of Sciences and Arts (Oct. 1949), p. 101 ff. This author starts from the so-called "*Gegenstandstheorie*" of A. MEINONG and is of the opinion that the numerical aspect pre-supposes pre-numerical sets of discrete objects which are sensory perceptible, e.g., a pair of shoes, twins, and so on.

He also interprets RUSSELL's class-concept "*gegenstandstheoretisch*" in this sense, although he agrees that RUSSELL himself has conceived of the concept of class (an 'incomplete symbol') as a purely logical notion.

The chief objection raised by him against my conception of the meaning-kernel of the numerical aspect is that I have failed to indicate the *original objects* which *have* the quantitative mode of being: "The objects which have number lie in altogether different spheres. They are points, stones, apples, movements and so on. But none of them belong to the first (i.e. the numerical) sphere. DOOYEWEERD is not aware of this lack of specific substantial objects in the sphere. Nevertheless, he speaks about the latter as if there are such objects and calls them 'numbers'. What kind of objects can these numbers be, and from where does he get them? The answer is: he constructs them in a metaphysical way. He postulates first a mode of being or modal meaning, i.e. quantitative discreteness *in abstracto*. Then he hypostatizes this mode of being or meaning and gets his entity 'number'. 'Number' as an object is the hypostatized quantitative mode of being. From the mode of being itself 'number' is born."

This whole manner of criticism testifies to the fact that MALAN has misunderstood the theory of the modal law-spheres in its fundamentals. Objects which *have* number have nothing to do with the modal structure of the numerical aspect. And numbers cannot be 'objects in the sense of MEINONG's "*Gegenstandstheorie*", no more than apples, stones and other concrete things can belong to special modal aspects of meaning.

'Number' *as such* is a theoretical abstraction, a modal function, not a thing. The things in which numerical relations are

inherent, *are* not numbers, they *have* them. A set of things, viewed only according to the numerical aspect, is not itself a thing so that it can be an object of 'sensory perception'.

MALAN acknowledges that numbers are not individual things, but considers them as 'universal objects' or objects of the third stage (voorwerpen van die derde orde). Their species are not types of things, but only *sets* of things. They are to be distinguished from the genera whose species are determined by differentia specifica. A pair of shoes and a pair of twins are identical sets. Two sets are identical if each thing of the first set corresponds to a thing of the second. In other words, this identity is the one-one correspondence between the sets. This statement implies that, as far as their numbers as such are concerned, the things functioning in the sets are indifferent. It also means that in arithmetic the sets can only count for something as quantitative relations. Therefore the whole conception of 'pre-numeral sets' as 'species of universal numbers' is meaningless. RUSSELL conceived the one-one correspondence of the members of identical classes as a purely logical relation. But it is impossible to derive a quantitative equivalence from a purely analytical correspondence of members.

MALAN admits this. But his own view according to which numbers are genera of sensorily perceptible, pre-numeral sets of things is equally untenable. He overlooks the fact that a sensory multiplicity as such, abstracted from its intermodal relation to numeral multiplicity, is no longer quantitative in meaning. Consequently, numbers cannot be the genera of sensorily perceptible sets.

The modal meaning-nucleus of space. Dimensionality and spatial magnitude as arithmetical analogies in the modal meaning of space.

The spatial aspect in its original modality of meaning cannot exist without its substratum, viz. the numerical law-sphere. This will for the present be proved by means of a brief analysis of the modal structure of space in its original mathematical sense as regards its nucleus and its retrocipations.

Its original meaning-kernel can only be conceived as *continuous extension* in the simultaneity of all its parts within the spatial order of time. From the very beginning it must be clear that modern formal mathematics, in its theory of more-dimensional sets, has eliminated the spatial aspect as such.

Spatial relations and figures are reduced here to special 'arguments' that play no essential rôle in the formalized theory. This has nothing to do with the discovery of the non-Euclidean geometries, but is only the result of the reduction of pure geometry to pure arithmetic, or to pure logic respectively.

From the philosophical point of view this elimination of the spatial aspect results in a premature elimination of the fundamental problem of the inner nature and meaning of pure space. This problem has been the subject of profound discussion since NEWTON, HUME, LEIBNIZ and KANT. But it has not found its definitive solution for lack of an exact analysis of the modal structures of meaning. The premature elimination of this fundamental problem has prevented the philosophy of mathematics from examining the primordial question concerning the original modal meaning of the spatial aspect of human experience.

In connection with this it is necessary to inquire into the relation between pure space and the analogical meanings of the spatial concepts used in all other sciences. It is the very task of the theory of the modal law-spheres to resume the study of this problem, which cannot be indifferent to mathematical theory.

We must especially warn against the identification of the original spatial meaning-nucleus with the objective sensory space of perception. The original meaning-kernel of the spatial aspect cannot be qualified by sensory qualities. Nevertheless, this modal nucleus cannot reveal its meaning apart from analogical moments which are qualified by it. In the creaturely realm of meaning even original kernels of modal aspects are bound to analogical moments in which they must express themselves. It will appear later on that even the meaning-kernel of the numerical aspect does not escape this universal coherence.

It is only as *dimensional* extension that we can grasp the original modal meaning of space. This original modal meaning is therefore *dimensional continuous extension,* so long as no account is taken of its anticipatory structure. Dimensionality, however, is an element of the spatial modality of meaning (viewed from its law-side [1]) which cannot exist without its

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[1] Dimensionality, as such, does not imply a determinate magnitude of lines which, as the coordinates of a point, are constructed in different dimensions. It is only an *order* of spatial extension, not a determinate spatial figure. Therefore, it belongs to the *law-side* of the aspect, not to its *subject*-side.

coherence with the *numerical* aspect. As space may have two, three or more dimensions, it always refers to the arithmetical aspect as its substratum. Viewed from the modal subject-side of the spatial aspect, the spatial figure necessarily has its numerical analogy in its *spatial magnitude*. This retrocipation in the spatial meaning, so closely connected with the *spatial point*, will be analysed in our discussion of the modal subject-object-relation, because from this point of view it is highly interesting.

Provisionally it may be established that magnitude in the meaning of the space-aspect is only a *retrocipatory analogy of number*.

The so-called transfinite numbers and the antinomies of actual infinity.

Every attempt to transfer the moment of continuity *in its original spatial sense* into the modal aspect of number inevitably leads to antinomy. Such an attempt really implies the acceptance of the actual or completed infinity of a series, as was done by CANTOR, the founder of the theory of the so-called 'transfinite numbers' [1].

This antinomy must come to light, if we accept transfinity in the orders of the infinite, and also if this actual infinity is assumed in the orders of the infinitesimal. The latter constitute a domain to which VERONESE has extended CANTOR's theory of the transfinite numbers in order to obtain a firm foundation for the whole of infinitesimal analysis. And the antinomy is implied in the fundamental concept of completed infinity itself, quite apart from the antinomic character of the different theorems that were supposed to be possible for the 'transfinite classes of numbers'.

The functions in the numerical aspect that anticipate the spatial, kinematic and analytical modi.

In the infinite series, formed by the 'irrational' and differential functions of number, the modal meaning of the number-aspect undeniably reveals its anticipatory structure in that it approximates the original meaning of space and movement respectively. But it remains within the meaning-aspect of discrete quantity. The total of the discrete numerical values, functioning in these

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[1] G. CANTOR, *Grundlagen einer allgemeinen Mannigfaltigkeitslehre, ein mathematisch-philosophischer Versuch in der Lehre des Unendlichen* (1883).

approximative series, can never be actually given in the anticipatory direction of time of the numerical aspect. In its anticipatory functions number can only *approximate* the continuity of space and the variability of motion, but it can never *reach* them. These meaning-functions of number are not to be considered as actual numbers. They are only complicated relations between natural integers according to the laws of number, just like the fractions and the so-called complex numbers.

In this sense I agree with the statement made by the intuitionist mathematician WEYL: "Mathematics is entirely dependent on the character of the natural numbers, even with respect to the logical forms in which it is developed" [1].

However, this does not entitle us to qualify the anticipatory, approximative functions of number as arbitrary products of the human mind, as is done by the intuitionist mathematician KRONECKER [2]. They are rigorously founded in the modal meaning-structure of number and the inter-modal coherence of meaning.

Only the interpretation of these meaning-functions as actual numbers is the work of man, but then work that mis-interprets the modal structure of meaning in the numerical law-sphere.

MALAN's defence of the concept 'continuous number'.

MALAN, in his treatise mentioned above, is of the opinion that discreteness and continuity are qualities which a number shows only in its relation to other numbers. The number 1 for instance can represent either a cardinal number, or a rational, or a real one. Whether a number is discrete or continous, depends on the question, whether it is placed under the laws of discrete numbers or under those of continuous numerical values.

According to him this is only a question of the operator which is chosen. The choice of a particular selecting operator, as, e.g., + 1, is arbitrary. But the result of the operation performed with

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[1] "Die Mathematik ist ganz und gar, sogar den logischen Formen nach, in denen sie sich bewegt, abhängig vom Wesen der natürlichen Zahl." Cf. WEYL: *Über die neue Grundlagenkrise in der Mathematik,* in Mathem. Zeitschrift, 10 (1921) p. 70.

[2] "Die ganzen Zahlen hat der liebe Gott gemacht, alles andere ist Menschenwerk." [Whole numbers have been made by God, all the others are the work of man], quoted by A. FRAENKEL, *Einleitung in die Mengenlehre* (2e Aufl. 1923) p. 172.

the aid of this operator is necessary, in conformity to the law of the function. The operator can only lay bare this law-conformity. Just as the discrete character of a number is laid bare by a particular operator of juxtaposition, so, according to the author, the continuous character is laid bare by an operator of repeated interposition or insertion.

I fear that MALAN has not grasped the point at issue. In the first place I must observe that not the operator itself, but only the *choice* of a particular operator, can be arbitrary. The operators + 1, + etc. are themselves implied in the quantitative aspect of time-order, and so is the operator of 'repeated interposition'.

When we choose the latter in order to find the series of 'real' numerical functions, it must be possible to indicate the law of the numerical series which is to result from the operation. If, however, this functional law implies that the process of interposition is necessarily infinite, then it implies at the same time that the quantitative series cannot be actually continuous. It will always be possible to insert new values between the members hitherto found. In other words, the fact that the *process* of insertion is continuous by virtue of the operator of 'repeated interpositon', does not guarantee the actual continuity of the series of numerical values resulting from the operation.

And the fact that the principle or law of the numerical series resulting from the irrational 'numbers' may be definite, does not imply that the latter have an actual existence as numbers on the same footing as natural integers.

MALAN cannot discover any anticipatory relation between the continuity of the process of interposing numerical values in the infinite series and the modal kernel of the spatial aspect: "It is inexplicable", he says, "how DOOYEWEERD can see something spatial in this continuous series." But I can explain why he cannot see it. This is due to the fact that he operates with an analogical space-concept without any critical analysis of the original nucleus of meaning of the spatial aspect as such. This is evident from the following argument which he directs against my analysis of this meaning-kernel: "As regards space, there is of course continuity in space. But only an absolutizing metaphysician can declare that all kinds of space are continuous. As we have demonstrated in section I, there are, especially in the world of the sense of touch, discrete perception-spaces." I never have said that 'all sorts of space' are continuous. In the analysis of the modal meaning-kernel of the spatial aspect we are not concerned

with sensory space which can have only an analogical meaning, just like physical space, biological space, logical space, historical space and so on. But apparently MALAN conceives of the different *modal* 'kinds of space' as species of a genus. And this also shows that he has not understood the theory of the modal law-spheres. The latter is intended to lay bare the inter-modal relation between original kernels of modal meaning and merely analogical moments.

Number and continuity. DEDEKIND's theory of the so-called irrational numbers.

The introduction of the element of continuity in the concept of number, — if not intended as an anticipatory, approximative moment of meaning, — is primarily to be considered as an effort to do away with the modal boundaries of the meaning-aspects of number, space, motion and logical analysis. Then the law of the continuity of the movement of thought, formulated by LEIBNIZ, is had recourse to for the purpose of rationalizing continuity in its original spatial meaning.

Such was the case in DEDEKIND's well-known attempt to rationalize the so-called 'irrational numbers', which prompted WEIERSTRASS, CANTOR, PASCH and VERONESE to make much more radical attempts in the same direction. The mathematician DEDEKIND would not look upon the continuity of the series as an anticipation of the meaning of space by the modal meaning of number. This would imply the recognition that the number-aspect is not self-sufficient in the anticipatory direction of time. By means of a sharp definition DEDEKIND wanted to introduce the idea of continuity into the concept of number itself as an original moment in the numerical meaning-aspect.

Now the 'irrational' function of number, which can never be counted off in finite values in accordance with the so-called Archimedean principle, was defined as a '*section*' in the system of rational numbers.

How did DEDEKIND find this definition? At least in the first project of his theory he related all the values of the numbers of the system to points in a spatial line. Next he logicized these points in space into pure points of thought, which logical thinking subsequently again eliminates in the continuity of its movement. This procedure was based on the postulate that there is only one single definite numerical value corresponding to each 'section' of the rational system. The insertion of the 'section' fills a vacuum in

the system, so that, if one imagines in thought that in this way all vacancies have been filled up, the whole system of numbers is without any gap, i.e. it is continuous. The modal boundary of meaning between spatial continuity and logical continuity seems to have been broken through in this method.

> The complete theoretical elimination of the modal meaning of number, through the giving-up of finite numbers as the basis for the infinitesimal functions. The modal shiftings of meaning in the logicistic view.

DEDEKIND at least took rational numbers and the Archimedean principle for his starting-point.

WEIERSTRASZ, CANTOR, PASCH and VERONESE, on the other hand, broke completely with the view that discrete quantity is the modal meaning of number. From the start they held the convergent infinite series, (in CANTOR: the fundamental series), to be an arithmetical concept. This they considered in its origin to be completely determined by arithmetical thought only and not bound to a deduction from the rational numbers by means of a 'theory of sections'.

PASCH introduced the very characteristic term *'Zahlstrecke'* for the 'irrational number'. In this way he expressed that from the beginning the idea of original continuity has been included in the concept of number.

The Marburg school of neo-Kantianism has laid bare the inner relation between this whole rationalistic development of arithmetic and the creation-motive in the Humanistic science-ideal.

NATORP, one of the leading thinkers of this school, writes: "In the last analysis it is nothing but the basic relation between the continuity of thought and the discretion of the separating act of thought which seeks and finds its definite, scientifically developable expression in the relation between number as a continuum and as a discrete quantity" [1].

What strikes us especially in this statement is the exhaustive way in which this philosophical school logicizes the meaning-aspects of number and space. An elaborate system of shiftings has been applied to the meanings of these different spheres.

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[1] *Die logischen Grundlagen der exakten Wissenschaften*, p. 188: "Es ist zuletzt nichts als das logische Grundverhältnis der Denkkontinuität zur Diskretion der sondernden Setzung im Denken, was in dem Verhältnis der Zahl als Kontinuum zu den Zahldiskretionen seinen bestimmten wissenschaftlich entwickelbaren Ausdruck sucht und findet."

The original meanings of space and number are supposed to be deducible from the logical movement of thought in a process of logical creation. In other words, the original meaning-nuclei of number and space are first replaced by their analogies in the logical sphere: the arithmetical analogy of logical multiplicity, and the spatial analogy of logical continuity.

And, once this shift in the meanings of the aspects has been accomplished, it becomes possible to carry through the principle of the continuity of thought across all the modal boundaries of meaning. It stands to reason that in his way the meaning-nucleus of number can no longer be found in discrete quantity.

Then the point is how to find the logical origin of number in creative thought. This origin does not lie in the discrete finite *one*, but rather in the 'qualitative all-ness' (= totality) of the infinite [1].

The rationalistic concept of law in arithmetic.

This tendency in the Humanistic science-ideal to logicize the meaning-aspects of number and space made the rationalistic concept of law also subservient to its purpose. As a consequence the subject-side of the modal meaning of number was in theory completely merged into the law-side. Otherwise, it would never have occurred to anyone that the so-called irrational and the differential functions of the numeral aspect can be looked upon as real, actual numbers, and put on a level with the so-called 'natural number'.

Still less would the view have arisen that the discrete, finite numbers proper ought to be deduced from the infinite, if the subject-side of the law-sphere of number had not been theoretically merged into the law-side.

As observed above, an infinite series of numbers is no doubt perfectly determined by the law of arithmetical progression. This principle makes it possible *a priori* to determine the discrete arithmetical value in arithmetical time of any possible finite numerical relation in the series. For the rationalist conception of law this is a sufficient reason to attribute actual, completed infinitude to the series as a totality [2].

But the identification of the law (in the definite principle of

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[1] *Die logischen Grundlagen der exakten Wissenschaften*, p. 188.

[2] NATORP, op. cit. p. 195/6.

progression) with the actual subject-side of an endless series, is untenable. This is evident from the fact that in the infinitesimal functions of number the numerical modus in its anticipations approximates other meaning-aspects. But it is never able to exceed its modal boundaries in the anticipatory direction of time. After all, the numerical laws cannot be subjected to the basic arithmetical operations. But in arithmetic we must necessarily start from the natural numbers, if we are to work with irrational, imaginary, differential functions of number. The latter only deepen and open the meaning of the natural numeral values. The cosmic order takes revenge on the rationalistic trend of thought in mathematics which in theory eradicates the modal boundaries of meaning between number, space, movement (in its original mathematical sense) and logical analysis. As a result this thought gets entangled in the notorious antinomies of actual infinitude.

All these points ought to be more elaborately discussed in the special theory of the law-spheres. At this stage of our inquiry, we only wish to give a preliminary illustration of our method of analyzing the modal structures of meaning. The only intention is to shed light on the true nature and the coherence of the different elements of meaning in contrast with the prevailing rationalistic currents in mathematics.

C - A brief analysis of the original (mathematical) meaning of motion in its coherence with the original meanings of number and space.

In the modal structure of the law-sphere of movement (in its original mathematical sense intended in pure kinematics) there are very clear numerical and spatial retrocipations. Neither in the numerical, nor in the spatial aspect can we find movement in its original modal meaning of continuous flowing, which needs no further qualification.

The differential as an anticipation of movement in the original meaning of number.

When a mathematician tries to develop, theoretically, the numerical relations between two variable magnitudes in conformity to the arithmetical laws, he makes use of the concept of function. Then one of two variables is conceived of as a function of the other (the independent variable). In this case discrete quantity is thought of as variable. But neither in the

logical processus (the movement of thought), guiding the differential and integral calculus, nor in the differential relation between the series of values traversed by the two magnitudes, is there any question of movement in its *original modal meaning.*

The differences traversed in the course of their changes by the variables -x- and -y- in the functionally coherent series of values, remain *discrete arithmetical values.* But under the guidance of the theoretical movement of thought[1] the numerical aspect *approximates* the original continuity of pure movement in the anticipatory function of the differential quotient.

The differential function of number expresses nothing but the limiting value of the quotient $\frac{\triangle x}{\triangle y}$, when both differences approximate zero infinitesimally.

A mathematician who is of a rationalistic frame of mind, is apt to deny any necessary connection between the differential function of the numerical meaning-aspect and the original modal meaning of movement. Perhaps he will object that the differential and integral calculus has a pure mathematical value in itself and that its relation to physics is nothing but a particular instance of its applicability. This would doubtless be correct. But it has nothing to do with the point in question.

Our statement that the numerical aspect of meaning in its infinite differential function approximates the original modal meaning-kernel of movement, naturally does not imply that movement could be taken here in the sense of an actual physical process. The word movement in this case is taken to refer to the nucleus of the modal meaning of the aspect which delimits the mathematical field of pure kinematics (phoronomy).

The logicist cannot accept the irreducible character of this modal aspect of meaning. He will try to reduce it to its 'logical origin'. The logical movement of thought will be a sufficient basis to him for the infinitesimal calculus.

The logical movement of thought as a retrocipation of the original aspect of movement.

The logical movement of thought is, however, an analogical figure of meaning. It evidently refers back to its substratum in

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[1] This guiding function of theoretical logic will be explained in the discussion of the opening-process of the modal meaning-structures.

the original aspect of movement. Though remaining what it is, viz. *logical* processus, it has a retrocipatory character and appeals to the nuclear sense of its foundation.

The concepts 'variable' and 'differential' would be without any basis, if the cosmic coherence of meaning between the number-aspect and the aspect of movement in their original sense were denied.

As to movement in its original sense, it should be observed that as late as in KANT (who, at least at this point, followed in the steps of NEWTON) the prevailing view was that movement was something occurring *in* mathematical space.

This idea was due to a misinterpretation of the original meaning of movement, because it was based on the objective sensory image of space. In our psychical-sensory perception the sensory impression of movement is really found in the objective sensory image of space. The reason why this is necessarily so in accordance with the cosmic temporal order, is a subject for later research. But there can be no question of an original movement in the original meaning of space.

The erroneous view of classical physics concerning the relation between sensory phenomena and absolute space.

It is very important to stress this modal state of affairs, since NEWTON, led astray by the fact that physical experiments are related to objective sensory phenomena, wrongly supposed that the latter can be conceived as occurring in the 'absolute' space of mathematics. It was only a quite natural result of this lack of distinction between the different modal aspects of experience that 'matter' was viewed as a 'filling up' of this mathematical receptacle [1].

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[1] The Marburg School among the neo-Kantians, too, has stuck to this opinion. NATORP in his work on the logical foundations of the exact sciences, writes with regard to the modern concept of energy: "It is exclusively the logical demand of univocal determinateness of being in relation to time and space which leads to the necessary pre-supposition of a substance of occurrence that maintains itself unchanged. This substance is something 'real', which according to its pure concept must necessarily be conceived of as always identical with itself in its fundamental existence, but as having a movable space-*content* in space." ["So ergibt sich allein durch die logische Forderung der eindeutigen Bestimmtheit des Seins in Bezug auf Zeit und Raum die notwendige Voraussetzung einer unveränderlich sich erhaltende Substanz

According to NEWTON, this receptacle was conceived as a metaphysical entity: the sensorium Dei. In this metaphysical interpretation of 'absolute space' the antinomic character of the conception of sensible 'matter' as a 'filling up' of the former was sharply accentuated.

It was therefore quite understandable that KANT in his critical period transformed NEWTON's "absolute space" into a transcendental form of intuition.

But, since this transcendental form was identified with space in its original modal sense, KANT's conception remained burdened with the antinomy that sensory space is to be viewed as subjected to the purely mathematical rules of Euclidean geometry [1].

This view, according to which 'pure Euclidean space' is an *a priori* receptacle of sensory perceptions ("*Anschauungsraum*"), had already been refuted by HUME with striking arguments. But even CARNAP maintained it in his remarkable treatise *Der Raum*, although only with respect to the topological space of intuition (not as to the metrical and projective ones, which, according to him, lack *a priori* necessity).

And it is this first misconception which lies at the basis of the classical physical view that sensible movement of matter is considered as occurring in the cadre of pure mathematical space.

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des Geschehens, oder eines "Realen", welches nach diesem seinen reinen Begriff notwendig zu denken ist als in seinem Grundbestand immer sich selbst identischer, dagegen im Raum beweglicher Raum*inhalt*."] (*Die logischen Grundlagen der exakten Wissenschaften*, 2e Aufl., 1921, p. 349).

This statement again shows how much the Kantian form-matter scheme is prejudicial to a clear idea of meaning. KANT was already led astray by it, when he wanted to define the relation between space and moving matter.

[1] The dark schematism-chapter of the *Critique of Pure Reason* could only *mask* this antinomy, because it does not deal with *sensory* space but with an exact Euclidean one, related to *a priori* intuition, which, as such, cannot be of a sensible nature.

The question how sensible space can be subjected to the *a priori* rules of EUCLIDEAN geometry is neither raised nor solved.

The chief point is that in KANT's exclusively mathematical-physical conception of human experience there was no room for a 'sensory space' in its objective psychological meaning. For this very reason his transcendental aesthetics and his schematism-chapter could not refute HUME's psychological critique of 'exact geometry'.

Sensory perceptions as such can only be related to objective sensory space, not to an *a priori* mathematical one.

Movement in its original modal sense and in its analogical meanings.

This misconception is of a very complicated character. This appears as soon as we pay attention to the original modal sense of movement in its inter-modal relation to its analogical meanings in physics and in the psychological theory of perception.

In Aristotelian philosophy the analogical character of the fundamental concept of movement was clearly seen.

The common moment, implied in the different meanings of this concept, was found in 'change' (quantitative change, change of place, change of qualities, substantial change). But it was not overlooked that this meaning-moment was itself of an analogical nature.

The very fact that Greek thought was ruled by the dialectical form-matter motive explains its resigning to a fundamental analogy. No further inquiry was made into the original modal meaning-structure of movement to which all its analogical meanings must refer. It was in the last analysis the lack of a radical unity in the religious point of departure that prevented philosophical thought from penetrating to the original meaning-kernels of the modal aspects of human experience.

As soon as religious primacy was ascribed to the form-motive, all attention was directed to the 'substance' which must be the ὑπόθεσις of every movement, the accidental as well as the substantial. But the metaphysical concept of substance could not transcend the modal diversity of meaning implied in the analogical concept of movement.

The ancient Ionian philosophy of nature ascribed primacy to the religious matter-motive. Consequently it reduced all natural movement to the eternally flowing Stream of life as the divine Origin. But for this very reason this original divine movement was not conceived in an original *modal* sense in which its modal nucleus is contained. Rather it was understood in the analogical sense of *vital* movement, which was absolutized to the divine Origin of all things appearing in an individual form and therefore subject to decay.

It was only in kinematics as a branch of pure mathematics that the original modal meaning of movement could be grasped. Here movement presents itself in its modal nucleus of continuous flowing in the succession of its temporal moments. It is evident that NEWTON's well-known circumscription of 'absolute'

or 'mathematical' time was nothing but a concept of uniform movement in this original modal sense.

It makes no sense to define the latter in the Aristotelian manner as a change of place. For movement in its original modal sense cannot be *qualified* by spatial positions. A change of place conceived of as an intrinsic characteristic of movement would imply that movement occurs in a statical spatial continuum, and that from moment to moment it has another defined place in it.

But this supposition leads theoretical thought into inescapable antinomies since it cancels the concept of movement. We shall return to these antinomies in a later context.

The spatial analogy in the modal structure of the kinematic aspect.

It is true that the modal meaning-kernel of movement needs an analogy of space in the modal structure of the kinematic aspect itself. But this analogy is qualified by the meaning-kernel of this aspect, not inversely. It is a *flowing* space in the temporal succession of moments, not a statical one in the simultaneity of all its positions.

This flowing space is *founded* in the latter but cannot be identified with it. It refers indeed to the meaning-kernel of the spatial aspect, but only in the inter-modal relation of the two modal law-spheres concerned, which is guaranteed by the cosmic time-order. This spatial analogy (flowing extension) also implies an analogy of spatial dimensionality in its original sense, i.e. the *directions* of movement in flowing space, whose multiplicity in its turn is founded in the numerical aspect.

It must be observed emphatically that this provisional analysis of the modal structure of movement in its original (non-analogical) meaning has nothing to do with a speculative construction inspired by a preconceived system of modal law-spheres. On the contrary, in the first (Dutch) edition of this work I tried to reduce the original sense of movement to the meaning-kernel of the modal aspect which is the specific field of physics. But it appeared later on that this attempt could not satisfy the demands of an exact analysis and must lead philosophical thought into inner antinomies.

Physical movement as an analogy qualified by energy.

In the first place it must be noted that in physics the concept of movement usually has a restricted application, namely in mechanics only. For this reason it might produce a confusing effect if movement is elevated to the rank of the modal nucleus of meaning of the physical aspect.

It is true that this objection cannot be decisive, because scientific terminology often lacks philosophical precision and the word 'movement' does not have an exclusively mechanical sense.

There is, however, a much more cogent argument preventing us from conceiving movement as the original meaning-kernel of the physical aspect. This is the undeniable fact that in its physical use the term movement requires a *specific modal qualification.* Physics, in all its subdivisions, is always concerned with functions of *energy* (potential or actual) and energy implies causes and effects. That is to say that physical movement cannot reveal the original nuclear meaning of movement, but must have an analogical sense, qualified by the very meaning-moment of energy. In its original modal sense movement cannot have the meaning of an effect of energy. That is the very reason why kinematics or phoronomy can define a uniform movement without any reference to a causing force and why the physical concept of acceleration does not belong to kinematics but to physics alone. Therefore GALILEO could define the principle of inertia in a purely mathematical-kinematical way, which signified a fundamental break with the Aristotelian conception.

Since movement in this original sense cannot be reduced to the numerical, the spatial or the physical aspects, it must be an original modal aspect of human experience, which is at the foundation both of physical movement and of movement in the objective psychical sense of sensory perception. That is to say that human experience of movement can never be exhausted in its objective sensory aspect. It always implicitly (in naïve experience) or explicitly (in theoretical experience) refers to the original aspect of movement which, as such, is of a pre-sensory character. We would not be able to perceive movement with the eye of sense, if this sensory perception was not founded in the original intuition of movement as an irreducible aspect of human experience. The sensualistic view is refuted by a serious analysis of the modal structure of sensory movement-perception which lays bare the analogical and referring character of the latter.

Therefore GALILEO followed the right scientific method when he founded his mechanical theory in a mathematical kinematics. And NEWTON's conception of 'mathematical time' has not lost its scientific value if it is conceived in the original sense of pure kinematics. It is only the metaphysical absolutization of kinematic time-order and its confusion with the physical one which must be abandoned. But this does not imply that the latter may be conceived without any (at least implicit) reference to kinematic time.

Movement in its original modal sense cannot be conceived without its inter-modal reference to the original meaning of space. We would not have an intuition of a flowing extension without its intermodal coherence with a statical space. But it is not true that this intuition needs a sensory perceptible system of reference. Only the objective sensory *image* of movement demands the latter. But this sensory image appeals to our pure intuition of movement in its original modal meaning. It is founded in this pure intuition by the inter-modal order of cosmic time and cannot be experienced in purely sensory isolation. The sensory image of movement occurs within a sensory space of perception which itself is only an objective sensory analogy of space in its original meaning. Therefore it also appeals to the original spatial aspect of our experience. We shall return to this complicated state of affairs in a later context.

The whole conception of moving matter as a filling up of space is exclusively oriented to the sensory aspect of experience. It has a psychological, not a physical or kinematic content.

Of course it is true that in physical experiments sensory perception is indispensable. But in the theoretical interpretation of the sensory phenomena the latter must be related to the modal aspect of energy which is not of a sensible nature. Fields of gravitation, electro-magnetical fields, quanta, photons, electrons, neutrons, protons, and so on, are not sensory phenomena, although the *real events* in which they manifest themselves have an *objective sensory aspect*. They function within the original aspect of energy. But they have an inter-modal relation to the sensory aspect of human experience and in physics the objective sensory phenomena can only be theoretically interpreted as sensory *symbols* referring to the original physical states of affairs which present themselves to the physical aspect of experience.

The general theory of relativity and the un-original character of physical space.

The general theory of relativity has made the discovery that the properties of physical space (i.e. essentially energy-space) are really determined by *matter* (in its physical function of energy), because of the indissoluble coherence of physical space and physical time. This is the reason why no privileged rigid system of co-ordinates for physical movement can be accepted [1].

If the properties of physical space depend on energy, the analogical character of this space is indisputable. The general theory of relativity, in the nature of the case, is unable to conceive of physical space without its intermodal coherence with original space, in so far as the latter anticipates the meaning of energy. Such an anticipation necessarily makes an appeal to the original meaning of energy. Hence it can be admitted, that the geometrical foundations of the general theory of relativity (in the transcendental direction of time) are dependent on the modal meaning of energy.

EINSTEIN formulates this as follows: 'According to the general theory of relativity the geometrical properties of space are not independent, but they are determined by matter' [2]. But this statement can only be correct, if 'matter' is not intended as a filling-up of original space but rather in its physical function as qualifying its own extension. The question whether this analogical space is a *continuum* cannot be answered in an *a priori* way. It is well known that by accepting the classical view of the continuous character of physical space the theory of relativity does not completely agree with the modern quantum-theory of energy [3]. In the theory of the modal law-spheres there would be no single difficulty in abandoning this residue of the classical conception. For the analogical character of physical space and

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[1] The general theory of relativity utilizes the so-called Gaussian co-ordinates, i.e. the four-dimensional (including physical time as the fourth coordinate) system of co-ordinates with curves varying from point to point. They can only be understood as physical anticipations in geometry, in so far as this geometrical pattern is related to physical states of affairs.

[2] *Über die spezielle und die allgemeine Relativitätstheorie* (12. Aufl.), p. 76: "Gemäss der allgemeinen Relativitätstheorie sind die geometrischen Eigenschaften des Raumes nicht selbständig, sondern durch die Materie bedingt."

[3] Particularly the famous French physicist DE BROGLIE has discussed the philosophical problems implied in this incongruence.

its qualification by the meaning-kernel of the energy-aspect is here clearly seen.

If the energy-aspect in its factual side appears to have discontinuity, it is quite understandable that physical space is determined by this discontinuous structure.

Only a theoretical view of reality which lacks a clear distinction between the modal aspects of human experience and holds to the Kantian view of Euclidean space as an *a priori* form of sensory intuition, must reject the conception of a discontinuous space as paradoxical.

If the modal boundaries of meaning between original space and its kinematical, physical and sensory analogies are obliterated, there arises indeed an inner antinomy. That is to say, an antinomy arises if it is assumed that the structure of space is dependent on a matter which itself is 'enclosed in pure space', consequently, which itself must be determined by the pure mathematical properties of the latter.

The discretion of spatial positions and the un-original or analogical character of this discretion.

In the original meaning of space the positions of the figures must necessarily retain their discretion in the modal continuity of their extension. This discretion, as an arithmetical analogy, is founded in the original meaning of discrete quantity. It is indeed no original kind of discretion. The discrete magnitude, e.g., of the three sides of a triangle, depends on points that have no actual subjective existence in space themselves, as they have no extension in any dimension.

This discretion is to be understood in the static sense of the original spatial positions, which cannot flow into one another in the original meaning of motion. The totality of the spatial positions, passed through by a point, a line, a plane, merely in *imagination,* in the mathematical *movement of thought,* is not subjectively actual in the original *spatial aspect of time.* No more is the totality of the finite numbers in an approximative series subjectively actual in the modal meaning of *arithmetic time.*

The original time of the spatial aspect is one of the modal meaning-functions of cosmic time, whereas cosmic time itself has an inter-modal continuity. In space the meaning of time is spatial *simultaneity* [1], not that of *kinematic succession.* But in the idea of the totality of the discrete positions of a spatial figure

conceived of as being subject to 'continuous transformation', original spatial time approximates the meaning of kinematic time, in so far as it anticipates the meaning of kinematic succession.

The antinomies of ZENO are due to the attempt to reduce the modal meaning of motion to that of space.

No attempt should be made to reduce succession in the original meaning of *motion* to the discrete simultaneity of an infinite series of magnitudes in the original meaning of *space*. For then theoretical thought will inevitably be entangled in the notorious antinomies, already formulated by ZENO the Eleatic (ACHILLES and the tortoise; the flying arrow). His dialectical arguments against the possibility of movement could only show that movement can never be construed from an approximative infinite series of discrete spatial magnitudes.

From these antinomies it is at the same time clear, that the opposite procedure is equally impossible: discrete spatial magnitudes cannot flow into one another in the continuous succession of movement.

CASSIRER makes the remark that geometry has developed a rigorously systematic treatment of its province and has devised truly universal methods only after changing over from the geometry of measure to the geometry of spatial positions [2]. This development, following LEIBNIZ' programme of an *analysis situs*, resulted in the theoretical opening of the modal functions of the spatial aspect that anticipate the original meaning of the aspect of motion. But this is bound to the condition that theoretical thought does not attempt to violate the sphere-sovereignty of the modal aspects.

Analytic and projective geometry viewed in the light of the theory of the law-spheres.

In DESCARTES' analytic geometry the spatial series of positions anticipating the original meaning of the aspect of motion are not really analyzed in the modal meaning of space, but replaced by the anticipatory functions of number. The different spatial

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[1] Also PLATO in his dialogue *Parmenides* has stressed the fact that spatial simultaneity is a real modus of time.

[2] *Substanzbegriff und Funktionsbegriff*, p. 99/100.

forms of the plane curves are conceived as proceeding from the 'movement' of a definite point, fixed as their fundamental element. Its position in space has been determined univocally by means of a system of co-ordinates. The points obtained in this way are approximated from the values of the numbers assigned to them.

LEIBNIZ' programme of an *'analysis situs'* was primarily intended to discover the anticipatory principle of progression in the aspect of space itself. This programme was essentially carried out in PONCELET's founding of projective geometry[1]. In the theory of the law-spheres PONCELET's projective geometry is only to be understood as a theoretical attempt to discover the constant correlative functions of spatial figures of the same group that *approximate* the original *meaning of motion* in an infinitesimal series of positional variations.

A definite spatial figure is considered to be correlated to another if it can be derived from the other by 'a continuous transformation' of one or more of its positional elements in space.

In this process certain spatial basic relations are pre-supposed as the *invariants* of the whole system of spatial relations.

The most important form of correlation, connecting different spatial figures with one another, is discovered in the projective method. Here geometry has the task of discovering those 'metrical' and 'descriptive' moments of a figure that remain unaltered in its projection. Accordingly projective geometry now introduces the *imaginary* spatial figure, and speaks of the *imaginary points of intersection* in the transformed system.

One thing is at once clear: it must be the subjective spatial limiting functions that we are confronted with in this procedure. This is the same thing that has been found in the imaginary functions of number, which also appeared to be subjective limiting functions.

It was owing to the discovery of these anticipatory spatial limiting functions that the principle of progression was found to establish the functional coherence between spatial systems which are otherwise entirely heterogeneous. It was seen that the invariant, positional relations in conformity to the spatial laws also obtain among the infinite series of discrete positions whose mutual positional difference is 'infinitesimally small'.

Consider, e.g., two circles in a plane. If they intersect, a

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[1] S. PONCELET, *Traité des propriétés de figures* (2ième ed. Paris 1865).

common chord has been given connecting the two points of intersection. The points of this straight line are such that the tangents that can be construed from these points to the circles are equal.

This spatial relation also obtains in case the extreme limit is reached in the series of the positional changes of the two circles, i.e. when they do not intersect any longer. In this case, too, there is always a straight line — the so-called radical axis of the two circles — possessing the spatial property mentioned above and connecting the two 'imaginary' points of intersection.

In the same way it can be proved, e.g., that when three circles are given in a plane, and we construe the 'radical axes' for any two of them until they have all been used, the three lines obtained in this way intersect at one point. According to the principle of the invariant relations in the infinite series of positions, the same thing holds good for the special case that the three circles intersect indeed, etc. [1].

On the ground of the same principle of progression the projective view of Euclidean space is entitled to speak of the infinitely distant point in which two parallel lines intersect; or of the infinitely distant straight lines in which two parallel planes intersect.

In the 'imaginary' positional functions the original meaning of space indeed approximates that of movement. Projective geometry only violates the specific modal sovereignty of the law-spheres of space and movement, in the further development given to it, e.g., by CAYLEY and KLEIN. In their theory conclusions are drawn from the principle of the invariant relations to the effect that an actual continuity is assumed in the series of the transformations of the spatial positions. In other words, they speak of an actual 'all-ness' (totality) of the changing positions in this series. This conception implies inescapable antinomies. For in the spatial order of time this totality can no more be actually given than in the numerical order the totality of the numbers in an approximative series. The *differential* and the *integral* of the series can no longer have original spatial meaning if the latter is considered to be actually continuous. Only in the original modal meaning-aspect of movement can there be any question of an *actual continuity* of the changes of position. But

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[1] Cf. HANKEL, *Die Elemente der projektivischen Geometrie* (Leipzig), p. 7 ff.

in the meaning of original movement there are no really discrete spatial positions.

When theoretical thought tries to conceive the transition of the spatial positions in the series as 'actually closed', or 'continuous' (the pseudo-concept of a 'totality of transformations which is dense in every direction'), it again gets involved in the antinomy of 'actual infinitude'. A real continuity in the transformations would cancel the original meaning of space; but a real reduction of original movement to an infinite series of discrete spatial positions cancels the original meaning of movement.

The logicistic shiftings of meaning in projective geometry.

The logicistical eradication of the modal boundaries between space and movement must be understood as an unwarranted shifting of meaning. The original sense of movement is then identified with the analogical movement of thought which is actually operative in the analysis of the spatial positions.

According to F. KLEIN all the geometrical transformations resulting from the arbitrary movements of the elements in an ordinary three-dimensional space, form a group [1].

The 'movement' intended here, which overarches the entire series of positions of the 'group', is in fact the *theoretical movement of thought*. This thought conceives the original meaning of space in its anticipatory coherence with the original sense of movement.

This complicated state of things is given a perfectly erroneous interpretation, if it is suggested that the original modal meaning of the static relations of space can be dissolved into a group of "*Operationen*" (= operations) in the sense of *movements of thought*.

In mathematics there is a logicistic tendency which poses the dilemma:

> *One must either acknowledge the purely logical origin of mathematical concepts, — or fall back into the view of space as it is given in sensory experience.*

But in this dilemma the *cosmological problem of meaning* implied in the mathematical concepts, has been obscured fundamentally and essentially.

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[1] *Einleitung in die höhere Geometrie*. II. S. 1 ff.

§ 4 - SOME EXAMPLES OF THE STRUCTURAL ANALYSIS OF LATER MODALITIES OF MEANING, INTENDED TO GIVE AN INSIGHT INTO THE ORDER OF SUCCESSION OF THE LAW-SPHERES.

In the structural analysis of the first three modalities of meaning, although only intended to be of a provisional character, we followed a systematic method. And it needs no further comment that justice can only be done to the method of analysis indicated by applying it systematically.

But if we go on in the same way in our analysis of the later modalities of meaning, the boundaries between the general theory of the modal law-spheres and the special theory will be cancelled, and we shall land in the problems of the 'philosophia specialis'. This would not only far exceed the scope of a *general theory,* but it would set the reader on a road that he has not yet been prepared for. He would repeatedly come upon general problems that ought first to be looked into in a general theory. He has so far been confronted for example, with the modal subject-object relation and the opening-process in the modal meaning, which will prove to be some of the main themes in the general theory. They demand a separate discussion.

In the present stage our enquiry is exclusively concerned with the task of bringing home to the reader the value of the distinction between the three different kinds of structural moments in the modality of meaning. In this way he may get an insight into the strict cosmic law-conformity of the order of the law-spheres. The reader should constantly keep this in mind in order to understand why in the study of the later modalities of meaning we restrict ourselves to some examples of our structural analysis. Even in this restriction the anticipation of later themes cannot be completely avoided.

Meaning-nucleus and retrocipations in the original modal sense of organic life.

We start with the biotic law-sphere, which proves to be founded in the spheres of number, space, movement, and energy, according to the cosmic order of time. For the modal structure of the biotic aspect cannot exist without these substratum-spheres. The irreducible meaning-nucleus of the biotic law-sphere is life.

Biology can attempt to find specific characteristics of life-*phenomena,* such as autonomous procreation, preservation of the whole in the continuous change of its parts etc. But these characteristics are related to living *beings* in their sensible

behaviour. They cannot define life as the irreducible meaning-kernel of the biotic aspect of human experience and empirical reality. This is due to the fact that they are *analogical* concepts, which presuppose their modal qualification by the irreducible meaning-kernel of the biotic aspect. Life is a fundamental modality, not a concrete phenomenon. It belongs to the fundamental modal horizon of human experience, which lies at the basis of the concrete phenomena considered to be manifestations of life.

Therefore the contest between mechanists and vitalists in biology cannot be decided by experiments. For as soon as we establish the fact that a living being has originated, we appeal to an irreducible modal aspect of experience, and not to phenomena whose scientific interpretation as manifestations of *life* pre-supposes this fundamental aspect of experience.

Life as such is not perceptible to the eye of sense. It can only *manifest* itself in sensible phenomena. But this very *manifestation* cannot be experienced in a merely sensory way. It appeals to the original life-aspect. And the latter cannot transcend human experience since it is one of its fundamental modalities, not a metaphysical substance.

Therefore the mechanistic interpretation of life is the result of a philosophical prejudice, not the outcome of special scientific research. It tries to reduce life in its modal meaning-kernel to another modality of meaning. But at the same time it must appeal to the nucleus of the biotic meaning-aspect as soon as it wishes to establish the presence of life-phenomena [1].

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[1] This state of affairs is being more and more acknowledged by students of biology. WILHELM TROLL in his *Allgemeine Biologie* (1948 p. 1/2) summarizes the prevailing view as follows. After having remarked that the attempt to reduce biology to physics and chemistry has furnished many contributions to our knowledge of the phenomena of life, he continues: "With respect, however, to the general pretention that in this way we can arrive at a theory of life merely based on the foundations of physics and chemistry, the mechanic conception mentioned has not only failed to stand the test of experience, but it has positively refuted itself.

"For the more progress was made with the application of physical and chemical methods on problems of biology, the more clearly it was shown that in this way the essence of life cannot at all be conceived... Much rather we are confronted with an original phenomenon and in perceiving it we enter into a sphere of experience which transcends physics and chemistry."

In the theory of the modal structures of experience we have only to

This nucleus expresses itself in an *organic relation* and this *organic relation,* as a moment of the biotic modality, is a necessary modal retrocipation in its meaning-structure. The reason is that the '*organic*' implies the analogy of number, viz. the (biotic) *unity in the multiplicity of vital functions.*

I must emphatically warn against an identification of organic life as a modality of meaning with a living organism. The latter is a structure of individuality, a typical whole functioning in principle within all the modal aspects alike, though it is typically *qualified* by the modus of organic living. Its identification with the biotic aspect has caused a lot of disturbance in the discussion between the mechanistic and the vitalistic trends in biology concerning the problem of life. It was to a great extent due to the influence of the metaphysical concept of substance which diverted the attention from the modal horizon of experience [1]. The organic moment in the modal structure of the biotic aspect is not itself an organism, but a modal relation of unity and multiplicity of life functions, a numerical analogy qualified by the meaning-nucleus of this modal aspect. It cannot be lacking in the modal structure of the latter.

Neither can a *spatial analogy* be wanting in the modal meaning-structure of the biotic law-sphere. Not a single instance of organic life can exist without its *biotic space,* as the (objective) field of biotical action and reaction, the *bio-milieu.* This retrocipation refers in the first place to a bio-physical space as an anticipatory function of the field of energy-effects. But it is ultimately founded in the original meaning of extension. There can be no doubt now that this *biotic spatial sphere* cannot express the *original* spatial meaning. For we have demonstrated the *internal antinomy* in the view of '*matter*' as the '*filling-up of pure space*', and in that of '*movement*' as '*space-content*' [2]. Consequently, it must be evident that a fortiori biotic effects cannot function within space in its original (pure) sense.

Among the modal retrocipations of the original biotic aspect there must also be an *analogy of movement.* Organic life can only express itself in '*biotic* movement'.

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replace the term 'original phenomenon' in the last sentence by 'original modal aspect'.

[1] Cf. my treatise *Het substantiebegrip in de moderne Natuurphilosophie en de theorie van het enkaptisch structuurgeheel* in the quarterly Philosophia Reformata 15 Year, 1950, p. 66—139.

[2] Cf. pag. 98—105.

Static rigidity is incompatible with the original meaning of life. But this biotic movement is not movement in the original sense. It is intensive and qualitative *development* in the organic unity of life, in the temporal order of the biotic law-sphere itself. It is only *founded* in the original meaning of movement.

Original movement, in its turn, approximates the modal meaning of life in its *biotic anticipations*. These biotic anticipations cannot be deprived of their *original meaning of movement,* although they are *directed* towards organic life (in the transcendental direction of time).

Meanwhile the modal aspect of movement cannot anticipate the modal meaning of life without the intermediary of the aspect of energy. As explained above, energy itself appeals to the original meaning of movement in an analogical moment of its modal structure, viz. that of cause and effect (operation). Energy-movement in the physical-chemical process can manifest itself either with or without an anticipatory direction towards organic life.

Within the inner structure of individuality of a 'living organism' the processes of energy-exchange doubtless disclose biotic anticipations realizing themselves under the direction of organic life-impulses.

The organic moment of life itself implies an analogy of energy. It does not only mean a vital unity in a diversity of biotic functions; in addition it is really an *organizing biotic* energy directing the physical-chemical processes in their anticipatory potencies.

But this state of affairs is completely misinterpreted when life is conceived of as a 'substance' (entelechy in H. DRIESCH) which directs a purely mechanical constellation of matter, closed in itself in the rigid deterministic sense of classical physics. This neo-vitalistic conception involves itself in inner antinomies and cannot account for the inner coherence of meaning of the biotical and the physical aspects of experience.

Life is not a 'substance', but a modal function, just like energy. And the latter is not closed in a rigid mechanical-causal coherence, but because of its modal structure it has anticipatory potencies, which are only *opened* by the directing impulses of the biotic functions [1].

To 'biochemistry', which investigates these anticipatory functions experimentally, (organic) life lies outside the original

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[1] This is not the same as NICOLAI HARTMANN's ontological theory of the

meaning of the physical-chemical field of research. The concept of life here remains a theoretical limiting concept, and it should remain so.

The modal viewpoint of psychology.

The theoretical field of research of the so-called psychological special science will be delimited univocally only, if the view is given up that the "*Gegenstand*" (= the modal field of research) of this science is to be found in the 'soul' as a collective idea of modal functions. The meaning of this idea is not further defined or delimited. Also the metaphysical conception of the '*psychè*', which more or less still influences psychology, should be relinquished.

The Biblical meaning of the word 'soul', where it is used in its pregnant sense of religious centre of human existence, has nothing to do with a theoretically abstracted complex of modal functions. Neither has it anything to do with the metaphysical Greek conception of the *psychè*. This must be clear to any one who has discovered that the background of all such views is the immanence standpoint in philosophy. The Bible does not theorize at all about the human soul (let alone theorizing from the philosophical immance standpoint).

If in future we speak of a '*psychic law-sphere*', we mean a modal aspect of human experience, delimited from all the other aspects by its nuclear moment of *feeling*. The modal meaning-nucleus of feeling is doubtless original in the cosmic-temporal order, i.e. irreducible to other modal meaning-nuclei.

Feeling as a supposed chief class of psychical phenomena. FELIX KRUEGER's discovery and its interpretation in genetic psychology.

Modern psychology has been led astray by conceiving of feeling as one of the chief classes of '*Erlebnisse*' and by co-ordinating it with volition and knowing as the two other classes. This misconception is due to the faculty psychology of the XVIIIth century since ROUSSEAU, especially to TETENS and KANT.

It is true that since the decline of this faculty-psychology there

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hierarchy of different 'layers' of being (Schichtentheorie) and his opinion that 'matter' as a 'lower layer' would be completely 'transformed' by life. HARTMANN does not know the modal structures of meaning and their coherence.

have been discovered some states of affairs which do not agree with this classification.

Especially the German psychologist FELIX KRUEGER, a disciple of WILHELM DILTHEY, has observed that feeling is implied in every '*Erlebnis*' as a quality of the totality of our inner experience and that in this totality there is a continuous transition from feeling to the 'differentiated forms of consciousness'. Attention is also paid to the 'universality' of feeling with respect to these states of affairs. But this discovery has been interpreted in the line of a psychologistic transcendental Idea of origin laid at the basis of genetic psychology. Consequently this interpretation within the cadre of genetic psychology has led to the erroneous conclusion that feeling would be the undifferentiated origin of the other 'classes' of '*Erlebnisse*' (the noetic and volitional) which were supposed to rise from it through differentiation. This cannot be true. In the footsteps of FRANZ BRENTANO and EDMUND HUSSERL the '*Erlebnis*' is conceived of as an intentional act of human consciousness, in contradistinction to the abstract 'sensation'. Then it must be evident that feeling, unlike volition and knowing, cannot be an act but only a *modal aspect* of every act. It is correctly defined by JAMES DREVER in his *Dictionary of Psychology* (1952) as 'a general term for the affective *aspect of experience*', though the adjective 'affective' should be replaced by the more general term 'emotional'.

It is impossible to regard real acts, like the volitional or noetic '*Erlebnisse*', as modal *aspects* of experience. On the contrary, every real act functions necessarily in the integral modal horizon of human experience, which embraces the totality of all the modal aspects. This fact cannot be lost sight of except under the influence of the metaphysical dogma concerning the dichotomy of temporal human existence as a composite of a 'material body' and a 'spiritual soul'. The more modern version of this dichotomistic conception (MAX SCHELER) speaks of an antithesis between a vital-psychical sphere and a '*Geist*' which can make the former and the entire 'world' to its theoretical '*Gegenstand*'. But also this view contradicts the unbreakable meaning-coherence between the aspects.

It is an undeniable fact that in the first life-phase of a suckling baby feeling precedes the first development of logical distinction; the latter precedes the controlling manner of forming sounds, which in its turn precedes the primitive symbolical designation

of concepts by words etc. But that does not prove that the higher mental functions originate from feeling as their undifferentiated origin. Rather it testifies to the truth of our view of the order of the modal aspects of experience, as a real *temporal* order, related to subjective duration in the genetic process.

The '*Erlebnisse*' and the modal delimitation of the psychological viewpoint. *Erlebnis* and behaviour.

If the '*Erlebnisse*' as real acts of experience imply the whole horizon of modal aspects, it follows that it is impossible to find in them the specific '*Gegenstand*' of psychology without a delimitation of the specific *modal viewpoint* from which they are to be examined.

This specific viewpoint cannot be found in the inner subjective character of the '*Erlebnis*'. For the inner character of the latter does not detract from its encompassing the whole horizon of modal aspects [1] and its subjectivity cannot be examined scientifically without its relation to the different modal laws to which it is subjected. In this respect there is no difference between '*Erlebnisse*' as inner acts of consciousness and external behaviour. The latter cannot be neglected by psychology insofar as it can be an objectively perceptible expression of the intentional direction of the inner act. On the other hand external behaviour in its objective sensory aspect cannot be a real psychological object of research apart from its relation to the subjective inner experience of which it may be an objectively perceptible expression. Behaviourism is not to be regarded as a trend of psychology proper [2]. But the point in question remains: What

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[1] The modal horizon of human experience corresponds to the modal aspects of empirical reality. Consequently, the inner act of experience as a concrete '*Erlebnis*' cannot be restricted to its psychic feeling-aspect. This will appear to be the key to the solution of the epistemological problem which we shall discuss in the third part of this Volume.

[2] The thesis that the inner acts of experience cannot be studied by psychology because science is bound to objective sensory phenomena cannot be maintained. We must bear in mind that the aspects of human experience have a modal structure of a universally valid character and that by means of language it is possible to establish a real social contact between our own inner experience and that of our fellow-men. My inner life of experience is not closed within itself. It can only exist in a social exchange of experiences penetrating my own consciousness and subconsciousness. In a very close community of two persons the inner act-

is the specific modal determination of the field of psychology, if the latter is to be conceived of as a *special* science and not as a philosophical anthropology, or as a typical total-science in the sense of positive sociology.

Animal psychology and the unity of the psychological viewpoint.

This question urges itself upon us still more stringently, if we consider the fact that psychology is not restricted to human '*Erlebnisse*' but that there is also an animal psychology[1]. Animals lack the inner human acts of experience, because the latter are necessarily related to the ego as the transcendent centre of human existence. They lack actual subject-functions within the logical and post-logical modal law-spheres which in every real act of experience are essential. Within these modal aspects they can have only object-functions in the subject-object relation of human experience.

If animal psychology is to be regarded as a real branch of psychology, it must have the same general modal viewpoint as the psychology of human '*Erlebnisse*'. This must be clear if it is considered that the unity of the psychological viewpoint is not to be found in typical totality-structures of human experience, but only in a specific *modal aspect,* which is made the '*Gegenstand*' of theoretical thought in its logical function.

This does not detract from the fact that psychology has to examine concrete phenomena which present themselves only within typical structures of individual totality, as for instance

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life of the one can often be completely open to that of the other so that they penetrate one another mutually and 'flow together'.

That is why the psychological method of 'empathy' into the inner act-life of the other man has a solid foundation in the inner structure of this life.

As to animal feeling, we must observe that it cannot be completely strange to us. In my anthropology, which will be explained in the third volume of my new trilogy *Reformation and Scholasticism in Philosophy,* I have argued that the act-structure of inner human experience is founded in a lower structure qualified by feeling-drives in which the psychical aspect has not yet opened its anticipatory spheres. In the so-called 'enkaptic structural whole' of the human body this animal structure is bound by the higher act-structure of human experience. Nevertheless, it is continually present as a sub-conscious under-layer of the latter and it can freely manifest itself in certain limiting situations (Grenzsituationen) in which the controlling function of the higher act-life has become inactive. Depth-psychology has been able to lay this bare.

[1] See the preceding note.

human acts of thought and remembering, volitional acts, acts of fantasy, and so on. But these totality-structures are not to be viewed as psychological ones if one wants to escape the absolutization of the psychical viewpoint. They can only *express* themselves in a typical way within the specific modal aspect which delimits the field of psychology.

This aspect has logical, historical, linguistic, social, economical, aesthetical, juridical, and moral anticipations. It also anticipates the ultimate limiting aspect of human experience, that of faith (in the feeling of confidence and certainty in the faith in God's revelation or in the feeling of unbelief, respectively). In other words, psychology has indeed a modal field of research which has real universality in its proper sphere.

The volitional, the intellectual, the fantasy-directions of human act-life, in their individual as well as in their social manifestations, can all be studied in their psychological aspect.

But psychology cannot exceed the modal boundaries of its field without entangling itself in an illegitimate 'psychologism'.

The pseudo-psychological conception of the human ego and the I-thou relation.

A fortiori the human ego and its relation to other egos cannot be of a psychical character.

There does not exist a 'psycho-physical ego', or a 'transcendental-logical ego', or an 'historical-existential ego', or an ego as 'psychical' centre of human '*Erlebnisse*'. All these so-called egos are nothing but idols of an apostate human self-consciousness. The human ego to which all human experience is related is one and the same: it transcends all modal functions and all temporal individuality-structures of human existence referred to it. It is the single central point of reference for all of them, but not any science whatever can make it into its '*Gegenstand*'.

When psychology speaks about self-feeling, self-impulse, self-love or ego-ism, self-preservation, self-control, self-observation or -introspection and so on, it can mean only psychological *phenomena* which manifest themselves in a *concentric direction to* the ego. But the ego itself escapes every attempt to grasp it in a psychological view. The human ego *expresses* itself in the entire temporal human existence, but it recedes as an intangible phantom as soon as we try to localize it in our temporal experience.

The impossibility of a definition of feeling as the meaning-kernel of the psychical aspect. The psychological distinction between 'feelings' and sensations *(Empfindungen)*.

So we must always stress the necessity of a modal delimitation of the psychological field of research.

To my mind the specific aspect embracing the modal viewpoint both of human and animal psychology can be found only within the law-sphere whose modal structure has feeling as its meaning-kernel. I cannot see another possibility unless I can be shown a better way for a truly modal delimitation of the specific psychological viewpoint.

There cannot exist a *material* criterion oriented to the concrete contents of human experience; for every concrete temporal '*Erlebnis*' can be viewed theoretically according to its psychical aspect.

If feeling is the original meaning-kernel of the latter, it must be impossible to define it by means of specific qualities designated by analogical terms. There is a German adage: "Was man nicht definiren kann, das sieht man als ein Fühlen an." [What cannot be defined is called a feeling]. But the same can be said with respect to the meaning-nucleus of every other modal aspect of human experience.

Many psychologists have tried to distinguish feelings from sensations and representations by specific characteristics. In contradistinction to the latter classes of '*Erlebnisse*', feelings are supposed to be characterized by their polarity. They lack a spatial character, and their actuality excludes every possibility of reproduction. But these theoretical distinctions, apart from their psychological serviceableness, have nothing to do with feeling as the modal meaning-nucleus of the psychical aspect of experience.

The latter is not a concrete '*Erlebnis*' viewed from its psychical aspect; rather it is the nuclear moment of a modal meaning-structure which determines every concrete phenomenon of consciousness functioning in it with respect to its modal-psychical character. In its modal meaning every psychical phenomenon is characterized by this kernel-moment. Sensations (*Empfindungen*) are 'elementary' subjective feeling-phenomena referring to objective sensory qualities of things or events. They can be moments of the so-called polar feelings of pleasure and pain which project themselves in the sensorily perceived objects.

They can also be experienced in an attitude of indifference.

But indifference, too, is a feeling-attitude in its modal psychical sense. Interest and indifference are only complementary manifestations of feeling which can be experienced in a continuous transition.

The retrocipatory structure of the modal feeling-aspect.

The structure of the full psychic modality of meaning, considered from its retrocipatory side, necessarily shows analogies of number, space, movement, energy, and organic life. If we want to analyse these retrocipatory meaning-moments theoretically as sharply as possible, it is necessary to start from the psychic aspect in its unopened, restrictive state, as it is realized in animals.

The so-called 'higher feelings' will not be considered for the present. The modal psychic meaning in its merely retrocipatory structure is *sensory.*

Sensibility is an evident analogy of the biotic meaning of *organic life* in the modal meaning of feeling. 'Sensory' means founded (by the cosmic order) in the biotic modality of meaning[1]. 'of the senses', and sensory feeling is closely bound up with, and It is a structural meaning-moment in the *life* of *feeling,* which is not life in its original modal sense, since it is qualified by the meaning-nucleus of the psychic aspect. Though it is necessarily *founded* in the biotic aspect, it is not subject to biotical laws, but it has its own psychical law-sphere (cf. the laws of association, the law of the polarity of feelings of pleasure and pain etc.).

Sensory feeling reacts on biotic stimuli but this psychic reaction is never *biologically,* let alone *mechanically,* explicable. For the sensory psychic reaction is qualified neither by the original nucleus of the biotic nor by that of the physical meaning-aspect. *Sensibility,* as a biotic retrocipation in the original modal meaning of feeling, in its turn refers back to an analogy of movement in this modal meaning. Sensory feeling necessarily expresses itself in sensory movements of feeling which are called 'emotions'. But the concept of 'emotion' should not be identified with particular types of psychic movement like the 'af-

[1] SCHELER has tried to conceive the 'pure essence' of feeling entirely isolated from the organic meaning of life. This procedure results in the sublimation of the modal meaning of feeling, because the latter only functions in the intermodal coherence of the aspects.

fects', or the 'passions'. Emotion is necessarily founded in the original meaning of movement but only by the intermediary of biotical and physical analogies. Emotional life is immediately founded in organic and physical-chemical processes which in their turn refer back to the original modal meaning of movement. We shall revert to such complications in the meaning-structure.

Behind this modal analogy of movement, however, a spatial analogy and one of number announce themselves in the structure of the psychic modality of meaning.

The subjective sensory feeling of space, the objective sensory picture of space, and the sensory multiplicity (of impressions) will be examined in a later context.

Some examples will now be given of the structural analysis of the normative law-spheres. This will show that here, too, the cosmic order of time guarantees the law-spheres concerned a fixed place, which cannot be ignored by theoretical thought with impunity.

The retrocipatory structure of the logical aspect [1].

It has been repeatedly observed that the nuclear moment in the modal structure of the logical aspect is the *analytic* mode of distinction. As a meaning-kernel this central structural moment must express itself in a series of retrocipations which guarantee its inner coherence with the preceding modal aspects.

In the first place there is an analogical moment to be found in the logical aspect which, as such, refers back to the psychical sphere. This is the moment of logical *apperception* which discloses a retrocipatory meaning-coherence with the *perceptive* mode of experience inherent in feeling. LEIBNIZ was the first thinker who observed this inner coherence between logical apperception and sensory perception. But he interpreted it in the line of his lex continui, a cosmonomic Idea oriented to his discovery of the differential- and integral calculus.

As a matter of fact conceptual apperception in its first primitive or 'restrictive' state is rigidly bound to sensory representation. The analytical relation of identity and diversity is immediately applied to sensory images of things and in these images the logical characteristics are analysed in a primitive way. For

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[1] How an actual analysis of the modal structure of the analytical aspect is possible will be explained in more detail in the second part of this Volume.

instance: an animal which has two legs and wings is a bird. A circle is a round thing. Here analytical apperception and sensory feeling-perception seem indeed to pass into one another without sharp limits. Actually the modal boundaries between analytical apperception and sensory perception are implicitly present even in the most primitive concept. They cannot be lost sight of in the analysis of the modal structures without our being involved in theoretical antinomies.

Analytical apperception can only function in the logical *life* of thought, and here we are confronted with a necessary biotical retrocipation within the modal structure of the logical aspect. The logical life of thought doubtless has a biotic foundation and would be meaningless without this retrocipatory coherence with life in its original modal sense. But it is not reducible to the latter; it is subject to logical and not to biotical laws. It manifests itself in every logical process of thinking, in every act of conceptual analysis, in every logical conclusion.

This biotic analogy in the modal structure of the logical aspect in its turn implies retrocipatory analogies of the physical meaning of energy, of movement, space and number in their original meaning-nuclei.

The analytical *principium rationis sufficientis,* which rules the logical process of concluding as its norm, is a real analytical principle of *causality* and shows an inner retrocipatory meaning-coherence with the relation of cause and effect in its original physical sense. This inner coherence urges itself upon human thought to such a degree that in modern philosophy the physical and the logical principles of causality have often been identified.

The empiricist thinker J. STUART MILL employed the physical concept of causality conceived in the deterministic sense of classical mechanics, in his *System of Logic.* His theory of causality, called *the theory of the condicio sine qua non,* was introduced in continental European jurisprudence and was often viewed as an explanation of the logical principle of causality [1]. In the second part of Vol. I, I have outlined the rise and the development of the rationalist identification of physical and logical causality, and the reduction of the latter to the logical principle of contradiction.

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[1] Cf. my treatise *De modale structuur van het juridisch causaliteitsverband* in the Mededelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, Nieuwe Reeks, Dl. 13 no. 5 (1950).

KANT made causality into a transcendental logical category implying the 'pure logical' concept of force as its 'predicable'!

The real state of affairs is that the analytical relation of grounds and conclusion has a patent *analogical* character and cannot disclose the original meaning of the causal relation. Its validity is restricted to the *logical process* of concluding, which is a real analytical movement of thought, a *procedere* from premises to conclusion. The retrocipatory coherence of the logical meaning-aspect with the modal aspect of movement here discloses itself in an evident manner.

The movement of logical thought doubtless has an analogical character referring back to movement in its original modal sense of extensive flowing.

But at the same time it implies a spatial analogy. The analytical process of thinking pre-supposes an analytical (formal) space. Analytical space is a logical order of co-existence, a logical extension in which every analytical element can be localized.

Without this logical space no single analysis would be possible.

It can have different 'analytical dimensions' which are only logical analogies of the original spatial ones. In logical space we synthesize a one- or more dimensional analytical multiplicity to a logical unity. The numerical analogy in this analytical synthesis has been explained in an earlier context. But it is not superfluous to stress the difference between this analytical synthesis and the inter-modal synthesis of meaning executed in theoretical thought. The former is only the analytical aspect of the latter. The consequences of this distinction will be explained in more detail in the third part of this volume.

The anticipatory structure of the logical aspect. Historical, linguistic and social anticipations.

In pre-theoretical thought the logical aspect is only actualized in its retrocipatory structure examined above. Here it manifests itself in a merely restrictive function. In theoretical thought, however, it opens its anticipatory spheres.

The first anticipation which discloses itself in this opening-process is an historical one, viz. that of logical *control* or *mastery*. In our introductory examination of the analogical basic concepts we have remarked that the terms mastery, control or command have different meanings. But the fundamental signification appeared to be cultural authority over persons or things corresponding to a controlling manner of form-giving according to a

free project. In this original sense it appeared to be used in the science of history, where it needs no further *modal* qualification.

In the light of our later examinations concerning the modal meaning-structures this is a strong indication that the term control designates the original meaning-kernel of the historical aspect. When in the continuation of our inquiry we shall be engaged in a closer analysis of the modal structure of this aspect, it will appear that this presumption is justified. Provisionally it will be assumed that it is correct.

In theoretical thought we are obliged to give logical form to our concepts and judgments, and because here our analytical activity displays a systematic character we indeed acquire logical control or mastery over our field of inquiry. Pre-theoretical analysis in its unsystematic character remains strictly bound to the sensory images of feeling-perception and shows a rigid uniformity in the course of time. Theoretical logic, on the other hand, has an historical development because it develops power in the process of a free shaping of the human mind.

But the opening of the historical anticipation in the modal structure of the analytical function is not possible without the opening of its linguistic anticipatory sphere. If theoretical thought is to elevate itself to systematic control over its material, it must free itself from the shackles of sensory images and direct itself to general symbols. Theoretical logic discloses a *logical symbolism* which replaces the sensory images by general signs only representing the abstract terms of analytical relations; it *anticipates* the lingual symbolism in its analytical process of thought.

Symbolic logic has developed this analytical symbolism to a high degree of perfection. But we must stress the necessity of a clear distinction between logical symbolism in its anticipatory analytical meaning and symbolic denotation in its linguistic sense. The former is not identical with linguistic symbolism but only an anticipatory function of analysis. In the theoretical act of thought logical symbolism cannot be actualized without the means of abstract symbols. But the latter are not themselves logical concepts and analytical relations; they can only *denote* them in a linguistic sense. Logical symbolism makes the analytical activity *explicit,* whereas pre-theoretical analysis remains *implicit* in sensorily founded representations.

The economic anticipation in the modal meaning of logical analysis.

In the opening-process of the logical law-sphere we also detect a modal anticipation of the original modal meaning of the economic law-sphere in the so-called *economy of thought.* A better term would be 'analytical economy'. This meaning-figure has been mentioned in our introductory consideration of the analogical basic concepts. Just like the other moments of the modal structure, analytical economy reveals itself both on the law-side of the sphere (the principle of economy of thought) and on the subject-side (the logical-economic activity of thinking subjected to this principle). It is doubtless a modal anticipation, not a retrocipation. In other words, the economic law-sphere is founded in the logical sphere and not the other way round. This appears convincingly from the fact that the meaning-moment of logical economy can only function in deepened, theoretical thought. In pre-theoretical logical thought — rigidly bound in its analysis to its sensory substratum of feeling as it is — analytical economy cannot develop because the pre-theoretical concept is not systematic.

The principle of economy of thought has played an important part in western logic. It was known, though not explicitly formulated, in Greek thought.

ARISTOTLE appealed to it in his critique of the Platonic Ideas. Especially in medieval and modern nominalism this principle has been given its logical formulation.

OCCAM formulated it in his well-known adage: 'Principia praeter necessitatem non sunt multiplicanda.'

It must be clear that both logical control and logical symbolism require economy of thought, and that the latter appeals to the two former. But it must be denied that logical economy would be nothing but an application of the general economic principle [1]

[1] Probably the older 'objectivistic' formulation of this principle in economic theory has favoured its elevation to a general teleological standard of rational human activity. In this formulation it gave only expression to the striving after the highest result at the smallest costs.

This was the formulation of the technical-economic principle of efficiency rather than of the economic principle proper. It lacked the very moment of the alternative destination of scarce goods for the different needs after a scale of urgency, which is essential in a sparing administering of economic goods proper.

The theory of limiting profit has intended to give a better formulation to the principle concerned. But in accordance with its subjectivistic con-

to human thought and that it would embrace the single task and ideal of scientific activity.

MACH and AVENARIUS have absolutized this principle and therefore lost sight of its real place in the modal structure of the logical aspect and overlooked its analogical character. They have neglected its analytical qualification [1]. The same must be said with reference to W. JAMES' eulogy of the economy of thought according to which the tendency to frugality, viz. to frugality with respect to the means of thought, would be the philosophical impulse 'par excellence'.

This absolutizing of the principle should be seen in close connection with the pragmatistic conception of scientific truth.

KANT was certainly no pragmatist, and he saw clearly that economy of thought pre-supposes transcendental conditions of knowledge. Nevertheless in his *Critique of Pure Reason* he speaks about the 'economizing of principles' as 'a law which is not only an economical principle of human reason, but rather an inner law of nature'. Here, too, the specific logical character of the principle is completely overlooked.

An accurate analysis of the modal structure of the logical aspect is necessary if we want to acquire a clear insight into its true meaning and the boundaries of its applicability.

The principle of economy in its logical qualification pre-

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ception of economic value, it gave a circumscription which was psychological rather than economical.

See on this subject: PREISER, *Das Rationalprinzip in der Wirtschaft und Wirtschaftspolitik* (Jahrbücher f. Nat. Ökonomie, Bnd. 168, 1943; MARCHAL, *Gegenstand und Wesen der Wirtschaftswissenschaft* (Zeitschr. f. d. gesamte Staatswissenschaft Bnd, 106, 1950); MICHAEL KROLL, *Das Rätsel "Volkswirtschaft"* (Schmollers Jahrbuch f. Gesetzgebung, Verwaltung und Volkswirtschaft, 73. Jrg. 3e Heft 1953, p. 1 fl.); and especially the great work of the Dutch economist P. HENNIPMAN, *Economisch Motief en Economisch Principe* (1943), who denies that the principle in its proper economical sense has any real signification in economic theory (p. 355 fl.). But this author has arrived at this negative conclusion, because he supposed it could not account for the factual behaviour of man in economic affairs. He observes that also irrational economic behaviour is a real economic activity. This is doubtless right but does not derogate from the fact that it can be an un-economical behaviour. The latter, too, has a modal economic meaning. The principle of economy proper cannot have a causal psychological, but only a normative economical sense.

[1] This is also the objection raised by M. SCHLICK against the conception of MACH and AVENARIUS. He, too, has stressed the logical character of the principle.

supposes the general logical principles implied in the retrocipatory structure of the analytical law-sphere: those of identity, contradiction and the sufficient ground. Analytic economy can only deepen their modal meaning but becomes meaningless apart from them.

Especially in jurisprudence the principle of economy is often abused to justify the introduction of theoretical fictions which must mask the antinomies caused by the misinterpretation of the juridical basic concepts.

E.g., the figure of the legal person is called a fiction or an artificial construction, because only natural persons are supposed to have a will. But the fact is lost sight of that the concept of the legal subject as such is a concept of a modal *function* and may never be identified with a real person. In other words, if the juristic person (corporation) is called a fiction, the legal subjectivity of a natural person should be called so as well.

The misconception of this state of affairs began with the introduction of a psychological concept of will. The latter is unserviceable in theoretical jurisprudence because the juridical aspect of volition is different from the psychological one. Even to a natural person we cannot ascribe a will in the psychological sense, when we are theoretically confronted with his function as a juristic subject. One should be aware that the legal concept of will is an analogical basic concept of jurisprudence which can only have a modal-juridical meaning, though it may not be conceived apart from its inter-modal coherence with the psychological concept of volition.

When it is alleged that the 'psychological will' is the only real one, we must reply that no single special science, aware of its boundaries, can pretend that its special theoretical viewpoint is capable of embracing 'reality' in an integral sense.

What is called 'psycho-physical reality' is an absolutized theoretical abstraction which has eliminated the entire series of normative aspects of human experience and consequently has no room for the normative juridical sphere.

Since the modal juristic meaning of volition cannot be eliminated from the juridical aspect it was called a fiction of 'legal technique' which finds its justification only in the principle of economy of thought.

The famous German jurist RUDOLPH VON JHERING held this technique to be the highest development of legal science, though in his last period he has abandoned this view.

This conception is based upon a twofold misinterpretation of the principle concerned. In the first place the fact is overlooked that it can have only a *theoretical-logical* character; merely technical fictions can never be 'economical' in a *logical,* but only in a *technical sense.* Legal technique concerns the formation of law, not legal theory. In the second place the fact is lost sight of that the logical principle of economy because of its analytic character does not permit itself to be employed apart from the principle of the sufficient ground. In its theoretical application it cannot derogate from the primordial scientific requirement to account for the states of affairs met with in the specific modal field of research. It can only imply that this requirement ought to be satisfied in a logical economical way, with the elimination of really superfluous grounds. Theoretical fictions, however, which are introduced in order to mask antinomies caused by a fundamental misinterpretation of the legal basic concepts, can never be justified by means of this anticipatory logical principle [1].

At present VON JHERING's view of the juristic technique is no longer generally accepted.

In the footsteps of the French jurist FRANÇOIS GENY many modern students of jurisprudence make a sharp distinction between juridical science and juridical technique and deny that in the former fictions may be justified.

But now they have entangled themselves in another misunderstanding of the task of science. According to them, legal science would have to reduce the juristic basic concepts, wrongly conceived by them as 'technical fictions', to the 'only real physico-psychical states of affairs'. The principle of economy of thought was only accepted with respect to legal technique in which, as we saw, it cannot play any rôle.

This may suffice to establish our statement that only an accurate analysis of the modal structure of the logical aspect and

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[1] When v. JHERING in his famous *Geist des römischen Rechtes* (Volume II) argues that the juristic conception of the 'res' or of personality is nothing but an artificial expanding of the natural naïve concept of a thing or a person respectively, he falls a victim to a fundamental misunderstanding of the relation between naïve experience and theoretical thought. He overlooks the fact that the modal legal concepts of object and subject cannot be artificial expansions of the natural idea of a thing, since they refer only to modal *functions,* not to concrete *things.* A human person is never identical with his juristic subject-function. He can only *have* the latter. And the same holds with respect to the relation of a concrete thing to its juristic function as an object.

that of its theoretical '*Gegenstand*' can guarantee a correct insight into the meaning of the principle concerned.

Linguistic economy as an economic anticipation in the modal meaning-aspect of symbolic signification. The '*Aktionsarten*' (the 'characters' and 'aspects') and the structure of primitive verbal languages.

The modal structure of the lingual [1] aspect can also express its meaning-coherence with the economical sphere only in its anticipatory moments.

Linguistic economy wards off the superfluous in symbolic signification, but, as we remarked in our introductory examination, it is not yet found in the closed, retrocipatory structure of language [2]. This appears clearly and convincingly in the language of primitive gestures, which can do nothing but point out every intended object separately. Mimic gestures show a deepening of meaning; they also show some symbolic economy instead of the merely *deictic* function of primitive gestures.

In addition there is a tendency to an ever increasing degree of 'economization' in the aspect of symbolic signification at the higher stages of historical development. This becomes evident if we compare modern and primitive verbal languages. The structure of the latter is closely bound up with the structure of primitive (not yet 'opened') thought.

Primitive speeches often have an extremely rich vocabulary, but they lack the capacity to express abstract and general relations and states of affairs. The discovery of the so-called '*Aktionsarten*' [3] and 'aspects' has brought to light that in the development of the Indo-European verbal languages the flexional endings added to the same verb-stem to denote the abstract meaning of external time, viz. the past, the present, and the future, must have been preceded by the distinction of

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[1] The term 'lingual', as a general modal qualification of the aspect of symbolic signifying, is not adequate. It is used only for lack of a better *adjective* in the English language, denoting the general modal character of the aspect concerned.

[2] Cf. Vol. II, p. 67 ff.

[3] *Translator's note:* They are called characters, because they denote intrinsic characteristics (and not subjective appreciations of the stage of development) of an action, a state, or an occurrence. Aspects express a subjective appreciation of the stage of development of an action, state or occurrence. Cf. E. KRUISINGA, *A Handbook of Present-Day English*[5], vol. II, pp. 232 ff.; H. JACOBSOHN, *Gnomen* II, 379 ff.; Prof. Dr N. v. WIJK, Nieuwe Taalgids, October 1928.

the internally-qualitative kinds of time of the concrete actions and occurrences, in which the temporal aspect was expressed by different stems. The stem of the verb 'to arrive' expresses *perfective aspect,* i.e. an action that comes to an end[1]. The stem of the verb 'to begin' denotes *inchoative aspect,* that of the verb 'to remain' denotes *durative aspect.* The Latin verbal forms: fero, tuli, latum, go back to different stems denoting different '*Aktionsarten*' (or rather 'aspects').

It is assumed that the use of the forms to denote differences of 'aspect', i.e. of internal time, has been superseded by an abstract scheme of chronological time-indications as a result of a systematic tendency in linguistic development.

It is obvious that this development is bound to bring about a large measure of economy in the way time is linguistically signified. This process must be connected with the increasing ability of thought to shake off the shackles of the sensory image-world to which it was rigidly tied down at the primitive stage in the formation of concepts.

American native speeches show that the qualitative concrete manner of signifying time and place is more original than the abstract, symbolically economical method[2].

The artificial languages (esperanto, volapück, etc.) are examples of a deliberate tendency to economize. In another respect the language of science, too, shows its *economic* anticipations, and at the same time it anticipates the *juridical* aspect because it requires its symbols to be *univocal* as a condition of justice in scientific intercourse and discussion.

The economic retrocipation in the aesthetic meaning-aspect. The *μηδὲν ἄγαν.*

In the modal meaning of the *logical* law-sphere and in that of *language* the expression of the cosmic coherence of meaning with the *economic* aspect appeared to be found only in the *anticipatory* spheres. But in the modal structure of the *aesthetic* and

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[1] *Translator's note:* Or it denotes the result of an action, etc.; hence the final stage; the inchoative aspect denotes the initial stage; the imperfective or durative aspect denotes the going on of an action. An example of a genuine 'character' is the verb 'to tremble', which is called 'frequentative' in *character.* The form: — He was trembling — has both durative aspect and frequentative character. Cf. E. KRUISINGA, op. cit. pp. 230 ff.

[2] The treatise *Die Bildung der Tempora und Modi im Griechischen und Lateinischen* (Sprachvergleichende Beiträge I, 1846), by S. G. CURTIUS was basic for the theory of the "*Aktionsarten*".

the *juridical* aspects this cosmic coherence with the economic sphere is expressed in the *retrocipatory* direction. The nuclear moment of the aesthetic aspect is *harmony* in its original sense, a modal meaning-moment found in all the other law-spheres only in an unoriginal, retrocipatory or anticipatory function (cf. harmony of *feeling, logical*-harmony, harmony in social *intercourse, linguistic* harmony, *economic* and *juridical* harmony, etc.). This aesthetic nuclear meaning cannot express itself in the modal structure of the aspect concerned without an *economic* retrocipation, which may be qualified as *aesthetic economy*. The aesthetically *superfluous,* the 'piling it on', the 'overdoing it', ought to be warded off in harmonic sobriety or economy if the harmony is to remain intact. And this standard is applied not only to a highly cultured work of art but also to a primitive product, because the aesthetic modality of meaning is not possible without economic retrocipation. What is sometimes called aesthetic exuberance or luxuriance is not meaningless in an aesthetic sense provided it is not in conflict with the basic modal principle of aesthetic economy.

This 'aesthetic exuberance' is not really 'superabundant'. It is *no* overabundance in the sense of 'disharmony' but the harmoniously-economic adaptation of the artistic expression to the aesthetic experience of the artist.

In its original meaning harmony always requires aesthetic unity in multiplicity on its law-side, in which the *μηδὲν ἄγαν,* (nothing to excess) notwithstanding the change of period in history, is of unassailable *modal* validity.

Only an irrationalist view of aesthetic, denying that an artistic genius is bound by laws and proclaiming him *sovereign creator* can repudiate this basic principle in the original meaning of harmony. A truly *Christian* aesthetics can never absolutize the individual aesthetic subjectivity and make it a sovereign creator of beauty not bound by norms of the Divine world-order. A Christian aesthetics will be the first to acknowledge the inspired artist's genius as an individual gift of God. It will be whole-heartedly hostile to rationalistic aesthetics. But it cannot give in to the *ὕβρις* of an aesthetic irrationalism that denies any subjection to norms to be incumbent on the artist and works of art.

Such a denial would spell apostasy from the Christian basic Idea. In the Prolegomena we saw that such a view of aesthetics must cancel itself on account of its intrinsic contradiction. An aesthetic subjectivity without any determination by an aesthetic

norm would be an absolutely chaotic, hence a meaningless, impossible ἄπειρον which could no longer be called 'aesthetic' with any semblance of truth. Only a law can determine and delimit. The absolutely indeterminate cannot be determined by the *aesthetic* modality.

The modal meaning-kernel of the juridical aspect.

So it appeared that in the Divine world-order the aesthetic law-sphere is founded in the economic sphere. The original aesthetic modal meaning cannot exist without an economic retrocipation. The juridical modal meaning also necessarily has an economic retrocipation in its internal structure. As will be shown later on, this analogy cannot occur without its modal coherence with an aesthetic one. The general character of this complication cannot be further investigated as yet.

But what is the modal meaning-nucleus of the experiential aspect concerned? It is very difficult to render the original kernel of the juridical modality of meaning by a satisfactory term. In the first (Dutch) edition of this work I chose the word retribution (Dutch: *vergelding,* German: *Vergeltung*). This term was used in the pregnant sense of an irreducible mode of balancing and harmonizing individual and social interests. This mode implies a standard of proportionality regulating the legal interpretation of social facts and their factual social consequences in order to maintain the juridical balance by a just reaction, viz. the so-called legal consequences of the fact related to a juridical ground. As is easily seen, this provisional explanation of the term appeals to a complex of analogical terms. The modal *meaning-kernel* proper is not explained by this circumscription.

In itself this is not surprising. For in every previous analysis of a modal structure we were confronted with the same state of affairs. It is the very nature of the modal nucleus that it cannot be defined, because every circumscription of its meaning must appeal to this central moment of the aspect-structure concerned. The modal meaning-kernel itself can be grasped only in an immediate intuition and never apart from its structural context of analogies.

But the term by which this meaning-kernel is designated must be able immediately to evoke this intuition of the ultimate irreducible nucleus of the modal aspect of experience concerned.

In jurisprudence, however, the original modal meaning of the word 'retribution' has been often wrongly restricted to criminal

law, i.e. to a typical manifestion of its general modal sense. And at the same time this concept has become the subject of a vehement contest between the so-called classical school in the theory of criminal law and the modern criminological trends. According to the latter the idea of retribution is nothing but a residue of the unreasonable instinct of revenge; it impedes a rational treatment of criminality. The classical school, on the other hand, handled a rigid conception of penal retribution which only left room for an abstract delict and eliminated the person of the delinquent and his social environment.

It must be evident that if retribution is to be considered as the nuclear meaning of the juridical aspect, it must be detached from this typical controversy in a special branch of jurisprudence. Retribution is not only exercised *in malam* but also *in bonam partem*. Its modal legal measure of proportionality can be applied to every possible legal consequence (Dutch: rechtsgevolg) connected with any juristic fact.

The only material question is: Does this term indeed evoke the intuition of the irreducible meaning-kernel of the juristic aspect in its general structure?

LEO POLAK's inquiry into the meaning of the term retribution.

The famous Dutch philosopher and jurist LEO POLAK, a disciple of HEYMANS, has devoted a special inquiry to the signification of this term in Indo-Germanic and Semitic languages in his work: *De Zin der Vergelding*, Vol. I (Amsterdam 1921), Sect. 1, Ch. II. He did not intend to conceive of retribution as the qualifying meaning-moment of the juridical aspect; his aim was only to treat it in the context of the theory of criminal law. Nevertheless, he begins with the statement that the term is also used to denote a reaction in bonam partem, viz. remuneration or recompense. According to him, the term in its general sense denotes merely a reaction in social life. Only in its strict sense of *just* retribution, or retribution *proper*, it necessarily implies the standard of proportionality or equivalency. In criminal law this signifies that punishment must be *deserved* pain, that the criminal gets his due in it. But also with respect to a contractual remuneration or recompense, retribution, in its pregnant sense, implies this requirement that it must be deserved, that it is a determination in a super-arbitrary way of the (juridical) value of the deed upon which it is intended to react.

Another essential implication of the pregnant meaning of the term, according to POLAK, is to be found in its being a reaction corresponding to *egoistic* motives. When we say that virtue or vice deserve praise and blame respectively, this is not meant in the strict sense of retribution proper: retributive consequences of the deed are deserved only *once*. It would be unreasonable to demand the due recompense or punishment for one and the same fact *twice*. Ethical praise or blame, on the contrary, are deserved *continually*. This refers to a different *function* of retributive and ethical reaction. The former means an *acquittance*, a *mutual discharge of debt*.

This would be the very reason why most terms denoting a retributive reaction are taken from economic life.

Retribution and economical life.

If this latter observation were right, the term retribution should be positively rejected as a denotation of the original meaning-kernel of the juridical aspect.

For in this case it could have only an analogical sense when referring to jural relations. But here POLAK has overlooked the fact that the very implication of a *deserved* reaction excludes an original economical meaning of the term. In an economical sense wage is only the *price* of labour, not the *indebted* recompense of the latter. An analogical meaning can be ascribed only to the juristic term 'equivalency' or 'proportionality', not to the term 'retributive' in its pregnant use [1]. The latter is the proper *juridical qualification* of the former.

It is true that the Dutch words '*vergelding*' and '*vergoeding*' cohere with '*geld* (money) and '*goed*' (good). Nevertheless, at least in scientific language, the term '*vergelding*' itself lacks an original economical meaning.

Rather in a pregnant way it designates the irreducible meaning-kernel of what is signified by the words δική, jus, justice, recht, diritto, droit, etc. For this very reason it can be used in jurisprudence without a *general* modal juridical qualification, although indeed the typical penal meaning of the word is preponderant.

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[1] In a later context POLAK has explained the essential difference between criminal legal and economic equivalence. Nevertheless, he speaks of 'indebted' wage in purely economic relations though he puts 'indebted' between inverted commas.

It is this inner nuclear meaning of the juridical aspect of experience which from the very beginning has struck the human mind, before philosophical thought had found the methodical way to define things by their genus proximum and differentia specifica. The latter method of analysis was introduced by SOCRATES, PLATO and ARISTOTLE and applied to the definition of justice. Then the intuitive insight into this modal meaning-kernel was theoretically replaced by analogical concepts detached from the inner meaning-coherence within the modal structure of the legal aspect. For it has appeared that this method is unserviceable in the analysis of the modal structures of meaning.

Justice as *suum cuique tribuere* and the older cosmological conception of retribution. *Dikè, Anangkè, Rita* and *Tao*.

Nevertheless, the whole Greco-Roman, patristic and medieval scholastic tradition preserved some intuitive insight into the retributive character of justice in its strict juridical sense. The characterization of the latter as *suum cuique tribuere* is based upon an older cosmological conception of justice whose retributive meaning cannot be doubted.

The very earliest reflection on justice in its strict sense has found retribution as its 'essence'. The old Ionian philosophers of nature, HERACLITUS, the Pythagorean thinkers as well as old Indian philosophy, have stressed this meaning. It is true that they expanded justice to a general cosmic order of causality and consequently lacked the insight into the modal boundaries of the jural aspect. But it should not be forgotten that the cosmic order of time itself guarantees the inner coherence of meaning between the juridical aspect and all the other modal law-spheres. It is, consequently, not surprising that the earliest conception of a causal order in nature was inspired by the idea of justice in its original retributive sense, which in the social order urged itself upon the human mind.

The rigid and merciless character of this conception was only due to the fact that it was ruled by a pagan religious motive which led to a deification of the forces of nature not yet opened by human culture. Their retributive operation was viewed as an inescapable necessity. HERACLITUS (B. Fragm. 94) says that *Dikè* which prevents Helios (the sun) from exceeding its measures is assisted by the *Ἐρινύες*, i.e. the daughters of the inescapable *Anangkè*. According to PARMENIDES *Being* is bound to its

spherical form by the *Dikè* and the latter is identified with the 'powerful *Anangkè*'.

The same identification of retributive justice in the order of nature and inescapable necessity is found in the old-Indian conception of *Rita* explained in the Veda and in the old-Chinese idea of *Tao* [1].

Retribution and love in the Christian religion.

As soon, however, as the modal structure of the juridical aspect opens its anticipatory spheres, its retributive meaning-kernel loses these rigid and merciless traits without abandoning its irreducible character.

In its concentric relation to the revelation of Divine Justice in the cross of Christ, it appears to be nothing but a temporal creaturely refraction of meaning of the Divine fulness of Love which is the fulfilment of Justice.

The fact that every human execution of retribution is deformed by sin does not imply that the juridical aspect *in the retributive kernel of its modal meaning-structure* is of a sinful character. On the contrary, it will appear from our further examinations that in the temporal cosmic order retribution is the irreplaceable foundation of love in its modal moral sense. Only from the modal meaning-structure of the juridical aspect with its indelible retributive nuclear moment can an imperfect and sinful human legal order derive its juridical character and its claim to respect.

A positive legal order is only possible within this structural cadre of meaning. Every attempt to define the *juridical nature* of positive law by means of external purely phenomenal characteristics moves in a vicious circle.

The retributive character of every juridical relation. Retribution and *ultra vires*. The retributive meaning of rights.

The retributive mode of ordering social relations is not restricted to the narrow boundaries of penal law and private contracts.

As has been said, *every* really juridical relation whatever discloses this modal meaning-kernel, which urges itself upon us as soon as we analyse its modal structure.

The delimitation of legal spheres of competency also has a

[1] Cf. C. CHARDON's treatise *Themis* in Phil. Ref. 7th Year (1942), p. 6 ff.

necessarily retributive character in its juridical consequences.

Retributive justice, as HERACLITUS and PARMENIDES have rightly observed, reacts against every '*ultra vires*'. It binds every legal power and subjective right to its limits. This is to say that also the attributive-imperative function in which the Russian jurist PETRAZICKY sought the ultimate distinctive trait of law, in the last analysis is qualified by the retributive meaning-kernel. Apart from the latter it has no specific juridical sense.

Within the modal aspect of social intercourse we meet with privileges attributed by convention to the higher classes; they lack every juridical sense. When, however, the attributive character of law is sought in its attribution of rights, competences, and claims balanced by duties, then the term 'attributive' ought to be taken in a *retributive* sense.

Does retribution essentially imply a reaction corresponding to egoistic motives? Retribution and altruism.

POLAK's opinion is that the pregnant meaning of retribution essentially implies a reaction corresponding to egoistic feeling-motives. But this view requires correction. Retribution in its pregnant original modal sense cannot react upon egoistic motives in their psychological sense, since it is not a feeling-drive. Rather it is the specific juristic modality of balancing and harmonizing social relations; it characterizes the juristic manner of interpretating social facts and their factual effects; it qualifies the juridical manner of reaction against every fact which affects this balance, viz. by requiring harmonizing consequences and redress in the case of wrong or *ultra vires*. In this sense it also determines the specific juristic manner of reacting against excessive factual manifestations of *altruism*, which threaten the juridical balance of social interests; for instance gifts prejudicing the juridical interests of creditors or legitimate children.

Our conclusion is that we can find no better term to designate the original meaning-kernel of the juridical law-sphere than retribution. Consequently we shall continue to use it.

No single analogical meaning-moment or complex of analogical meaning-moments by which legal philosophy and the general theory of law have tried to replace it, can satisfy the requirement of a real modal definition.

Such concepts as 'equality', 'proportion', 'compulsory order of communal life', etc., are unqualified analogical concepts,

from which the original meaning-nucleus of the juristic aspect has been eliminated. The moment of equality (*τὸ ἴσον*) to which ARISTOTLE already tried to reduce the meaning of justice in its strict sense is only a mathematical analogy in the meaning of retribution. This is clear in ARISTOTLE's further differentiation of the principle of equality into arithmetical and geometrical proportions.

The modal meaning-kernel of *retribution* is indeed an abstraction in itself. It can reveal its modal meaning only in the coherence with quite a series of retrocipatory moments reflecting the cosmic coherence between the juridical aspect and its substratum spheres. But it *qualifies* the latter and not vice versa.

Aesthetic, economic, and social analogies in the modal structure of the juridical aspect.

The first modal retrocipations expressing the original meaning-nucleus are the aesthetic and the economic analogies. They will be studied a little more closely in this context. In its modal nature retributive meaning must express itself on its law-side in a *well-balanced harmony of a multiplicity of interests,* warding off any *excessive actualizing of special concerns* detrimental to others. The multiplicity of interests mentioned should be subjected to a balanced harmonizing process in the modal meaning of retribution. The aesthetic and the economic analogies are unbreakably connected with a modal social retrocipation[1], expressed in a strict correlation between *communal interests* and those of inter-individual relationships in *juridical intercourse.*

In a 'community' the juridical subjects are united into a solidary, institutional or associational whole according to relations of authority and subjection[2]. In the inter-individual relations, on the other hand, the juridical subjects are co-ordinated, and not grouped into a solidary unity according to relations of authority and subjection.

The modal meaning of retribution on the law-side is expressed in the juridical aspect first of all in a balanced harmonizing of

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[1] 'Social' here means: referring to the modal aspect of human intercourse. *Juridical* intercourse (Dutch: rechtsverkeer) is only an analogy of intercourse (Dutch: omgang) in its original meaning.

[2] Only the natural community implied in the larger circle of natural kinship (which should be sharply distinguished from artificial organisations like sibs or clans) lacks natural relations of authority and subjection.

communal and inter-individual interests, warding off any excessive, extravagant enforcement of special communal or inter-individual claims.

The analogical meaning-moments, laid bare here, express their cosmic coherence with the modal structures of the aesthetic, the economic and the social law-spheres as *retrocipations,* not as *anticipations.* This implies that the juridical law-sphere is necessarily *founded* in the aesthetic and the economical aspects and in the modal aspect of social intercourse. This fact is convincingly proved by the character of the most primitive juridical systems of law. As a rule, these systems do not show a trace of anticipatory functions in the meaning of retribution. And yet in primitive law retribution expresses itself in anaphoric meaning-moments referring to the aesthetic, the economic, and the social spheres. Also in its as yet non-anticipatory form the modal meaning of retribution appeals to harmony, the economic principle, and social intercourse (all these taken in their original modal nuclear meanings) as its necessary substrata. This is the reason why even primitive retribution, in its special expression of harmonizing reaction against injustice, is something quite different from the expression of a psychic feeling of revenge which is blind to the meaning of justice [1].

In the primitive tribal-laws *excess* in this reaction is excluded by a doubtless rude standard of proportion, viz. the principle of talion or fixed tariffs of composition.

The legal consequences of a juridical fact are weighed against the juridical grounds in the harmonizing of communal and inter-individual interests while warding off excess. This happens even though there is no knowledge of the theoretical concepts of juridical fact, juridical ground and juridical effects; and although the entire procedure in which retributive harmony is realized bears an extremely primitive character.

This undeniable state of affairs, briefly mentioned in the introduction to this chapter as a philosophical problem, has now found its explanation by means of the theory of the modal structures of meaning. It is bound up with the position of the juridical aspect in the cosmic order of time.

The current modern view, according to which retribution is nothing but an expression of the primitive instinct of revenge,

[1] This difference is not affected by the undifferentiated character of primitive society.

proves to be untenable as soon as the real meaning of this modal nucleus of law in the intermodal coherence of the aspects is laid bare.

The lingual analogy in the modal meaning-structure of retribution.

A continued analysis of the modal structure of the juridical aspect shows that the latter must also have a lingual substratum. The economic, aesthetic, and social retrocipations in the retributive modality necessarily appeal to a lingual analogy.

The analogy meant here gives clear expression to the fact that juridical relations are only possible when *signified.*

The smashing of a window-pane, the getting into a public means of conveyance, can only function in the legal aspect of temporal reality because they have a juridical signification as a delict, and as an indirect expression of the intention to make an agreement of conveyance respectively. And these legal significations are necessarily founded in the original meaning of symbolic signification (= language). The latter is by no means restricted to *verbal* language. It may be expressed in all kinds of forms of symbolic designation: in the expression of the face, in a waving of the hand, in written symbols, signals, flags etc.

This is a point that will be made clear after the more detailed discussion of the modal subject-object relation.

The juridical *signification* as a *signified* meaning is not qualified by the original meaning-nucleus of language, but by that of retribution. It is a necessary lingual analogy in the modal structure of the juridical aspect. The question, e.g., whether the absence of a so-called 'customary stipulation' in a written agreement may be interpreted as a silent acceptance of this stipulation by both parties, is a *juridical* question, not one of language. The signified juridical meaning of every juridical fact and of every positive juridical norm must be determined by means of a juridical interpretation. Juridical and linguistic interpretation may never be identified, though they cannot occur apart from each other. Through lack of insight into the intermodal meaning-relations between the linguistic and the jural aspect this mistake is often made in legal *theories* of interpretation.

Jurists have always considered the truly *juridical* interpretation as belonging to the juridical domain, and rightly so. They have never dreamt of relinquishing it to linguistics, just as theologians have never relinquished their truly theological interpre-

tation to the linguists. The original juridical interpretation is primarily a part of the process of law-making in a concrete case, and not of theoretical jurisprudence. The latter can only analyse the principles and method of legal exegesis and interpret the legal norms and facts theoretically after these scientific standards. Juristic life, however, does not allow of an ultimate divergence in the juridical interpretation of norms and facts. It demands a decision which puts an end to uncertainty. A truly binding interpretation can be given by competent legal organs exclusively. If a judge interprets a juristic fact or a legal provision he thereby enacts positive law binding in concreto on the parties concerned, provided that his sentence has been brought to execution.

But the theoretical jurist as such is not competent to give a binding juridical interpretation. His interpretative activity remains of a *theoretical* juridical nature. It may have a very great de facto influence on the legal praxis on account of the scientific authority of the writer. In view of the increasing complexity of legal relations the scientific theoretical analysis of the juristic meaning of norms and facts is becoming more and more indispensable as a basis for a binding juridical interpretation. But in itself it has no binding legal character. This state of things has been misinterpreted by the Historical School, which wrongly elevated theoretical jurisprudence itself to the rank of a source of law. It must be granted that this misconception was due to PUCHTA more than to v. SAVIGNY. Nevertheless, VON SAVIGNY made classical the erroneous conception that looked upon juridical interpretation proper as something essentially theoretical. He held that it ought to be executed according to grammatical, logical, historical and systematic view-points. The specific *juridical* viewpoint was lost sight of. His theory of interpretation is one of the causes of the error prevailing in jurisprudence up to our days that juridical interpretation can only be applied to verbal expressions of the will in legal texts, contracts and testaments.

But the structural analysis of the modal juristic meaning shows that nothing can be understood in its juridical aspect — not even an objective juridical fact like the burning down of a house — if it is not *interpreted* according to its *juridical signification*. In the latter there is no original lingual sense but only a necessary lingual analogy.

Linguistic interpretation is indeed the basis for juridical interpretation, but the former cannot express the original modal meaning of the latter.

The lingual analogy in the modal aesthetic meaning.

If it is true that a lingual analogy is essential to the modal meaning-structure of the juristic aspect, then it is implicitly admitted that in the original modal meaning of harmony there is necessarily also a lingual analogy. For it has appeared that the modal meaning of the former is directly founded in the aesthetic modality.

It is generally conceded that aesthetic meaning cannot exist without its symbolic lingual substratum as far as works of art are concerned. But the modal meaning of the aesthetic law-sphere is not only expressed in works of art, but also in the beauty of nature (not subjectively, but objectively). The objective beauty of nature is also founded in a symbolic meaning-substratum. An animal may have a sensory feeling of pleasure when it is impressed by the sight of a sunlit landscape. The aesthetic harmony of the scene, however, can only be apprehended on the basis of an awareness of its symbolic substratum, its symbolizing signification.

The aesthetic harmony of a natural object, or of a complex of natural objects is necessarily a *signified* meaning.

The beauty of nature is signified to those who are susceptible to aesthetic harmony, in the colours, the effect of light, the sounds, the spatial relations of nature etc. If these sensorily perceptible colours, sounds, etc., do not signify anything to the spectator or the listener he cannot experience the aesthetic harmony of a landscape, because this harmony cannot be apprehended in its original modal meaning by sensory perception alone, although it is indissolubly bound up with the sensory side of the landscape.

The juridical and the aesthetic anticipations in the modal lingual meaning.

The aesthetic law-sphere as well as the juridical aspect have appeared to be founded in the modal lingual sphere, because their modal structure necessarily contains a symbolic retrocipation. In the modal structure of the lingual aspect, on the contrary, the cosmic coherence of meaning with the aesthetic and the juridical modalitities can only find expression in the anticipatory direction of time. In the exact juridical use of language, in which every symbolic expression is to be carefully weighed with respect to its '*juridical sense*' in order to guarantee a *univocal* signification, we encounter a modal anticipation on the modal juridical

meaning-aspect. This is a deepening of language only reached at a higher stage of culture, just as lingual economy and lingual harmony are absent in the merely retrocipatory structure of the lingual aspect.

It is true that in primitive society every juridical act is bound to a strict formalism of symbols. But this proves only that juridical meaning is necessarily *founded* in the modal aspect of symbolic signification. In primitive symbolism itself, which often shows magic traits, the manner of denoting does not disclose a juridical anticipation.

On the contrary, it binds the lingual function to sensory representations of a strictly prescribed pattern, just because primitive language lacks the juridical anticipation in an abstract symbolism. The latter pre-supposes an opening of the symbolic and juridical anticipations in the logical aspect which makes possible the formation of abstract juridical concepts freed from the primitive sensory representation. That primitive language also lacks aesthetic anticipation, is primarly due to the fact that here the linguistic aspect has not yet opened its economic anticipatory function.

For without a free economic disposal and control of the symbols, language cannot disclose a syntactical harmony in anticipating the meaning-kernel of the aesthetic aspect.

The primitive manner of denoting is strictly bound to sensory representation. Therefore it cannot anticipate the super-sensory meaning of harmony in its original aesthetic sense.

This does not mean that primitive man necessarily lacks the aesthetical aspect of experience. Primitive art testifies to the contrary. We can only say that the primitive manner of symbolic denotation has no aesthetic anticipation. That is the reason why primitive art cannot elevate itself to a free, explicit expression of aesthetic harmony, but remains bound to vital and sensory needs, so that its aesthetical aspect can manifest itself only implicitly. We shall return to this state of affairs in the third Volume.

§ 5 - JURIDICAL AND SOCIAL[1] RETROCIPATIONS IN THE MODAL ASPECT OF LOVE

Finally we shall investigate some retrocipations in the modal structure of the ethical law-sphere to exemplify our

[1] The adjective 'social' is again used here in the special modal sense of

method of analysis and to find the place of the moral aspect in the cosmic order of time.

It is demonstrable that the juridical law-sphere can disclose its inner coherence with the moral aspect only in the anticipatory sphere of its modal structure. For it has appeared that the juridical moment of guilt, the juridical figures of 'good faith', of 'good morals', of 'equity', etc. are obviously anticipatory meaning-figures which are not yet found in a primitive system of law (except for some incidental beginnings of the opening-process of the legal meaning). In such a primitive legal order only the retrocipatory meaning-coherence is expressed. Then it follows that the reverse is also true, viz. that in the modal meaning-structure of the ethical law-sphere we can trace an analogy of the jural aspect.

RUDOLPH VON JHERING called the logical distinction between law and morality the 'Cape Horn' [1] of legal philosophy. It would be more correct, perhaps, to say that if the modal boundaries between the different law-spheres are neglected, every theoretical distinction of a meaning-aspect from the others is a veritable 'Cape Horn' of philosophy. For how is theoretical thought to form a correct notion of these meaning-aspects, if their modal structure in the intermodal coherence of the cosmic time-order is lost sight of?

The prevailing logical distinction between law and morality.

Under the influence of KANT it has become customary to seek the difference between the jural sphere and morality in external legality in contrast to inner morality, i.e. external conformity to the law versus inner respect for the law. Legal order, according to this view, demands only *external behaviour;* the moral law, however, as the autonomous categorical imperative, applies to the inner disposition of the will.

This difference is usually expressed by the contrast of heteronomy versus autonomy. Law was supposed to be a heteronomous order, in so far as the inner motive is irrelevant to lawful conduct.

Consequently, the fear of punishment, the hope for some ad-

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the aspect of intercourse ruled by the norms of courtesy, good manners, tact, sociableness, fashion and so on; not in the comprehensive sense of social life embracing all modal aspects of experience.

[1] Cape Horn was notorious for its dangerous storms.

vantage are acceptable to the legal order as motives. According to KANT such motives do not originate from the 'pure moral will' itself but from outside, from man's sensory nature.

Modern positivistic jurists like AUSTIN and FELIX SOMLO, who have broken with ROUSSEAU's and KANT's natural law view of statute law as "volonté générale" (the general will), interpret the distinction between heteronomy and autonomy in a different way. They hold that positive law, as a heteronomous order, has not the individual conscience for its source, but is simply imposed on the individual persons by a sovereign power; whereas ideal morality (not to be identified with positive morality) is alleged not to allow of this heteronomy.

Further, as a result of the former distinction, morality is supposed not to brook any compulsion, while compulsion (at least the competence to exercize compulsion) is taken to be a logical characteristic of law.

At present the prevailing conception (but not in the naturalistic sociological view) distinguishes between legal order and morality according to a threefold criterion:

1 - law is an external social order; morality is an internal norm of the individual human conscience;
2 - law is heteronomous, imposed by an external authority; morality is only binding on the individual conscience;
3 - law is a compulsory order sanctioned by organized constraint; morality demands voluntary observance.

> A preliminary question. Does there exist a modal ethical law-sphere or moral aspect of experience with an irreducible modal meaning? The distinction between the world of experience and the I-thou relation in Jewish and Christian existentialism.

From our previous analysis of the modal structure of law it has appeared that this distinction is quite unsatisfactory with respect to the inner modal meaning of the juridical aspect.

Does it correspond to the inner modal sense of morality? Here a preliminary question urges itself upon Christian thought. In our earlier investigations it was continually supposed that there exists a specific ethical or moral modal law-sphere. But can this supposition be maintained from the Christian viewpoint?

In the first place a serious objection may be expected on the part of modern Christian existentialism which from the Jewish

thinker MARTIN BUBER has taken over the sharp distinction between 'experience of the world' and the 'I-thou-relation' [1]. The former would have to do only with 'impersonal objects' as things, laws and so on. The latter, on the contrary, is intrinsically personal and existential, the realm of personal freedom and existential responsibility, the sphere of a real meeting between I and thou which does not allow of general rules and laws, nor of boundaries of modal spheres. Since the ethical relations are supposed to show to a high degree this personal and existential character, the idea of an 'ethical law-sphere' must be fundamentally rejected by these Christian thinkers.

When, however, we subject this existentialistic view of ethics to a transcendental critique, it appears to be ruled by a dialectical religious motive in which the Humanistic motive of nature and freedom, in its irrationalist conception, is an essential component.

The dialectical distinction between the 'world of experience' as an impersonal I-it relation and the existential I-thou relation is nothing but a modern irrationalist version of the dialectical basic-motive of Humanism. It is intrinsically un-Biblical.

It deforms the integral structure of human experience and eliminates its relation to the central religious sphere.

The world of experience seems to be impersonal and non-existential only if we identify it with an absolutized theoretical abstraction ('nature' in the sense of the classical Humanist science-ideal). But this absolutized abstraction has nothing to do with the modal horizon of human experience in its integral meaning from which we have started. On the other hand, the real *meeting* of I and thou is in the deepest sense a *central, religious relation,* which indeed does not allow of modal boundaries of law-spheres. But if this central relation is sought within the temporal order of human existence, one gives oneself up to an idolatrous illusion.

Nevertheless, it is exactly the relation between Christian religion and ethics which is to be considered as the 'Cape Horn' of every Christian view of 'the moral sphere'. Can there be room for a modal moral aspect of human existence and experience which is to be distinguished from the central religious relation

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[1] MARTIN BUBER, *Ich und Du* (1923). The influence of BUBER is important, especially among the adherents of dialectical theology who have written ethical works (EMIL BRUNNER, FR. GOGARTEN and others).

of I-we and I-Thou subjected to the central commandment of Love?

Can there be an ethical norm of love which is not identical with this commandment? If so, what is the meaning-kernel of the supposed moral aspect in which this norm functions?

In our provisional delimitation of the ethical law-sphere we have assumed that this nuclear-meaning is to be designated by the word love. But if, according to the Biblical view, love is the very totality of meaning, the religious radical unity of all temporal modal diversity of law-spheres, how can there be room for love as a modal aspect of temporal human experience and empirical reality?

The scholastic distinction between moral theology and natural ethics. Natural ethics and the Greek form-matter motive.

Starting from the scholastic basic-motive of nature and grace, Thomism distinguished between natural and super-natural ethics. In natural ethics it accepted the Aristotelian conception of virtues as the essential content of the ἦθος (*èthos*), the moral disposition of man. Love, together with faith and hope, was here conceived of as a super-natural virtue, the subject of moral theology. The norm of natural ethics is given in natural reason, that of moral theology in super-natural Revelation. But the Aristotelian conception of virtue is ruled by the religious form-matter motive of Greek thought, which cannot be really synthesized with the central motive of Biblical Revelation. The dialectical theme of form and matter proved to be destructive to a real insight into the modal structures of the different aspects of experience [1].

In ARISTOTLE the ethical sphere is determined by the idea of the highest good. But in his metaphysics the good, as such, is an analogical concept inherent in the metaphysical idea of being. He rejected the Platonic conception of the transcendent Idea of the good in which the different virtues find their concentric unity. In Aristotelian ethics the idea of the natural good can be determined only by the different essential forms of natural beings. By virtue of its innate entelechy every natural being, as such composed of form and matter, strives after its specific natural good, i.e. the actualizing of its substantial form. Since human nature finds its specific form in the rational soul,

[1] Cf. Vol. II, Part. I, Ch. I, § 2.

behaviour in conformity to natural reason (*ψυχῆς ἐνέργεια κατὰ λόγον*) is identical with good or virtuous activity (*ψυχῆς ἐνέργεια κατ' ἀρετήν*)[1].

Ethical virtue consists in the permanent control of the lower sensory functions (particularly the passions) by the will in conformity to the rules of practical reason. It is conceived of as the due mean between two extremes, and its natural consequence is *eudaemonia*, i.e. happiness. It is a permanent disposition (*ἕξις*) of the will as the actualizing of an ethical potentiality (dynamis); this disposition can be acquired through continuous training.

The analogical character of the Aristotelian concepts of virtue and of the good.

This entire conception of the good and of ethical virtue is dependent upon the Greek form-matter motive. It is impossible to discover in it a really modal criterion for an ethical law-sphere. Both the concept of virtue and that of the good are analogical notions. The so-called dianoetical or logical virtues (*λογικαὶ ἀρεταί*) are not dispositions (*ἕξεις*) of the will, but of the faculty of thought, either in its theoretical or in its practical function (directed to human actions). Virtue must therefore derive its specific *ethical* meaning from its specific relation to the human will. But the latter is not a modal aspect of experience and human existence. Rather it is a concrete direction of the inner human act-life which functions in the coherence of *all* the modal aspects. Consequently, the special scientific concept of volition can only be analogical in character. The modal difference between the psychological and the juridical concepts of the will has already been discussed[3]. What would be its ethical modality? If the latter is sought in a constant disposition of volition to follow the norms of practical reason by controlling the lower sensory functions, the definition moves in a vicious circle. Practical reason as such has no modal-moral delimitation of meaning. The control of our sensory passions and affects is as such a *cultural*, not an *ethical* function of

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[1] *Eth. Nic.* B 5, 1106a 22 fl.: *ἡ τοῦ ἀνθρώπου ἀρετὴ εἴη ἂν ἕξις ἀφ' ἧς ἀγαθὸς ἄνθρωπος γίνεται καὶ ἀφ' ἧς εὖ τὸ ἑαυτοῦ ἔργον ἀποδώσει.*

[2] *Eth. Nic.* B 6, 1106b 36 fl.: *ἕξις προαιρετικὴ ἐν μεσότητι οὖσα τῇ πρὸς ἡμᾶς ὡρισμένῃ λόγῳ καὶ ὡς ἂν ὁ φρόνιμος ὁρίσειεν.*

[3] Cf. pp. 125 ff. of the present volume.

volitional life. It may be made serviceable to very immoral ends, for instance self-worship, imperialism, the destruction of economical competitors etc.

For lack of a really modal criterion it is no wonder that the modal boundaries between the juridical and the ethical spheres are levelled in Aristotelian ethics. Justice is conceived of as an ethical virtue. In its general sense it is the perfect virtue encompassing all the others insofar as they are concerned with our social relations to our fellow-men. In its strict sense it refers to equality and inequality (*τὸ ἴσον καὶ ἄνισον*) as the specific rational measure of legal order.

In the Aristotelian conception the juridical aspect of the good is thus only a species of the general ethical good and lacks an irreducible modal meaning-nucleus. The legal norm cannot belong here to a law-sphere different from the ethical modus. Only the permanent subjective inclination or disposition of the will to follow the rational norm of justice — not this standard itself — is exclusively ethical and cannot be transferred to the juridical sphere.

So there remains only a single criterion for the distinction between the ethical and the juridical viewpoint: the subjective *èthos* as a constant disposition of the will to subject itself to the autonomous norms of practical reason. But we have seen that this *èthos,* as such, lacks a specific modal meaning; it is an analogical concept. Its determination by the rational measure of the due mean between two bad extremes does not detract from this analogical character. This measure was taken from the Pythagorean idea of the *peras* limiting the *apeiron,* a mathematical expression of the Greek form–matter motive which has also strongly influenced the ethical conception of PLATO's dialogue *Philebus.*

So it appears that Aristotelian ethics lacks the modal unity of meaning in its enumeration of the different 'virtues'. This whole conception of ethical virtue as a result of the autonomous human training of the will is unacceptable from the Christian standpoint. It cannot be a natural infra-structure for a really Christian ethics because it contradicts the very basic motive of the latter, that of creation, sin, and redemption.

If there exists a modal ethical law-sphere in the temporal order of creation, there can be no question of autonomous morality with a standard of good and bad derived from natural reason and realized by human volition.

Then the standard of the moral good can only be a modal tem-

poral refraction of the central commandment of Love as the religious meaning-totality of the whole temporal coherence of modal law-spheres. There cannot exist a moral disposition of the will independent of the central religious disposition of the heart [1]. For there does not exist a 'will' as an independent and autonomous entity, no more than an independent, autonomous 'reason'. All our volitional acts are acts of the I-ness which expresses itself in them.

Ethics and the human character.

What is called the 'character' of man is the individual result of a pedagogical shaping of the flexible hereditary factors of disposition of the inner act-life in its confrontation with the influences of social environment. It belongs to the bodily existence of man, as will be explained more in detail in my *anthropology*. The human body is not at all identical with an abstract 'physico-psychical soma'; it is the structural whole of temporal human existence in the intermodal coherence of all its modal aspects.

It may be that 'character' is to be sought especially in the volitional direction of the inner act-life; nevertheless it cannot be identified with the moral aspect-function of the volitional disposition or -inclination in its individual shape and stamp. Therefore the relating of virtue to character, as is done in modern times by the Dutch philosopher G. HEYMANS [2], cannot give a modal delimitation to the field of ethics. Psychology, too, has much to do with the human character [3]. But the moral aspect is different from that of feeling, although HEYMANS seeks the origin of the ethical norm in a specific moral feeling. Nevertheless HEYMANS speaks of 'character' in its relation to the standards

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[1] This word is meant here in its pregnant Biblical sense.

[2] *Einführung in die Ethik*, Leipzig (1922).

[3] HEYMANS (op. cit. p. 43) defines character as 'the totality of the inclinations of the individual in their mutual relations of strength' (die Gesamtheit der Neigungen dieses Individuums in ihren gegenseitigen Stärkeverhältnissen); or as 'the whole of the laws, in conformity to which in this individual stronger or weaker motives evoke stronger or weaker wishes and thereby contribute more or less to the determination of the particular volitional decisions' (die Gesamtheit der Gesetze, nach welchen bei diesem Individuum verschiedene Motive stärkere oder schwächere Wünsche hervorrufen und dadurch mehr oder weniger zur Bestimmung der einzelnen Willensentschlüsse beitragen".)

of good and evil as the veritable object of ethical judgment and defines ethics as the 'science of good and evil'. But it has appeared that in their scientific use the latter terms are analogical ones. They lack, as such, modal delimitation of sense. If we mean *moral* good and evil we must be able to indicate the *modal meaning-kernel* of morality in order to escape the vicious circle inherent in every undefined analogy.

HEYMANS' merely formal ethical criterium of 'objectivity' or 'universality' has no moral meaning at all.

Only with reference to the central religious sphere may the terms good and evil be used in their fulness of meaning without any modal qualification. As to their ethical sense we must agree with NIETZSCHE and NICOLAI HARTMANN: 'We do not yet know what good and evil may be' [1].

Why a moral law-sphere must exist.

Now it cannot be denied that in the cosmic order of time a modal law-sphere must exist which succeeds the juridical and precedes the ultimate limiting aspect, viz. that of faith. This is demonstrated by our previous analysis of the anticipatory moments in the modal structure of the legal law-sphere, which, as soon as they are realized in a positive legal order, appear to open and deepen the retributive meaning of this modal sphere. Modal meaning-figures, such as juridical guilt, good faith, good morals, equity, and so on, undeniably refer to a later modal aspect of experience which cannot be designated by another term than the moral or ethical sphere. The anticipatory meaning-moments concerned refer neither immediately to the faith-aspect, nor immediately to the central religious sphere.

In pre-juridical aspects, such as the psychical, we have also discovered anticipatory relations with an ethical law-sphere.

This does not prove the existence of a natural morality apart from the religious centre of human existence. It proves only that in the temporal modal horizon of experience there exists a modal ethical aspect which is not to be identified with the super-modal sphere of religion, nor with the aspect of faith.

Therefore the conception developed especially by KARL BARTH, that there is no room for ethics as a specific science different from theological dogmatics, cannot be maintained. But this does not detract from the extremely difficult problem we are confron-

[1] NICOLAI HARTMANN, *Ethik* (1926, Berlin und Leipzig) p. 40.

ted with, if from the Biblical-Christian standpoint the attempt is made to account for the relation between the ethical aspect and the central commandment of Love. The question of the modal meaning-kernel of this aspect urges itself upon Christian thought as a real 'Cape Horn' [1] of Christian ethics.

Criticism of KANT's criterion of morality. Love and the imago Dei.

Before considering this problem in greater detail we must return to KANT's criterion of morality, explained above. It must be established that his '*Gesinnungsethik*' was really meant to replace the central commandment of Love in its religious fulness of meaning. This commandment requires us to love God and our neighbour with our whole heart. It is the very nature of love in this central religious sense that it implies complete self-surrender. We cannot really love in this fulness of meaning of the word so long as we experience its requirement as a law which urges itself upon us externally, contrary to the inner inclination of our heart. This love must penetrate our inner selves, it must inflame the centre of our existence and permeate it so that it has become one with us, and reflects in our heart the Divine Love as the answer of the human I to the call of its Origin, the Divine Thou.

This is the real meaning of the imago Dei. It explains why the human ego can be nothing in itself as an autonomous being. It explains why the fall into sin has radically obscured this imago Dei, so that it is only revealed in its original sense in the infinite love of Jesus Christ in His complete self-surrender to His heavenly Father and to lost mankind. Only from Him can this love flow into the human heart. Apart from Him we do not know it, nor can there be any volitional disposition worthy of the name of 'good' in its proper religious sense.

KANT's '*Gesinnungsethik*' has secularized this religious state of things. It sought the true self, the real *autos* of man, in a 'pure will' which identifies itself with the ethical law originating from practical reason, so that *autos* and *nomos* become one and the same. But love is rejected in this ethics as the real moral motive of human behaviour. It is replaced by the respect for the ethical law in its pure form of *categorical imperative,* which in the last analysis means nothing but respect for the 'Idea of Mankind' in

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[1] Cape Horn was notorious for its dangerous storms.

the sense of the Humanist personality-ideal. Love, on the contrary, is viewed as a sensory inclination, which is an impure motive because it detracts from the autonomy of morality. Here the dialectical tension between nature and freedom, the Humanist science-ideal and personality-ideal manifests itself in a pregnant sense [1].

The Kantian conception of the freedom-motive seeks the true essence, the 'noumenon' of man, behind the temporal sensory reality of nature in the autonomous moral will as the law-giver for human conduct. That is why morality must be conceived of as entirely apart from the reality of nature and traced back to a pure, autonomous moral will. Legal order, however, has to reckon with 'empirical humanity' and should be content with the function of an order of external freedom in the coexistence of human individuals. It can be nothing but an order of *peace*.

But KANT is unable to indicate what modal meaning is to be attached to 'autonomous morality'. The modal meaning of a law-sphere can only disclose itself in the intermodal coherence of meaning of all the aspects and this very coherence has been torn up in the Kantian conception.

The sharp separation between moral disposition and natural sensuous inclination and the characterization of the impulse to follow the latter as the 'radical evil' in man, clearly shows the influence of the Christian conception of sin. But the latter has been secularized and denatured to an irreconcilable antithesis between two aspects of human existence and experience which are arranged by the temporal order of creation in an indissoluble structural coherence of meaning. The moral function of volition is closely connected with the volitional function in the aspect of feeling. There are moral feeling-drives which prevent man from an undisciplined surrender to sexual and other biotically founded impulses. Without the presence of such anticipatory drives in human feeling-life, the rational moral motives would be powerless.

Even the Kantian conception of the moral motive, that of duty or respect for the moral law, if it is to have any moral meaning, pre-supposes a moral feeling-drive. The complete lack of the latter and the presence of a rational idea of duty only is a well-known pathological phenomenon. KANT's rigid separation be-

[1] Cf. Vol. I, Part II.

tween morality and natural feeling-drives is in serious danger of legitimating such pathological desintegrations of the inner act-life. It is inhuman and a-moral in its logicistic formalizing of the meaning of ethical duty and ethical law.

On the other hand the thesis 'law only regulates external behaviour and is indifferent to motives'[1] is a clear proof that KANT does not only want to distinguish between law and morality, but really separates them. As a result the entire anticipatory structure of the modal meaning of the juridical aspect is misinterpreted. KANT only tries to maintain the connection between law and morality in an external teleological way. He holds that juridical order is merely an order of legality, an order of external peace, which is meant to enable the individual to do his moral duties. But it has already appeared that the principle of guilt in criminal law and other anticipatory juridical concepts necessarily anticipate the moral meaning-aspect! They cannot be understood in their juridical sense without their internal coherence with morality.

The moral meaning-aspect is *not* itself the super-temporal root of human existence, in spite of KANT's doctrine. It is as *temporal* and as *relative* as all the other meaning-sides of temporal reality. But the moral sphere, just like all the others, has a *modal meaning* that is sovereign within its own boundaries. KANT's logicistic-moralistic view-point inevitably compelled him to eliminate this modal meaning. His ethics is in fact a religion of human personality in a specific Humanistic conception.

The original meaning-nucleus of the moral law-sphere. Love in its original modal sense and its analogies in the other aspects.

Every attempt at defining the ethical sphere without indicating its modal meaning-kernel must result in an inescapable conflict with the central religious sphere of human existence.

One may try to solve this conflict either by reducing religion to morality or by reducing the latter to the former. Both attempts, however, are tantamount to a destruction of morality in its temporal meaning and are a serious threat to the central place of the radical commandment of Love in the fulness of its religious sense.

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[1] This criterion was taken over from THOMASIUS, who made it serviceable to the defence of toleration in his doctrine of natural law.

On the other hand, every serious attempt at an analysis of the modal meaning-structure of the moral relation leads us back to love as its irreducible kernel. There can be no single really moral 'virtue' which in the last analysis is not a manifestation of this modal nucleus of the ethical law-sphere [1].

But love in this temporal nuclear meaning cannot be the same as love in its religious fulness. The former is only a temporal modal meaning-refraction of the latter, determined by the whole inter-modal coherence of the different law-spheres in the order of cosmic time. Love, as the moral modality of human experience, cannot exist apart from its immediate foundation in the retributive meaning of the juridical aspect. The preceding modal aspects refer to it in the moral anticipations of their modal structures. In the biotic aspect, for instance, it is anticipated by the human sexual drive in its natural direction to moral unity in love; in the feeling-aspect we meet with the moral feeling of love disclosing itself in different typical ways (cf. the feeling-impulse to help a fellow man who is in distress; the feeling-impulse of filial or parental love etc.). Even in the anticipatory structure of the logical aspect there is an inner coherence with the moral meaning-kernel of love in the theoretical *eros* which has to direct the whole of our scientific activity and is a guarantee of 'logical morality' and integrety. In the cultural (historical) aspect we discover a moral anticipation in cultural love of our form-giving task in human civilization. In the lingual aspect a moral anticipation is implied in the love of a language, a tendency to signify our feelings, volition, thoughts etc. in the linguistically most adequate way inspired by the affection for language in its pure form.

Love and the conventions of social intercourse.

In the modal aspect of intercourse the social conventions have an inner anticipatory connection with love in its moral nuclear meaning.

This is clearly shown by Jesus Christ who contrasts the love of the prostitute who had anointed his feet with very costly

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[1] This is clearly seen by CALVIN in his *Comment. in ep. ad Col. 3 : 14*, where he observes that 'the whole chorus of virtues is summarized in love. For it is the rule of the whole of life and of all actions; everything that is not reduced to it, is wrong, how great the splendour may be it has in another respect.'

spikenard, with the uncourtly attitude of the pharizee who had invited him but had omitted to observe the eastern forms of courtesy towards the Rabbi of Nazareth. Jesus shows here that courtesy and social convention in general are not indifferent things. They should be directed and animated by love. Nevertheless the conventions of social intercourse as such are not to be reduced to morality in its original modal meaning-nucleus. Therefore it is confusing to call them 'positive morality', as is done by the so-called empiricist trends in ethics.

The economic aspect, too, has an anticipatory coherence with the moral meaning-nucleus. The frugal manner of administering scarce things in their alternative destination for the satisfaction of human needs, acquires a positive relation to morality if it is directed by love towards our neighbour. Here it implies a voluntary-restriction of our own needs for the sake of the needs of our fellow-men. In this sense frugality is rightly called a virtue, but only if it is considered from the moral viewpoint of love.

Eros and *Agapè.*

The aesthetic aspect opens its inner connection with the moral law-sphere in its anticipatory meaning-moment of aesthetic love. This is the *eros,* as PLATO has described it in his splendid dialogue *Symposium,* an aesthetical love-drive to the beautiful which functions as a mediator between sensory life and the super-sensory Idea of beauty.

Modern Christian ethics has paid much attention to the radical difference between this Greek aesthetical *eros* and the Christian *agapè.* Indeed neither PLATO, nor any Greek thinker, knew the religious fulness of meaning implied in the central commandment of Love. Nor did PLATO know love as the original modal meaning-kernel of morality. His *eros* is nothing but an analogy of love in the modal structure of the aesthetic aspect. But the Platonic conception of *eros* should not be criticized from the dialectical viewpoint of modern existentialism. That is to say, we should not think that the aesthetic *eros* is *opposite* to the Christian *agapè* as the contemplative experience with its I—it-relation to the existential sphere of the I—thou relation. On the contrary, it is necessary to stress the inner meaning-coherence between the aesthetical *eros* and love as the modal meaning-kernel of the moral aspect in order to relate both to the central religious sense of the *Agapè.*

It is clearly testified both in the Old and the New Testament that 'aesthetic love' has its legitimate place in the entire temporal coherence of the aspects of God's creation and has a concentric relation to the central commandment of Love. In the temporal order of experience the love of God implies the aesthetical enjoyment of the beauty of His creation which is worthy of this human *eros*. But the latter appeals to love in its modal nuclear meaning and should reflect the central love to God and the neighbour within the modal boundaries of the aesthetical sphere. The very orientation of the Platonic *eros* to the Greek form-matter motive reveals its apostate direction.

The 'Cape Horn' of Christian ethics.

We have called the question concerning the modal meaning-kernel of the ethical aspect the 'Cape Horn' (i.e. the most dangerous point) of Christian ethics. In taking cognizance of different attempts to establish the real relation between the ethical sphere and the central commandment of Love we are confirmed in this opinion. We shall mention only two of them.

In his *Manual of Ethics*[1] the late Dutch theologian W. J. AALDERS, who was professor of ethics at the University of Groningen, clearly saw the necessity of a distinction between the ethical and the religious relation. He, too, seeks the qualifying meaning-moment of the former in love[2]. But he sees no other way to distinguish ethical love from the central religious love than by introducing this distinction into the central commandment itself. The love of God, as the summary of the first table of the Decalogue, is considered as the religious relation proper which has directly to do with God. This love has a unilateral character insofar as the creature is dependent on the Creator but not vice versa. The love of the neighbour as the summary of the second table of the Decalogue, is considered as the ethical relation which has directly to do with the creation, especially with our fellow-man, and only indirectly with God. This relation is a real correlation because it is bilateral. So the author concludes that the ethical sphere of love is that of creation[3]. In this way he thinks he can escape the danger of moralizing religion, on the one hand, and

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[1] *Handboek der Ethiek* (Amsterdam 1941). See also his *De Grond der Zedelijkheid* (Groningen-Den Haag) 1933.

[2] *Handboek*, p. 129.

[3] ib., p. 123 fl.

that of an absorption of morality by religion, on the other. The moral sphere remains dependent on the central religious one without being dissolved into the latter.

Though this intention deserves the greatest respect, it must be denied that AALDERS has succeeded in correctly delimiting the ethical aspect in its relation to the Christian religion. In our opinion it is a fundamental mistake to seek the criterion within the central commandment of Love itself. The latter is an unbreakable unity and does not permit itself to be considered as a composite of a religious and a moral part.

In its religious fulness of meaning the love of our neighbour is nothing but the love of God in His image, expressed in ourselves as well as in our fellow-men. This is why Christ said that the second commandment is equal to the first. One can also say that it is *implied* in it.

If the central commandment of Love is indeed the radical unity of all the temporal modal law-spheres, it must be impossible to delimit within it a specific-ethical aspect. If we see aright AALDERS has arrived at his conception under the influence of the existentialistic view of MARTIN BUBER, who considered ethics as the sphere of the I-thou relation in its dialectical opposition to the contemplative I-it-relation of human experience[1].

Here it appears once again that this dialectical existentialism cannot be accepted without detracting from the integral and radical meaning of the Christian religion. AALDERS doubtless would positively deny every intention to do so. Nevertheless, in spite of his unsuspected intention, he could not escape from a partial moralization of the central religious sphere in consequence of his acceptance of the dialectical opposition between the existential I-thou relation and the contemplative sphere of human experience. Starting from this opposition, he was unable to conceive of the ethical sphere as a modal aspect of the temporal horizon of experience and reality. In order to avoid its reduction to the religious sphere he could find no way out but a limitation of the latter to the effect that the central commandment of Love was divided into a religious and an ethical part. In addition, a distinction was made between the sphere of religion and the sphere of creation, and this is incompatible with the Biblical conception. The central religious sphere be-

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[1] Op. cit., p. 125.

longs to creation as well as the temporal sphere of human existence which embraces the ethical relation.

Together with the existentialistic opposition between the ethical sphere and the contemplative sphere of experience AALDERS accepted the dialectical Humanistic motive of nature and freedom. Morality is separated from the 'lower vegetative and animal functions of human life', ruled by natural laws, and is localized in the 'higher sphere' of freedom or 'spirit', ruled by norms [1]. This means that the second part of the central religious commandment of Love, which AALDERS reserved for ethics, is related to an abstracted complex of normative functions of temporal human existence, instead of being related to the religious centre of the whole of temporal human functions. So it loses its absolute character and is denatured to a specific norm [2] regulating only the higher temporal volitional life of man.

A second example of a serious confusion of love, as the modal meaning -nucleus of the ethical aspect, with love in the fulness of its central religious sense is to be found in EMIL BRUNNER's famous work *Das Gebot und die Ordnungen* (Tübingen, 1932).

Already in his definition of Christian ethics: Christian ethics is the science of human conduct determined by divine action [3], he reveals his aim to merge Christian morals into the Christian religion, which is diametrically opposed to the moralization of religion in rationalistic Humanism. This leads to a fundamentally erroneous definition of the relation between love and justice.

According to BRUNNER the love mentioned in the central divine commandment is absolute. It concerns the whole person, and is concrete and not legal. Justice, on the contrary, is universal, legal, "vorausgewusst, unpersönlich-sachlich, abstrakt, ratio-

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[1] Op. cit., p. 84.

[2] A 'norm' is always a *rational* standard, founded in the logical manner of distinction. Therefore it is confusing to call the central commandment of Love a *norm*. In my opinion this term is to be applied only to temporal standards of what ought to be. The religious commandment is identical with what we have called in the Prolegomena: the religious concentration-law of human existence. It cannot be opposed to 'laws of nature', as is done with norms.

[3] Op. cit., p. 73: "Christliche Ethik ist die Wissenschaft von dem durch das göttliche Handeln bestimmte menschliche Handeln".

nal" (known in advance, impersonal, objective, abstract, rational).

That's why, according to this writer, it is a contradictio in terminis to speak of 'perfect justice': for what is perfect cannot be justice [1].

Even when we speak of Divine justice we mean nothing concrete and material but "jene formale Qualitäten der Entsprechung, der Zuverlässigkeit und Konstanz göttlichen Handelns" [these formal qualities of the consistency, the reliability and the constancy of divine actions]. For in the idea of justice is implied especially: the idea of the reliability, of the objective and active operation of a rule that has been imposed on us, and which we know as such' [2].

Here the fundamental error in BRUNNER's view is laid bare. In this view it is forgotten that the fulness of meaning of love, as revealed in Christ's cross, is at the same time the fulness of justice. If we assign a higher place to Divine love than to Divine justice, this procedure necessarily detracts from God's holiness. In his later work *Die Gerechtigkeit* BRUNNER appears to have avoided this error.

In fact BRUNNER contradicted himself by saying that justice is the pre-supposition of love, and that love which has not passed through justice, is arbitrary, unreal, sentimental. If love requires justice for its pre-supposition, it cannot be absolute, "unbedingt" (unconditioned), in contrast with justice.

BRUNNER's error is that he opposes love, as the exclusive content of the fulness of God's commandment, to the 'temporal ordinances', which owing to the fall show God's will only in a broken state. He wants to build Christian ethics on the basis of the actions proceeding from this love within the formal framework of all the temporal ordinances. This is an after-effect of the dualistic scheme of nature and grace in LUTHER's world of thought [3]. It leads to the identification of morality with the Christian religion, and at the same time it leads to a misinterpretation of the temporal moral meaning of love, i.e. of the moral aspect of temporal human experience and existence.

That's why everywhere in this ethics antinomies arise. For BRUNNER's conception of love as the opposite of justice is not

[1] Op. cit., p. 436/7.

[2] Ib.: "Die Idee der Zuverlässigkeit der objectiven und wirksamen Geltung einer "gesetzten" und als gesetzt bekannten Regel."

[3] Cf. Vol. I, ch. 3.

really Biblical, but much rather an *absolutizing of the temporal modal meaning of love.* Only the latter can be significantly opposed to the meaning of justice as another aspect of temporal reality, and to the modal meaning of the other lawspheres. Anyone who tries to do so with the *fulness* of meaning of love, violates its religious *fulness.* He has no eye for the new religious root of creation in Christ as the concentration-point and the fulness of a l l the temporal meaning-aspects.

It is an essentially un-Biblical thought to deny Divine Justice its perfection by calling it a 'merely formal idea', and to seek that perfection only in love.

The social retrocipation in the modal meaning of love.

As a result of the primordial confusion of the ethical and the central religious sphere, BRUNNER opposes love of one's neighbour *in an ethical sense,* as *absolute love,* to the love between husband and wife and that between mother and child [1]. From the ethical viewpoint as such this opposition is meaningless. Love in its modal-ethical nuclear meaning — just as love in the religious fulness of its sense — implies the relation to the neighbour. But within the ethical aspect this love of one's neighbour occurs in a very rich variety of social forms, in the correlation of communal and inter-individual relations. This correlation is a social retrocipation in the modal structure of morality. It is precisely this retrocipation of the aspect of *social intercourse* which — in coherence with the typical totality structures of temporal society — occasions a rich diversity and variety in the relations of moral love, which are in principle misinterpreted by individualistic ethics. The universal love of one's neighbour in the moral inter-individual relations is something different from the communal love between parents and children, husband and wife; something different also from the love of one's country; the love of one's mate in a labour-community, etc.

Without this social retrocipation love in its modal ethical sense cannot exist. Only in the religious fulness of meaning is the love of one's neighbour no longer differentiated according to the temporal communal and inter-personal relations of this life. In Jesus Christ there is no difference between Jew and Greek, master and servant, fellow-countryman and foreigner, kin and outsiders.

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[1] Op cit., p. 315/6.

In his subjective moral function, however, man is subject to the temporal moral law as a law of love in accordance with the temporal communal relations (Honour thy father and thy mother) and the interindividual relationships.

BRUNNER, however, in his erroneous abstract conception of the *'law'*, thinks that the commandment of Love cancels the concept 'law', as the law is supposed at once to divert our attention from the 'Legislator' Himself and to turn it to *that which* has been commanded. Abstraction, universality is inherent in the 'law', according to him, and he thinks that obedience to God's law is mere *legality*.

As a matter of fact he only strikes a blow here at the rationalistic 'metaphysical' idea of law as it is found in scholastic ethics of the XIXth century and in Kantian moral philosophy. He appears not to have overcome it because of his relative recognition of the Divine ordinances conceived of in the sense of rigid, impersonal rules. This is due to the fact that BRUNNER, just as AALDERS, has accepted the dialectical opposition of the existential I-thou relation and the impersonal I-it relation of experience. Within this framework the 'law' can only belong to the latter and is interpreted in an impersonal, abstract, and rigid sense. In addition, both this depreciation and relative recognition of the law could appeal to LUTHER's dialectical conception of the Divine ordinances in the state of sin. But the right relation between the central commandment of Love and the temporal ethical sphere cannot be discovered from this dialectical standpoint.

Within the temporal order of modal aspects the fulness of the meaning of justice can express itself in an non-analogical manner in the relative modality of retribution alone; in the same way the fulness of the meaning of love is expressed unequivocally within this temporal order in its moral modality only.

In their religious fulness love and justice coalesce, just as in this totality of meaning all the modal meaning-aspects of the cosmos find their fulfilment because of their religious concentration on the Divine Origin. In the refractional order of cosmic time they are mutually irreducible modal aspects of meaning, which cannot be reduced to one logical denominator without internal antinomy.

All other known criteria of morality, sought outside of the theoretically analysed meaning-modus of love, prove to fail when the test of the modal analysis of meaning is applied to them.

In its analogical meanings love functions in all the substratum-spheres of the moral aspect by way of *anticipation.* In its original modal sense it can only function in the moral law-sphere. As an original meaning-nucleus, however, it can find its expression within the modal structure of this sphere solely in the coherence of all the retrocipations in which the inter-modal coherence of meaning with the substratum-spheres expresses itself. This retrocipatory structure guarantees the temporal relative character of the moral aspect and should be a warning against every confusion of love as its modal nucleus with the fulness of meaning of the religious *Agapè.* It should also warn us against every identification of love in its original modal sense with an anticipatory feeling-drive.

Moral love has a *rational* foundation though it also has a feeling-substratum. It is not pre-logical as feeling is. It implies personal responsibility and is regulated by a normative standard. Thus it is understandable that the apostle speaks of the *duty* of the husband to love his own wife. By the intermediary of the Christian faith this moral duty is directed concentrically to the love of Christ (to His Bride) in its religious fulness of meaning. Nevertheless it retains its logical foundation. In order to elucidate this rational foundation of love in its modal moral sense it is necessary to pay attention to the juridical analogy in its modal structure.

The retributive analogy in the modal meaning of love.

In the modal ethical relation love manifests itself on the normative law-side only in a well-balanced proportion between self-love and love of one's neighbour. This is not the same as the equality of self-love and love of the neighbour in the radical religious commandment. When the latter says that we shall love our neighbour as ourselves, this means that the central love of God implies the love of His image equally in ourselves and in our fellow-men. The I-Thou-relation to God implies the religious I-we relation to our neighbour. In the temporal moral relation, however, it is necessary to seek a just balance in love between our *moral* duties with respect to our own ethical personality and to that of our fellow-men. In the moral relation to our neighbour love undoubtedly demands self-denial, but not at the cost of our ethical personality, which is a temporal expression of our I-ness, as the religious centre of our existence. In practising love of our neighbour we also have to

take into account the typical differentiation of the ethical relation of neighbourliness brought about by the social structures of individuality.

There ought to be a moral balance between conjugal love and parental love, between love of one's country and love of foreigners, and in general between love in communal and inter-individual relations.

In the primitive or closed conception of the love-relation, which is not yet opened by the Christian faith, the circle of 'neighbours' may still be restricted to the membership of the natural family, the 'sib', the 'tribe' or the folk; but here, too, the ethical meaning of love can only express itself in an equal measure of self-love and love of one's neighbour in the different social relations. Uncontrolled outbursts of love lacking this balance do not even correspond to the primitive norm of morality. The equality of proportions primarily refers back to the retributive meaning-kernel of the juridical aspect, although it also implies an economical retrocipation [1].

Nobody can truly love his neighbour without observing the exigences of retribution. That is why all the moral commandments of the Decalogue (the second table of the Law) [2] make an appeal to the legal order. The commandment: 'Thou shalt not kill', has no ethical meaning of love without this juridical foundation. Anyone who rejects the demands of retribution does harm to his neighbour in the sense condemned by the moral law of love, as it is expressed in the commandment mentioned; for he delivers him up to injustice and violence [3].

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[1] The aesthetic retrocipation manifests itself in the *harmonizing* of the different duties of love; the economical retrocipation is revealed in the *just distribution* of the sacrifices demanded by love with respect to the different moral duties.

[2] The first table in its *temporal* (modal) meaning refers to the modal aspect of faith, especially to the worship of God.

[3] CALVIN continually emphasized this relation between justice and love in the divine world-order. This has been proven by my late friend Prof. Dr. J. BOHATEC of the University of Vienna, who presents an elaborate list of sources in his important work *Calvin und das Recht* (Verlag: Buchdruckerei und Verlagsanstalt G.m.b.H., Feudungen in Westphalen, 1934). This book is partially based on fresh material from the sources. BOHATEC writes here: 'by opposing love and justice, freedom and compulsion, the Anabaptists, as is well-known, have forced a problem on the Reformation. CALVIN does not try to get round it. Against the one-sided solution of the Anabaptists who reject the State and law, he argues that it is in the interest of love to maintain justice and the ordi-

The internal antinomy arising from the theoretical eradication of the modal boundaries of justice and love.

Whoever tries to read retributive meaning into this commandment itself, after the manner of Aristotelian Scholasticism, gets involved in antinomy. Retribution may demand a man's life, and in principle, it demands satisfaction for injustice committed. The Thomistically orientated Roman Catholic philosopher of ethics, VICTOR CATHREIN, tries to avoid this antinomy by reading the commandment as follows: 'Thou shalt not kill *unlawfully*' [1]. But then the meaning of the commandment is distorted. In the moral relation of love the norm is fully determined in its modal meaning and allows of no exceptions. The judge passing a death sentence, the soldier shooting at the enemy, they all continue to be subject to the commandment of love: 'Thou shalt not kill' [2]. No hatred, no enmity against the neighbour may inspire him, although as a consequence of the fall of mankind into sin there may arise nearly intolerable tensions in human conscience between the moral duty of love and the legal duty of retribution. But the addition of the word 'unlawfully' deprives the moral commandment of all meaning or makes it contradictory. It becomes meaningless if with this addition it is

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nances connected with it. A man who is inspired by true love will not think of harming his brother; on the contrary, he will strive after preserving everybody's rights and after protecting him from injustice." ["durch die Gegenüberstellung von Liebe und Recht, Freiheit und Zwang, hatten bekanntlich die Täufer der Reformation ein Problem aufgedrängt. CALVIN weicht dem Problem nicht aus. Gegen die Anabaptistische einseitige, Staat und Recht verneinende Lösung betont er, dass es im Interesse der Liebe liegt, wenn das Recht und die damit zusammenhängende Ordnung aufrecht erhalten bleibe. Wen die echte Liebe beseelt, dem wird es nicht in den Sinn kommen, seinen Bruder zu verletzen; er wird vielmehr trachten, dass jedermann sein Recht unverletzt bleibe und dass alle gegen das Unrecht geschützt werden."]. Cf. with this Op. 49, 252 ff.; 26, 313 ff.; 27, 556, 564; 27, 560; 26, 502 ff.; 27, 588.

In the passage quoted first CALVIN very significantly writes: "ergo violat caritatem si quis ἀναρχίαν inducit, quam statim consequitur rerum omnium perturbatio..."].

In the second passage he observes: "ST PAUL nous rameine à la charité, quand il expose ce commendement d'obeyr aus Magistrats." Not, of course, in such a way, that justice could be reduced to love in the temporal meaning of both, but in such a way that love rests on the foundation of justice.

[1] *Recht, Naturrecht und positives Recht* (2e Aufl. 1909), p. 223.

[2] Cf. CALVIN, op. 27, 560; — 26, 502 ff.; — 27, 588.

understood as a *legal* principle. All that follows after the word 'unlawfully' is redundent, for I ought *not* to do *anything* unlawfully. On the standpoint of retribution the most important thing is to know what is to be understood by 'unlawfully'; and 'natural law' cannot appeal to positive legal rules to find out what 'unlawfully' means in the context of a *principle* that has not yet been positivized. The commandment would be rendered contradictory if, in spite of the addition of the world 'unlawfully', it is interpreted in the modal meaning of love. For then it would run as follows: 'Thou shalt not bear hatred to anybody *unlawfully,* since hatred is the origin of homicide.' As if it were possible to hate one's neighbour *lawfully*!

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All the meaning-structures, very briefly analysed in the preceding paragraphs revealed the temporal order in the coherence of the law-spheres. This temporal order cannot be ignored with impunity by theoretical thought in the formation of its concepts.

§ 6 - COMPLICATIONS IN THE MODAL MEANING-STRUCTURE OF THE LAW-SPHERE IN BOTH THE RETROCIPATORY AND THE ANTICIPATORY DIRECTION.

A - *Retrocipations.*

The structure of the modal meaning becomes extremely complicated because of the fact that a modal retrocipation does not only refer back to the *meaning-nucleus* of the substratum-sphere in which the analogy finds its ultimate modal point of reference. Indeed it appeals to the modal structure of this substratum-sphere in the complete coherence of its *nucleus* and its modal retrocipations, at least, in so far as such retrocipations exist in this modus. For this meaning-nucleus does not exist in itself but must *express* itself in the internal coherence with the retrocipatory and the anticipatory moments respectively, in order to preserve its character of *meaning.* In this *intra-modal* coherence the meaning-nucleus points beyond itself to the temporal *inter-modal* coherence of all the law-spheres.

Thus it appears that the structure of the retrocipatory meaning-moments shows an increasing degree of complication. In every

modal retrocipation the coherence between the law-spheres finds a further way of expression.

It is true that a modal retrocipation in the last instance is founded in the meaning-nucleus of the law-sphere to which it refers back in particular. But this does not take anything away from the fact that such a retrocipation cannot be conceived as detached from possible retrocipations of earlier law-spheres. The reason is that the meaning-nucleus in which it is ultimately founded, cannot exist apart from its own retrocipatory moments.

The totality of the structure of the meaning-modus.

This insight is of fundamental importance for the formation of a theoretical concept of the meaning-modi. The analysis of the meaning-nucleus, retrocipations and anticipations is the analysis of the modal structure of a totality in which the moments, as meaning-moments, can never be conceived of apart from each other. Every meaning-moment points beyond itself to all the others within the structural totality of the modal meaning, and has meaning only in the structure of the whole. The order of the retrocipatory and anticipatory meaning-moments is determined by the cosmic order of time. A modal retrocipation will be more complicated according as the law-sphere in whose meaning-nucleus it is ultimately founded is further away from the law-sphere in whose modal meaning-structure it functions as a retrocipation. The reason is that such a complicated retrocipation has undergone a successive burdening with meaning, making it much more complicated than a retrocipation which is *directly* founded in the retrocipated law-sphere.

Simple and complex, directly and indirectly founded retrocipations.

The modal retrocipations can therefore be distinguished into the simple and the complex, and (according to the manner of their foundation) into the directly founded and the indirectly founded retrocipations.

Consider the following examples.

The analogical meaning-moments of dimensionality and of magnitude in the original meaning of space are the only truly simple retrocipations. They are not complex because the original meaning-nucleus of the numerical aspect to which they ultimately refer, is not further connected with retrocipations. At

the same time these retrocipations are directly founded, being connected with the nucleus of their foundation immediately, and not through the intermediary of intervening law-spheres.

The directly founded, but complex structure of the spatial analogy in the aspect of movement.

Kinematic space is an example of a complex retrocipation founded directly in its ultimate substratum. It is directly founded in the original meaning-nucleus of space because it is a spatial analogy in the modal meaning of pure movement. But its structure is not simple since implicitly it refers back to the retrocipatory moment of dimensionality in the original meaning of space. This implicit reference is expressed in the retrocipatory moment of the *direction* of movement, implied in kinematic space as a modal retrocipation. The direction of movement, in its turn, is founded in a dimension as an arithmetical analogy in the original meaning of space.

The complex, indirectly founded arithmetical and spatial retrocipations in the modal meaning of the legal aspect.

As examples of very complicated, indirectly founded retrocipations may be mentioned the spatial and arithmetical analogies in the juridical or legal aspect.

On the law-side of this aspect the spatial analogy is expressed in the retrocipatory moment of the extensive area of validity of the legal norms. On the subject-side of this modality the spatial analogy is expressed in the retrocipatory moment of the legal place of the juridical fact [1]. It is true, these juridical spatial analogies are ultimately founded in the original meaning-nucleus of space (on its law- and subject-sides). But they are by no means directly founded in the latter. They are heavily charged with additional analogical meaning, because their coherence with the original spatial aspect is mediated through a series of successively intervening law-spheres in the intermodal order of time.

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[1] That the question concerning the place of a juridical fact is really a *legal* one, appears from the legal consequences of this localization. In many cases this place is not objectively given but is to be determined in accordance with legal rules. For instance: What is the local definition of a contract when the parties have declared their will by telegraph? The legal place of a fact always lies within the validity-area of a legal order and the latter is not sensorily perceptible.

The large number of the intervening spheres acting as intermediaries between them and their ultimate foundation make the structure of these retrocipations all the more complicated.

In order to understand the modal structure of the legal validity-sphere it is necessary to consider that this meaning-moment, which is essential to the legal norm, appeals in the first place to the harmonious balance of juridical interests and competences. In this way excessive demands of the law-maker in a specific sphere of competence are warded off. The aesthetic retrocipation disclosed in the harmonizing manner of delimiting the legal validity-spheres refers back to a social analogy [1] expressing itself in the indissoluble correlation between 'communal'- and 'inter-individual' law. So the harmonious delimitation of the extensive spheres of legal validity is specified into a retributive harmonization of the validity-spheres of the legal norms that rule communal and inter-personal relations in their mutual juridical interlacements.

This social analogy refers back to a lingual retrocipation in the juridical aspect, because the structure of the validity-sphere can exclusively function on the foundation of its symbolic substratum. The legal meaning of the limits of the sphere concerned can be found only in the way of a juridical interpretation of their denotation. For they must be *signified,* they are not given by nature as a sensory phenomenon.

The lingual analogy, in its turn, refers back to the historical retrocipation; for the inner balance between the various ranges of validity of communal law and of interindividual law requires legal organs. These organs are provided with original legal power or competence with respect to the making and realization of law in accordance with the stage of historical development.

In this way the analysis of the modal structure of the extensive legal sphere of validity should be continued in the whole series of retrocipatory analogies, implied in its modal retributive meaning.

Still more complicated than the spatial analogies summarily analysed are the arithmetical retrocipations in the modal meaning of the legal aspect. On the law-side of this aspect the arithmetical analogy reveals itself as the unity of legal order in the multiplicity of the original material spheres of competence in the

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[1] 'Social' is understood here again in the modal meaning of human 'intercourse'.

interlacements between communal and inter-individual relations.

On the subject-side it reveals itself in the function of a legal subject as a subjective unity in the multiplicity of communal and inter-individual relations qualified by the meaning-nucleus of retribution. Furthermore, the numerical retrocipation is implied in every legal fact because the question *how many* legal facts are realized in a concrete event, is dependent on legal norms. In the special figure of the legal personality of a corporation or a foundation this arithmetical analogy assumes an extreme importance and pregnance.

When this analysis is continued, the modal retrocipations concerned appear to refer to the entire intermodal meaning-coherence of the juridical law-sphere with all its substratum spheres.

There can be no question of a direct foundation of the juridical arithmetical retrocipation in the original meaning-nucleus of number; nor can there be question of a direct connection between the juridical spatial analogy and the meaning-nucleus of space functioning as its ultimate foundation.

The mathematical science-ideal of Humanistic philosophy, as manifested in the nominalistic-individualistic doctrine of natural law from GROTIUS to ROUSSEAU, KANT and the young FICHTE, explained these complicated juridical analogies of number by imputing a mathematical meaning to them (the 'mos geometricus' in the Humanistic doctrine of natural law!). In this way it tried to eliminate the complication of meaning in the juridical arithmetical analogy and to construe the *state,* the *juridical person* and the *legal order* out of their 'mathematical elements': the free and equal individuals (the construction of a social contract!).

This is the same thing that COHEN, the father of the neo-Kantian Marburg School, does when he applies the 'quantitative categories' of unity, multiplicity and totality to the legal person, and to the legal relation between state and society. COHEN supposes he can follow the mathematical method, just as HOBBES did before him. Like HOBBES, he arrives at an absolutism of the state which only stops at the inner freedom of thought. But he eliminates the question whether an absolute sovereignty of the state can have a really juridical meaning, and whether the multiplicity of the different typical legal spheres can be really united by reducing them to the absolutized legal order of the state as a mathematical juristic totality.

This is not the way to handle the arithmetical analogies in the modal meaning of the legal aspect.

A brief analysis of the complicated spatial analogy in the psychical aspect with its indirect foundation.

The spatial analogies in the psychical sphere are less complex than the arithmetical and spatial analogies in the juridical aspect. They will be analysed as a last example of complicated retrocipations. The sensory space of perception (differentiated as tactile, auditory and optical space), is an objective spatial retrocipation in the meaning of the psychic law-sphere. As an objective meaning-moment it is strictly correlated with the subjective feeling of extension. It could not be actualized without this subjective feeling. Previous structural analyses have repeatedly disclosed the modal subject-object relation in connection with the retrocipatory structure of the meaning-modus. But this relation can be dealt with in more detail only in a later context.

Tactile space, together with optic space — both in their coherence with the organic substratum (but of this later on!) —, is three-dimensional in the modal meaning of sensory feeling. This three-dimensionality must not be taken in the sense of original (pure) space, though a three-dimensional extension in its pure mathematical sense is indeed its ultimate foundation in the cosmic order of time. Sensory space is a sensorily qualified extension and has only sensory dimensions, no *pure* ones.

The whole psychic analogy of space is not a simple one, and is by no means directly connected with the original spatial meaning. In the first place, it refers back to biotic space, itself a complex spatial analogy in the modal meaning of the biotic law-sphere. And behind this latter analogy the psychic spatial retrocipation appeals to the physical space of energy and the kinematic mode of extension. Only behind kinematic space does it refer back to the *original* nucleus of space, in which it finds its ultimate foundation.

Why do we perceive the sensory images of motion in the objective sensory picture of space?

This also explains how the images of motion can be perceived with the senses only in the objective psychical picture of space, although in an earlier part of this work it appeared that in the original meaning of space no movement is possible.

The explanation is that the objective sensory space of feeling is a modal *retrocipation* of the original modus of extension. As such it forms the necessary *basis* within the modal structure of the

psychical aspect for the sensory image of motion as an analogy that comes later in the modal arrangement. This in its turn is an (objective) modal retrocipation of the *original meaning* of motion.

Consequently sensory three-dimensional space is indeed the *a priori* modal condition of all sensory perceptions of the objective images of motion. The modal retrocipations in the meaning-structure of feeling, however, are not really coordinated with one another as the juxta-position of the theoretically grasped meaning-moments in our analysis might suggest. They interpenetrate intensively in the modal coherence of the meaning-aspect. In its complex structure within the modal meaning of psychical feeling objective sensory space is entirely interpenetrated by the physical and kinematic retrocipations. In the same way the subjective feeling of space is entirely interpenetrated by the subjective feeling of energy and motion. The objective sensory images of motion, too, must interpenetrate psychical space itself, and so motion can only be perceived with our senses in objective sensory space.

Similarly, in the reactive space of organic life the biotic spatial analogy is entirely interpenetrated by biotic motion. Biotic motion is only possible in organic-biotic space. Sensibility, again, is a modal retrocipation in the meaning-aspect of feeling immediately referring back to the organic structure of life. This retrocipation is of a complex character as it also refers back to organic development and, in concreto, e.g., shows various degrees of differentiation in higher and lower animals.

Organic development, in its turn, is a complex kinematic analogy in the biotic meaning-aspect which in its organic moment refers back to the arithmetical and spatial meaning-aspects.

B - *Anticipations.*

Just as in the modal *retrocipations,* there is an increasing structural complication in the modal *anticipations;* but here this complication manifests itself in the opposite direction of the cosmic order of time. The modal anticipations of a law-sphere will become more and more complicated according as this law-sphere occupies an earlier place in the temporal order in comparison with another sphere. Whereas retrocipations proved to be either simple or complex, modal *anticipations* can only be *complex.*

The only differentiation to be made here is that between directly and indirectly anticipating meaning-moments.

The reason why a modal anticipation can never have a simple structure is that even the least complicated modal anticipatory sphere, viz. the spatial anticipation in the modality of number, directly points forward to a meaning-modus (that of original space) which has a retrocipatory sphere of its own.

> The complex modal structure of the so-called irrational function of number as a direct anticipation, and that of the so-called complex function of number as an indirect anticipation.

In the so-called irrational function of number ($\sqrt{2}$, $\sqrt{5}$, $\sqrt{2 + \sqrt{2}}$ etc.) within the series of the 'real numbers'[1] there proves to be implied a complex anticipation of the spatial meaning-moment of extensive magnitude in the modal meaning of number[2]. For, though this anticipation is a *direct one* in the sense defined above, it implies the anticipation of the meaning of spatial continuity and dimensionality.

> The so-called uni-dimensionality of the infinite basic series of real numbers can therefore not be an original moment, but only an implicitly and directly anticipatory one in the meaning-structure of number. It remains qualified by the meaning-nucleus of discrete quantity. But it cannot be grasped in this modality outside of the coherence with the original continuity of extension and the moments of dimensionality and magnitude implied in the latter. The inadequacy of the infinite series of fractional rational number-values in which the irrational function of number is expressed can never be removed in the meaning of number itself. It is rather the necessary expression of the lack of self-sufficiency of the numerical modality in the anticipatory direction, the expression of its appeal to extensive magnitude in the modal meaning of continuous dimensional extension.

This anticipation of spatial dimensionality and magnitude assumes a further complication in the so-called complex function of number. In this the real numbers are deepened through their connection with the imaginary function (in the ordinary, simple

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[1] 'Real numbers' are all rational numbers in connection with the irrational number-values interpolated between them, whose series is (as appeared, *unjustly*) considered to be actually *continuous*.

[2] Cf. HANKEL, *Theorie der complexen Zahlensysteme* (1867) p. 59, who, wrongly however, calls the spatial concept of magnitude entirely independent of any number concept.

form: A + B*i*, in which $i = \sqrt{-1}$ or $(-1)^{\frac{1}{2}}$). This is a new complication in the numerical meaning-structure because the symbol $-i$ signifies the approximation of the modal directions of pure movement in the modal function of number. Apart from this inter-modal coherence of meaning the imaginary function of number would remain perfectly meaningless. In this case we are confronted with an indirect anticipation which can only point to directions and intensity in the modal meaning of motion through the intermediary of spatial dimensionality and magnitude, and therefore anticipates movement *implicitly*.

In the meaning of number proper the imaginary function finds its only starting-point, as NATORP correctly pointed out, in the multiplicative relations of the + and — directions. But these relations remain originally defined by the nucleus of discrete quantity[1]. In their anticipatory function they continue to imply the intermodal reference to spatial dimensionality and change of direction in the original aspect of movement. In other words, they should never be conceived in the original meaning of the continuous transformation of direction.

Reckoning with the imaginary function of number made its entrance already in the 17th century. The decisive factor, however, leading to the acknowledgment of the full value of this function of number was GRASZMANN's "*Ausdehnungslehre*" in close connection with HAMILTON's so-called quaternion-calculus. At first it drew little attention in mathematical circles. GRASZMANN introduced the complex numbers of an arbitrary order for the approximation of the dimensions of continuous extension. In keeping with LEIBNIZ' idea of a universal method of reckoning, GRASZMANN considers geometry merely as a species or an 'example' of a kind of mathematics which is a pure calculus. And at the same time this method wants to rise above ordinary arithmetic by including the latter in its own domain only as a special case.

But GRASZMANN did not yet go so far as to introduce the moment of dimension into the number-concept itself. With him direction and dimension are at bottom still only 'proporties' of what is *countable*. In his "Ausdehnungslehre" he merely wanted to create a suitable method of scientific treatment of these properties.

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[1] NATORP is in principle bound to deny this, in keeping with the logicistic postulate of continuity.

Logicistical arithmetic, however, found sufficient inducement in this method to attempt a further step. GRASZMANN had very successfully assumed a close connection between the complex functions of number and the spatial dimensions. Logicistic arithmetic now tried to derive dimensionality as an original meaning-moment from the meaning of number proper, or rather from *logical thought*. It gained an easy victory over its antagonists, in so far as they regarded number as fundamentally '*uni-dimensional*', and only opposed the introduction of the moment of *multi-dimensional* continuity in the number-concept.

In his attempt to derive the moment of multi-dimensionality from the original concept of number, conceived of in a logicist way, NATORP starts from the 'uni-dimensional' or 'linear' basic series of numbers. He considers it to be a straight line, created in rigid logical continuity from the logical basic relation of isolation and unification. In this straight line the plus- and minus-directions are strictly correlated and determine the place of each member of the series as a counter-member to a basic member, or as a basic member to a counter member. The introduction of linear dimensionality into the number-concept was preceded by the introduction of original continuity into this concept. The latter has been already discussed and found antinomic.

NATORP tries to find the logical transition to the 'multidimensional' or complex number in the multiplicative development of the so-called relative functions of number, i.e. the series in which counting (0, 1, 2, ... etc.) occurs twice, only differing through the symbols + or —, and connected in the common starting-value, 0 [1].

The logicistic concept of 'Dimension überhaupt' (dimension in general), and the modal shift of meaning in this pseudo-concept.

The logicistic shifts of meaning in NATORP's attempt to derive the so-called imaginary function of number from the fundamental logical relation of isolation and unification may be called palpable. The logicistic principle of the origin does not allow theoretical thought to respect the modal boundaries of meaning between number, space and logical analysis. That is why the logical continuity and direction of the movement of thought, as spatial and

[1] *Die logischen Grundlagen*, p. 248.

kinematic analogies, have to do duty as a basis for the inclusion into the number-concept of the moments of continuity and dimension as original logical moments of meaning, without any reference to the original modal sense of space.

The multiplicative relations of the plus- and minus-directions in the modal temporal order of number, which have the meaning of discrete quantity, are interpreted as dimensions. After assuming actual continuity in the basic series NATORP seems really to have derived the concept of dimension from the 'logical' meaning of number itself. But this concept of dimension has become a pseudo-logical general notion without any modal definition of its meaning. This is, moreover, proved by NATORP's thesis that in order to be able to think the dimensions of space, it is necessary first to know how to think the *'Dimensionen überhaupt'* (dimensions in general) [1]. The concept: *'Dimension überhaupt'* has been obtained in a logicistic way from the logical analogy of dimension. But the fact has been overlooked that this analogy cannot exist without its meaning-substratum in the original modal meaning of space.

It is, however, very instructive for our insight into the complex structure of the spatial anticipations within the original meaning-aspect of number that this logicism does not see its way to include the moment of dimension into the number-concept without first introducing extensive continuity into the series of the real numbers.

Complex systems of number and the theory of groups. The formalistic conception of the symbol *i*.

In the complex modal functions of number there is no question of a mere anticipation of spatial dimensions. Rather they anticipate, via these dimensions, modal directions of pure movement, and they do so under the guidance of the movement of theoretical thought.

This holds good both for the system of the so-called ordinary complex functions of number (A + B*i* etc.), and for the systematic extensions into the systems of the so-called quaternions, biquaternions and triquaternions. The modern inclusion of the whole of the theory of the complex functions of number into the so-called theory of groups [2] which investigates the invariant

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[1] *Die logischen Grundlagen,* p. 263.

[2] Cf. Dr J. WOLFF, *Complexe Getallenstelsels* (1917, Groningen), p. 15 ff.

relations in the transformations within the group, only emphasizes this state of affairs which is revealed to us by the structural analysis of the meaning-aspect of number.

Every system of complex numbers is supposed to refer to two interchangeable groups of linear homogeneous transformation, and vice versa. As to this supposition, the intermodal coherence of meaning of the complex function of number with the modal structure of the spatial dimensions and the pure directions of movement cannot be philosophically irrelevant.

In the quaternion-systems consisting of one real and three imaginary units *(i, j. k)* [1], the absence of the so-called commutative quality of multiplication (entitling us in ordinary algebra to change the product *ab* into that of *ba*) cannot be understood unless its connection with the directions of pure movement is taken into account; the quaternion anticipates the latter in the meaning-aspect of number.

The formalistic trend in mathematics erroneously hold the imaginary unit *i* to be a self-sufficient abstract construction of thought with an unexplained meaning, while it is assumed to be immaterial that this unit *i* can be adequately represented in a sensory spatial picture of motion. In our treatment of the modal subject-object relation it will appear that a sensory representation pre-supposes a sensory original, and that a non-sensory original can never be depicted in a sensory way.

The point at issue is much more concerned with an (intrinsically cosmological) intermodal coherence of meaning into which the complex function of number has been fitted according to its modal structure. Even nominalistic formalism has to reckon with this, at least implicitly, in its supposedly arbitrary definitions if it is at all to be able to fix the complex functions of number in the theoretical vision [2].

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[1] *i, j* and *k* are then interpreted as rotations of 90° round three axes, placed vertically on each other, so that their squares are — 1.

[2] From a formalistic standpoint HANKEL remarks (in his *Theorie der complexen Zahlensysteme* (1867) p. 66) on the symbol *i*: 'It is merely a sign for an imaginary mental object which is called the imaginary unit, whose nature, however, in pure theory remains entirely undetermined and must remain so, as in this we have only to do with its formal relations and complications' ["es ist weiter nichts als ein Zeichen für ein eingebildetes mentales Objekt, welches man die imaginäre Einheit nennt, dessen eigentliches Wesen aber in der reinen Theorie ganz unbestimmt bleibt und unbestimmt bleiben musz, da wir uns in dieser nur mit seinen

A brief analysis of the complex anticipatory structure of the economy of thought.

This part of our inquiry will be concluded with a brief analysis of the complex structure of two indirect modal anticipations in the later law-spheres, viz. the economy of thought, and the feeling of justice. It has been shown that the 'economy of thought' is really an economic anticipation in the aspect of logical analysis. In the present context it will be explained how *the cosmic order of time of the law-spheres finds expression* in the complex structure of this anticipation. In other words, it will appear that the economic anticipation of thought cannot directly start from the anticipated modal meaning of the economic law-sphere, but only through the intermediary of all the modal aspects lying between the logical and the economic law-spheres. Consequently, in this anticipation there are quite a series of other anticipations implied.

An earlier analysis has shown that the economic anticipation of the logical meaning-aspect can only express itself in deepened, theoretical scientific thought. In scientific thought the modal meaning of analysis acquires a *systematic* tendency, in which logical distinction is deepened into logical *control*. In this logical control expressing itself in the systematic character of theoretical thought, the analytical modality in the first place anticipates the aspect of history. This anticipation has been examined in an earlier context. For the present it must be established that the economy of thought is meaningless without the foundation of logical control. All the biologistic misconceptions of the principle of analytical economy in the school of MACH and AVENARIUS are due to a lack of insight into the anticipatory coherence of meaning in which this principle can only reveal its true meaning. It is in the anticipatory meaning-coherence between the logical and the historical law-spheres alone that also the history of scientific thought can be assigned its true place.

This cosmic meaning-coherence between the logical and the historical law-spheres is misinterpreted by Historism, in its radical form defended by OSWALD SPENGLER. It surreptitiously substitutes the historical modality of meaning for the theoretical logical one. This point will be discussed later on.

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formalen Verknüpfungen zu beschäftigen haben."] But the imaginary function has not a hidden 'metaphysical nature' as HANKEL thinks. Its functional side itself is at issue, on which its entire complex of apriori law-conformable relations depend!

Logical control, as an historical anticipation in the modal meaning of logic, cannot unfold itself into real economy of thought without anticipating the modal meaning of language. Logical control must provide itself with an intermediary basis for deepening its meaning into economy of thought. It does so in the modal anticipation of logical symbolism, which has been explained before. In its turn the economy of thought becomes the modal foundation for *logical harmony* in which the theoretical system anticipates the nucleus of the aesthetic law-sphere.

In its *judicial* function theoretical thought inquires after the logical *justification* of every theoretical judgment, and in this way it anticipates the meaning-nucleus of the legal aspect. KANT has stressed this anticipatory function of analysis *with reference to the 'Gegenstand'* by saying that theoretical reason has to interrogate nature as a judge and not as a pupil. In fact, there is an undeniable coherence of meaning between the judicial function of theoretical analysis and that of jurisdiction in its original retributive sense. In theoretical thought it is necessary to balance the logical grounds and the counter-grounds of an argument just as a judge has to balance the claims of two litigants. Only the modal meaning of the judicial function of theoretical analysis differs from that of jurisdiction in its legal sense. But the aesthetic and juridical anticipations of the modal meaning of analysis are already further away in the anticipatory direction of time than the economic anticipation. The present enquiry is merely intended to show that the economy of thought is necessarily founded in logical control and logical symbolism [1].

A brief analysis of the structure of the feeling of justice as a complex modal anticipation.

Our last example of the complex structure of modal anticipations is the modal meaning-figure of the *feeling of justice* (Rechtsgefühl). The feeling of justice is a modal anticipation in the meaning-structure of the psychical law-sphere. The psychical aspect here anticipates the meaning-kernel of the legal

[1] The social anticipation of the analytical modus will be left alone in this context. A discussion of this analogy would have to anticipate our insight into the relation between the individual and the communal character of science, which cannot be explained before our discussion of the epistemological problem. Here we restrict ourselves to those anticipations that can be shown to exist in the present stage of our enquiry.

sphere. This modal anticipation in the structure of feeling, however, cannot point forward directly to the latter, but only through the intermediary of the modal structures of all the intervening law-spheres.

Before the feeling-modus can deepen into legal feeling — which is something entirely different from the animal *feeling of revenge,* rigidly bound up with biotic stimuli, — the psychical aspect must have deepened to logical feeling. Then feeling anticipates analytical distinction, although not necessarily theoretical analysis, which fact will appear to be important in the sequel.

Animals can have no feeling of justice, if only for the reason that they lack the normative analytical function. The deepening of feeling into logical feeling, however, is not a sufficient foundation for the modal anticipation in the feeling of justice. Psychiatric science confirms the fact that logical feeling may have developed even to a striking degree of sharpness while the feeling for social intercourse, the feeling of justice and moral feeling are lacking (cf. the figure of 'moral insanity'). In modern man this may be a pathological phenomenon, it is nevertheless an indication that the feeling of justice has a very complicated structure. Its complication would be quite inexplicable, if it is assumed that this anticipatory function starts directly from the structure of logical feeling.

In the first place it must be observed that the feeling of justice can only manifest itself in a psychical form which differentiates it clearly from the feeling of social intercourse, from aesthetic feeling, moral feeling and the feeling of faith. This occurs at an historical level of civilization that offers a sufficient foundation for the articulated distinction of social norms of intercourse, aesthetic norms, legal norms, moral norms, and norms of faith. Even among the highly cultured Greeks, beauty, justice and morals were an undifferentiated whole in the popular mind. The *καλοκάγαθον* 'embodied' the Greek ideal of personal perfection. In primitive tribes a differentiated feeling of justice will be sought in vain; they have only an inarticulate tribal feeling of what is permissible and what is not. The psychical reaction upon every assault on the tribal order cannot be compared with the modern differentiated feeling of justice.

In a later context we shall revert to this very interesting state of affairs. For the present it should only be stated that the feeling-aspect must first be deepened in its anticipating the historical meaning of culture, if there is to be any question of a differen-

tiated feeling of justice. It is impossible to disentangle the (essentially modern) feeling of justice from the cultural feeling of modern man. The feeling of justice, as a modal anticipation in the psychical aspect, is founded in the opening of the historical anticipation in the modal structure of feeling.

The low degree of differentiation in the axiological spheres of feeling at a primitive stage of culture.

Modern genetic psychology, which for the rest has by no means univocally delimited its scientific field of research, has thrown a strong light on the low degree of differentiation in the axiological spheres of feeling at a primitive cultural level. It has also shown that at a higher cultural stage there is an increase in this differentiation. There is a very striking parallelism between the life of feeling in primitive man and that in the child.

With regard to a child's emotional life, the Hamburg Professor HEINZ WERNER[1] observes: 'The splitting up of the undifferentiated complexes of feeling into specifically different feelings, as KROH shows, is not yet finished at a child's entry into the Elementary School. The distinction between the evaluating feelings has not yet been accomplished: aesthetical, ethical, and with these also utilitarian moments of feeling are often woven into one complex unit. 'Not seldom do we observe in young children,' says KROH, 'a more or less complete identification of ethical and aesthetical values: 'hateful' and 'unjust', 'beautiful' and 'good' become identical notions. This view leads many children to look upon injustice as a kind of 'stain'[2].

Of course, the anticipatory differentiation in the meaning-aspect of feeling at a higher cultural level must be sharply distinguished from the retrocipatory differentiation which is connected with the organic development in the biotic meaning-sphere. The primary error committed by every naturalistic theory of evolution is that it loses sight of this difference.

Genetic psychology has established that the axiological differentiation in human feeling is dependent on the stage of our cultural development. This is a *state of affairs* which can no

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[1] HEINZ WERNER, *Einführung in die Entwicklungspsychologie* (2e Aufl., 1933) p. 71. [Introduction to Genetic Psychology]. For the rest I do not at all agree with the strongly constructive way in which this psychology sets to work with its schema of differentiation, and by which, in my opinion, it falsifies in particular primitive thought.

[2] KROH, *Psychologie des Grundschulkindes,* 1930, p. 248.

longer be denied after its detection. But it can only be correctly interpreted if we constantly bear in mind the cosmic order of time with regard to the psychical and the historical law-spheres as manifested in their modal meaning-structures. The theory of the modal-spheres lays a solid foundation for the investigations of special science by the analysis of these structures.

The feeling of justice pre-supposes a successive series of intermediate psychical anticipations, not only logical and historical feeling, briefly examined above, but also symbolic feeling, social feeling, economic feeling and aesthetical feeling. We shall not go into all this. For the present it may suffice to refer to the correlation with the *retrocipatory* structure of the legal meaning in which the previous analysis has shown the symbolic, social, economic and aesthetical analogies.

Some new complications in the anticipatory structure of the modal meaning-aspect. The normative anticipations do not refer to the merely retrocipatory structure of the anticipated aspect.

The meaning-analysis of the feeling of justice has revealed a new complication in the anticipatory modal structure of the law-sphere which in the present context immediately demands the closest attention.

When dealing with the analysis of the historical anticipation in the feeling of justice it must have struck the reader that this anticipation does not simply refer to the modal nucleus of the historical aspect in the context of its retrocipatory structure. It has rather appeared that the differentiated feeling of justice pre-supposes a higher stage of cultural development. This is to say, the historical anticipation appears to start from the anticipated modal meaning-structure of history *which has already opened out its own anticipatory spheres.*

The same thing holds good with regard to all the other anticipations in the modal aspect of feeling. And so we are confronted with a kind of complexity in the anticipatory structure of this law-sphere which seems to point in the direction of the boundless, the *apeiron.* The reason is that the historical-cultural aspect in its anticipatory spheres does not yield a resting-point either, but in its turn refers forward to the following anticipatory meaning-structures. And in the last law-sphere, the second terminal sphere of our temporal cosmos, viz. the sphere of faith, the insight into the entire anticipatory movement of

meaning seems to be brought to a deadlock. No rest is to be found here for the dynamics of meaning. For, if the temporal aspect of faith were indeed the absolute zero-point of the anticipatory movement of meaning, the whole of the dynamics of meaning would come to a standstill within its own structure, and so cease to be meaning at all.

The unrest discovered in meaning as such, and in the modal structure of the normative anticipations in particular, does not suffer rigidity in time. The *opening-process* in the temporal diversity and coherence of meaning in its entirety now demands attention. Unless philosophic thought maintains its transcendental direction to religious self-reflexion, it cannot succeed in elucidating the profound problem that announces itself here.

CHAPTER III

THE OPENING-PROCESS[1] IN THE ANTICIPATORY MEANING-STRUCTURE OF THE LAW-SPHERES.

§ 1 - THE FUNCTIONAL STRUCTURE OF THE OPENING-PROCESS AND THE RELATION BETWEEN CONCEPT AND TRANSCENDENTAL IDEA IN THE TWO FUNDAMENTAL DIRECTIONS OF THE COSMIC TEMPORAL ORDER

The modal structure of a law-sphere is primarily expressed in the continuous coherence (systasis) of its nuclear moment and retrocipations, at least insofar as it has substrata in the cosmic temporal order.

The modal retrocipations are inseparable from the modal nuclei of all the law-spheres — with the sole exception of the numerical — so that, in general, modal meaning cannot express itself outside of the retrocipatory coherence of meaning.

The primary structure of a founded meaning-modus.

For this reason the coherence of a modal nucleus and its modal retrocipations is to be called the *primary* structure of a modal aspect which is founded in one or more others. That is why, for instance, in the primary modal meaning of an illegal act there must of necessity be an analogy of energy-effect in the factual *juridical causality* if we are to speak of a *legal fact.* No act of human behaviour can be illegal if it does not causally encroach upon the retributive harmony of the communal and inter-individual interests, thereby yielding a juridical ground for legal consequences on the law-side of the juridical aspect. Juridical causality is also pre-supposed in cases where human behaviour formally deviates from a legal norm which does not mention a *particular* effect of the unlawful deed or

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[1] The Dutch text has 'ontsluitingsproces'. The term 'opening-process' though occasionally replaced by the words 'unfolding-process, process of disclosure, or process of expansion,' seems to be preferable.

omission. Otherwise, why should this action have been forbidden by a legal order? [1]

It is quite possible, however, that the anticipatory functions of the modal meaning of retribution have not yet been opened out in temporal reality. This state of affairs has already been noticed in the preceding inquiry into the modal structure of the juridical aspect. But now it demands special attention in the general context of an analysis of the opening-process in the normative law-spheres.

The expression of the modal meaning of retribution in a primitive legal order.

In a primitive society — apart from some scarce indications of a distinction between accident and intention — criminal law is based on the principle of "*Erfolgshaftung*" (responsibility for the factual consequences of the deed).

As a legal ground for a juridical consequence to take effect (on the law-side), the *causal* legal fact is generally sufficient here. The juridical causal relation, as a retrocipation of the physical effect, shows the complex structure examined in the case of other retrocipations in the preceding section [2].

Retribution — as expressed in the criminal law of a primitive tribal community — still clings rigidly to its modal substrata without having deepened itself into the anticipatory principle of accountability for guilt.

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[1] Cf. my treatise: *Het juridisch causaliteitsprobleem in het licht der Wetsidee* (Anti-Revolutionaire Staatkunde, driemaandelijks orgaan, 1928).

[2] The juridical causality of a legal fact, as the juridical basis for the juridical effect on the law-side, is e.g. evidently impossible but for the substratum of logical causality which itself has an analogical character. This analogy finds expression on the law-side of logical causality in the principle of the sufficient ground. On the basis of the analytical principle juridical causality implies normative imputation either to objective legal facts (as fire, storm, hail in the case of insurance against damage), or to subjective legal facts (delicts, delay in the performance of contractual duties etc.). The legal extent of the causal nexus imputed to a legal fact is always dependent on juridical principles of responsibility (the principle of risk or the principle of guilt, respectively). The legal causal nexus in the last analysis presupposes a physical nexus as its ultimate substratum. But it is never to be identified with the latter on penalty of involving legal theory in insoluble antinomies. The most striking example of such antinomies is to be found in the contradictions resulting from the attempt to reduce the famous causation by omission to a natural scientific concept of causality.

In the same way the legal subjectivity of man and the validity-area of the norms are still rigidly bound up with the unopened aspect of social *intercourse* restricted to the members of the tribe.

The foreigner as such is still *hostis,* exlex. He is excluded from peaceful intercourse, from juridical and moral relations, as well as from relations of faith. (The primitive communal order is an undifferentiated whole whose modal functions have not yet been explicitly distinguished).

A gratuitous donation, as an act of liberality, is unknown in the primitive legal order. The principle of *do ut des* rigorously governs the whole of the primitive law of contract, even the mutual exchange of gifts.

The primitive law of contract (as yet little developed) is characterized by a strict *formalism,* frequently exhibiting magic traits, in which there is no room for the anticipatory principles of good faith, of 'justa causa', of 'equity' etc., as little as there is a possibility to challenge a declaration of will on the ground of error, compulsion and deceit.

On the inert substratum of primitive thought all juridical acts are still tied down to the *sensory symbol.* A juridical act that has not been represented by means of a sensory symbol cannot be understood by the primitive mind. That is why the subjective *rights to things* are not understood if they are not expressed in a sensory way in the '*wer*' or '*Gewehre*', the actual possession of a thing visible to all. Hence it testifies to a lack of real insight into legal history if the attempt is made to find in a primitive legal order the abstract right of property (protected by a civil lawsuit) quite apart from the '*wer*'.

Also the normative substratum-spheres of a primitive juridical order are still in a rigid condition, not yet deepened by the opening-process.

Nevertheless, primitive legal life, as a component of the undifferentiated communal order, is to a high degree directed by primitive popular faith. This state of affairs gives rise to a new problem which can be discussed only in a later phase of our inquiry.

The primitive closed structure of the feeling-aspect in animal life.

In the psychical law-sphere the modal meaning-structure of feeling still manifests itself in the primary, rigid form in animals. There may be different degrees of differentiation and of higher

development in psychical animal life, in accordance with the stage of organic development that an animal has reached. There may even be found proofs of 'intellect' in the psychical reaction upon new factual situations, resting upon a deliberate presentiment of causal and teleological relations (not upon rational analysis). But an animal's subjective psychical feeling remains in a closed state with regard to the meaning of the normative law-spheres. It is not susceptible of anticipation in the axiological sense of the word; it is not capable of a deepening of meaning under the direction of normative functions of consciousness.

The closed structure of the aspect of energy-effect.

The aspect of energy-effect shows its modal meaning in a rigid closed structure in physical-chemical processes that are not guided and directed by higher modal functions. But in the inner individuality-structure of a living organism the physical-chemical processes are deepened by anticipating the directing impulses of organic life. In an animal organism they also reveal psychical anticipations[1], in the human living organism even anticipations of the normative aspects.

The law-sphere in its restrictive function and in its expansive function. Guiding modal-functions.

In all cases in which the opening-process has not yet started, the anticipatory spheres of the modal structure are still closed and the modal aspect still shows itself in a rigid, restrictive function.

When the anticipatory spheres are opened out, the modal meaning is deepened and expresses itself in an expansive or deepened function. This opening is possible only under the guidance of the anticipated law-spheres. But, because it is only an opening-process that manifests itself here, the possibilities of anticipation must be implied and latent in the modal meaning-structure of all the aspects preceding the second terminal sphere.

In future the modal anticipations will be called *guided* or *directed meaning-functions*, and the modal meaning-functions

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[1] Cf. e.g. PAWLOV's experiments with dogs concerning the secretion of spittle under the direction of psychical associations, or the physical-chemical reactions in a psychical state of rage or fear.

of the anticipated spheres *guiding or directing functions.* The guiding meaning-function points the way to the guided function towards the opening of its meaning.

The numerical meaning-aspect for instance is not self-sufficient with regard to the opening of its meaning, it has no self-guarantee in the matter of its modal anticipations. Only through the guiding function of later aspects do the anticipatory-spheres of the numerical meaning open out into the 'approximating numerical functions'. The irrational and differential functions of number are *'limiting'* functions of the numerical aspect. They point forward to the original meaning of space and motion, which are not given in the arithmetical aspect proper.

The psychical meaning-aspect is opened through the guiding function of the analytic aspect into deepened logical feeling. The modal meaning of feeling has no self-guarantee with regard to its deepening into logical feeling. Logical feeling is a modal limiting function of the psychical aspect in which the latter approximates the analytic meaning which is not given in the modal structure of the psychical law-sphere proper.

Only through the guiding function of the moral aspect does the moral anticipatory sphere in the juridical modality open itself. The retributive meaning in itself has no guarantee for its anticipatory functions in juridical guilt, good faith, good morals, etc. All these juridical figures are limiting functions of the retributive aspect, in which the latter approximates the modal meaning of morality which is not to be found in the meaning of retribution itself.

Deepening of the modal retrocipations through the opening-out of the anticipatory spheres of the modal aspect.

The modal anticipations deepen the entire primary meaning of the law-sphere in the coherence of its nucleus and retrocipations.

Thus subjective juridical guilt deepens the primary meaning of an illegal act. It deepens the unlawfulness, the juridical causality, the juridical imputation, etc., as it approximates the moral attitude of the agent in the subjective meaning of retribution. For this reason it is unscientific to treat causality, illegality and guilt as three absolutely separate elements of a punishable fact, as is done in the current doctrine of criminal law.

The isolating treatment of these three basic concepts of criminal law disturbs the intermodal coherence of meaning and is

due to an un-juridical view of causality and guilt, owing to which unlawfulness, too, cannot be conceived in its material modal retributive sense.

The internal antinomies into which this treatment entangles the doctrine of criminal law have been analysed elaborately in my treatise: *Beroepsmisdaad en Strafvergelding in het licht der Wetsidee* (1926)[1].

Another example of the deepening influence of the anticipations upon the primary structure of a modal meaning-aspect is found in the modal sphere of feeling. Logical feeling, cultural feeling, linguistic feeling etc. deepen the modal retrocipations in the latter. Sensory perception, e.g., as a biotic retrocipation in human feeling has its own meaning deepened, when the opening-process in the psychical law-sphere has started and raises human sensibility on account of its anticipatory function above the sensory life of the animals.

Concept and Idea of the modal meaning-aspect and their relation in the foundational as well as in the transcendental direction of time.

On the distinction between the primary and the deepened modal meaning rests the distinction between concept and Idea of a specific aspect.

Especially since KANT this distinction has been universally adopted in philosophy but it could not be fathomed in its full import in immanence-philosophy.

Of each law-sphere it is possible to form a theoretical *concept* of its modal meaning as well as a theoretical *Idea*.

The modal structure in its 'restrictive function' is grasped by a synthetical *concept,* but its 'expansive function' is only to be approximated in a synthetical *Idea* of its meaning, which, as a transcendental ὑπόθεσις, seizes upon the anticipated modal structures in advance.

In this way the number-*concept* and the number-*Idea,* the *concept* of space and the *Idea* of space, the *concept* of feeling and the *Idea* of feeling, the *concept* of law and the *Idea* of justice, etc., both theoretically comprehend the modal meanings of the same respective law-spheres. But the theoretical *Idea* points in another direction of time, viz. the transcendental or

[1] *Professional Crime and Penal Retribution in the Light of the Cosmonomic Idea* (published in the quarterly review Antirevolutionaire Staatkunde, 1929).

anticipatory direction, and it cannot be closed up in time. Hence every conception of the theoretical Idea as a *concept* destroys the theoretical meaning of the Idea and draws philosophical thought away from its true transcendental direction.

The theoretical antinomy in mistaking the Idea for a concept.

And now the inquiry quite naturally reverts to the question raised in the first explanation of the method of antinomy, viz. in how far the abuse of the theoretical Idea as a rational *concept* gives rise to the special theoretical antinomies.

The matter stands in fact as follows: if the *Idea* of a modal meaning-aspect is used as if it were a *concept,* the necessary consequence is a theoretical eradication of the modal boundaries of the law-spheres. This appeared to be the very origin of the special theoretical antinomies. In the *Idea* of a modal aspect theoretic thought can only approximate the intermodal coherence between the law-spheres, their radical unity and Origin; it can never really comprehend these transcendental presuppositions in a *concept. The theoretical Idea is a transcendental limiting concept.*

Anyone who tries to overstep the temporal limits of the modally qualified Idea, and thinks he can *comprehend* the coherence and the totality of meaning theoretically in the Idea of a specific aspect, lapses into absolutizing the modal speciality of meaning. This procedure is incompatible with the due observance of the modal sovereignty of an aspect in its own sphere.

All the '-isms' in immanence-philosophy are guilty of the abuse of the modal theoretical *Idea* as a *concept.* Also transcendental idealism has not avoided this misconception of the Idea, in so far as it identifies a modal Idea with the meaning-totality of the cosmos [1].

With equal right it can be said that the concept founds the modal Idea, and that the modal Idea is the foundation of the concept.

In the transcendental direction pointing to the totality of meaning every concept is dependent on the Idea; in the found-

[1] The distinction between theoretical and practical Ideas in KANT cannot be adduced against this. Also KANT's Idea of the 'homo noumenon' is a theoretical Idea *in our sense,* since it rests on a synthetical abstraction of meaning. That KANT restricts science to the sensory experience of nature is irrelevant to this point.

ational direction of time the Idea of the meaning-modus is dependent on the concept of that modus.

Only the cosmonomic Idea, as the transcendental basic Idea, is the presupposition both of the concept and the Idea of every meaning-modality.

When a normative meaning-modus in temporal reality still expresses itself in a restrictive, closed structure, this primitive expression shows a certain formalistic character. An example of this can be found again in primitive law, enclosed as it is within the totality of the primitive social order. How rigid the view of justice is which has not yet grasped the *Idea* of the modal meaning of retribution appears even in the name given to primitive customary law with the old Germanic tribes. In Old-Germanic the latter was called *êwa* (in Old-English texts: æw) [1]. It is possible to explain the meaning of this Old-Germanic word in more than one way — but one thing is certain, it implied a rigorous kind of unchangeability.

Such a legal order in its primitive meaning-structure is nonetheless a *juridical* one. As regards its validity it is founded in the rigid, non-anticipatory principles of retribution which have been realized in it. It is no arbitrariness. And yet, only on the basis of the *Idea* of justice can the meaning proper of such a primitive legal order be grasped, because it is only in an *Idea* that philosophical thinking can be directed towards the religious fulness of meaning, and all meaning is rooted in religion and has a Divine origin.

If the opening of the anticipatory spheres of the modal meaning of the juridical aspect is to be accomplished, the opening of the meaning of its substratum spheres must also have started.

> The retrocipatory and the anticipatory directions of time in the opening-process of the normative anticipatory spheres.

In the cosmic temporal order the correlation between the retrocipatory and anticipatory directions of time is indissoluble. Therefore the opening-process in a modal aspect cannot be set going in the transcendental direction of time without its found-

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[1] Indo European: *aiwôn,* Greek *αἰών,* meaning: age, eternity, are cognate with Latin: ævum; and with primitive Germanic *êwa,* meaning law; from this came Old English - æ -, or æw, meaning: divine or human law, custom, religious rite, marriage, faith, religion; the literal meaning is given as: 'something established from time immemorial'.

ation in the disclosure of its substratum-spheres; at least, if this modal aspect itself does not serve as the ultimate basis for the opening-process in the later law-spheres.

The preceding chapter terminated with the formulation of the philosophical problem evoked by the opening-process in the normative and in the non-normative law-spheres, the latter as far as their normative anticipatory spheres are concerned [1].

It appeared then that every 'guiding normative function' must first open its own anticipatory spheres if it is to direct the earlier spheres in cosmic time in the process of the opening of their meaning. The whole opening-process seemed to get stuck in the last limiting sphere of our cosmos, i.e. that of faith, which has no *modal* anticipatory spheres. And the historical law-sphere was the first to make us aware of the problem.

The entire opening-process in the normative aspects proved to be dependent on a 'higher level of historical development'. Of a higher level of historical development there can, however, be no question unless the modal meaning of history has been deepened in the opening of its anticipatory spheres.

Does the opening-process of the normative anticipations start in a particular law-sphere?

Where does the opening-process of the anticipatory spheres of the modal aspects start in the normative dynamics of our cosmos? When this question is raised, the cosmic order of time is again to be considered in its two directions.

The transcendental (or anticipatory) direction of time cannot be arrested; it points unalterably above time. If it appears to be the modal function of *faith* that ultimately leads every opening of the normative anticipations, this can only show that the whole opening-process is not self-sufficient in the transcendental direction. This fact confronts philosophy with a fundamental problem, because the modal function of faith is the *modal limiting function* in the opening-process, and as such it has no modal anticipatory spheres.

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[1] As to the pre-logical modal spheres one can speak of normative anticipatory spheres only in the sense of their anticipatory coherence with original normative meaning-modalities. The pre-logical aspects, as such, are not ruled by norms proper. Legal or moral feeling for instance remain subjected to the laws of emotional life which lack normative character. But the latter have opened their modal psychical meaning under the direction of the anticipated normative aspects.

If, however, the question regarding the starting-point of the opening-process is related to the retrocipatory direction of time, it must be possible to point out a normative law-sphere on whose modal opening of meaning the whole opening-process depends in all the other normative law-spheres.

In the analysis of the modal retrocipations our attention was always directed to a law-sphere in whose modal nucleus the retrocipation is ultimately founded. In other words, the retrocipatory direction of time offers to theoretical thinking, at least provisionally, some resting-points in the original meaning-nuclei. It is true that these resting-points are again done away with by the transcendental direction of time without which they would become rigid and meaningless. Nevertheless, the first consideration provides a sufficient ground for the supposition that in the foundational direction there must exist a normative law-sphere in which the opening-process of the normative anticipatory spheres gets started. The only reserve to be made is that the point of comparative rest in this way offered to philosophic reflection on the possibility of the modal meaning-opening, is only a *provisional* resting-point. In the transcendental direction of thought it must necessarily be resolved into the essential unrest of meaning.

Provisionally it will be assumed that the law-sphere required is that of the historical aspect. According to this supposition the opening-process of the normative spheres must start here in the retrocipatory direction of time.

> The historical law-sphere as the foundation of the entire opening-process of the normative anticipatory spheres of the modal aspects.

In the sequel of these investigations it will become more and more transparent that the historical aspect must really have this special place assigned to it in the retrocipatory temporal direction as regards the entire opening-process of the normative anticipatory spheres. The historical sphere must in fact be called *the nodal point of the entire normative meaning-dynamics within cosmic time,* in so far as all normative deepenings of meaning in the law-spheres have the raising of the cultural level in the historical process for their foundational *ὑπόθεσις*.

If the historical law-sphere is indeed to have this foundational function in the opening-process of the normative anticipations

within the modal structures, the opening of its own anticipatory spheres cannot have an earlier foundation in time. Every attempt to find its foundation in an earlier law-sphere must in this case land us in a vicious circle.

It is true that with reference to the logical sphere the modal opening of the historical aspect is the first ὑπόθεσις in the *transcendental or anticipatory direction of time.* This has been shown in the brief analysis of the principle of economy of thought. But the opening-process of the historical law-sphere as such cannot be founded in that of the logical aspect, since the meaning-disclosure of the logical sphere itself proved to be possible only at a higher cultural level of development.

It is possible that in the historical and in the post-historical law-spheres the opening-process has already started without naïve logical thinking having been deepened into scientific theoretical thought. So, for instance, the Carolingian renaissance of science and arts had the establishment of the Carolingian empire as a real state-power for its historical foundation. It will be shown in Vol. III that a real State cannot appear at a closed historical stage of culture. But it is not possible that science starts without the guidance of a deepened manifestation of human power in the opening-process of history. As long as a rigid historical tradition has the exclusive mastery over the human mind and wards off any progressive conception of culture, science lacks the primary conditions of its rise and development.

Here we are indeed confronted with a peculiar feature in the functional structure of the normative opening-process. In all the substratum-spheres of the historical aspect the opening of the normative anticipatory spheres appears to be one-sidedly dependent on the beginning of the meaning-disclosure in cultural development. With regard to the opening of the preceding law-spheres this beginning, consequently, lies in the transcendental direction of time. In all the post-historical law-spheres, on the other hand, the process of disclosure has a ὑπόθεσις both in the foundational and the transcendental temporal direction.

In a strict sense the beginning of the disclosure in the historical law-sphere is not the foundation of the normative meaning-disclosure in the *preceding* law-spheres. But all the same, here too, there is a one-sided irreversible relation of dependence entitling us to call the historical law-sphere, in the foundational direction, the *nodal point* of the entire process of disclosure in the normative anticipatory spheres of the other aspects.

The expression of the foundational direction of time within the transcendental direction of time itself.

After all, even the foundational relation in the normative process of disclosure is a relation that functions within the transcendental direction of time, because the deepening of the modal meaning is, *as such*, of an anticipatory character, no matter in which law-sphere it takes place. So it appears that the twofold direction of time finds expression in the transcendental temporal direction itself. A correct insight into the special position of the historical aspect in the opening-process, however, is entirely dependent on the view that historical development, as such, is really enclosed in a specific modal law-sphere. But this is a view that must rouse the opposition of modern Historism in all its forms (the naturalistic as well as the spiritualistic). Even in Christian thought this conception may be called, to say the least, a very *unusual* one. Therefore in the first place this point must be made clear if our whole line of thought is not to lack its basis. And for this reason it is necessary to give a more detailed analysis of the 'modal meaning of history'.

§ 2 - THE MODAL MEANING-NUCLEUS OF HISTORY

The pre-theoretical and the theoretical conceptions of history.

In the pre-scientific language of every day it is, of course, quite legitimate to talk of history as the complex of successive events that have really happened in the past. Non-scientific linguistic usage is integrated into the mental attitude of naïve experience, which lacks a theoretical analysis of the aspects.

When, e.g., a Christian statesman in opposition to speculative political constructions repeatedly appeals to the adage: 'It is written, and it has happened!' [1], it must be clear that history is not conceived here in an abstract theoretical sense, but rather in the fulness of the concrete temporal coherence of meaning, revealed within typical structures of totality and individuality.

But in this non-theoretical attitude of experience the modal meaning of history in that concrete coherence of past events is

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[1] This adage was directed by the famous Dutch Christian statesman and historian GUILLAUME GROEN VAN PRINSTERER against the natural law constructions of the state, familiar to the French revolution. Cf. The Authorized (King James) Version Matthew 4 : 4.

undoubtedly *meant implicitly.* Only this modal meaning has not been theoretically conceived here in an explicit way; it has not been made a theoretical '*Gegenstand*' of analysis; it has not yet become a *problem* of thought.

If, however, in the theoretical attitude of thought the question is asked: 'What is history?' the answer: 'All that happened in the past' does not really get us a step further.

That you had dinner, smoked a cigar, and took a cup of coffee yesterday, all this at the present moment no doubt belongs to the past.

It cannot be denied that these concrete actions have an inherent historical aspect, since in the Middle Ages people did not smoke cigars and drink coffee. The introduction and general adoption of these luxuries undeniably belong to the realm of historical development. For this very reason, however, it is extremely important to know what exactly constitutes the historical aspect of these activities, in other words what is the modal meaning of history.

The 'past' taken in an unqualified sense comprises a great deal that cannot be considered as historical in a modal sense. The fact, e.g., that I breathed yesterday is no less a thing of the past, but the merely 'natural' aspects of this event do not fall within the scope of 'history'.

Besides, the restriction of history to what has happened in the past cannot be essential even to the pre-theoretical attitude of experience. Everybody experienced the great moment of the invasion of France as a historical event, as the decisive turning-point in the second world-war.

History unites the present, the past and the future. It is exactly in its historical aspect that time assumes this threefold articulation. The present is the historical orienting-point between what has passed away and what is coming. The past and the future meet in the historical present. The latter is the point of reflection in our experience of historical time. But what is the historical mode of experience?

Many historians are satisfied by the statement that the historical viewpoint refers to becoming, genesis or evolution. The famous Dutch historian ROBERT FRUIN, e.g., defined the science of history as 'the science of becoming'.

But *becoming,* or *genesis* is an analogical concept which in analytical scientific thought demands its modal delimitation of meaning, since the term *genesis* here has very different modal

significations. It is also used in chemistry, in geology, in biology, in psychology, in linguistic science, in jurisprudence[1], and so on.

The equally analogical concept of evolution lacking all modal specification of meaning, also does not offer a real criterion, if we want to characterize the historical mode of experience. In the organic processes of the life of plants and animals there is also question of 'evolution', and it is here that the term doubtless has its original sense. 'Evolution' is a concept applied to phenomena in all the modal aspects of reality founded in the biotic law-sphere. It is therefore especially important to know what modal meaning is grasped in *historical* evolution.

Different views of the meaning of history.

What then is the modal meaning of history? Many answers are given in modern philosophy to the question what is the *end* or *telos* of history, and what is the specific method of historical science. But the *modal meaning* of the historical view-point has never really been investigated.

Many writers, following the footsteps of COMTE's positivism, look upon history as the progressive evolution of mankind which in the course of its successive phases is subject to 'sociological' laws erroneously interpreted as 'laws of nature'.

Others, oriented to the neo-Kantian view of the South-Western German School, consider the historical aspect to be a transcendental-synthetic relation of human judgment. By means of this the transcendental subject of judgment is supposed to relate empirical reality, which in itself is "*wertblind*", i.e. devoid of value, (and which is identified with the sensorily perceptual phenomena of 'nature'), to universally acknowledged values in human society (the state, art, religion, economy, law, etc.).

Historical science, as cultural science, is supposed to pay special attention to the *individuality* of the phenomena that are thus considered as "*Sinngebilde*" (meaning-formations). In contrast to this method of thinking natural science is said to proceed in a *generalizing* way and to be 'blind to values'.

The adherents of Hegelian idealism view history as the temporal mode of development of 'spiritual reality' in which the

[1] The juridical concept of genesis is related to the formal sources of law and the origin of legal relations (obligations, rights, and so on).

'objective Mind' immanently unfolds its infinite wealth of meaning. Each individual phenomenon in history is a particular figure or shape adopted by that Mind in its dialectical course through the history of the world; it is an individual moment in the spiritual totality, only intelligible in the coherence of the whole.

And then there are others (SPENGLER, etc.) who are of the opinion that history is a stream of life which in the course of centuries produces parallel, self-contained types of culture growing up, maturing, and dying, just like natural organisms.

And lastly, the philosophy of existence holds that history is the typical mode of being of human existence as such. Here 'history' is taken in the purely subjective and individual sense of the free project of one's personal existential being, not in the 'objective' social sense intended by the science of history.

Behind all these conceptions there is no difficulty in recognizing the fundamental structure of the cosmonomic Idea of Humanistic immanence-philosophy analyzed in great detail in Volume I. They cannot reveal the modal meaning of history because they do not recognize modal law-spheres. And they cannot accept modal law-spheres because they start from the dialectical religious basic motive of nature and freedom which disturbs the insight into the modal structures of meaning.

In the preceding chapter the modal meaning-nucleus of the historical law-sphere has been provisionally circumscribed as the *controlling manner of moulding the social process*. Strictly speaking, this nuclear moment should only be designated by the term control or mastery, since the additional moment of the circumscription has an analogical character. But control or mastery in its original (non-analogical) sense was assumed to be an *irreducible modal manner* of formation according to a free project. And this is exactly the original meaning of the term *culture* which is generally used to designate the *'Gegenstand'* of historical science in contradistinction to the fields of research of natural science.

We have first to show that the term 'culture' according to its original sense really refers to an original and irreducible modal nucleus by means of which a genuine law-sphere is delimited which is to be indicated as the *historical*.

The modal nuclear meaning of the term culture and the ambiguity of the term history.

Doubtless, the indication of the specific field of research of the science of history by the term 'culture' is not complete. The historian studies the cultural *process of development* of human society. But it must be clear that in this more ample circumscription the process of development can only be an analogical moment which, as such, is not suitable to qualify the historical viewpoint proper. Rather it must derive all its modal qualification from the preceding adjective.

Apart from their reference to the cultural modality of social development the terms 'history' and 'historical' lack every relation to the scientific field of research of the historian and are ambiguous.

Occasionally the term 'natural history' occurs, but it does not denote the specific field of research of the science of history proper. In the common use of the term the substantive 'history' is taken in the neutral Greek sense of 'enquiry' and is related to the study of animal life, especially as set forth for popular use. There is still another use of the term history when it refers to the natural genesis of geological formations and of species of plants and animals. But here, too, the term lacks any relation to the specific modal aspect of experience delimiting the historical viewpoint proper.

Geology and palaeontology can, doubtless, render important services to the historian who is confronted with ancient phases of cultural development. It is, however, only the cultural modality of development itself which can determine the historical field of enquiry. Consequently, there can be no question of an historical aspect of experience apart from the cultural one. If the meaning-nucleus of the cultural modality is only to be found in control or mastery we must establish that this nuclear moment, as such, implies a vocation and task which can only be accomplished in a successive cultural development of mankind in its temporal social existence.

The terms 'historical' and 'history', viewed merely etymologically, have indeed no specific modal sense. It is only the cultural modality with its nuclear moment of mastery or control that can give them the pregnant meaning of an irreducible aspect of human experience. Apart from it there can be no question of an historical law-sphere at all.

The universality of the historical view-point.

There is no ground for the fear that, through a modal limitation of the historical viewpoint and the concept of culture in the sense indicated, the scientific field of research of the historian will lose anything of its legitimate material extent. With regard to this point I may refer to what has been said about the modal limitation of the psychological viewpoint. There remains room for a history of human intercourse and language, for an economic and a legal history, a history of morality and of faith, of science and of the fine arts, a history of human society in its typical structures of individuality. When historical research is specialized according to modal aspects which, as such, lack historical character and come later in the cosmic temporal order, the historical viewpoint must anticipate them as *leading* modal functions. In this case the historian is obliged to take over from other sciences the specific scientific concepts necessary for the theoretical delimitation of these aspects of the phenomena whose historical development is to be examined. But this does not detract from the fact that his own specific viewpoint remains qualified by the modal nuclear moment of mastery.

The study of legal history for instance is not the same as an examination of the legal institutions in their successive *juridical* appearance and disappearance. The *juridical* modality of genesis and change is not the *historical* one [1]. A really legal-historical inquiry has to provide us with the insight into the entire cultural background of the legal institutions *in the coherence of an historical period.* It has to show the development of the historical power-formations of the different social circles concerned in the process of law-making, as well as the cultural influence of the legal institutions themselves (for instance that of Roman or canon law upon the Germanic peoples).

It is always the cultural viewpoint, the controlling manner of giving form to the social process, which characterizes historical inquiry proper.

Cultural and natural formation.

Mastery or control, in its original modal sense, elevates itself above what is given and actualized after a fixed pattern apart from human planning. It pre-supposes a given material whose

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[1] See p. 194 note.

possibilities are disclosed in a way exceeding the patterns given and realized by nature, and actualized after a free project of form-giving with endless possibilities of variation.

It always seeks new roads in such a way that what precedes fructifies that which follows, and thus a certain continuity is preserved in cultural development. This is why the cultural mode of shaping is fundamentally different from all manner of formation in nature. It is neither a physical-chemical, nor a biotic, nor an instinctive psychical modus expressing itself in animal constructions. A spider spins its web with faultless certitude. But it does so after a fixed and uniform pattern, prescribed by the instinct of the species. The web is not the result of a free project due to reflection and productive fantasy; the animal lacks the free control of the material of its construction. Even the admirable works built by beavers or termites in social cooperation do not have a cultural character. They are the result of a social instinct, a social feeling-drive proceeding after a fixed model.

Mastery over persons and over things (*'Personkultur'* and *'Sachkultur'*) and the analogy of this distinction in the legal sphere.

Culture discloses itself in two directions which in the modal structure of the aspect concerned correspond to the historical subject-object relation. On the one hand culture appears in mastery over persons by giving cultural form to their social existence; on the other hand it appears in a controlling manner of shaping things of nature. The Germans speak of *'Personkultur'* and *'Sachkultur'*. It will appear later on that mastery over persons is an essential requirement in the leading figures who are called 'formers of history' and who give positive content to the cultural principles proper. In the present context we provisionally observe that in the modal structure of the juridical aspect there is to be found an essential analogy of this state of affairs. Legal power over persons (competency) is an essential requirement of law-making. Legal power over things is essential to the *jura in rē* as well as to the legal possession of things. But it has appeared that legal or juridical power is never to be reduced to mastery or power in its original cultural sense, though it is founded in the latter.

Culture and civilization.

In addition to the distinction between '*Personkultur*' and '*Sachkultur*' sometimes a further distinction is made between 'culture' and 'civilization' (Zivilisation, civilisatio), meant as the difference between *inner* and *outward* culture. This further distinction is neither unambiguous nor generally accepted, because the word civilization itself can be understood in this twofold sense [1]. In any case it cannot be derived from the modal structure of the cultural or historical aspect. In general it seems to concern the psychology of culture rather than cultural development itself. In a special sense it is related to the modal aspect of human intercourse in which the moment of cultural form can only have an analogical meaning. Forms of fashion, good manners, courtesy, etc. can be appropriated internally or outwardly only. As such they are not forms of mastery proper, although they are always *founded* in the latter. The controlling manner of social shaping of the human mind and human behaviour on which they are based, has not itself the modal meaning of fashion, courtesy etc. As legal power has an intrinsical juridical and not a cultural sense, so the leading rôle of the higher circles in human intercourse is only an analogy of mastery in its original signification. This leading function must be founded in historical power proper if it is to maintain itself.

A democratic or a proletarian revolution can annihilate the historical power-formation on which the leading position of the higher ranks in the relations of intercourse was based. The bolshevist revolution gives a striking recent example of this state of affairs.

Culture and human society.

The cultural mode of form-giving is always a social human modality. That is to say, it is nothing but a modal aspect of empirical human society. The terms 'social' and 'society' are not used here in the specific modal sense of the aspect of human intercourse;

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[1] The term civilization betrays its origin from the Greek conception of the polis, which as bearer of the cultural religion of the Olympian Gods was supposed to be an essential condition for the complete development of the "essential form" of human nature. In this sense civilization was opposed to barbarism. *Barbaros* was anyone lacking the cultivating influence of the polis.

rather they are taken in the signification of an essential trait of temporal human existence as such. The latter is rooted in the central religious community of mankind, and therefore temporal human existence, in all its modal aspects, is pervaded by social relations of every kind.

Our transcendental critique of theoretical thought has brought to light that the temporal horizon of human experience with its modal diversity of aspects finds its individual point of concentration in the I-ness, but that the latter participates in the central spiritual community of mankind. So it must be clear that this temporal horizon of human experience itself is the transcendental condition both of individual and social temporal experience, and that it must be essentially related to mankind in its temporal social existence.

If, however, the cultural manner of form-giving is only a modal aspect of social experience and temporal human society, it is not permissible to identify it with the latter. Historism, whose historical mode of thinking is often pervaded by a universalistic and irrationalist sociological view, has done so. The Historical legal school, founded by v. SAVIGNY, was led astray by the noun-form of the word 'culture'. They spoke of the culture of a people as of a social historical whole with different aspects and originating from the individual '*Volksgeist*'. So the pitfall concealed in the historicist view of social reality was masked by the identification of the 'culture' and the social life of a national community.

Positivistic sociology, founded by DE ST SIMON and AUGUSTE COMTE, replaced the irrationalist conception of the individual national community as origin of human culture by the rationalist and naturalist conception of human society, taken over from the physiocratic and the classical schools of economics.

'Culture' viewed as an objective social whole resulting from human society could, consequently, no longer be conceived of as a specific modal aspect of social human experience and social reality. Its original modal meaning was lost sight of on account of an unqualified analogical use of the term, whose specific modal qualifications (as economic, legal, ethical, aesthetical, etc.) were interpreted as modalities or special 'realms' or 'sides' of 'culture as such'.

It is higly important to get a clear insight into the inner coherence between the historicistic view of social reality and the theoretical transformation of the original cultural modality of

social experience into an unqualified analogical collective concept.

As soon as this transformation takes place the historical viewpoint loses any modal delimitation, and every obstacle impeding its absolutization seems to be cleared away. Nevertheless, there does remain an ultimate obstacle: *cultural* life cannot be identified with *social* life because the latter also encompasses the pre-logical aspects of human experience and temporal reality, whereas 'culture' has always been opposed to 'nature'. It makes no sense to say that *human* social life, in contradistinction to that of animals, lacks 'natural' aspects; and that it is restricted to the 'spiritual realm' of existence. The real state of affairs is that there cannot exist any temporal human society without pre-logical social aspects, realized in a genuine *human* sense. Even the human body originates from social sexual relations in which the biotic aspect is essential. 'Culture', on the other hand, cannot have pre-logical aspects, and consequently it cannot be a social reality on the same footing as human society. It is, as such, nothing but a *modality* which can only be realized in an unbreakable coherence with the non-cultural modalities of empirical reality. As soon as it realized in a concrete phenomenon we are confronted with a typical total structure which is more than its cultural aspect.

The neo-Kantian school of WINDELBAND, RICKERT and LASK must have seen this to a certain degree, since they denied the reality of culture, and made it into a transcendental mode of judging 'nature' by relating the latter in an individualizing manner to the realm of values. But in this conception, too, the original modal meaning of the term 'culture' has been entirely eliminated. The very nucleus of this meaning: the controlling manner of shaping, is lacking in this neo-Kantian circumscription which is clearly influenced by FICHTE's considerations on the methodology of historical science and KANT's Critique of teleological Judgment.

Every attempt at a conceptual delimitation of the cultural sphere and the corresponding historical viewpoint which eliminates this nuclear moment, has only resulted in the introduction of unqualified analogies and collective pseudo-concepts.

K. KUYPERS' view concerning tradition as the modal nucleus of the historical aspect.

In different methological and epistemological investigations much attention has been given to the meaning of fundamental historical concepts like those of historical development, historical causality, historical time and its periodizing, etc. But all these analogical concepts remained unqualified so long as the modal nucleus of the historical aspect was not laid bare, and the original modal sense of the term 'culture' was not distinguished from its analogical meanings.

K. KUYPERS [1] in his important thesis *Theorie der Geschiedenis* (1931) has tried to show on the basis of the theory of the modal law-spheres that the modal nucleus of the historical aspect is not to be found in culture but rather in the moment of tradition [2]. To my mind, he has not succeeded in making this view plausible. By holding to the current unqualified concept of culture he has lost sight of its equivocal character.

It will appear below how important the moment of tradition really is in the modal structure of the historical process. Nevertheless, it cannot function as the nuclear moment in this meaning-structure. A closer analysis immediately shows its retrocipatory character.

Tradition is what has been handed down from generation to generation, from ancestors to posterity. It can manifest itself in customs which are followed without any consciousness of their origin. What distinguishes it from the rigid instinct of the species in which the continuity of inheritance handed down from ancestors to posterity is also implied, but in a sense quite different from really *historical* tradition?

This characteristic moment can only be found in the cultural mode of shaping the social relations between men. *Historical* tradition is qualified by *formative power* in its original modal sense. It is not only its cultural *content* but in the first place its cultural *modality* as form-giving power which distinguishes it from blind animal instinct. By this, and by this alone it exceeds the natural patterns of instinctive tradition imposing themselves upon animal behaviour by the irresistible force of a non-controlled feeling-drive of the species.

[1] At present professor of philosophy at the University of Utrecht.

[2] *Theorie der geschiedenis voornamelijk met betrekking tot de cultuur* (thesis, Vrije Universiteit, Amsterdam 1934 (publ. H. J. Paris), p. 105 ff.

The indirect test of the correctness of our conception concerning the modal nucleus of the historical viewpoint.

That 'culture', in the sense of 'formative control', must really be an *original* meaning-nucleus was already made clear indirectly. In the logical law-sphere the moment of formative control (or command) appeared to be an evident analogy anticipating the historical meaning-aspect, and in the later law-spheres there was repeatedly found a retrocipatory analogical moment of *power and formation* in our previous analyses. In these non-historical law-spheres this meaning-moment could not be original, as it was qualified by the specific modal nuclei of these spheres. This made it necessary to try and find the law-sphere whose modal structure is qualified by *the controlling manner* of formgiving as its irreducible meaning-nucleus. And then only the historical aspect conceived as that of cultural development, could be considered.

This indirect method to establish the existence of a modal law-sphere has universal validity. It has been applied continuously in our analysis of the modal structures.

The cultural modality and its typical empirical contents.

Meanwhile it should not be forgotten that in the present context we are only concerned with an analysis of the *modal structure* of the historical aspect of experience. This implies that great stress is laid upon the original *modal* meaning of the term culture, and that this modality is considered apart from the rich diversity of its empirical contents. The typical structures of individuality expressing themselves in every modal aspect alike bring about an enormous amount of variation in the cultural phenomena especially in a differentiated society. They cannot be examined before the termination of our inquiry into the modal structures of the different law-spheres.

For the moment we can only refer to what has been said about the material extent of the historical field of research. There are cultural realms of science and fine arts, of technics and industry, of Church and State etc. And it will appear in Vol. III that this implies a great diversity of *typical* qualifications of cultural phenomena (scientific culture, aestatic culture, political culture, ecclesiastical culture etc.).

So the term 'culture' can be used in this concrete and material

sense. But this does not derogate from the modal character of the aspect in which this collectivity of concrete culture [1] can only present itself *as such*.

Current opinion, however, has always tried to resolve the nuclear-moment of 'the cultural modality' into really unqualified general concepts. In so far as 'culture' was conceived as the 'material meaning-content' of history, the attempt was made to comprehend it in a modally unqualified concept of *relation*. 'Culture' was defined as natural reality to which values cling (RICKERT) as 'the synthesis of nature and freedom'; as the 'realization of values in time'; as an 'immanent meaning-structure'; as the 'formation of nature and society related to Ideas' (MÜNCH) [2], etc.

In the nature of the case this deprived the moment of 'culture' of all of its modal character.

The origin of the Humanistic concept of culture.

The entire eradication of the original modal character of the historical viewpoint can only be explained by the fact that the prevailing tendencies in the recent philosophy of history have not really derived their concept of culture from an analysis of the modal horizon of human experience but from the Humanistic ideal of personality.

The attempt was made to comprise the whole of the rational temporal activity of human personality with all its objective

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[1] It must be denied that in our modern, highly differentiated, western society this collectivity of concrete culture can be a 'social whole'. If this were the case, it would be possible to indicate a typical social structure of individuality giving all the differentiated realms of modern culture the same typical total character, or at least to indicate a typical community (e.g. the church) which through its uniting power could impregnate all of the different cultural realms with its spirit and leading ideas. In a primitive society, or in the ecclesiastically unified medieval society, we may find examples of such a cultural unity. In modern western culture, however, such a uniting power is not to be found, and the universalist conceptions of it are nothing but *a priori* constructions lacking any foundation in empirical social reality.

[2] The latter circumscription contains at least the moment of formation. But the modal nuclear moment of mastery or control is lacking. As an adherent of RICKERT's neo-Kantian standpoint, MÜNCH is obliged to seek the meaning of culture in a transcendental relation between reality and values or Ideas.

results, in the notion of 'culture', in contrast to the realm of 'natural reality', as a mere '*Gegenstand*' of theoretical enquiry. The concept of culture became a truly collective concept of all the normative aspects of temporal experience, whose unity was supposedly grasped in the idea of the free personality as 'practical reason'.

Since thus the temporal material meaning of history lost its character as an irreducible *modus* of experience, it became necessary to try and find a formal 'epistemological' criterion for the historical field of research. By its means the attempt was made to delimit the specifically historical view-point from cultural-theoretical view-points that are specifically different, such as the 'sociological', the 'economical', the 'juridical', the 'aesthetic', the 'linguistic' and the ethical points of view.

But then an insoluble difficulty cropped up. The recent epistemological investigations into the criterion of the historical field of research have their essential background in modern Historism, which has reduced all the normative aspects of reality to the historical basic denominator. The attempt may be made to put up some resistance to the relativistic consequences of this Historism by holding fast to formal, supposedly super-temporal values of justice, beauty, truth, holiness, etc. But that *positive* law, *positive* morality, *positive* doctrines of faith, positive aesthetic norms, etc., are essentially historical phenomena, is such a deep-rooted opinion that it rouses scarcely any opposition. In this state of affairs a *specific* historical viewpoint seems hardly to be found.

TROELTSCH's and DILTHEY's struggle with the problems of Historism.

The influence of this relativistic Historism has at last also undermined the rational faith in absolute super-temporal 'Ideas' or 'values' in the prevailing modern '*Lebensphilosophie*'.

TROELTSCH has carried on a truly titanic struggle with the problems of this Historism, in order to rescue the faith in the Humanistic ideal of personality from the rising tide of the historistic philosophy of life. He has, however, been affected by this trend of thought to such a degree that he merges all *material* 'values' and 'norms' into the creative historical development of culture. Appealing to the Leibnizian idea of the monad, he only retains an unprovable faith in the coherence of this development with the 'Absolute' in the concurrence of the factual

and the ideal. In this way he tries to justify the entire personality's throwing itself into the historical struggle for values [1]. According to him, all the standards of the so-called 'objective ethics', of communal life (in the family, the state, and industry), of art, of law etc., must be acquired from historical development by means of conscious formative power. Formal ethics, as it was absolutized by KANT in the Idea of the categorical imperative, can only furnish these material cultural-historical standards of human activity, directed to the future, with the form of normative necessity [2].

An essentially similar historical relativizing of the absolute is found in DILTHEY, who thought he had regained the idea of the sovereign freedom of human personality, freed from the last remnants of dogmatic restriction, in the 'historical consciousness'. Consider the following utterance of this famous thinker:

"The historical consciousness of the finiteness of every historical phenomenon, every human or social condition, and of the relativity of every kind of belief, is the last step to the liberation of man.

"By its means man attains to the sovereign power to appropriate the contents of every experience, to throw himself entirely into it, unprejudiced, as if there were not any system of philosophy or belief which could bind men. Life becomes free from conceptual knowledge; the mind becomes sovereign with regard to all the cobwebs of dogmatic thought. Every beauty, every kind of holiness, every sacrifice, revived, and explained, opens vistas disclosing a reality. And similarly we apprehend evil, terror, deformity as having their place in the world, containing a reality that must have its justification in the coherence of the world. Here we are confronted with something that cannot be spirited away. And, in contrast to relativity, the continuity of the creative force asserts itself as the most essential historical fact" [3].

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[1] Cf. his standardwork: *Der Historismus und seine Probleme*, p. 200—221.

[2] *Hauptprobleme der Ethik* (Ges. Schriften II, p. 618 ff.).

[3] Ges. Werke VII, 290/1:

"Das historische Bewusstsein der Endlichkeit jeder geschichtlichen Erscheinung, jedes menschlichen oder gesellschaftlichen Zustandes, von der Relativität jeder Art von Glauben ist der letzte Schritt zur Befreiung des Menschen. Mit ihm erreicht der Mensch die Souveränität, jedem Erlebnis seinen Gehalt abzugewinnen, sich ihm ganz hinzugeben, unbefan-

Nevertheless, on his 70th anniversary the famous thinker clearly saw the impasse in which this Historism involves theoretical thought.

"The historical world-view," he observed, "has broken the last chain not yet broken by philosophy and natural science. Everything is flowing, nothing remains. But where are the means to conquer the anarchy of opinions which threatens us?"

RICKERT's distinction between individualizing and systematic cultural sciences.

In the light of the historicistic conception there could at most be room for a formal differentiation between the historical and the 'specific cultural-scientific' view-points. In this cadre of thought, e.g., RICKERT's later distinction between systematic and individualizing cultural sciences finds its place in which historical science proper was qualified as individualizing [1].

The subject-matter of all cultural sciences, however, according to RICKERT's later more exact conception, is an *historical* material "which according to its essence is cultural life filled with meaning" [2]. The theoretical 'relation to values' (*Wertbeziehung*) has been adapted to this historical material. It is only a formal method [3]. Just as RICKERT expresses it himself: "In the way indicated they" (i.e. the general cultural values) "constitute the concrete meaning-formations *clinging to the historical processes,*

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gen, als wäre kein System von Philosophie oder Glauben das Menschen binden könnte.

"Das Leben wird frei vom Erkennen durch Begriffe; der Geist wird souverän allen Spinnweben dogmatischen Denkens gegenüber. Jede Schönheit, jede Heiligkeit, jedes Opfer, nacherlebt und ausgelegt, eröffnet Perspektiven, die eine Realität aufschliessen. Und ebenso nehmen wir dann das Schlechte, das Furchtbare, das Hässliche in uns auf als eine Stelle einnehmend in der Welt, als eine Realität in sich schliessend, die im Weltzusammenhang gerechtfertigt sein muss. Etwas was nicht weggetäuscht werden kann. Und die Relativität gegenüber macht sich die Kontinuität der schaffenden Kraft als die kernhafte historische Tatsache geltend."

[1] Cf. RICKERT's work: *Kulturwissenschaft und Naturwissenschaft* (4th and 5th Edition 1921), p. 125 ff.

[2] "welches seinem Wesen nach sinnerfülltes Kulturleben ist."

[3] *Die Probleme der Geschichtsphilosophie* (1924), p. 68 ff. In his: *Die Grenzen der naturwissenschaftlichen Begriffsbildung* (3rd and 4th edition 1921) the distinction between individualizing and systematic cultural sciences was still absent. Cf. KUYPERS, op. cit., p. 182.

hence to the actual State, actual art, actual religion, actual scientific organizations, and they give to these real objects the intelligible meanings which render them into historical objects or to bearers of historically important forms of meaning. In so far the historian must ever be an historian of culture" (I italicize) [1].

We saw that, contrary to post-Kantian monistic idealism, RICKERT does not include the *meaning* of history in reality itself, but considers the (psycho-physical) 'reality' only as the *bearer* of that meaning.

It is, however, not important in this connection that he will not hear of an immanent realization of the ideal values. The chief thing is that, in accordance with the prevailing conception, he reduces all the normative aspects of temporal experience to the historical denominator of culture.

But from what source then can a criterion arise for the distinction of the '*specifically* historical view-point' from specifically sociological, linguistic, juridical, economic and other aspects?

According to their material modal meaning, all these aspects have become *modi* of the historical meaning of culture in this conception.

A 'theory of values' cannot furnish a delimitation of the scientific historical viewpoint in a philosophy of culture that does not recognize a 'specific value' to which to relate history itself.

> The confusion caused by the application of the form-matter schema to the relation between the post-historical modi and the historical aspect of empirical reality.

Neo-Kantianism resorted to the form-matter-schema, when defining the relation of the historical aspect to the other post-logical modi of empirical reality. RUDOLPH STAMMLER conceived, e.g., positive law as an historical-economic material in the 'legal

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[1] *Probleme der Geschichtsphilosophie,* p. 80:

"Sie" (nl. die allgemeinen Kulturwerte) "konstituieren in der angegebenen Weise die konkreten Sinngebilde, die an den geschichtlichen Vorgängen, also am wirklichen Staat, an der wirklichen Kunst, an der wirklichen Religion, an der wirklichen wissenschaftlichen Organisationen haften, und sie geben diesen realen Objekten die verständlichen Bedeutungen, die sie zu historischen Objekten oder zu Trägern von geschichtlich wesentlichen Sinngebilden machen. Insofern muss der Historiker immer Kulturhistoriker sein."

form of thought'. By means of this 'critical' conception STAMMLER thought he had conquered Historical Materialism![1].

But economic science and the science of history were equally in need of a 'specific view-point' for the delimitation of their methods of research. On this point RICKERT's conception of the rigorous adaptability of the transcendental-logical historical form of knowledge to the 'material' was useless, since the 'material' of all the cultural sciences had been assumed to be identical.

This could not but lead to an internally antinomic exclusivism of the 'transcendental-logical forms of knowledge' in the epistemology of 'cultural' or 'mental sciences'[2]. The material (the content of experience), assumed to be grasped in these 'forms of knowledge', was in fact outlawed. The 'pure theory of law' transferred this content to sociology, psychology, and the science of history. 'Formal sociology' referred it back to the other 'cultural sciences', and 'pure economics', 'pure grammar', 'pure aesthetics' or 'ethics' could not give shelter to the 'historical material of experience' either. If KELSEN's or STAMMLER's 'pure theory of law' were correct, 'pure economics' and 'formal sociology' would be precluded. If 'pure or formal sociology' with its formalistic conception of the sociological categories were right, there would be no room left for a 'pure theory of law' or 'pure economics'.

And the science of history would in truth have to pay the piper if the form-matter schema were applied in this way. For then the consequence was inescapable that history can only furnish a material of experience, and lacks any constitutive logical form of its own. If according to the critical view-point, the material of experience is only determined by the logical forms of thought, and there are no specific historical categories, it follows that there is no room for an historical science proper, as distinct from the natural and the special social sciences.

Thus RUDOLPH STAMMLER denied economic and historical sciences a particular 'transcendental logical view-point'. He was the first to apply the epistemological form-matter schema to the province of law. He thought the historical-economical

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[1] Cf. his *Wirtschaft und Recht nach der materialistischen Geschichtsauffassung* and the destructive criticism of it by MAX WEBER in his: *Stammler's "Ueberwindung" der materialistischen Geschichtsauffassung* (Ges. Aufsätze zur Wissenschaftslehre, Tübingen, Mohr, 1922, p. 291 ff.).

[2] i.e. the "*Geisteswissenschaften*" in the sense meant by DILTHEY.

phenomena could only be logically determined as 'material' by means of the *'forms of juridical thought'* or those of *'social convention'* (intercourse) respectively, just as only the Idea of justice was supposed to give history its unity of meaning [1].

In sociology the form-matter schema was introduced by GEORG SIMMEL, though not in a merely epistemological function. HANS KELSEN, in his *Hauptprobleme der Staatsrechtslehre*, compared the 'pure theory of law' to geometry in so far as it only attended to the form of the social phenomena. Similarly SIMMEL, in his *Sociology*, made use of the figure of the geometrical form to delimit the view of formal sociology from that of the 'material social sciences'.

As geometry states what constitutes the spatiality of spatial things, sociology fixes the social *forms* in the actual social structures.

SIMMEL assumes, to be sure, that the 'social forms', unlike the 'theoretical thought-forms of nature' do not originate from mere theoretical thought. They are supposed to be *a priori* conditions, included in the historical-psychical life of the social individuals themselves (since they are consciously and synthetically active), as 'elements of society'. By means of the social forms the individuals combine into the 'synthesis' of *society*. But the supposedly fundamental social category of *psychical interaction* to which is attributed the task of delimiting the science of 'formal' sociology from 'material' social sciences, remains a purely *formal* criterion. The investigation of the feeling-drives which cause the different forms of social interaction is assigned to social psychology, that of the different aims and interests to which these social forms are serviceable is reserved to jurisprudence, economics, ethics, theology and so on.

All these causes and interests are supposed to be the 'material' of the social relations. The insuperable difficulty, however, in SIMMEL's conception is that this 'material' is considered to be psycho-*historical*. The sociological basic category of 'interaction' was supposed to have been abstracted from the content of the psychical processes. The latter are as such, i.e. in their subjective character, to be subsumed under the purely 'psychological categories' of scientific explanation [2]. The same psychical material is, consequently, subjected to two kinds of formal categories

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[1] Cf. his: *Lehrbuch der Rechtsphilosophie* (1922), 177.

[2] *Soziologie* (1908), p. 23.

excluding one another per definitionem. The '*contents*' of the 'social' phenomena are supposed to consist of 'interests, aims, motives', which only function as actual social phenomena in the *form* of the 'interaction between the individuals'.

These actual social phenomena, constituted in the indissoluble coherence of *form* and *content,* are identified with 'historical reality'. They can be viewed from three different standpoints: either 'with regard to the individuals who are the real bearers of the conditions;' or 'with regard to the forms of interaction between the individuals, realized, to be sure, in their individual existence, but considered only from the view-point of their being together with one another and for each other'; or finally 'with regard to the conceptually expressible contents of conditions and events. In the last case the subjects and their formal social relations are not inquired after but only the purely objective signification of the contents intended: viz. industry and technics, fine art and science, legal rules and the products of the life of feeling' [1].

In this way SIMMEL tried to delimit *formal sociology* as a method of research from *psychology,* the *science of history* and the '*material social sciences*'.

But he also held to the neo-Kantian form-matter schema for the epistemological constitution of the scientific historical field of experience. In his well-known book: *Die Probleme der Geschichtsphilosophie,* the first edition of which appeared in 1892, he turned sharply against the 'naïve-realistic' conception that the historian finds his '*Gegenstand*' in a cut and dried form in the reality of experience.

He tried to analyze the historical forms of thought which are supposed to constitute this '*Gegenstand*': the individualizing view of reality in its special sense of 'objective mind' (*objektiven Geist*), (in contradistinction to the generalizing way of

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[1] Op. cit., p. 16:

"auf die individuellen Existenzen hin, die die realen Träger der Zustände sind; auf die formalen Wechselwirkungsformen, die sich freilich auch nur an individuellen Existenzen vollziehen, aber jetzt nicht vom Standpunkte dieser, sondern dem ihres Zusammen, ihres Miteinander und Füreinander betrachtet werden; auf die begrifflich formulierbaren Inhalte von Zuständen und Geschehnissen hin, bei denen jetzt nicht nach ihren Trägern oder deren Verhältnissen gefragt wird, sondern nach ihrer rein sachlichen Bedeutung, nach der Wirtschaft und Technik, nach der Kunst und der Wissenschaft, nach den Rechtsnormen und den Produkte des Gefühlslebens."

thought directed to what is conformable to law in natural sciences), the 'category of development', etc. [1].

From such a use of the form-matter schema the greatest possible confusion must result. The social *forms* of the historical-social phenomena are abstracted from the contents of the psychical processes, whereas the subjective motives of the latter come under the cognitive forms of natural science. The 'historical' viewpoint itself is constituted by a 'category of thought', the category of the individualizing *understanding* of reality in its individual meaning and continuity of development.

But how can truly *social* phenomena then be qualified as *historical*? In his treatise: *"Der Fragmentcharakter des Lebens"* SIMMEL distinguishes theoretical cognitive forms and quite a series of *non-theoretical forms* (of art, law, religion, etc.). They are supposed to constitute a parallelism of different worlds of forms, and to individualize themselves in 'psycho-historical reality'. Here he observes: 'A real overlapping and interlacing of one world into another is impossible, as each of them already expresses the totality of the world-contents in its special language' [2].

This implies the recognition of the impossibility of defining the relation between formal sociology, the science of history, and 'material social sciences' according to the form-matter schema. If also the legal, the aesthetic, the moral fields, etc., are constituted by absolutely independent *forms,* 'formal sociology' can no longer be opposed as *formal* to the *material* 'social sciences'. Thus SIMMEL later on abandoned the conception of a purely formal sociology.

The form-matter schema, applied as a methodical criterion to the delimitation of sociology, historical science, and the special 'cultural sciences' of law, language, morality, etc. disintegrates itself. And KELSEN correctly concluded from this schema the impossibility of a 'formal sociology' with categories of its own and distinct from a 'pure theory of law'. He abandoned sociology as a merely 'empirical science' entirely to the causal view of natural science.

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[1] *Die Probleme der Geschichtsphilosophie* (4th ed., 1922), p. 156-ff.

[2] *Logos,* Bnd. VI, p. 35: "Ein eigentliches Uebergreifen und Sich-Verflechten der einen Welt in die andere ist unmöglich, da eine jede schon die Gesammtheit der Weltinhalte in ihrer besonderen Sprache ausdrückt." Cf. my *"Crisis in de Humanistische Staatsleer,* p. 190-ff., (also for the formal sociology of VON WIESE).

RICKERT could only distinguish the historical from the 'particular view-point of the special sciences of culture' by means of a formal discrimination between the 'individualizing' and the 'systematical' (*typisierende*) methods of 'relating to values'.

Especially in the light of his view that *the individualizing method of historical research is rigorously adapted to the material of culture*, this distinction could not fail to reveal itself as internally contradictory. The 'material' of the systematic sciences of culture was supposed not to be different from that of the science of history! How then can it allow of a generalizing method of relating to values by means of type-concepts?

The neo-Hegelian philosophy of culture yields no criterion for the historical law-sphere either.

The neo-Hegelian philosophy no longer conceives of culture in a schema of form and matter as neo-Kantianism had done. Rather it considers it as the creation of the 'objective Mind' accomplished before all theoretical reflection. This 'objective Mind' is the transpersonal acting reason ("*Vernunft*") unfolding itself in time in the communities of nation and state, and attaining self-consciousness in dialectal philosophy.

This view is also unable to offer us a material criterion of history as a law-sphere. It might consider 'Ideas' as practical constitutive principles of the 'objective Mind', and as such have them really enter into historical development. But its dialectical basic Idea of the meaning-coherence in the meaning-diversity does not allow of the acknowledgement of the cosmic boundaries between the modal law-spheres.

The distinction between the juridical and the specifically historical view-point in JULIUS BINDER.

In the same strain the neo-Hegelian legal philosopher JULIUS BINDER [1] writes in his voluminous *Philosophie des Rechts* about the relation of the systematic juridical science to the science of legal history:

"The '*Gegenstand*' both of the systematic and the historical sciences of law is at bottom the actually operative legal order of the present, which as a meaning-figure has an historical essence which must be looked upon as the unifying point for the two disciplines of empirical law" [2].

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[1] Only the immanence of the Ideas in historical reality is not accepted by BINDER. Cf. my: *De Beteekenis der Wetsidee voor Rechtwetenschap en Rechtsphilosophie* (1926), p. 51 ff.

[2] *Philosophie des Rechts* (1925), p. 1012.

In the same way positive language, rules of social inter-course, art, 'religion', etc., are essentially of an *historical* character to BINDER. They are modi of 'history', which comprises all the normative meaning-aspects of reality; and 'history' itself, in a material sense, is 'cultural development'.

This cultural development is not constituted by a 'specific' Idea in time (as the Idea of *justice*), but is rather conceived of as the dialectical-temporal development of the absolute reason in the totality of its Ideas. Consequently, BINDER, too, lands in an insuperable impasse when delimiting the specifically juridical from the specially historical view-point. Legal science is supposed to be an historical, interpretative discipline, which works according to an individualizing method of 'relating to value' in the sense intended by RICKERT. But BINDER cannot deny that the *science of legal history* cannot be identical with the so-called *dogmatic legal doctrine*. 'It is certain,' he writes, 'that there is a close connection between the two sciences of law, which does not only consist in their both being related to law but has a much deeper foundation. For the essence of all law is history and can only be understood historically. The meaning of law and its forms reveals itself to the historical view, and therefore also the 'jurist' needs history in order to apprehend his '*Gegenstände*'. But it is equally certain that legal history means something different from jurisprudence. The jurist trying to form concepts of the contents of his legal order needs the historical conception, but does not pursue historical studies proper. It may be that his interest, just like that of the historian, is concentrated on the understanding of a certain juridical system in its uniqueness and its individual character, so that the concepts formed by him are concrete or individual. It may be that in this characteristic nature of his concepts the historical kernel of law is manifested. But we think of something else and something more, when we speak of legal history' [1].

Unintentionally, BINDER sharply formulates here the antinomy in which the theoretical obliteration of the modal boundaries of meaning between the historical and the juridical aspects of reality gets entangled. The temporal *meaning* of law is supposed to be entirely *historical*. Accordingly, legal science is to be viewed as a specific *historical* science, but all the same it is something *different* from the *science of legal history*. And indeed, no one who seriously examines the *meaning* of his legal concepts will be able to assert that fundamental juridical concepts such as that of juridical volition, of juridical validity, juridical causality, of competence and subjective right, lawfulness and unlawfulness have an intrinsic historical sense.

The historian must borrow the original modal meaning of these concepts from jurisprudence. And in this sense he must take them for granted if he really wants to understand the historical background of a positively operative legal order. In BINDER's line of thought it is the specific *Idea of justice* as the "Idea of a coercive

[1] Op. cit., p. 1011.

human community", which alone makes empirical law possible as a part of historical reality. He supposes he can infer from this Idea some 'transcendental juridical categories' (sovereignty and subjection, the personality of a community and individual personality, compulsion as a means of community), which are considered as 'ideal norms for all kinds of legal formations', and not as forms of thinking [1].

These categories, just like BINDER's Idea of justice itself, are, however, analogical notions without any inner definiteness of sense. BINDER has not even approximately obtained them from a real analysis of the modal meaning of law. But he realizes as a *jurist* the necessity of distinguishing them sharply from other 'categories of culture' .

Remarkable enough, he even distinguishes them from those of *history* as well as from those of morality, religion, etc. [2]. But he forsakes this momentary pure juridical intuition in the exposition of the relation between jurisprudence and the science of legal history, and denatures law again to an essentially historical phenomenon. And so he no longer finds a criterion to distinguish the historical from the juridical viewpoint, although he has admitted the necessity of this distinction.

Legal history, according to BINDER, is: 'the genesis of law as the necessary form of life of a nation in time, its rise from the depths of the national mind in its own nature, conditioned by the external relations of nature, economy and morals, and the influence of other nations; its conscious formation in the course of legislation, its adoption of foreign juridical material and the elaboration of this material by the living organism of the nation' [3].

If, however, positive law is *essentially* of a historical meaning, and jurisprudence is essentially an historically interpretative discipline, it is no longer possible to discover a boundary-line between the latter

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[1] Compare my: *De Beteekenis der Wetsidee voor Rechtswetenschap en Rechtsphilosophie* (1926), p. 51—60.

[2] BINDER:*Philosophie des Rechts,* p. 411:

'...in which, however, we must bear in mind... that these legal categories, like other categories of culture, of history, of morals, of religion, etc., are of an essentially different character from that of nature.' ["...wobei wir uns aber bewuszt bleiben... dass diese Kategorien des Rechts ebenso wie andere Kategorien der Kultur, der Geschichte, der Moral, der Religion, etc., von wesentlich anderer Art sind als die der Natur."]

[3] Op. cit., pp. 1041/2: "das Werden des Rechtes als der notwendigen Lebensform der Nation in der Zeit, sein Hervorwachsen aus der Tiefe des Volksgeistes in seiner Eigenart, bedingt durch die äuszeren Verhältnisse der Natur, der Wirtschaft und Gesittung, durch die Einflüsze anderer Völker; seine bewuszte Gestaltung auf dem Wege der Gesetzgebung, seine Aufnahme fremden Rechtsstoffes und dessen Verarbeitung durch den lebendigen Organismus der Nation."

and the science of legal history. As a matter of fact BINDER does not mention this boundary any more.

But the necessity of the distinction forces itself on BINDER as a jurist. Thus he himself has furnished the evidence that the levelling of the modal boundaries between the historical and the juridical law-spheres cannot be consistently carried through.

The modal nuclear moment of cultural development is irreducible.

All this is sufficient evidence of the impasse into which the obliteration of the modal boundaries between the law-spheres in the Humanistic concept of culture has brought the theory of science as to the delimitation of the historical viewpoint.

There is really no possibility of finding the qualifying nucleus of the modal meaning of history in anything else but in 'the cultural' in the sense defined by us above. Every attempt to eliminate this nucleus in a general concept like "*wertbezogen Wirklichkeit*" (reality related to values), results in the theoretical abrogation of the historical aspect. Then the meaning-boundaries between the normative law-spheres are theoretically merged into one another in an internally antinomic way.

'The cultural' cannot be turned into a modally unqualified relation between 'natural reality' and values, nor into a dialectically conceived totality of all the normative aspects of temporal reality, without eliminating its original modal meaning-character. It is simply untrue that the modal sense of positive law, positive morality, positive art, positive language, science, or contents of belief, etc., can be reduced to the meaning of cultural development.

The cultural, as such, is never right or wrong in the modal sense of social intercourse, of retribution, of love, of belief. It cannot *as such* be qualified as logically correct or false, as aesthetically beautiful or ugly, as economical or uneconomical. And it is not at all a kind of *supra-modal concentration-point* of the aspects of experience.

'Culture' does not find its original temporal modal standards outside the historical law-sphere. The positive norms of the law-spheres founded in the historical modality are not 'cultural norms' proper. But they appeal to the aspect of cultural development in their positive modal meaning. Inversely, cultural development refers forward in the anticipatory direction of time to the deepened meaning of the later law-spheres.

Of course, the historical modality detached from the inter-

modal coherence of the modal aspects would shrink into a form without any material meaning. But this statement also holds for all the other modalities. Consequently, it cannot be objected to the conception of cultural development as an original modal aspect of human experience.

The historicistic view tries to break through the modal boundaries of the normative aspects of temporal human society by means of a modally undefined concept of culture. This procedure is in accordance with the continuity-postulates of the Humanist freedom-motive and the Humanist science-ideal.

In its irrationalist turn it must necessarily historicize the modal law-sides of the different normative aspects. The irrationalist historicistic conception of culture has no room for them in their irreducible modal character. All positive norms of the law-spheres concerned are conceived of as subjective historical phenomena following the course of historical development. This leads to a result whose internal antinomy is emphasized rather than removed by means of a metaphysical theory of values [1].

The subject-side of a law-sphere taken apart from its irreducible modal law-side, cannot maintain its modal meaning. If we should try to relate the modal norms of logical thinking, language, intercourse, law, morals, etc., to the *historical* subject-side of reality, we should only evoke an inescapable internal theoretical conflict between the modal aspects concerned.

§ 3 - THE INTERNALLY ANTINOMIC CHARACTER OF THE HUMANISTIC CONCEPT OF CULTURE AS THE BASIC DENOMINATOR OF ALL THE NORMATIVE ASPECTS OF REALITY.

To demonstrate this in greater detail we shall use the method of antinomy and show that every attempt at reducing the modal meaning of the other normative law-spheres to the historical meaning-modus of cultural development is bound to dissolve itself into internal contradictions. We shall start with the attempt to conceive scientific thought as a historical phenomenon of culture.

The specific sciences in their temporal development have their immanent meaning in the theoretical *analysis and synthesis* of the different aspects of concrete phenomena. These aspects are all bound to their own modal structure and to irreducible

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[1] Cf. RICKERT.

modal laws. Science pre-supposes a scientific standard of truth which, as such, cannot have an historical meaning, though as a concrete social process science doubtless has its historical development.

In this immanent theoretical sense of the deepened analysis and synthesis of its modal *'Gegenstand'* scientific thought can never be conceived of in the modal meaning of cultural development *without cancelling its scientific character.* As soon as we try to bring scientific activity with regard to the intrinsic character of its theoretical meaning, under the historical denominator — as is done in irrationalistic and relativistic Historism — we lapse into a self-refuting scepticism.

SPENGLER's historicizing of the intrinsic meaning of science.

In a radical way this historicizing of scientific thought has been carried through by SPENGLER in the first volume of his *Untergang des Abendlandes.* The internal antinomies inherent in the reduction of theoretical analysis and synthesis to an 'expression of culture' can be best demonstrated by this radical attempt.

To the historist SPENGLER 'nature' as the subject matter of physical science is only the dead, rigid content of thought entirely dependent on our mental cognitive activity. And the latter is, as such, *a living, historical* activity, *entirely dependent on, and determined by* the morphological *characteristics of a particular culture*: 'And indeed, in the eyes of the historically-minded there is only a *history of physics.* All its systems do not appear to him either right or wrong, but historically, psychologically conditioned by the character of the period and more or less perfectly representative of it' [1].

Mathematics, too, can only be valid as a phenomenon of historical culture: 'There are more arithmetical worlds than one, because there are more kinds of culture than one. In the course of history we find systems of numbers that differ from civilization to civilization. Thus there are Indian,

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[1] *Der Untergang des Abendlandes* I, p. 167:
"Und in der Tat, für den Blick des historisch eingestellten Menschen gibt es nur eine Geschichte der Physik. All ihre Systeme erscheinen ihm jetzt nicht richtig oder unrichtig, sondern historisch, psychologisch, durch den Charakter der Epoche bedingt und ihr mehr oder weniger vollkommen repräsentierend."

Arabic, classical, western types of number. Each of them is fundamentally single of its kind and has a character of its own. Each expresses a different emotional attitude with regard to the world and symbolizes a particular kind of validity that is, also scientifically, exactly restricted to this type of culture. Each of them represents the structural principle of an order of things that history has led up to, and reflects the deepest essence of one, and only one soul as the centre of this culture and of no other' [1].

KANT's conception of *a priori* forms of cognition, supposed to be invariably valid, is due to a delusion. To the historist there are only *historical styles* of cognition [2].

SPENGLER saw very clearly that this entire historicistic view must result in radical scepticism. But even this scepticism is interpreted as a typical symptom of the decline of western culture. After the systematical and the ethical periods of philosophy (in our terminology those of the science-ideal and the ideal of personality) this declining culture offers only the possibility of a last historical phase of philosophizing: that of historical relativism openly avowing its scepticism.

With regard to the latter SPENGLER writes in the introduction to his work: 'Scepticism is the expression of a pure civilization; it disintegrates the world-picture of the culture that has preceded. Here all the older problems are resolved into the genetic. It implies the conviction that what is, also has become; that the natural and cognizable is rooted in the historic; that the world as actual has an Ego at its foundation as the potential actualized in it; it implies the insight that the 'when' and the 'how long' contain as deep a secret as the 'what'. This conviction and this insight lead to the fact that whatever else it may be, everything must at any rate also be the expression of something *living*. In what has become, the becoming reflects itself.' Therefore 'also the

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[1] *Der Unterg. d. Abendl.*, p. 86/7:

"Es gibt mehrere Zahlenwelten, weil es mehrere Kulturen gibt. Wir finden einen Indischen, Arabischen, antiken, abendländischen Zahlentypus, jeder von Grund aus etwas Eignes und Einziges, jeder Ausdruck eines anderen Weltgefühls, jeder Symbol von einer auch wissenschaftlich genau begrenzten Gültigkeit, Prinzip einer Ordnung des Gewordenen, in der sich das tiefste Wesen einer einzigen und keiner andern Seele spiegelt, derjenige, welche Mittelpunkt gerade dieser und keiner anderen Kultur ist."

[2] Op. cit., p. 88.

claim of the higher thinking to detect universal and eternal truths must be abandoned. There are only truths with respect to a particular type of mankind. My own philosophy is, accordingly, only the expression and reflection of the western mind as distinct for instance from the classical and Indian. Its view of the world, its practical implications and its range of validity are determined by the present civilized stage of this mind.'

But SPENGLER, as a *'Lebensphilosoph'*, has evidently not considered the ultimate consequences of this sceptical Historism. If science as such were actually only a cultural historical phenomenon, it would be impossible to form a theoretical *concept* of history. Then every attempt at a scientific establishment of historical facts, and their interpretation in the historical coherence, would be meaningless.

The whole line of thought in SPENGLER's *Untergang des Abendlandes* in which he tries to interpret the meaning of history theoretically, pre-supposes the possibility of abstracting the historical aspect of experience theoretically. He has absolutized this aspect. But history cannot be isolated and absolutized in a theoretical way by a consciousness which is supposed to be entirely enclosed in it. All theoretical absolutizing of a meaning-modus pre-supposes theoretical analysis and synthesis of meaning in the fundamental *Gegenstand-relation* [2].

But at the same time this absolutization destroys the meaning

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[1] Op. cit., p. 64/65:

"Des Skeptizismus ist Ausdruck einer reinen Zivilisation; er zersetzt das Weltbild der vorausgegangenen Kultur. Hier erfolgt die Auflösung aller älteren Probleme ins Genetische. Die Ueberzeugung, dass alles was ist, auch geworden ist, dass allem Naturhaften und Erkennbaren ein Historisches zugrunde liegt, der Welt als dem Wirklichen ein Ich als das Mögliche, das sich in ihr verwirklicht hat, die Einsicht, dass nicht nur im Was, sondern auch im Wann und Wie lange ein tiefes Geheimnis ruht, führt auf die Tatsache dass alles, was immer es sonst sei, auch Ausdruck eines Lebendigen sein muss. Im Gewordenen spiegelt sich das Werden." (And therefore) "fällt auch der Anspruch des höheren Denkens, allgemeine und ewige Wahrheiten aufzufinden. Wahrheiten gibt es nur im bezug auf ein bestimmtes Menschentum. Diese Philosophie selbst würde demnach Ausdruck und Spiegelung der abendländischen Seele, im Unterschiede etwa von der antiken und indischen, und zwar nur in deren zivilisierten Stadium sein, womit ihr Gehalt als Weltanschauung, ihre praktische Tragweite und ihr Geltungsbereich bestimmt sind."

[2] Cf. Vol. I, p. 45 fl.

of history by eliminating its constant modal structure. How could we speak of *historical* development if its *historical character* itself were a variable phenomenon, dependent on a particular type of civilization in a particular phase of its development? How could SPENGLER speak of a diversity of cultures with their specific morphological traits, if the philosophy of culture and the science of history were nothing but historical expressions of a typical cultural mind in a particular phase of its development?

How could he attempt to understand the inner mind of the Arabic, Indian, and Greco-Roman cultures, if his philosophy of world-history were unable to keep theoretical distance from the historical development of modern western civilization? How could he establish the existence of non-western cultures, if his whole scientific conception of the cultural process were only a historical expression of the ultimate phase of western civilization?

Historical experience can maintain its historical character and meaning only in the inter-modal coherence of the historical and the non-historical aspects, which are bound to their own modal structures.

No true history of science would be possible if the intrinsic meaning of scientific thought were reducible to the historical meaning of civilization. The consequence of SPENGLER's Historism is therefore its own refutation.

The simple mention of different *'cultural styles of scientific thought'*, of different *'Zahl- und Raumwelten'* [1] pre-supposes the identical original intentional meaning of scientific thought and the constant modal meaning of number and space.

As soon as these original meaning-structures are theoretically denatured into changing expressions of self-contained historical cultures, it is no longer legitimate to speak of historical types of conceiving 'number' and 'space', and of historical types of science in general.

> The modal meaning of language is irreducible to that of cultural development. The historical retrocipation in the modal meaning of language.

Is it possible to reduce the internal modal meaning of language to a specific phenomenon of civilization taken in the historical sense of cultural development? Is not language an historical phe-

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[1] Worlds of number and space.

nomenon *sui generis,* whose genesis falls entirely within historical time?

Let the attempt be made to reduce its modal meaning to that of the cultural aspect and it will appear that there is no escape from internal antinomy.

The nuclear moment of the lingual aspect is symbolic signification related to the lingual understanding of signs. This modal meaning fits all the concrete symbolic meaning-functions of a language into an internal functional coherence within which specific linguistic laws are valid.

This meaning-modus is really founded historically, containing as it does a modal retrocipation of the meaning of cultural development, viz. the inner formation of language.

But this internal moulding of language is not an immanent-historical affair. It follows immanent principles (irreducible in their modal meaning), as, e.g., the phonological principles and those of syntax. These principles can only be conceived as internal laws of formation in the modal structure of symbolic signifying. But they have an unbreakable inter-modal coherence with historical development [1].

A theoretical eradication of the modal limits of meaning between the two law-spheres, however, if carried through consistently, would cancel both the concept of language and that of lingual history. If the modal meaning of language were in itself only a specific phenomenon *in* the modal meaning of cultural development [2], a univocal symbolic signifying *of* cultural develop-

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[1] On the concept of the "*innere Sprachform*" (the internal form of speech) as the "Bildungsgesetz des tragenden Bedeutungsgefüges der Sprache" (the formative law of the structure of linguistic signification) cf. GUNTHER IPSEN: *Sprachphilosophie der Gegenwart* (Philos. Forschungsberichte Heft 6, Berlin 1930), p. 19/20. (The term itself was introduced by VON HUMBOLDT).

[2] The philosophical theory of language founded in the positivism of H. PAUL's *Prinzipien der Sprachgeschichte* has in fact identified linguistic science with the scientific research of the history of language.

The invariable 'principia' on which PAUL thought he had to base the historical development of language, have not at all been conceived of in the modal meaning of language (which, of course, is unknown to this historical positivism). Rather they are viewed as the psycho-physical substratum-conditions of historical development, as 'permanent forces and relations that remain unalterably the same, neither increasing nor decreasing' ("konstante Kräfte und Verhältnisse, die unverrückbar die gleichen bleiben, sich weder vermehren noch vermindern"). Their *interaction,* their typical interlocking is alleged to be the proper field of

ment would become impossible and we would not be able to speak of a history *of* language. That which *has* a history cannot *be* an historical phenomenon.

The historical aspect of experience cannot distinguish itself analytically from other modal aspects, nor can it signify its meaning by means of a symbol.

In cultural development there cannot dwell an original linguistic sense. Language can only *signify* the modal meaning of history, and the latter must be kept distinctly apart from the modal function of signifying and its intentional *meaning of designating*. There would be no theoretical concept of language possible, if the modal meaning of language were only an historical phenomenon enclosed in the stream of cultural development. For this modal meaning of language creates the possibility of all the actually formed separate languages.

The symbolizing of an historical event by means of a memorial remains modally outside the meaning of cultural development. Nevertheless, the concrete act of building the monument was occasioned by an historically qualified fact, and the monument itself, as an individual thing, has its objective modal function in history (e.g., it will be destroyed by the invasion of a hostile army or at the outbreak of a revolution).

If the *modal meaning* of language proper cannot be historicized without internal antinomy, then the *formation of a particular language*, viewed in its lingual aspect, can no more be qualified as an *historical* phenomenon. Within the modal aspect of symbolical signifying and understanding we can no more experience historical meaning-functions than we can experience them in the juridical or in the economic aspect as such.

The interpretation of the historical analogy in the modal aspect of language as an original historical phenomenon remains internally antinomic.

In the fulness of reality, of course, the modal meaning of

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research for the science of the 'Principles of Linguistic History' ('Prinzipien der Sprachgeschichte'). Explicitly and emphatically this fundamental science is subordinated to a universal *philosophy of history*. 'On the basis of the experimental sciences, which seek to reduce the facts to general laws, this philosophy of history has to establish the general fundamental conditions forming the necessary basis for any kind of historical development'.

In this positivistic line of thought language has indeed been turned into a specific branch of culture.

language in its concrete individual manifestations is included in a continuous temporal meaning-coherence with the historical aspect and those preceding the latter. As soon, however, as theoretical thought is concentrated on the law-sphere of language, it is of primary importance to guard against possible shiftings of the modal meaning. Such shifts do not really account for what has been *given* in experience, but rather falsify the data theoretically.

Remark: Modern phonology and the new trends in semantics.

In this respect, at least, I think it a great advance in modern phonology, as compared with the naturalistic conception of the sound-laws in the development of language, that efforts are made to understand the expressive *articulated sounds* as *speech-sounds (phonemes)* from the meaning-structure of language itself (J. STENZEL, IPSEN, TRUBETZKOY, SIEVERS, and others)[1].

In this way the linguistic concept of the phoneme could be clearly distinguished from the physical and psychological sound-concepts. This was indeed an important advance, notwithstanding the fact that in many respects the erroneous view was maintained that *actual* language is an *historical* phenomenon [2].

The effort, on the other hand, undertaken by HUSSERL to maintain the a priori structure of language in a 'pure grammar' as a 'theory of pure significations', against any kind of psychologizing or historicizing of the symbolic meaning of the verbal phrases, could not really yield any insight into the modal meaning of language. This must be established without detracting anything from the correct intention of this theory. For to HUSSERL the 'pure theory of significations' (*reine Bedeutungslehre*) becomes a part of 'pure logic' (*reine Logik*). In this conception the lingual anticipation in the analytical meaning-modus, (logical symbolism), is interpreted as the original meaning of symbolical signification [3]. And this logicizing of

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[1] The concept of articulation as a characteristic of speech-sounds was introduced by the Genevan linguist DE SAUSSURE *(Cours de linguistique générale* 1916), whose theory, for the rest, was more psychological than linguistic.

[2] Cf. IPSEN, op. cit., p. 14, against HUSSERL's idea of 'pure grammar': ".....no more can the philosophy of language adopt the idea of "pure grammar" without cancelling itself. For this would mean *sacrificing* the *reality of language in history*." (Italics are mine). ["".....ebenso wenig kann die Sprachphilosophie die Idee einer reinen Grammatik..... zu der ihrigen machen, ohne sich selbst aufzugeben. Denn das hiesze, die Wirklichkeit der Sprache in der Geschichte zu opfern."]

[3] Cf. *Logische Untersuchungen* II, I, especially the IVth Untersuchung,

the modal meaning of lingual signification could not fail to provoke the reaction of the Diltheyan historical school. HUSSERL's abstract conception of 'pure signification' broke the actual subject-object relation connecting the symbolic *sign* and its *signification* indissolubly with the subjective symbolical function of signifying and that of inter-individual understanding. To the Diltheyan school this was tantamount to disregarding the historical life of language. The historically-psychologically conceiced 'vivo', as an act of inter-individual understanding related to the 'signs' and their ideal meanings as fundamental forms of the 'objective Mind', was supposed to connect HUSSERL's 'pure significations' with the historical stream of experience (FREYER, LITT). This again turned the philosophy of language into a dialectical-phenomenological philosophy of *culture*.

HUSSERL's structural conception of the lingual sign.

But in this way no justice could be done to the modal structure of the subject-object relation in the intrinsic meaning of symbolical signifying. HUSSERL had himself developed a remarkable structural theory of the lingual sign which was generally acknowleged as an important progress in comparison with the psychological theory of DE SAUSSURE. He distinguished three structural moments: 1°. the expression (*Ausdruck*) as a complex psycho-physical process manifesting itself in the vocal movements of speaking and the sound-waves produced or in the writing of alphabetical symbols; 2°. the meaning-intentions *(Bedeutungsintentionen)*, i.e. acts which give the physical phenomenon an inherent sense and make it into a word or sentence; 3°. the intentional relation of the psycho-physical phenomenon in its inherent meaning to a signified object or an objective state of affairs. This signifying the object or the objective state of things intended is done via the signification (*Bedeutung*) of the word or the sentence.

It must be clear that the psycho-physical aspects of the concrete acts of speaking or writing cannot function within the modal linguistic subject-object relation proper. It can only be the linguistic function of meaning-intention and signifying by which the spoken sounds (or written characters) in their articulation and particular lingual value acquire an objective linguistic sense as *signs*.

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§ 14, concerning the 'idea of a purely logical Grammar' (Idee der reinlogischen Grammatik). By this I do not deny the stimulating value of HUSSERL's investigations. But from the point of view of the modal analysis of language the theory of the pure significations as a branch of pure logic is misdirected. The signified meaning abstracted from its relation to the subjective function of signifying and symbolical understanding is not lingual at all. A 'pure signification' in HUSSERL's sense is, strictly speaking, a contradictio in terminis. A *signified* intentional meaning is not the same as 'meaning as such'.

The real failure in HUSSERL's *'reine Bedeutungslehre'*.

By introducing his theory of the 'pure significations' it was doubtless HUSSERL's intention to make a clear distinction between the linguistic meaning proper and its psycho-physical foundation.

The failure of this theory cannot be this distinction as such but only the *logicizing* of the *'Bedeutung'* by its abstraction from the subjective meaning-intention and the subjective function of signifying. HUSSERL considered the latter as a psychical act which can only *intend* the linguistic meaning but which as such belongs to the field of psychological research. Here the lack of a modal delimitation of the psychological viewpoint and the lack of distinction between the different modal aspects of the act seriously affected the linguistic theory. It was overlooked that the modal function of intending and signifying meaning cannot be identified with the concrete act in which it is realized. Consequently, the dialectical phenomenological school inspired by DILTHEY found no other way to restore the subject-object relation in language than by relating the signs and their meanings to the concrete act of consciousness understood in an historical-psychological sense.

But it is not in this manner that linguistic theory has to regain its relation to the dynamical historical aspect of human experience. This relation is guaranteed by the historical retrocipation in the modal structure of the aspect of symbolic signification itself. It is by virtue of the inner structural moment of *lingual* formation that the change in the intentional meanings of symbols adapts itself to the cultural development. But this does not detract from the modal irreducibility of the lingual law-sphere.

The same must be established with regard to the intermodal relation between the latter and the psychical and logical aspects of experience.

HUSSERL has clearly seen that in language the reference of the symbol to the things or states of affairs signified is made only via the meaning-intention and subjective signifying. But the latter are to be conceived as modal linguistic functions of the real act, and consequently they are no longer to be identified with the psychologized act itself. Then we can completely account for what is called the conceptual, the emotional and the associational components of the meaning-contents of words[1] without any violation of the modal boundaries of the lingual aspect. There does not exist a 'logical meaning-kernel' *(logischer Bedeutungskern)* of the lingual signification itself, but only an intentional reference of the latter to the pretheoretic or scientific concept signified by the symbol. What is called the feeling-tone *(Gefühlston)* of a word is not the same as the emotional effect evoked by its use in a concrete context and situation, but only its intentional reference — within the modal subject-object relation of language — to feeling-values. The intentional reference itself to what is signified, remains bound to the inner modal structure of the lingual aspect.

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[1] Cf. K. O. ERDMANN, *Die Bedeutung des Wortes* (4th ed. Leipzig 1925).

The same can be observed with regard to the association of representations evoked by the intentional reference of the symbol. This reference cannot be interpreted in an original psychological way [1], without abandoning the modal structure of the semasiological subject-object relation. The intentional reference of a symbol retains its lingual character in its modal nuclear meaning of symbolical signification.

The irreducibility of the modal meaning of intercourse to that of cultural development.

If it is granted that the modal meaning of language cannot be reduced to that of cultural development, the further question may arise: Is not at least the meaning of *intercourse* expressing itself in the social forms of courtesy, modesty, politeness, tact, fashion, etc., to be conceived in the modal meaning of history? Are not the norms observed in our intercourse with our fellowmen entirely dependent on the historical development of our Western civilization? And are they not, as such, quite different from those of a primitive African tribe, or those of a highly civilized Eastern culture, such as that of the Chinese?

I do not deny this in the least. The modal meaning of intercourse has an historical foundation, which appears from the presence in this meaning-modus of the historical retrocipation of *positivizing formation.* This historical analogy will be investigated in detail in the next § [2]. It has a necessary inner coherence with formative power in its original historical sense. The modal meaning of intercourse can indeed only express itself in the historically founded *forms* of courtesy, politeness, etc. Even in its still 'closed' function it cannot maintain its character as meaning outside the meaning-coherence with cultural development. But the attempt to reduce the original meaning of intercourse to that of cultural development must lead to antinomies.

The modal function of intercourse is founded in that of symbolical signification as its substratum. Consequently, the antinomy resulting from the reduction of the aspect of symbolical signification to that of cultural development, will manifest itself even more forcibly when we try to reduce the meaning of intercourse to that of history. A brief analysis of this state of affairs may suffice in this context.

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[1] This is done by C. K. OGDEN and I. A. RICHARDS in their book *The Meaning of Meaning* (2th ed., p. 11 ff.).

[2] Cf. p. 237 ff.

The modal meaning of intercourse is founded in that of language.

Every form of intercourse and every subjective instance of social behaviour giving expression to it, e.g. making a bow, giving a handshake, lifting one's hat, letting a superior precede, necessarily refer back in the modal meaning of intercourse to symbolical signification, and would become meaningless but for this lingual substratum.

History, at least in its closed structure, continues its course though it is not symbolically signified, in spite of its necessary connection with the symbolical aspect in the transcendental direction of time. But social intercourse, even in its *restrictive* modal function, cannot manifest itself without symbolical signification. It is inevitably a *signified* meaning, *as such,* however, lying *outside of the meaning of language proper.* Anyone who historicizes the meaning of intercourse, primarily historicizes the meaning of language.

The historian has to take the modal meaning of social intercourse for granted if he is to theoretically grasp the *history* of the social forms of intercourse, i.e. the cultural development in which these forms are founded in their positive changes. Forms of courtesy, politeness, etc., cannot have the original meaning of historical power.

If the historian really assumes he can conceive the modal meaning of social intercourse as a species of cultural development proper, he lapses into the same vicious circle as the psychologist who supposes he can derive the meaning of retribution from the feeling of justice. And inescapably he involves himself in the antinomy that we are now going to analyse.

If a history of the social forms of intercourse is to be possible, these forms must lie outside the modus of cultural development as regards their intrinsical modal meaning.

There is, indeed, a history of the forms of intercourse, just as there is a history of language and of science. Intercourse, language, and science, with regard to their modal, or synthetic theoretical meaning respectively, are something different from their history. This history is the development of their cultural moulding of the human mind in its social relations by means of the concrete acts in which they are realized. There is also a history of the different States, of their wars, their town-planning, etc. State, war, and town-planning, as typical total structures of individuality, are more than their historical aspect. A *history* of

an *historical* phenomenon, however, is a contradictio in terminis. The *historical function* of a thing, of a human social group, or of a concrete event presents itself only *in* the modal meaning of cultural development, but cannot *have* a history of its own.

The historical aspect of experience can maintain its cultural meaning only in its intermodal coherence with the other modal aspects. So, if the original meaning of intercourse were historical, it could not have a history of its own, unless the historical meaning were something *more* than, or *different from* the historical, which is contrary to the principium identitatis and the principium contradictionis.

By this we have also laid bare the contradiction arising from the theoretical attempt to reduce the modal meaning of intercourse to a historical phenomenon sui generis.

If the attempt at reducing the modal meaning of the other normative law-spheres to that of history is continued, still more complicated antinomies are bound to arise. For our purpose it was sufficient in the present context to apply the attempted reduction to three of these spheres. By means of the method of antinomy we have made clear the internal sovereignty of their modal meaning-structures within their own spheres.

The further analysis of the modal basic meaning of history may convince the reader that the historical modus can reveal its temporal meaning only by maintaining the modal sovereignty within its own sphere.

§ 4 - ANALYSIS OF THE MODAL MEANING OF CULTURAL DEVELOPMENT WITH REGARD TO ITS RETROCIPATORY STRUCTURE.

The logical analogies in the modal meaning of culture and the normative character of the historical law-sphere.

Provisionally, we found the cultural or controlling manner (of form-giving) to be the original nuclear moment in the modal structure of the historical law-sphere. Only in the coherence with its retrocipatory and its anticipatory moments can this *nucleus* maintain its determinative meaning-character. The first retrocipations revealed by a continued analysis of the modal structure concerned refer back to the logical aspect. In the pre-logical aspects of temporal reality there is no original cultural meaning to be found. The use of the term 'natural history' in the Romantic sense of a genetic view of 'nature' in its ascending potentialities of creative freedom, is primarily due to the confusion of biotic

with historical development. It shows a lack of insight into the truth that the concept of development without any modal determination of meaning is multivocal and consequently confused [1]. It is doubtless true that in principle natural events and things can have a modal function in the historical law-sphere. But they can function here only in the historical subject-object relation, i.e. in a cultural relation to the subjective power-formation of man. They cannot have a subjective but only an objective function in history.

Cultural development is not a 'natural' process; in its internal meaning-structure it is not subject to the laws of nature. Only creatures with a rational power of distinction, with an analytical 'sense of meaning', as K. KUYPERS put it quite correctly, can be *subjects* in history.

The historical modality is based on the logical aspect and this inter-modal coherence finds expression within the modal structure of the historical law-sphere in retrocipatory moments; in the first place in the historical relation of identity and diversity. This relation is indeed a retrocipatory analogy of the corresponding analytical basic relations and a necessary condition of every historical distinction. Historical experience is not possible without the implicit or explicit awareness of the historical identity of cultural events in the diversity of their moments.

Even to pre-theoretical experience the battle of Waterloo is not given in the manner of a natural sensorily perceptible event. What gives this battle its historical identity by which it can be distinguished from events not belonging to it? The famous economist HAYEK has raised the question whether the battle of Waterloo also included the actions of the farmers who hurriedly tried to get in their harvest on the battle-fields [2]. This question is very instructive because it shows that historical events have no objective limitation in the sensory space of perception. Therefore animals cannot distinguish them, whereas they do dis-

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[1] At first also RICKERT used the term natural history from a merely methodological conception of history. In the modern philosophy of history, inspired by DILTHEY, it is emphatically stated that history belongs to the '*Geisteswissenschaften*' in contradistinction to the natural sciences. Later on also RICKERT has admitted that the historical viewpoint cannot include an individualizing view of nature. Cf. FRITZ KAUFMANN, *Geschichtsphilosophie der Gegenwart* (1931), p. 9.

[2] HAYEK, *The Facts of the Social Sciences* (Ethics, Vol. LIV, 1943, p. 1—13).

tinguish natural things and events within their natural *'Umwelt'*. Historical facts are only accessible to *human* experience. Their historical identity and their diversity from other events rest on the basis of analytical distinction, without being themselves of an analytical character. For they are modally determined by the nuclear moment of the cultural aspect only: that of formative control. The battle of Waterloo is historically delimited from other events as a decisive contest between the military powers of NAPOLEON and his allied adversaries viewed as subjects of political power-formation. What belongs to this historical event, and what does not, depends on historical imputation, not on objective sensory data.

Doubtless, its individual identity cannot be deduced from the modal structure of the historical aspect alone, because it has a typical structure of individuality which exceeds the boundaries of this aspect. But this does not detract from the modal-historical character of its identity as an *historical* fact, since in the historical aspect of experience the different structures of individuality can exclusively express themselves within the modal structure of this aspect.

The modal nuclear meaning of the historical law-sphere also implies the *imputation* of cultural deeds to the subjects of formative power. The cultural mode of form-giving is a controlling manner of moulding after a free project. This modal meaning of cultural activity excludes its equation with natural events in a functional series of causes and effects. The pseudo-natural scientific conception of the historical process is irreconcileable with the modal structure of cultural development.

Even historical mastery over persons does not detract from the fact that the latter are cultural subjects whose behaviour is to be historically imputed to them, and not objects of cultural moulding which are not accountable for the course of cultural development.

In close connection with the logical analogy of identity and diversity implying the historical relation of imputation, it is necessary to pay attention to another logical analogy in the modal structure of the historical aspect, viz. that of historical contradiction.

It is impossible to experience any continuity in cultural development without distinguishing between what is in agreement with it, and what is contrary to it. This distinction is doubtless based on the logical principle of contradiction, but it has a

modal historical meaning. It reveals the intrinsically normative character of the historical law-sphere.

In a consistently positivistic attitude of thought the attempt may be made to abandon the concept of development in history, but this will not do. Though this development can only be an analogical moment in the modal structure of the historical aspect, viz. a biotic retrocipation referring to the aspect of organic life, it is nevertheless essential. If it is eliminated, there is no possibility of rising beyond the chronological enumeration of facts which can never be conceived in their historical coherence. Such a procedure is tantamount to an elimination of the historical modus of experience as such. As soon as the concept of development was introduced in historical thought, it was implicitly or explicitly conceived in a normative sense. Even the positivist sociological view of history has done so, though it masked its normative criterion of development by giving it the form of a natural law.

The Historical school and the normative conception of historical development. Fr. J. STAHL's view of the secondarily normative character of God's guidance in history.

HERDER had introduced the Leibnizian Idea of development in historical thought, and had connected it with his conception of the individual "*Volksgeist*". It was the Historical school which gave this Idea a central position in the science of history. VON SAVIGNY and his adherents conceived historical development to be continuous, and distinguished between the vital and the intrinsically dead elements in cultural tradition. In contrast to all artificial and revolutionary constructions of the state and of human society all stress was laid on 'natural growth'. Doubtless, this conception displays a normative tendency. The influence of FICHTE's and SCHELLING's idea of a hidden law of Providence lying at the foundation of history and giving it its inner coherence is here clearly perceptible. This hidden law-conformity of the historical process was from the outset sharply opposed to the rationalist and determinist conception of the laws of nature. In the line of SCHELLING's transcendental idealism VON SAVIGNY had conceived it as a dialectical synthesis between natural necessity and freedom. Consequently, this hidden historical law could not fail to assume an irrationalist normative sense and it was the Lutheran legal philosopher and statesman FR.

JULIUS STAHL who openly accepted this consequence. In his opinion all that has come about in a long process of historical development under the influence of secretly operating forces, without the interference of rational human planning, ought to be respected as a manifestation of God's guidance in history, in so far as it does not contradict a positive commandment of Divine Law.

This conception of God's guidance in history was quite in accordance with the conservative mind of the Restoration. Apart from its romantic-quietistic formulation, it had a great influence in the so-called Christian-historical political theory. The latter accepted the new historical manner of thinking as a powerful ally in the contest with the principles of the French Revolution.

Meanwhile serious objections could be raised against this ascription of normative sense to God's guidance in history. They were amply explained in a remarkable thesis [1] defended in 1911 at the University of Leyden by A. C. LEENDERTZ.

From the theological viewpoint this author argued that God's guidance in history embraces all that happens, both good and evil. For this very reason this guidance cannot imply any norm for human behaviour. Only God's revealed Will, not his hidden intentions guiding the course of history, can direct our practical life in a normative (ethical) sense.

From the philosophical viewpoint LEENDERTZ attacks the normative conception of God's guidance in history with the Kantian argument that facts and norms belong to different worlds. If the factual course of history is elevated to the rank of a norm this is tantamount to a continuous acceptance of the 'fait accompli'. If a governing dynasty is supposed to be justified by the fact that it has maintained its power in a long course of time, then also a revolution overthrowing this dynasty must be regarded as justified after the lapse of time by a succesful maintainance of its position.

This criticism must fail insofar as it starts from the Kantian separation between what is and what ought to be, a dualism founded in the dialectical Humanist motive of nature and freedom. It overlooked that historical facts are not given in the way of natural events and that in the normative aspects of human experience every fact has a normative qualification,

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[1] *De grond van het overheidsgezag in de anti-revolutionnaire staatsleer* (Leiden, 1911).

without being itself a norm. The fact that a certain person in a certain place and on a certain day has committed a theft, cannot be established without a legal norm which indicates the criterion of theft.

When we say that at present WINSTON CHURCHILL is prime minister in the English cabinet, we establish a fact implying a certain legal competency of the bearer of this office. And legal competency is a normative meaning-figure.

The concept of historical development cannot have a merely factual content apart from a normative criterion for the establishment of the historical coherence between the facts and for the distinction between what is in keeping with this development and what is not. This is what v. SAVIGNY meant when he distinguished between the vital and the intrinsically dead elements in historical tradition, and what STAHL intended when he opposed the organic development of history to the revolutionary encroachments upon God's guidance in it. The only question is whether this normative criterion can be derived from the subject-side of the historical process. The Historical School thought it could do so by elevating the so-called '*Volksgeist*' in its subjective individuality to the true standard of cultural development. This implied the view that the individual character of a folk or a nation has a value in itself.

Taking the natural development of a living organism as a pattern, v. SAVIGNY and his adherents supposed that the continuity of historical development was only guaranteed by the directive potency of the individual national mind. Cultural goods imported from abroad and contradicting the national mind of a people were viewed as an encroachment upon true historical development, as a revolutionary violation of its continuity.

Starting from this conception of historical development, the Germanists of the Historical legal School in the eighteen forties launched their vehement attack upon the reception of Roman law in the Germanic countries [1].

It was quite in keeping with the dialectical synthesis of nature and freedom that this irrationalist standard of historical development was considered both as an inner necessity resulting from the individual nature of a people, and as a norm which can be

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[1] v. SAVIGNY and PUCHTA did not agree with this attack because they denied that the reception of Roman law contradicted the Germanic "*Volksgeist*".

violated by revolutionary encroachments.Therefore it must imply an inner antinomy.

Granting that we can establish and describe the individual subjective mind of a nation in a scientific way, this national mind can never be a cultural norm in itself. It may show both good and bad traits. It is no use elevating this '*Volksgeist*' to the rank of a gift of Divine Providence, or in a more secular way, regarding it as the destiny (*Schicksal)* of a people which has a historical right to the complete development of its individual cultural potentialities. From the Christian viewpoint it should be remarked that such irrationalist conceptions of the norm of historical development show a complete disregard of the effects of sin in the subjective cultural disposition of the nations. This fundamental un-Christian trait cannot be rendered harmless by subjecting this irrationalist conception of the historical norm to the ultimate test of the decalogue.

If there really are genuine historical norms irreducible to ethical laws, they can no more be subjected to the latter than the logical or the aesthetic principles. Although such historical norms cannot be separated from the subject-side of the historical aspect, they cannot be reduced to the latter. This does not mean that in the positive and variable *forms* in which the supposed historical norms appear there cannot be a subjective element. This question must be examined presently. But if they are in any way to be acknowledged as modal *norms,* they must contain a super-arbitrary standard of judging the factual course of cultural development. And this standard must have an intrinsically *historical* meaning, irreducible to the meaning of any other normative aspects.

For the present the contents of such norms have not yet been discovered. But the modal structure of the historical aspect doubtless reveals the normative character of its modal lawsphere in the logical analogy of historical contradiction. Let us examine this structural state of affairs somewhat more in detail, and consider what is meant when we speak of an unhistorical line of conduct.

The adjective 'unhistorical' has the meaning of 'deviating from a norm of historical development'. Is anti-normative behaviour really possible in this historical sense?

Reaction as an anti-historical meaning-figure.

Anti-normative behaviour in a historical sense is certainly possible. It is denounced as historical *reaction* in an unfavourable signification. It may be that in the political contest this term is often abused to put a stamp of backwardness upon political parties who do not agree with a certain ideology of social progress. Nevertheless, even this misuse of the terms reaction and progress appeals to a norm of historical development. For it is meaningless to speak of progressive and reactionary trends in politics without accepting a normative criterion of an historical character. And the very fact that even national socialism availed itself of these terms, shows the necessity of seeking for a super-arbitrary standard in the modal structure of history itself.

The political criterion can only be a political-*historical* one, i.e. it must be founded in a historical standard which is typically related to the state in its structure of individuality.

The historical meaning-figure of reaction is in no way to be reduced to an anti-normative line of behaviour in another modal sense. In its modal meaning it is neither illogical, nor un-economical; neither contrary to the norms of social intercourse, nor unlawful or immoral. Anyone who after the French revolution wanted to put the clock back to the political order of the 'feudal régime' was indeed guilty of reaction in the typically historical sense of the word.

Nobody who really thinks historically will hesitate to agree with this judgment. Every historian will say that the partial restoration of the undifferentiated seigniorial rights in the Netherlands in the years 1814 and 1815 was an atavism. But why does he come to this conclusion? The answer will be: because the restoration of these rights contradicted the modern idea of the State which in the course of historical development had conquered the undifferentiated particularism of the feudal system. But this 'course of historical development' is the very problem that is to be solved. This course is by no means to be understood as a natural process. From the modal historical viewpoint it seems to imply a norm for the development of political power-formation, to be formulated as follows: the development concerned ought to proceed from a state of undifferentiated particularism to that of political integration based on the monopoly of authoritative power of the sword in the hands of a central government. In the legal or juridical aspect of the social process this

development has to express itself in a juridical sense, because this aspect is founded in the historical modus.

But from what does this historical norm derive? It is not yet possible to give a sufficient answer to this question at this stage of our inquiry. Only by means of a further analysis of the modal structure of the historical aspect is there any possibility to detect the general criterion for the distinction between really progressive and reactionary trends in the factual course of the cultural process.

Typical political norms of historical development cannot be deduced from this modal structure alone, but must be found by means of an analysis of the structures of individuality of human society giving the modal standard its typical individualization. For the rest the problem does not concern the State only. The meaning of reaction is not restricted to the historical aspect of political life. Reaction is a retrocipatory modal meaning-figure that can assume all kinds of meaning-individuality. Its general sense is an anti-normative attitude with respect to historical development, a falling back on the historical past, while disregarding the norms of historical evolution.

> The peculiar character of the modal structure on the law-side of all the post-logical law-spheres. The relation between the temporal normative principle and human formation. Positivizing formation as an historical analogy in all the post-historical law-spheres.

Although it is not yet possible to indicate the contents of these norms, it is possible to establish a peculiarity of their modal structure, directly resulting from the logical retrocipations. This peculiarity will be found again on the law-side of all the post-historical aspects by virtue of the historical retrocipations in their modal structure.

From the logical sphere onwards the modal laws are only given as regulative principles which cannot be realized on the subject-side without rational consideration and distinction.

From the historical law-sphere onwards these normative principles require a variable formation, even in an as yet closed structure of their modal meaning. By means of this variable formation they become positive norms accommodated in a more or less adequate way to the course of cultural development.

In the pre-logical aspects of reality the modal laws are realized in the facts without human intervention, at least inso-

far as in this realization the normative anticipations of their modal structure are not concerned. It is an essential characteristic of genuine modal norms that they do not realize themselves in this way. They only offer a rule of conduct to human judgment, a principle requiring *human formation* for its further specification.

The logical norms of thinking are only valid as analytical *principia* (principium identitatis, contradictionis, rationis sufficientis, exclusi tertii). The same state of affairs must be established with regard to linguistic norms, norms of social intercourse, economic, aesthetic, legal, ethical norms, and norms of faith: their super-arbitrary Divine content has been given in *principle* only. This is immediately connected with the founding of all the later normative law-spheres in the logical or analytical sphere. Upon the latter every free rational judgment is in the last instance based. Temporal normative freedom, thus founded in the logical aspect of thought, is for this reason most sharply distinct from the free scope manifested on the subject-side of the pre-logical law-spheres in individuality qua talis. This free scope does not imply an appeal to rational judgment.

The moment of *free formative control* appeared to be *original* only in the modal structure of history. In the modal structures of the later law-spheres this moment is to be understood as a retrocipation of the original meaning of cultural development.

Consequently, every positivizing formation of the modal norms of these later law-spheres is founded in the original formation of the cultural principles.

The *formation* of the historical principles makes an appeal to the *will of the formers of history*. This is the cause of the peculiar interlacing on the law-side of the historical sphere of super-arbitrary principles and human formative will. This is a state of affairs that holds good in an analogical way for all the later normative law-spheres, and can only be understood from the cosmic meaning-coherence of the modal aspects. It has again and again been theoretically misinterpreted by immanence-philosophy, either in an idealistic or in a positivistic sense. In the idealistic line of thought normative principia were absolutized and elevated to the rank of supertemporal values or ideas, sharply separated from the positive norms. In the positivist

standpoint, the human formative will was absolutized into the *creator* of the positive norms. As far as legal philosophy is concerned, I may refer to the struggle between the rationalistic theory of natural law and the positivistic legal theory.

Although we acknowledge the elements of truth contained in each of these views, we must hold fast to our insight into the nature of a normative principle. In the historical and post-historical aspects the laws acquire a concrete sense through human positivizing of Divine normative principles. The human formative will is then to be conceived of as a *subjective moment* on the law-side of these law-spheres themselves. It may be that natural laws of the pre-logical aspects of experience do not appeal to the human formative will for their realization, insofar as in the latter the normative anticipations of their modal structure are not concerned. But the disclosure of their normative anticipatory spheres is certainly dependent on historically founded human formation. They have, therefore, only a restrictive independence of historical development.

The distinction between 'absolute' and 'empirical' norms is untenable.

The well-known distinction between the so-called 'absolute' and 'empirical' norms, meant as a discrimination between two fundamentally different *kinds* of norms, loses every semblance of justification in the light of this state of affairs. It is closely connected with the modern Humanistic philosophy of values, rooted in the ideal of the autonomous (or rather "sovereign") personality.

According to WINDELBAND [1], the logical, aesthetic, and ethical norms have an absolute character, in the sense of being fundamentally elevated above time and therefore not subject to temporal change. They are the norms claiming with immediate evidence that they ought to be realized. Following WINDELBAND, the well-known Hungarian legal theorist FELIX SOMLO has tried to interpret the difference between legal rules and social conventions on the one hand, and logical, moral and aesthetic standards, on the other, as the difference between empirical and absolute norms. We refer to the following utterance of this author: 'Norms' in this sense (i.e. absolute), 'are therefore merely the immediately evident, not deducible, and not further reducible

[1] *Präludien* (3th ed.) p. 292/3.

rules with which we are confronted as the last data which are indicated as necessary and universally valid in this sense. We may also call them the highest, like the logical, the ethical and the aesthetic norms, which are the usually coordinated kinds of standards of the true, the good and the beautiful. Opposite to these are the merely accidental or empirical norms, not logically necessary, the most different kinds of rules and prescriptions which do not give expression to the absolute values, and which cannot be designated as norms in the narrow sense of the word' [1].

This entire way of representing things gets entangled in insoluble antinomies. The notion of a merely 'accidental', arbitrary norm contains a contradictio in terminis. Arbitrariness can never be elevated to a *norm,* to an *obligatory rule of conduct.*

Qualifying the positive legal norms and those of social intercourse as 'arbitrary' or 'accidental' is equal to denying their normative character. But this would imply a denial of the entire law-side of the modal aspects in which they function, since the latter cannot be reduced to other law-spheres without violating their intrinsic modal meaning.

On the other hand, the notion of absolute logical, ethical and aesthetic norms is thoroughly contradictory. It is an attempt to conceive of the specific meaning-modi of the logical, the ethical and the aesthetic aspects of experience apart from their intermodal coherence with all the others. But our previous enquiry has shown that this attempt must result in a theoretical destruction of their modal meaning. The aspects concerned can only express themselves in the retrocipatory and the anticipatory meaning-coherence with all the earlier and the later modal spheres and among these is also the *historical modus.*

The aesthetic norms positivized in modern architecture, modern music, modern painting and belles lettres, have a different concrete content from that of the early Renaissance, the High Middle Ages, or Greek antiquity, notwithstanding the invariability of the primary principles that have received their positive forms in them.

The ancient dramatic norm of aesthetic unity of time, place and action, formulated by ARISTOTLE, is no longer valid in modern dramaturgy.

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[1] *Juristische Grundlehre,* p. 59.

The same state of affairs must be established with regard to the ethical norms. The positive content of modern economic ethics *(Wirtschaftsethik)* is entirely different from that of medieval times. The prohibition of interest had a positive-moral sense on the substratum of a cultural level in history at which the modern credit system in money-economy had not yet been introduced. Once the progress of historical evolution had reached a sufficiently advanced stage, this medieval norm could not remain unaltered.

And, lastly, it may be that the logical norms do not yet require formative positivizing in their 'restrictive function', because naïve thought in its logical aspect does not show any theoretical-systematic tendency to anticipate historical development. But when the logical meaning-aspect is opened, the logical principles of thinking do require theoretical *forming* by the human will to think scientifically.

> The formation of history and law-formation. The historical struggle for power between tradition and formative will. Tradition as the guardian of historical continuity, and the principle of continuity as a modal normative principle.

Notwithstanding, there remains a fundamental modal difference between the original formative control in the sense of cultural development and forming or positivizing in the modal meaning of the post-historical law-spheres.

In the juridical sphere, for instance, the positivizing activity is necessarily dependent on competency in the material meaning of the modal aspect of retribution. The historic adage 'might is right' results in an inner antinomy due to the theoretical levelling of the modal boundaries between the historical and the legal aspects of experience.

Historism thinks that its view in this respect is eminently 'realistic', but it really gives an erroneous theory of the real structural relations.

Usually this view is especially defended by referring to successful usurpations, revolutions, conquests, etc. Nevertheless, it cannot account for the real states of affairs. Although law-formation is founded in historical power-formation, it cannot be reduced to the latter.

Legal competency as such has no historical meaning; it is impossible to speak of a *legal competency to form history,*

whereas the jurist can never understand the forming of law apart from a competent law-forming organ [1].

Law-formation itself is not the formation of history, neither is it simply the dependent reflex of it, but rather the adaptation of the legal norms in their original retributive meaning to their substratum in historical development.

There is, however, a second point by which the original 'formation of history' (giving positive direction to historical development on the law-side) is fundamentally distinguished in its modal meaning from all manner of norm-positivizing in the later law-spheres. In the modal meaning of cultural development the formation of new cultural norms is always the result of a struggle between the guardians of tradition and the representatives of new ideas. So long as this struggle for power has not been decided, the party of tradition can never be accused of reaction. For reaction pre-supposes a regressive running counter to a positive norm that has already been formed in the evolution of civilization; it is a falling back to a past which, culturally speaking, is dead.

As long as the traditionalist party simply acts as the guardian of the positive norms prevailing up to now, it normally represents an extremely beneficial factor in the development of culture, viz. that of continuity. For it must be evident that no real cultural life would be possible if every new generation could begin with the revolutionary year One. Every generation is historically bound to all the former by tradition. The power of tradition is enormous, since in a condensed form it embodies cultural treasures gathered in the course of centuries. Therefore it is the main factor in the cultural formation of the human mind. We all are dominated by it to a much higher degree than we are conscious of. But it would be a serious error to seek in it the norm of historical development itself. This would result in a bad traditionalism and conservatism, which forgets that the fulfilment of the cultural task of mankind demands a continuous striving forward.

The task of tradition is only to guarantee the continuity in cultural development.

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[1] In my theory of the sources of law I have shown that this is even the case with respect to customary law. Custom, as such, is no legal source at all, but only a mode of indirect law-formation which supposes original legal competence to do so.

The shapers of history have to fight in order to secure general acceptance for their new cultural principles. These principles are thus purified of their revolutionary subjectivity, and adapted to the modal norm of historical continuity. For it can no longer be doubted that we are confronted here with a real normative principle of an intrinsically historical character. But in this stage of our enquiry its normative content cannot yet be indicated as to the direction of cultural development, since the criterion for distinguishing historical reaction and historical progress has not yet been detected. This criterion can only reveal itself in our further analysis of the modal structure of the aspect concerned, in which its entire intermodal meaning-coherence with the other aspects must be laid bare.

For the present it must be borne in mind that the moment of the struggle for power between tradition and progress[1] is inherent in the shaping of history and that the principle of the continuity of cultural development is a normative principle for all really formative processes within the aspect concerned.

It is the great merit of Dr K. KUYPERS' *Theorie der Geschiedenis* to have established in such a pregnant way a connection between the modal meaning-moment of tradition and this principle of historical continuity. By this he has indeed fixed an essential meaning-moment in the modal aspect of cultural development, although this moment itself cannot be considered as the modal nucleus of the meaning of history.

> The historical formative will as a psychical retrocipation on the law-side of the modal meaning of cultural development.

The analysis of the logical analogy in the historical modus, has implicitly revealed quite a series of other modal retrocipations; for this logical analogy became apparent on the law-side in the interweaving of the normative principle and the human formative will. The moment of this formative will compels us to direct our analytical glance behind the logical sphere, and to study first the sphere of its psychical analogies.

The formative will in the great leaders of history, such as CEASAR, GALILEI, LUTHER, CALVIN, REMBRANDT, NAPOLEON, BISMARCK, etc., in its modal meaning necessarily refers back to the modal

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[1] By 'progress' I do not mean to pronounce an appreciation such as is implied in the term *Fortschrittsgedanke*.

sense of the psychical law-sphere, especially to the psychical function of volition, i.e. emotional striving and desiring.

The historical formative will is not a craving and striving in the meaning-modus of emotional feeling, although it cannot exist without the latter for its foundation.

As such it functions in the normative meaning of history only on the substratum of this psychical desire and this striving, just as the will of the law-maker can only be understood as such in the modal meaning of retribution, but in a retrocipatory coherence with the psychical aspect of volition. The formative will here intended is an essential moment in historical mastery over persons. It concretizes, positivizes, elaborates, the modal developmental principles of the historical law-sphere in the typical total structures of the various cultural spheres.

In founding the Frankish Kingdom CLOVIS positivized a principle of historical development which will be explained presently as a further regulative determination of that of continuity: i.e. the principle of cultural integration. What his personal psychical motives were, is irrelevant to his significance as a moulder of history. It may be that in connection with CLOVIS' leading function in the political-cultural development of the German peoples these personal psychical motives cannot be neglected by the historian. But the real historical importance of CLOVIS' conquests and of his political organization of the new Frankish empire lies outside of the psychical aspect of experience. His formative volitional function in the historical process could not follow the course of his feeling-drives and emotional desires. He broke through the narrow limits of the sib, the populace and the tribe that hemmed in the primitive culture and had doomed it to internal barrenness.

In this way he enabled civilization to expand. The moulder of history sees how his ideas are realized, and how the development of civilization is affected in a quite different way from what he had subjectively desired and intended. This is what WUNDT called the *heterogenesis* of aims in history. In the same way the political law-maker finds the legal norms which he has enacted still imputed to his juridical will as legislator, while they gradually detach themselves entirely from his original conception and intention.

The shaper of history is only the leader, or perhaps only one of the leaders in a historical group-function (a cultural sphere, a nation, a school, etc.)

In this group-function the power of tradition in an immensely complicated system of factors — of whose full significance no single contemporary is fully aware individually — forces his formative will along the paths of historical continuity.

This is what German historical idealism used to call the 'objective Spirit' in history,—if we strip the states of affairs here intended from any speculative idealistic interpretation doubtless connected with this term.

The historical past with its condensed treasure of cultural factors permeates the present and the future in the normative continuity of cultural development. It is in no one's power to dissociate himself from this supra-individual group-tradition.

The rôle of great personalities in history.

With this we automatically touch upon the old controversy about the question whether after all history is 'made' by the great personalities, or if these personalities themselves are only *products* of a particular supra-individual historical spirit of the times.

This way of formulating the question is unacceptable. History is not '*made*' by men, but *shaped, formed* only. Moreover, the dilemma of an individualistic or a universalistic-sociological conception of this formation of history ought to be rejected in principle, if insight is to be gained into the meaning-structure of the historical formative will.

At a primitive stage of culture, civilization seems to be immersed in the lethargy of a rigid group-tradition which the members of a primitive social group undergo in many respects as an unalterable supernatural power. But civilization has got into this state in consequence of the sinful human formative will. The guardians of the group-tradition remain responsible individual personalities. They cannot be denatured to a kind of indifferent passage-way of an unconscious group-will.

And when, at a higher cultural level, the individual genius interferes with the process of the forming of history, such an individual moulder of history is neither to be simply considered as the product of the group-mind, nor as an autarchic individual, drawing exclusively from his own genius. He is rather nurtured by the rich supra-individual tradition of the group, without which he could never be an individual shaper of cultural development whose free projects open new roads to the history of mankind.

Power as a normative historical mission in the modal meaning of history. Mastery over persons and social-psychical influence.

What is it that makes a man the former of cultural development in a particular period of history? It is not any casual historical subject that makes, or rather *moulds* history. For this task power over men in a particular cultural sphere is essential.

In our previous examinations it has repeatedly been stated that this historical modus of social influence is no brute *natural force*. Nor can it be reduced to social-psychical influence, a modal shift of meaning regularly found in the treatment of the fashionable sociological theme of 'the leader and the masses'.

In the present context it is necessary to explain in somewhat greater detail the radical modal difference of meaning between power over men in the process of cultural formation of human society and the psychical mode of influencing social human behaviour. This is the more necessary because in modern Christian ethics inspired by dialectical theology there is often noticeable a real horror of power-formation, which is considered as something essentially un-Christian. In positivistic sociology power is always regarded as a psycho-physical phenomenon, and so it is quite understandable that, according to the usual opposition of facts and norms, mastery over persons was supposed to be an entirely a-normative social relation. But since the analysis of the logical analogies in the modal structure of the historical aspect has laid bare the normative meaning of its law-sphere, it is no longer possible to accept this current view.

In addition, from the Christian standpoint this conception is hardly to be reconciled with the Divine cultural commandment mentioned in the first chapter of the Book of Genesis, according to which the subjection of the earth and the mastery over it is expressly posited as a normative task of mankind. There is no explicit mention of power-formation in the social relations between men in this passage. But without the latter cultural development of mankind would be impossible. Culture is bound to human society, which, in its turn, demands cultural formation, i.e. a controlling manner of shaping the social relations between men. All human power is derived from God as the absolute Origin of every earthly mastery. JESUS CHRIST has said that all power on earth and in the Heavens was given in His hands. The horror of power-formation for the sake of the fulfilment of the Christian task in the cultural develop-

ment of mankind is, consequently, un-biblical. The Church itself is historically founded in power over men by means of the organized service of the Word and the Sacraments.

Doubtless, every power given in the hands of man implies a serious risk of abuse. But this state of affairs can only accentuate its normative meaning, it can never justify the opinion that power in itself is an evil.

The positivistic sociological view that power over men can be reduced to social-psychical influence, eventually (in the case of sword-power) supported by 'physical means', rests upon a fundamental misunderstanding.

Power over men has indeed a social-psychical substratum in the feeling-drive of submission to the leadership of superior figures. The latter exercise a considerable emotional influence upon their social environment. But real formative power in its original cultural sense does not function in the feeling-aspect of human experience, as little as the formative will in its historical function can be identified with the psychical aspect of volition.

Whereever real power over men manifests itself, it is always consolidated in cultural forms which transcend the psychical life of the individuals in their social interaction.

This is why history can never be reduced to social psychology. The construction of a collective soul as the psychical origin of the cultural forms of human society is nothing but a metaphysical speculation. And it is indeed surprizing that this metaphysical construction was laid at the foundation of the positivistic sociology of EMILE DURKHEIM, who at the same time emphatically denied that the social institutions can be examined in a psychological way.

Power over men, as the irreducible cultural modality of social influence, cannot be *realized* apart from the other modal aspects of social life, consequently, not apart from the social-psychical relations between men. But in this realization it maintains its cultural modal meaning. Its factual side remains bound to the normative cultural principle of power-formation founded in the Divine order of creation, and cannot be experienced apart from it in its original historical sense.

Historical power is not an a-normative meaning-figure, but it is the power of a normative mission in the sense of formative control. The possessor of historical power does not possess it as a kind of personal property that he has at his subjective disposal. He has a normative task and mission in the

development of human civilization either to guard or to mould culture further, in subjection to the principles laid down by God in His world-order. If he thinks he can trample on these cultural principles, which are elevated above any subjective arbitrariness, he will discover his own *powerlessness.* Real power to form history can only unfold either in obedient, or in compulsory *subjection* to the Divine principles of cultural development. This important point is essential to a true insight into the intrinsic meaning of historical power, and it will be explained in the further analysis of the principles of historical development.

The glory of power has been tarnished because its normative modal meaning was lost sight of.

It ought to be completely restored in its irreplaceable value within the Divine world-order by considering its modal sense in the light of the Biblical basic motive. For it is of Divine origin and finds its religious consummation [1] in Christ Jesus as the Incarnate Word, in Whom God's omnipotence finds its pure expression, not tainted with sin.

It has not been included in the world-order because of sin only. For God created man *after His own Image* as *ruler and lord of the earthly world* [2].

Through sin the power of man was turned away from its religious fulness; instantly the striving after its absolutization came into existence, the disregard for its temporal meaning-coherence, root and Origin. And in this apostate direction of the human craving for power man was reduced to relative powerlessness. The power of the kingdom of darkness revealed itself in the history of the world, — power as the citadel of Satan in its struggle with the power of the kingdom of Christ. This central theme of the Christian view of history will presently demand all our attention.

The romantic quietist conception of God's guidance in history.

With the acceptance of the human will as an essential formative factor in the historical process, and the acknowledgment of the normative meaning of power as a historical mission, our view of history is inexorably opposed to all manner of romantic quietism. Under the influence of SCHELLING and the

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[1] Matth. 28^{18}; John 3^{35}

[2] Genesis $1^{26, 28}$.

Historical School, this quietism — which found a fertile soil in the dialectical Lutheran view of the Law in its relation to Christian freedom — has also penetrated into the conception of history propounded by FR. JULIUS STAHL.

STAHL's view of the normative sense of historical continuity appeared to be infected by an irrationalist organological trait. What had come about by the activity of the national mind in a supposedly unconscious process, was surrounded by a special aureole of sanctity, because it was due to 'organic growth' and not to the actions of men. And STAHL thinks he can recognize in the unwritten customary law something that grew out of the 'mind of the people' as a product of 'God's guidance' *(Gottes Fügung)*. This ought to have a higher value accorded to it than to legislation in which the human formative will is so very much in evidence.

But history is never formed without human interference, though the latter is only instrumental with regard to God's government of the world. The interlacing of normative principle and human formative will is founded in the modal meaning of history itself and in the Divine world-order in which its modal law-sphere has been given its proper place. The historical development sets Christianity an eminent, normative task, a Divine mission, viz. the laying of the historical foundation, through the power of Christ, for the realization of Christian principles in this sinful world. This conclusion can no longer be evaded since it has been shown that the historical law-sphere is really the basis in the retrocipatory direction of time for the entire normative dynamics revealing itself in the opening-process of the other normative law-spheres.

If the Christian principles of justice, morality etc. are to find acceptance in this world, then it is only possible on the historical basis of power-formation in a continuous struggle with the powers of apostasy. True, God Himself guarantees the Honour of His Name, the victory of His Kingdom over the kingdom of darkness. But He uses human instruments in this struggle. Those who in the manner of the quietists make an appeal to 'God's guidance in history', as a kind of an unconsciously operating irrational factor outside of human intervention, corrupt the meaning of this Christian motif. For the latter is a summons to activity, not to resignation.

The biotic analogies in the retrocipatory structure of the historical aspect.

After our examination of the psychical retrocipations in the modal structure of history the biotic analogies once more demand our attention. These were already mentioned in the analysis of the logical analogies and in the discussion of the normative sense of historical development. But in the present context it is necessary to make some additional remarks about their retrocipatory structure.

Historical development is inherent in cultural life and constitutes an indispensable element of historical experience. But any dialectical abuse of these biotic analogies should be carefully avoided.

The danger of such an abuse can be clearly seen from the organological view of history in which cultural unfolding was conceived of as a higher stage of natural development, so that the former was construed after the pattern of the growth of a living organism. It may be that this biologistic conception was dialectically connected with the motive of cultural freedom; but this could not retrieve the fundamental levelling of the modal boundaries between the biotic and the historical aspects, implied in this view.

On the other hand, the distinction between living and intrinsically dead elements of cultural tradition was very useful and even indispensable. It appeared that the Historical legal school conceived it in a normative sense, but failed to indicate a serviceable criterion. Here, too, the dialectical-organological view of historical development lost sight of the fundamental modal difference between natural growth, in the sense of organic life, and the historical process of cultural unfolding.

This does not detract from the value of the distinction as such. But the normative criterion cannot be found in the biotic retrocipations of the historical law-sphere alone, nor in its retrocipatory structure as a whole. As long as the modal structure of history is considered only in its closed or restrictive function every attempt to detect the regulative content of the normative principles of cultural development is doomed to failure.

This is undubitably a very interesting state of affairs, since it deviates from what was found in our analysis of the retrocipatory structure of other normative aspects. In the logical, the legal and the moral law-spheres, for instance, we detected a material content of the normative principles even in their closed structure.

And it is especially the biotical analogy of historical development in which this deviating state of affairs manifests itself. This may be a new indication of the particular position of the historical law-sphere with regard to the opening-process of the normative meaning-aspects.

For the present our analysis of the retrocipatory structure of history must be continued by considering the analogies of the aspect of energy-effect. This will direct our attention to the famous problem of causality in its historical meaning.

The intermodal meaning-coherence between the historical aspect and that of energy-effect. The problem of historical causality and TOYNBEE's idea of 'challenge'.

The analysis of the logical analogies in the modal meaning of the historical aspect has brought to light that the identity and diversity of historical events is not to be established in the way followed in verifying natural facts. What belongs to an historical occurence, and what does not, appeared to depend on historical imputation. One should not be led astray by the fact that natural events, too, can have an historical signification. For this appeared to be possible only in an historical subject-object-relation. In this relation the historical meaning of such facts depends on particular subjective cultural situations affected by them.

This state of affairs must be of great importance for the insight into the physical analogies within the modal structure of history which reveal the inner meaning-coherence of the latter with the aspect of energy-effect.

Every historical event — either subjective or objective — implies historical effects in cultural development. Without such effects it would be historically irrelevant. But if historical events themselves cannot be established without normative imputation the same thing must apply to the historical relation of cause and effect.

In their epistemological reflections on the historical concept of causality historians have been troubled by the naturalist philosophical view of the causal nexus inspired by the deterministic Humanist science-ideal.

Starting from the so-called physico-psychical image of temporal reality they considered that a particular effect can only result from the whole of physical and psychical antecedents by which it is necessarily determined. And since the series of causal

conditiones sine qua non in the case of historical processes seemed to be immensely complex, and the knowledge of its totality transcends human possibility, the historian should be content with making a relatively arbitrary selection from this series. This is, for instance, the view of the famous Dutch historian HUIZINGA and of the German philosopher GEORG SIMMEL.

It needs no further argument that in this way the problem of historical causality is completely misunderstood since it is conceived outside of the modal meaning of history.

An historical causal nexus can only be found between cultural events, just as a juridical causal nexus can only exist between legal facts, and a psychical one only between psychical phenomena. It is true that the historical modality of causal relations has an unbreakable intermodal coherence with the other modal aspects of a real causal process. But it cannot be reduced to the latter.

Let me illustrate this state of affairs by an example. In the discussion of the question: Which historical situations have caused the rise of the feudal system in the Frankish kingdom? historians usually mention two facts: in the first place the invasions of the Arabs, whose cavalry by far surpassed that of the Frankish army, whose horsemen only consisted of the royal *antrustiones*; and secondly the interior danger caused by the formation of a private cavalry by the mighty Frankish seigneurs. The Carolingians conquered both dangers at once by a compulsory incorporation of the private vassals in the Frankish army.

The causal factors alleged here are doubtless historical. Two power-formations threatened the Frankish kingdom. They were a real 'challenge' in the sense meant by TOYNBEE, and their historical effect was a dangerous situation. The latter became the historical ground for a measure of political genius by which the challenge was answered and the military and political power-integration of the Frankish empire was assured.

Every attempt to reduce this intrinsically historical causal nexus to a physico-psychical complex would be meaningless, though it is evident that the former can reveal its historical meaning only in the inter-modal coherence with other modalities of causal relations.

The 'challenge' in TOYNBEE's sense is, in fact, at the same time an appeal to the normative task of the real formers of history, a historical test of their qualification as leaders in the process of cultural development of mankind. This is to say that the histori-

cal causal relation in the case mentioned shows a factual side and a norm-side, which are insolubly related to one another. The factual effect of the Arabian invasions and of the private power-formation of the Frankish seigneurs was the rise of a serious danger to the Frankish empire. This was the 'challenge', which, on the normative law-side of the historical law-sphere, became the ground for the fulfilment of an historical task: the military and political integration of the Frankish kingdom into a real state. There was no guaranty in advance that the Carolingian rulers would be able to conquer the dangers. We cannot say that the maintenance of an imperium, originated from conquests, and viewed by the Merovingian conquerors as their private dominium, was in itself a normative requirement of cultural development. From the historical viewpoint the only question was how the Carolingian rulers would answer the 'challenge', whether or not in the line of a cultural principle which turns out to be a real norm of historical development.

The affirmative answer to this question supposes again that an historical norm is to be assumed implying the task of the political formers of history indicated above. And this can only appear from our further analysis of the modal structure of history.

For the present it must be established that neither the psychical nor the physical aspects of causality implied in the realization of the Arabian invasions, the private power-formations of the Frankish seigneurs and the political-historical projects of the Carolingians, touch at the intrinsically historical causal relation explained above. The historian who examines the political-historical development of the Frankish kingdom during the 8th century, cannot escape from taking account of the psychical and physical aspects of the events. But he must be aware that he is then in the same position as the jurist, who, for instance, confronted with the question whether a murder has been committed in the legal sense of the word, must in advance establish whether a certain dose of arsenic can be medically considered as lethal.

To the judge this is a prelimenary question lying at the basis of the real juridical causal problem, and when he is in doubt, he will consult a specialist.

In the same way the historian should consider that the psychical and physical aspects of a causal process functioning in the historical law-sphere do not belong to the real historical causal nexus.

It is the modal structure of the latter which determines its meaning. Therefore the analysis of this modal meaning-structure is necessary.

The so-called individual causality in history and the rejection of the concept of historical causality by the Diltheyan school.

It is not sufficient, after the manner of RICKERT, to work with the category of *'individual causality'* which is not further determined in its meaning. Neither will it do to speak of a 'lack of causal equation' as distinct from the natural scientific 'causal equation' *(Kausal-Ungleichung; Kausal-Gleichung)*. With regard to the concrete historical causality the mathematical-physical principle of equivalence doubtless does not hold, because it has no historical sense at all. In the meaning of cultural development 'small causes' may have 'great consequences'. But this *'individual causality'* is by no means inherent only in the historical side of reality. It is revealed wherever our attention is directed to the *subjectivity of the events in their structures of individuality, as they are expressed within the different modal aspects of experience.*

Considered modally, individuality remains an ἄπειρον, so long as our theoretical view is not directed to the 'guiding functions' opening the infinite number of possibilities, implied in the structures of individuality and their modal aspects.

This disclosure within the concrete structural coherence of the individual totality takes place in a definite anticipatory direction.

In any case the moment of individuality cannot determine the modal structure of an historical causal nexus. As soon as (with RICKERT, TROELTSCH, and other methodologists of historical thought) individuality is considered as an *a-priori* determining moment of the historical aspect as such, the order of investigation is inverted. It is forgotten that historical individuality *as such* can only be determined from its historical modus, and not the other way about.

When our theoretical attention is prematurely directed to the incalculable diversity of individuality manifested in concrete things and events we can no longer read its rich *modal* diversity.

The unjustified identification of causality with the natural-scientific conception of it, explains why the Diltheyan trend in

the philosophy of history wishes to ban the entire category of causality from historical science. In the opinion of the Diltheyans causality belongs to explanatory spatial thinking, and they hold that 'historical thought' should be directed to the interpretative *understanding* of the historical meaning-coherences, and not to *explanatory analysis.*

The truth of the matter is that the relation of cause and effect is an inseparable retrocipatory element in the modal structure of history itself, but in this meaning-aspect it cannot be reduced to any non-historical function of causality.

Historical causality, as such, is necessarily qualified by the nuclear meaning-moment of *formative control.* It is a cultural relation.

The retrocipation of movement in the modal structure of history.

There can be no doubt that our experience of historical development is ultimately founded in the pure intuition of movement. It may be that this development, as such, is a biotic retrocipation; but the previous provisional analysis of the modal structure of the biotic aspect has shown that the moment of development cannot be the modal nucleus of the latter. It is only an indirectly founded analogy of movement in its original sense.

Historical or cultural development is, consequently, a much more complicated retrocipation, since its intermodal foundation is mediated by all the modal aspects following that of movement and preceding the historical sphere. As was remarked in an earlier context, it is not the logical compulsion of a pre-conceived philosophical system which leads to this conclusion. Rather it is the unavoidable result of an exact analysis of the modal meaning-structures.

Insofar as historical or cultural life is founded in organic life, historical development implies the analogy of biotic potentiality, and the analogical moments of vital and intrinsically dead components of tradition. Insofar as it is founded in the physical aspect of energy-effect, it implies the analogy of historical cause and its consequences. But the dynamical moment, as such implied in the experience of cultural development, can have no other ultimate foundation than the pure intuition of movement.

It is no use explaining it from the experience of historical time. For such an explanation appeals to the *historical meaning-modus*

of time whose modal structure is the very subject matter of our analysis.

If historical time implies historical movement, which can hardly be denied, we are confronted with the question concerning its ultimate foundation, since in its historical qualification it reveals it analogical character. Analogies cannot exist without this basis, if they are not to be meaningless. They refer to an original modal meaning-nucleus as their ultimate temporal point of reference. And a serious philosophical analysis should not rest before this point of reference has been laid bare.

But then it is inevitable that, together with the analogy of movement, we shall detect spatial and numerical analogies in the modal structure of history. The horror of 'spatial thought' in the 'Geisteswissenschaften', which we remarked in DILTHEY and his adherents in the philosophy of history, should not refrain us from bringing to light also these ultimate retrocipatory moments in the modal structure concerned. Only it should be borne in mind that they are analogies and not mathematical concepts.

Numerical analogies in power.

The numerical retrocipations require no special attention. Every historical fact and every historical relation implies (in a cultural sense) the moments of unity and multiplicity founded in arithmetical relations.

Power implies a quantitative analogy in its different gradations. But it cannot be really quantified in its inner cultural meaning. Its numerical analogies are ruled by cultural standards, not by arithmetical measures. Political power, for instance, cannot be measured by the number of men over which it extends, but only by the degree to which this multitude is formed to a political-historical unity. A numerically great people may be weak as a political power-formation. The same holds good with respect to other types of historical formations of mastery.

For the rest, these quantitative analogies can only be examined via the spatial retrocipations.

The spatial analogies in the modal moment of the cultural area. The normative call to win the control over nature, and the positivizing of this modal historical principle in technical industry. The instrument as a document of civilization and its relation to the cultural area.

The spatial analogies in the modal structure of history already demanded attention in our introductory consideration of the analogical basic concepts of scientific thought. There it appeared that the science of history is bound to a historical notion of space which is called cultural area. A cultural area is qualified by the modal nuclear moment of formative control (or power) in the correlation of power over persons and power over objects. Since this nuclear moment appeared to have an intrinsically normative meaning, this spatial analogy, too, is only to be conceived in a normative sense. It appeared to be a sphere of human power-expansion which, to be sure, is founded in the space of sensory perception, but is not perceptible in its modal cultural meaning to the eye of sense.

A cultural area may be more or less extensive and this gradation shows its intra-modal coherence with the quantitative retrocipations of power briefly discussed above. This extension, too, just like its gradation, has an intrinsically cultural measure; it cannot be conceived in mathematical equations, though in its realization it doubtless has a mathematical foundation so that by nature it has an inner meaning-coherence with spatial magnitude. It is an historical magnitude bound to cultural movement and development, consequently, a dynamical supersensory meaning-figure. As such it is a spatial analogy which can only be conceived in the historical subject-object-relation. Let us consider this relation in somewhat greater detail, though in so doing we cannot escape anticipating our later general examination of this subject.

Already in its restrictive retrocipatory structure the modal meaning of culture implies the normative historical principle of the call to win the control over nature in its objective cultural potentialities. This principle appeared to be founded in the Divine ordinance of the creation (Gen. 1 : 26—28). Though the fall into sin deprived man of the fulness of this power, the principle itself has retained its modal validity in the development of culture. It is positivized in technical industry in the sense intended in the Greek word τεχνή, i.e. formative control.

Wherever tools are found to control nature, be it in ever so primitive a form, we are on *historical ground,* in a *cultural area.*

The term 'agriculture' clearly indicates the cultural subject-object-relation between human *technè* and the soil in its objective cultural potentiality. And even the primitive control of nature in the still undeveloped *technè* is based on a logical meaning-substratum. Without logical thinking it is impossible to gain the control of nature.

At first sight this technical control, as a historical meaning-figure, seems to expand itself only in the *objective direction.* And if only this objective direction is considered, the normative character of the modal principle of power-expansion over nature positivized in technical industry cannot immediately catch the eye.

Especially at its modern highly developed level, technics is usually viewed as a purely material factor of culture whose predominant power threatens human personality. In its impersonal sphere there seems to be no room for subjects but for objects only. And it can hardly be denied that an excessive expansion of the power of technical industry implies serious dangers for mankind. But this is the subject of later examinations. For the present it should be borne in mind that in technical industry we are confronted with the modal *subject-object-relation* which renders any merely *objectivistic conception* really meaningless. Technical industry, as a historical phenomenon, is itself ruled by *principles* which, as such, refer to subjective formative activity. Their normative content in the formative process of history on the law-side is subjected to development in a progressive direction.

Technical industry is never to be understood in an individualistic sense. It always means a historical expansion of formative power both in subjective and in objective directions. In the former direction it is primarily a communal factor. The formation of the technical principles is only possible through the agency of historical authorities within a cultural group.

If on the basis of natural-scientific thought the technical control of nature is to be raised to a higher level, the authority of the formers of history must intervene in the cultural community in order to conquer reactionary conservatism. The latter is not identical with tradition, the guardian of historical continuity; but is rather the power of inertia that simply opposes any novelty. Progress in technical industry is impossible with-

out the basis of historical power over persons, manifesting itself in the general acceptance of new technical ideas: the deepened technical principles must find sufficient support in a cultural community and cultural area.

An individual discovery or invention that has no historical consequences because it is not generally accepted, and consequently lacks the character of a formative factor in human society, cannot form history.

We have now almost imperceptibly passed on to the chief theme of our enquiry connected with the opening-process in the historical law-sphere. Our previous investigations of the retrocipatory structure of history have served only as a *preparation.*

§ 5 - THE ANTICIPATORY STRUCTURE OF THE HISTORICAL ASPECT AND THE TRANSCENDENTAL IDEA OF HISTORICAL DEVELOPMENT.

The rigidity of the cultural meaning in the still closed primitive cultures. The historical norm of integration and its divine foundation.

In the restrictive as yet unopened function of the historical law-sphere in a primitive society, civilization is still enclosed between the rigid walls of small sibs, tribes, or populaces. The typical structures of these communities have as yet no differentiated determinating or leading function [1]. The historical authorities in primitive society are the guardians of a rigid group-tradition, often deified by a pagan faith.

So long as such communities maintain their isolation in history, there is no question of any development of culture in the proper sense of the word, as it is taken in the science of history.

The primitive group must come into contact with other groups that are at a higher cultural level. Its historical tradition, rigidly tied down to an idolatrous belief in nature, must be affected.

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[1] The concept of the 'determinating or leading function' as the guiding structural function of things and human social groups can only be explained in the third Volume. There we shall analyze the structures of individuality further. In the present context a preliminary explanation of the term must suffice. The *determinating or leading function is the typically guiding structural function* in the entire architecture of a 'thing' and of social groups. Thus, e.g., the temporal community of the church has its typically guiding structural function as *a community of believers on the basis of a common positive confession of Christian faith.* The determinating function of the temporal ecclesiastical institution is, consequently, enclosed in the aspect of faith. It gives this institution its *typical qualification.*

The isolating walls of partition must be broken through if there is to be any normative dynamics, any deepening of the meaning of a primitive civilization. Very often it is the historical power of the sword that makes the opening-process possible here, but other (peaceful) powers like that of the Christian mission, of trade, etc. are also frequently active.

In the removal of the rigid walls of isolation, historical development moves in the line of cultural integration. The latter has its counter-part in the process of an increasing differentiation. This process of cultural integration and differentiation should be sharply distinguished from the levelling tendencies which in our days threaten to penetrate the so-called underdeveloped cultures with secularized factors of Western civilization. In its genuine sense it is highly important to our enquiry.

Here Christian philosophy is directly confronted with the problem whether the modal structure of historical development on its law-side implies a normative principle of cultural integration and differentiation which can really be employed as a criterion of historical progress. In our previous examination of the problem of historical causality such a norm was only hypothetically introduced. At the present stage of our enquiry this hypothesis ought to find its justification. For it has appeared that the normative principle of historical development can reveal its material content only in the opening-process of the historical law-sphere.

It deserves special attention that the biologistic school in sociology has indeed accepted the principle of cultural integration and differentiation as a norm of historical development, though they transformed it into a natural law of higher organical life. EMILE DURKHEIM, too, though not belonging to the adherents of this school, assumed a necessary development of culture from an undifferentiated primitive stage to the level of increasing differentiation and integration. Both HERBERT SPENCER, the founder of the biologistic school, and DURKHEIM seemingly based this principle of cultural development on biotic analogies in the historical process of social life.

The previous examination has shown that these analogies, in their merely retrocipatory sense, cannot furnish any material standard of cultural development.

But in fact, the biologistic school, and also DURKHEIM, based their conception on the evolutionistic theory of DARWIN. And, as will appear presently, this theory, in its application to human

culture, implies a normative Idea of historical development masked in a natural-scientific garb. This Idea was, consequently, not derived from biotic analogies only. Its transformation into a natural law was a pure mystification. The simple fact that there exist primitive tribes which from times immemorial have remained in an undifferentiated state of culture, suffices to refute any natural scientific view of the principle of historical development.

If the principle of cultural differentiation and integration is really a modal norm of historical development, it must be founded in the modal structure of the historical opening-process, and in the Divine world-order as a whole. That this is indeed so will appear from our further analysis of the anticipatory structure of the historical meaning-modus.

Provisionally it is necessary to stress the fact that without the realization of the principle concerned, the anticipatory spheres of the historical aspect will remain closed. This is a strong indication that the principle of cultural differentiation and integration must be founded in the modal structure of the cultural opening-process.

In addition, it must be stated that without the process of cultural differentiation and integration there can be no question of a free unfolding of the structures of individuality in human society. As long as culture remains in an undifferentiated condition there is no room for a state, a church, a free industrial or trade-life, free associations, a free unfolding of fine arts, a scientific community etc. Even the matrimonial community and family-life are often denatured by being intersected through artificial undifferentiated power-formations, like those of matriarchal or patriarchal sibs or clans, which impede a free unfolding of the natural matrimonial and family relations.

God has created everything according to its own inner nature; and in the temporal order of genesis and development this inner nature must freely unfold itself. This also holds good with regard to the structures of individuality determining the inner nature of the different typical spheres of human society. Only in connection with the whole order of creation is it permitted to refer to the development of a human being from an undifferentiated impregnated egg-cell to a highly differentiated individuum, and to an ascending series of undifferentiated and more or less differentiated living beings in nature. In so doing, the Christian philosopher does not fall back into the error of de-

riving a norm of cultural development from the closed biotic analogies in the structure of the historical aspect. Rather he appeals to the universal order of creation which has to unfold itself within all aspects of the real process of temporal development, in the biotical, as well as in the psychical, and the post-psychical law-spheres.

For the rest more arguments may be alleged for the thesis that from the Biblical standpoint the principle of cultural differentiation and integration is to be acknowledged as a fundamental norm of historical development. The history of the building of the tower of Babel, viewed in the light of the cultural commandment of Genesis I, shows that seclusion and isolation in cultural development is contrary to the Divine ordinance.

Cultural expansion, the spread of humanity over the surface of the earth in the differentiation of the cultural groups, and the cultural contact between these groups, have been set as a task to mankind.

The unity of mankind in its spiritual root does not allow a continuous cultural isolation of separated peoples. The task of winning the control over the earth is set to mankind, as a whole, in its historical development.

Meanwhile, the Biblical basic motive of the Christian religion does not permit the historical process of differentiation and integration to be considered only in the light of the order of creation.

Though the Divine cultural commandment has retained its complete validity, it should not be forgotten that in the process intended the historical power of sin must also develop in an increasing degree. And the influence of sin cannot fail to manifest itself also in the human formation of the cultural principles. This is why the Christian can never agree with an optimistic view of cultural progress. On the other hand, he should not surrender to the radical pessimism of a modern philosophy of cultural decline, or resign to a abandonment of culture to the power of apostasy. In the light of the Christian basic motive of Redemption, culture belongs to the Kingdom of JESUS CHRIST. And the task set to mankind in the cultural commandment of creation should be fulfilled in a continuous contest with the historical development of the power of sin, a contest to be waged through the spiritual δύναμις of the Redeemer. This theme will require special attention in a later context.

The problem of the original historical state of civilization and the Idea of progress.

But is the primitive condition of civilization in which the meaning of history manifests itself only in its closed restrictive function the original state of mankind? Is the factual side of historical development a steadily progressive evolutionary course? It is remarkable that already in Greek philosophy this evolutionistic view of history presented itself under a neutral positivistic mask. PROTAGORAS, the great founder of Greek sophism, was one of the first to construe the factual human cultural development in an ascending line.

Before him the idea of a golden age at the commencement of history had been prevalent. Even PLATO in his dialogues *Timaeus, Critias* and *Politicos* adopted it. But PROTAGORAS in his "Prometheus-myth" advanced the idea of a natural state of mankind as a life without justice, morality or body politic, though in possession of a limited amount of technical skill in controlling nature [1]. Religion [2] and language are supposed to have existed in this natural state. But justice and morality are said to have developed only in the civil state as the 'general conviction' or 'general will' of the united citizens. Owing to this view PROTAGORAS sharply opposed the idea of a 'natural law' and a pre-political moral standard. That is why he looks upon 'civilization' as a higher stage of development of the 'culture' existing in the state of nature.

In modern times the Idea of progress in its naturalistic form was propagated especially by the consistent adherents of the Humanistic science-ideal, in its mathematical orientation. The philosophy of the Enlightenment with its preponderately empiristic-positivistic tendency was permeated by this Idea.

At present it hardly needs special argument to say that the

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[1] The credit of having pointed out the great importance of PROTAGORAS' theory of cultural development for later theories in the same strain, is undoubtedly due to ADOLF MENZEL (Beiträge zur Geschichte der Staatslehre, Sitzungsberichte der Wiener Akademie der Wissensch. Phil. hist. Klasse, Bnd. 210, Abh. I, 1929, pp. 192 ff). Cf. also W. GRAF UXKULL-GYLLENBAND, in the work: *Griechische Kulturentstehungslehren* (1924), p. 22 ff.

[2] Doubtless PROTAGORAS here meant the older nature-religion with its basic motive of the eternally flowing stream of Life, which in his philosophy was depreciated in favour of the form-motive of the cultural religion of the Greek polis.

Idea of historical development, in the sense of a steady progress under the guidance of 'reason', cannot be maintained on a positivistic foundation but contains a hidden axiological standard.

The transcendental *Idea* of historical development, as such, necessarily points beyond and above the modal temporal meaning of history. As a transcendental *Idea* it is unavoidably directed to the *Origin* and the *consummation of the meaning* of culture.

It may be that the concept of history has to start with the *primary,* as yet *unopened* meaning of the historical law-sphere; but this is in no way decisive for the question concerning the original historical conditions.

The question about the original historical condition of mankind necessarily refers back to that concerning the origin of history itself. Therefore it cannot be answered by historical science on the ground of the positive historical material only. In the same way physical science cannot explain to us the problem of the origin of "energy", and biology cannot explain to us the origin of "organic life".

Darwinistic evolutionism, conceived as a genetic world- and life-view encompassing the origin of human culture and society, is a sheer metaphysics of the Humanistic science-ideal. So is FICHTE's hypothesis of a highly gifted original people which, as the individual embodiment of a given qualitative morality in a moral nature, is supposed to be the bearer of the original civilization. The origin of mankind cannot be found by science independently. The origin of culture is therefore a meta-historical question, answered for the Christian by the Divine Revelation of creation. And the original historical condition is indissolubly bound up with the origin of mankind.

Pre-history has doubtless furnished extremely important indications concerning the oldest testimonies of human culture. But every attempt at a reconstruction especially of the palaeolithic periods of cultural development contains a good deal of hypothesis. This is partly due to the lack of sufficient scientific material. But chiefly it is caused by the transcendental presuppositions of the pre-historical viewpoint.

But does it follow from this state of affairs that historical science, in accordance with the neutrality postulate, should refrain from giving an opinion on the direction of cultural development? Is it to relinquish the normative Idea of development? We shall see that it cannot do so if it is not to lose hold of

the historical aspect itself. It would be tantamount to sacrificing its position as a science with a limited sphere of its own. Only the historical aspect can guarantee historical science its own field of inquiry. And the modal meaning of culture, as we have now sufficiently demonstrated, just as any other modal meaning-structure, cannot be conceived apart from a transcendental basic Idea.

> Historical science works with a transcendental *Idea*, and not with a rigid *concept* of historical development. Its relation to ethnology and the science of pre-history.

In analysing this modality we are necessarily confronted with the relation between primitive and deepened culture. The science of history is not interested in primitive closed cultures that have not been taken up in the stream of cultural development. It leaves the study of these civilizations to ethnology, the science of the so-called pre-history, and to sociology. Primitive cultures are important to historical science only insofar as they are referred to by an opened and deepened form of cultural development. The investigation of Old Germanic and pre-Germanic Celtic civilizations for instance is not merely important for ethnology or for 'pre-history'. Historical science includes these cultures at their primitive stage in its own field of enquiry, because they have been taken up by the stream of development of modern civilization. As far as the source material goes, they are subject-matter for the historian. Nevertheless, they are also rightly investigated by ethnology and pre-history, insofar as cultural development in 'closed cultural groups' is submitted to a comparative (or a non-comparative) method of investigation.

On the other hand the theoretical inquiry into, e.g., the pre-historical cave-cultures, the culture of the Neanderthal-man, etc., is not a genuine *historical* theme, unless documentary evidence should enable us to trace the historical advancement of these primitive closed cultures into the stream of opened and deepened cultural development. At least with regard to the Neanderthal culture it has been established that this is not the case; and with respect to the cave-cultures it will appear presently that the discoveries of pre-history are not susceptible of scientific-historical interpretation in its proper sense.

The opened and deepened cultural development is undeniably found in the *anticipatory* and no longer in the retrocipatory direction of the historical aspect.

The anticipatory direction of history appeared to be understandable only in an *Idea* of cultural development. In the present context this point is very important. For here it appears that genuine historical science is itself oriented to the normative Idea of cultural development, although the current conception holds that it ought to abstain from any kind of 'value judgments'.

It is necessary to examine this state of affairs in somewhat greater detail.

The necessity of a normative Idea of cultural development for historical thought.

The merely retrocipatory moment of cultural development of which it is possible to form a *concept,* is rigidly bound up with biotic organic development, and as such it also occurs in the as yet closed primitive cultures.

These cultures may have their periods of historical rise, maturity and decline, just as a living organism has its developmental periods. The duration of their existence is dependent on that of the small popular or tribal communities that are their bearers. They vegetate upon the developmental potentialities contained in their isolated existence; and incidental influences from abroad (for instance the borrowing of new forms of tools) are only undergone receptively without giving rise to new cultural ideas. They may vanish from the scene altogether without leaving any trace in the history of mankind.

Quite different is the situation in the historical development of opened cultures. From the ancient cultural centres of world-history: Egypt, Babylon, Persia, Crete, Greece, Rome, Byzantium, Palestine etc. essential developmental tendencies have passed over into medieval and modern Western civilizations. They have fecundated the Germanic and Arabian cultures and this fecundation has given rise to new forms of civilization. This disclosed or opened cultural development has been freed from the rigid dependence upon the vital conditions of popular or tribal communities. It does not vegetate within the narrow boundaries of closed and undifferentiated cultural groups, but, like a fecundating stream, it always forms new channels to continue its course.

The merely retrocipatory element in cultural development, *its closed biotic analogy,* does not interest historical science. The fact that a primitive cultural group as the Marind-anim in New-

Guinea vanishes from the earth, owing to the dying out of the greater part of the tribe and the total decline of its culture, may interest *ethnology* [1], but it is irrelevant to historical science. Only the anticipatory development of culture is drawn within its horizon.

If, therefore, historical science is denied its right to be guided by an Idea of historical development, this means that it is deprived of its necessary *ὑπόθεσις*.

The science of history — though the historian does not realize it — has indeed taken its stand with regard to the relation between primitive and deepened civilization.

Historical inquiry is only concerned with the latter, and with the development of primitive cultures to deepened civilizations insofar as documentary evidence is available.

Therefore historical thought moves in principle in the direction of the historical *Idea,* which is not possible, however, without the historical *concept.*

Is this Idea to remain without any direction; is it to be restricted to an immanent *'Kultursynthese'* [2]? This is the opinion of modern Historism; it has prevailed also in the science of history, since the foundations of the Humanistic personality-ideal were undermined by sceptical relativism.

But a genuine Idea of historical development cannot be derived from an immanent synthesis of cultural facts in their typical structures of individuality.

The Christian Germanic cultural development is doubtless not to be understood without taking into account the influence of the powerful factors of Greek-Roman culture. In the Greek cultural development there were important Egyptian and other individual historical factors at work. But the ancient Greco-Roman factors operate in the Christian-Germanic history as in a new dynamic historical totality, and thereby assume an entirely new cultural nuance.

The individual historical structural totalities formed in this course of development must, consequently, stand in a functional relation which cannot be the result of these historical totalities themselves but which, inversely, is their very condition. This functional relation is that of historical development in the

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[1] Cf. the thesis of J. v. BAAL, *Godsdienst en Samenleving in Nederlandsch-Zuid-Nieuw-Guinea* (Leiden, 1934).

[2] The term is TROELTSCH's.

opening-process of its modal meaning. And the factual side of this opening-process is not to be established apart from normative cultural principles, which in their anticipatory character point beyond the immanent boundaries of the historical law-sphere.

This is why an immanent theoretic synthesis of Western culture in the sense meant by TROELTSCH presupposes a transcendental Idea of historical development, if it is to be more than an arbitrary selection of separate elements lacking historical coherence. Western culture cannot be conceived of as a closed civilization whose positive cultural measures are only to be found in its immanent tradition.

Historical development is *guided* in the anticipatory transcendental direction by later modal functions, and the opening-process that takes place here is impossible without a definite direction.

In the older science of history, oriented to 'Universal-' or 'World-History', this was not doubted and historians were fully conscious of the historical Idea they laid at the basis of their researches.

The developmental Idea of progress. Its *ὑπόθεσις* in the Humanistic science-ideal.

It was a new Idea of development by means of which the 'Enlightenment' definitively accomplished the breach with the Christian conception of history that had prevailed from EUSEBIUS and ST AUGUSTINE up until BOSSUET. This new Idea was that of the steady advance of mankind towards autonomous freedom guaranteed by reason becoming conscious of itself (reason taken in the sense of natural scientific thought).

VOLTAIRE was the first to formulate the Humanistic idea of culture in this pregnant way. 'Culture', in the absolutely immanent, 'profane' conception in which the philosopher of the 'Enlightenment' opposed it to the soterological facts of Christian religion, as well as to the military struggle for power among the different states, became the central theme and the slogan of the Humanistic view of history.

The normative standard in which this conception of historical development was founded, was that of the Humanistic science-ideal oriented to NEWTON's principles of natural science. This ideal had gained its supreme historical power in the very period of the Enlightenment. Every possible progress, every possible

happiness for mankind was expected of the progressive realization of this ideal. In a deeper sense the Humanistic personality-ideal was itself active in the background of this idea of the steady progress of culture.

VOLTAIRE collected the gigantic poly-historical factual material of his time from the results of the investigations of nature, the reports of travellers and missionaries, and the work of special historical science. From the view-point of the new Idea of culture he re-shaped this material in order to adapt it to a pre-conceived course of development of world-history, supposed to be in strict conformity to the causality of nature.

'World-history' in this sense became an illustration of the expansion of the power of sovereign scientific research. It ended in the apotheosis of the ideals of the Enlightenment, the glorification of its own culture. Compared with this, all the previous phases in the development of history could only be called inferior earlier stages, a spectacle of the stupidity of the world, which had to give way more and more to the light of reason[1].

The new Idea of culture was sustained by the optimistic belief in the possibility of perfecting man by means of science, and by the rationalistic-individualistic view of the similarity of the 'rational nature of man' in all its world-wide 'specimens'. This similarity was oriented to the Humanistic idea of 'natural law' and was supposedly maintained in the entire process of historical development.

The developmental Idea of progress, as the purest precipitation of the French and the English 'Enlightenment', was presently led into collectivistic-sociological paths by the positivistic view of history of Count de ST SIMON and of AUGUST COMTE.

Subsequently the influence of the Darwinistic theory of evolution undermined one of the foundations of this developmental Idea: the belief in the universal similarity of human nature. SPENCER, who introduced DARWIN's biologistic evolutionary principle into the conception of history, could impregnate this principle with a genuine *Idea* of historical development only because he elevated modern economic industrialism and British liberalism to the normative final purpose of historical development. By representing this normative standard as the result of natural causes the illusion of a positivist biological view of history was main-

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[1] Cf. GERHARD MASUR, *Ranke's Begriff der Welt-Geschichte*, Beiheft 6 der Historischen Zeitschr. (1926) p. 26, and SACKMANN, *Voltaire*, p. 295.

tained. But the factual course of cultural development did not fit this preconceived evolutionistic Idea.

It is quite understandable that the biologistic principle of evolution found adherence especially in pre-history and ethnology (MORGAN, TYLOR, FRAZER and others), whereas the historians in their special field of research could hardly be interested in it [1]. For in the course of development of primitive cultures, in which the typically anticipatory process of differentiation and individualization has not yet started, the biotic retrocipations must necssarily come to the fore [2]. Nevertheless, even in ethnology the evolutionist hypothesis has been refuted by the facts, since the unscientific manner of arranging and interpreting the material of research after a preconceived scheme has been replaced by a serious cultural scientific method of investigation. Thereby its claim to the rôle of an explanatory principle which can account for the factual course of cultural evolution has been lost.

I will revert to this important point below.

KANT's Idea of development oriented to the Humanistic personality-ideal in its rationalistic conception.

The developmental Idea of the steady progress of mankind oriented to the Humanistic science-ideal still found pregnant expression in COMTE's *law of the three stages*. But against this Idea the Humanistic personality-ideal in ROUSSEAU's pessimistic philosophy of culture had begun its reaction, which was at first absolutely destructive. Later on ROUSSEAU developed his natural-law theory of the State according to which culture can lead mankind to a higher condition of freedom than nature can, viz. by guaranteeing him political freedom in the form of the unalienable rights of the citizen. But this was no longer viewed as the result of a natural causal process, but rather as a normative goal of culture .

In the latter line of thought KANT introduced a *positive* modification of the Humanistic view of history in accordance with the personality-ideal. From the standpoint of the *Kritik der*

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[1] WELLS' *The outline of history* is a history of the world, and may be alleged as an exception. It is indeed founded on SPENCER's evolutionistic ideas, to some degree mixed with socialistic conceptions. For the rest it ascribed a great rôle to the initiative of the human mind.

[2] This is also remarked by TROELTSCH in his important work *Der Historismus und seine Probleme* (1922), p. 432/3.

teleologischen Urteilskraft he oriented the historical Idea of development to the normative moralistic Idea of liberty of the personality-ideal. In this way the Idea of progress was fundamentally changed. There could, of course, no longer be any question of a real advance in the development of history, explicable in terms of natural science.

But KANT's teleological view-point enabled him to judge the development of history *as if* the final aim of practical reason were realized in it. It might be that this development must be thought of as an 'empirical process' subjected to natural causality, but it was the victory of the rational-moral nature of man over empirical sensibility that should lead it as a regulative principle or practical end. The 'empirical development of history' was thus founded in a normative standard to bear 'the burden of actual history'.

KANT fully shared ROUSSEAU's criticism of the Idea of culture of the 'Enlightenment'. 'Rousseau was not so very wrong,' he writes, 'when he had a predilection for the condition of the savages, that is to say as soon as this last stage is omitted to which our race still has to rise' (i.e. the attainment of some form of a 'cosmopolitan union of states'). 'We have been cultivated in a very high degree by Art and Science. We have been *civilized* so as to be polite in society and to have a sense of propriety, until it has become overburdening. But we are still a long way from having become moralized' [1].

A real advance in the development of history can only be oriented to the Idea of autonomous morality. But the inner norm of this morality, the dutiful disposition of the will, in the nature of the case, is useless as a norm for the advance of historical development. Only in its special application to the so-called 'external' behaviour of mankind, hence only as *the Idea of legality,* does KANT base the judgment of historical development upon the supersensory *Idea of freedom.*

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[1] *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht* (W. W. Groszh. Wilh. Ernst-Ausg. I) p. 235: "ROUSSEAU hatte so unrecht nicht, wenn er den Zustand der Wilden vorzog, sobald man nämlich diese letzte Stufe, die unsere Gattung noch zu ersteigen hat, weglässt. Wir sind im hohen Grade durch Kunst und Wissenschaft *kultiviert.* Wir sind *zivilisiert,* bis zum Überlästigen, zur allerlei gesellschaftlicher Artigkeit und Anständigkeit. Aber uns für schon *moralisiert* zu halten, daran fehlt noch sehr viel."

And as such *the idea of the League of Nations* is introduced by KANT as the 'final aim of the history of the world'. The general history of the world is then conceived teleologically as the realization of a providential plan of 'nature', directed to the 'perfect civil union of the human race'. This means the creation of an institution by which the natural condition of the 'bellum omnium contra omnes' between the states is replaced by a 'civil legal condition' in which these states settle their disputes in the peaceful way of a civil law-suit.

But this historical Idea of development remains a *fictitious* criterion to KANT. He himself calls it a 'chiliasm of the philosophy of history' [1] for which "experience" gives us only 'a little' to go on.

Besides, KANT's Idea of development was oriented to a rationalistic, formalistic conception of the Humanistic personality-ideal, which, as such, lay entirely outside the modal meaning of history. Real historical development remains a process of natural causality, which only acquires its meaning through its teleological relation to the Idea of autonomous liberty.

The essential function of individuality in the historical developmental Idea.

Only the irrationalizing of the personality-ideal [2], oriented to the historical process itself, could provide an Idea of development really able to make the method of historical research fruitful.

In this respect HERDER's *Ideëen zur Philosophie der Geschichte* was the great turning-point in comparison with the rationalistic view of history of the 'Enlightenment'. It is true that this philosopher himself continued to hold to the optimistic confidence of the Enlightenment in the 'perfectibility' of human nature. He still started from the developmental Idea of LEIBNIZ which owed its origin to the mathematical science-ideal, and as such had no historical but rather a metaphysical meaning. But the irrationalizing of the personality-ideal began in the period of "Storm and Stress" of which he was a representative. And already in HERDER it oriented itself to a fine intuitive insight into the unfolding of the individual totalities in historical development.

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[1] op. cit., p. 235.

[2] This turning-point in Humanistic philosophy has been submitted to a critical investigation in the second part of Volume I.

In the present context this point is indeed of the very greatest importance. Before this we dismissed every interference of the moment of individuality as premature, because we were chiefly concerned with grasping in a concept the *modal meaning* of history with respect to its retrocipatory structure.

Individuality, we argued, can never be a constituent in the primary meaning-modus of history. It rather has to derive every delimitation of its meaning as a historical individuality precisely from this modal aspect. But in the anticipatory structure of this aspect individuality assumes a special *modal* meaning. The process of individualization lies in the transcendental direction of historical development.

In primitive, closed cultural groups the individual character, as such, is certainly not wanting. But on account of the rigid attachment of culture to the "natural" sides of reality this individuality retains a certain *traditional uniformity,* which from generation to generation displays the same essential features in civilization. This remains true notwithstanding the fact that highly gifted leaders may be found in such primitive groups. So long as these leaders do not use their formative power in an integrating and differentiating direction, they cannot break through the traditional character of the primitive cultural community. For this reason the science of history proper takes no interest in these cultural individualities.

It is only in the opening-process of historical development that a dynamic individualizing tendency assumes essential importance. Again and again new cultural figures make their appearance[1]. Especially the individuality of the formers of history comes to the fore. All these phenomena are unmistakable characteristics of the opening-process of the meaning of history.

Historical individuality now assumes a directed, deepened meaning.

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[1] These individual cultural figures can themselves no longer be conceived from the general modal viewpoint, but only with the aid of a structural idea of individuality which, as such, must exceed the boundaries of the historical aspect.

The rise of nationalities in the opening-process of history. Nationality and the idea of "*Volkstum*" in national-socialism.

This deepened meaning of historical individuality is also manifested in the rise of nationalities in the cultural opening-process. A nation viewed in its historical aspect should be sharply distinguished from the ethnological notions of popular and tribal communities. The former can only develop after the decline of the latter as primitive political power-formations. It will appear from our further inquiry that after the rise of national communities as integrated political power-formations, the ethnical characteristics of the older popular and tribal communities may continue to reveal themselves in popular customs, dress, dances, superstitions etc. They belong to the field of folk-lore.

It was a typical reactionary trait of German national-socialism that it tried to conquer the idea of nationality and to revive the primitive idea of "*Volkstum*". This was in accordance with its myth of 'blood and soil'. The reactionary character of its totalitarian political system was evident from the pattern after which it was built, viz. the primitive old-Germanic *trustis*, a military power-formation of the popular and tribal chiefs, dukes or kings, which in its turn was an artificial expansion of the old undifferentiated (and consequently totalitarian) domestic power of the Germanics.

It is the transcendental Idea of historical development, lying at the foundation of the science of history proper, which has to provide the criterion of reaction and progress. And it can provide a real criterion only if it is oriented to the anticipatory modal structure of the historical aspect, as it is founded in the Divine world-order.

The modal norm of individualization for the opening-process in the historical law-sphere. Its connection with the norm of differentiation and integration.

As the modal norm of the opening-process in the historical law-sphere, the norm of differentiation and integration is thus at the same time *a norm of individualization*. The individual dispositions and talents of peoples, nations, and individual formers of history must expand in the process of cultural development in their typical cultural spheres, and this expansion is set mankind as a *normative task*.

This norm is, however, not to be understood in an irrationalistic sense. The subjective individual dispositions and talents intended are not themselves to be viewed as the normative standard of the disclosed process of cultural development. They ought to be unfolded in accordance with the normative principles implied in the anticipatory structure of the historical lawsphere.

The further analysis of this structure will show that these principles have an unbreakable mutual coherence so that the norm of cultural individualization is never to be conceived apart from the other anticipatory principles.

The normative process of individualization in history is only possible in a *differentiation* of the typical cultural spheres under the guidance of typical non-historical normative modal functions which have themselves opened their meaning.

In the primitive tribes or the primitive populaces the cultural community is an undifferentiated whole. In general there is as yet no question of differentiated cultural spheres *typically* 'guided' by a theoretical (logical), a social [1], an economic, an aesthetic, a juridical, a moral function, or by the function of faith.

As soon as the differentiating process has started, however, the task of the individual talent becomes manifest. In the mutual contact between the differentiated cultural communities their historical individuality becomes essential. They are in need of one another because they each have something individual, something characteristic to give, and because only in the cultural coherence of the individual complexes can the deepened and disclosed historical development continue.

The opened historical individuality can therefore only be conceived theoretically in the coherence of the entire cultural community and in the historical interlacing of the different disclosed cultural spheres. And every individualistic atomistic conception of the deepened historical development is for this reason a misinterpretation of the historical '*Gegenstand*'.

It is undeniable that historical science proper only takes an interest in cultures that have been taken up in the historical process of individualization. The historical method of forming concepts proceeds indeed along individualizing lines [2]. These

[1] The term 'social' is used here in the modal sense of the aspect of human intercourse.

[2] In this respect we can do full justice now to the important elements of truth in RICKERT's methodology of historical thought. RICKERT's error

facts, too, prove that historical science does not orient itself to a rigid *concept,* but rather to an *Idea* of cultural development.

For as soon as historical individuality is considered to be without any direction and self-sufficient, in other words, as soon as it is conceived apart from the anticipatory meaning-coherence, it turns into an ἄπειρον. Then it offers no standard for the selection of what is *historically significant.*

HERDER's irrationalistic Idea of humanity and his conception of historical individuality.

After VICO, HERDER was one of the first thinkers fully alive to the above-mentioned state of affairs.

He realized the fundamental importance of structural totalities like a nation in the process of the deepened development of culture. He saw the intrinsic impossibility of genuinely individualizing historical thought without orienting this individualizing thinking to an Idea of cultural development. And he conceived this Idea as the *Idea of humanity,* a typically irrationalistic conception of the Humanistic personality-ideal, strongly oriented to SHAFTESBURY's aestheticism. In it the value of personality was no longer sought in some abstract kind of intellectuality but rather in an absolutely autonomous, harmonious expansion of every individual natural disposition and ability. In this individual aesthetic expansion the 'general dignity of man' was to acquire its greatest possible *content,* as VON HUMBOLDT put it [1].

Only in this orientation to the irrationalistically conceived aesthetic Idea of humanity does the historical individuality of the national cultural communities find its foundation in HERDER's trend of thought. His thesis that every nation has the standard of its perfection absolutely in its own self [2], would necessarily have resulted in cancelling the Idea of cultural development if it had not been connected with the Idea of humanity. For what nation has ever had an 'isolated' course of development in history, in which the expansion of its individual abilities took place like some vegetable growth from its own seed?

Are not things rather quite different, as RANKE already saw so clearly and sharply, namely, that national individuality itself

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lies in his assumption that he can resolve the modal meaning of history into an unqualified concept of relation, in other words, that he introduces the moment of individuality too soon.

[1] W. VON HUMBOLDT, Werke, I, p. 283.

[2] *Ideen* XV, 3.

does not begin to unfold until the historical development has been disclosed and includes the nations in a larger dynamic cultural coherence?

In HERDER there remains a certain tension between the individuality of the nations as cultural communities and the Idea of humanity that has been related to the universal development. This is due to the strongly naturalistic-organological strain in his view of the individuality of a nation. His historical Idea of development threatens to stiffen into biological analogies. The history of the world is seen in a semi-naturalistic light as the development of all the seeds and of every natural disposition that mankind possesses. And also his Idea of humanity really lacked the constant transcendental direction that alone can give the historical Idea of development its determinateness. This deficiency was inherent in the naturalistic aesthetic conception of his philosophy of feeling.

In a review of HERDER's *Ideeën* KANT rightly blamed the writer for this lack of direction in his Idea of the history of the world.

The 'universally human' in HERDER's Idea of humanity is used as a standard of value for historical development. But it is, after all, nothing but the harmonious unfolding of every individual natural ability without any reference to the international cultural contact giving historical individuality its deepened meaning. Therefore, it cannot really guide the investigation of the differentiated and integrated cultural development, in which the isolated seclusion of the individual cultural communities is broken through.

> The numbing of the Idea of development in the organological conception of the Historical School, and the crux of the historical explanation of the reception of Roman Law by an appeal to the national mind.

The same defect was to manifest itself presently in a pregnant way with regard to the organological Idea of development of the Historical School in jurisprudence, which tried to conceive historical development exclusively from the point of view of the individuality of the 'national mind'.

That's why, e.g., to VON SAVIGNY and PUCHTA the reception of Roman Law in Germanic countries became a true crux of legal history.

Quite rightly v. JHERING and the Germanist GEORG BESELER argued that it was a hopeless task to try and explain this recep-

tion historically by appealing to the Germanic *'Volksgeist'*.

We have shown that the organological Idea of historical development, as conceived of by v. SAVIGNY and his followers, originated in SCHELLING's romantic idealism, which had passed through KANT's transcendental philosophy. This idealism sought to undermine the mathematical science-ideal in order to introduce the continuity-postulate of the transcendental Idea of liberty, founded in the new conception of the personality ideal. 'Nature' itself was viewed organologically as 'the Spirit that is coming into existence' ('werdender Geist'). Nature and history were declared to be two different developmental series of the Absolute (as 'Indifference'), and hence to be radically *identical*. In both series the Absolute differentiates itself into a succession of 'grades' or 'potentialities'. In history we must assume that there is a synthesis of nature and freedom. In this synthesis free action, it is true, is founded in a hidden, unconscious necessity, in Providence or Fate (*'Schicksal'*). But, at the same time in our development from 'stage' to 'stage' (*'Stufe zu Stufe'*), history realizes our elevation from the numb state of unconscious subjection to 'Fate', to the free consciousness of Providence in the historical process.

SCHELLING's *System des transzendentalen Idealismus* really aimed at a new aesthetical culture as the final goal of history in accordance with the cultural ideal (*"Bildungsideal"*) of Romanticism. This was a cultural Idea which, in accordance with KANT's and SCHILLER's doctrine, glorified the reconciliation of mind and sensibility, of nature and freedom, in fine art. At the same time this aesthetical Idea, conceived as the ever original and individual embodiment of the profoundest unity, was to replace KANT's moralistic Idea of the homo noumenon (TROELTSCH).

The Idea of development from nature to freedom, and the deeper identity of these two has been taken over by the Historical School, but severed from the romantic cultural ideal. VON SAVIGNY and PUCHTA have carried it through in their historical theory of law [1].

From the *'Stufe'* (i.e. stage) at which law starts growing unconsciously out of the mind of the people, the development leads

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[1] Cf. the well-known passage in v. SAVIGNY's introductory article in the Zeitschr. für geschichtl. Rechtwissenschaft, Band I, 1815, p. 2—4, for his view of historical development as a synthesis of 'nature' and 'freedom'.

to a higher *"Stufe"*. Here the free and conscious formative activity of the jurists intervenes, as a higher scientific organ of the 'people's mind'. At the same time a place is assigned to legislation, — although a modest one — in the process of development.

Hence it cannot be said that this idea of development is *without any direction.* It did not belie its origin from romantic idealism. But there is no doubt that it had been entirely detached from SCHELLING's romantic aesthetic ideal of culture. The Idea of development was completely irrationalized and enclosed in the individual *'Volksgeist'*. There was no longer any room left for a real insight into the historical coherence of the individual cultural totalities in the progressive course of the opened development of culture. That is why this organological Idea of development bore an extremely nationalistic conservative stamp (though in PUCHTA this trait comes to the fore much more strikingly than in v. SAVIGNY). It was soon submerged into a technical positivistic attitude of mind in the epigones of the Historical School. And in consequence historical research lapsed into antiquarian *"Klein-Krämerei"* (i.e. the retailing of trifles; pedantry).

The intensive conception of world-history in HEGEL. The orientation of his dialectical Idea of development to the Humanistic personality-ideal in a transpersonalistic conception.

In HEGEL's dialectical Idea of development world-history is conceived of as *"Fortschritt im Bewusstsein der Freiheit"* (progressive advance in the consciousness of freedom). The romantic organological conception of the national mind has in principle been superseded. The *'Volksgeister'*, as the true subjects of the *"Weltgeschichte"* (world-history), have become manifestations of the 'objective Mind'. They are considered as channels in the dialectically conceived process of the *disclosed* cultural development. Exactly because of its individualizing tendency this process is as sharply distinguished as possible from any kind of pre-history, rigidly tied down to nature. In this Hegelian conception there can be no question of an initial stage of purely vegetative development of the mind of the people: 'It is only in keeping with philosophical thought and also worthy of it if we start with history at the moment when *"Vernünftigkeit"* enters earthly existence, not when it is still a possibility *'an sich'*, but

when there is a state of things in which it makes its appearance in consciousness, volition and action' [1].

Owing to this conception of the Idea of development, — which really constitutes history, so that there is no room left for an as yet closed meaning of the latter — history is identified with *world*-history. And all those peoples are denied a function in history whose cultural community cannot be considered as a 'preliminary stage' of modern European culture in the dialectical development. Consequently, Africa and India fall entirely outside history. The Hegelian Idea of development is a logical dialectical one, whose content is the self-development of the Humanistic freedom-motive in its irrationalistic trans-personalistic conception.

Historical development is thus made a dialectical totality in which the concept itself becomes historical and fluid, realizing itself concretely in the individual national minds. At the same time these minds are recognized only as individual passage-ways in the process of *Mind* becoming conscious of itself. This is the "*List der Vernunft*" (the stratagem of Reason) that individuality as a necessary precipitation of the Mind is at the same time no more than a *means* in this process. In the dialectical logicizing of this idealistic Idea of development the Idea of world-history has changed from an *extensive* into a *intensive* conception.

The naturalistic '*Fortschritts*'-Idea (the Idea of progressive advance) of the 'Enlightenment' borrowed its material from all parts of the world. The ratio in its natural scientific mode of thought only used this material as an illustration of the progressive enlightenment of mankind by the science-ideal.

HERDER's idea of the history of the world embraced the entire globe and made him carry 'a hundred peoples under his mantle to market'. But HEGEL's Idea of development is incompatible with such an extensive conception because he related it to the universalistic idealistic conception of the personality-ideal.

The motif of world-history necessarily asserts itself in the view of every 'individual national mind'. In this trend of thought

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[1] *Die Vernunft in der Geschichte* (hrg. von GEORG LASSON, 1917) p. 142/3: "Der philosophischen Betrachtung ist es nur angemessen und würdig die Geschichte da aufzunehmen, wo die Vernünftigkeit in weltliche Existenz zu treten beginnt, nicht wo sie noch erst eine Möglichkeit nur *an sich* ist, sondern wo ein Zustand vorhanden ist, in dem sie in Bewusstsein, Willen und Tat auftritt." —

it is impossible to consider an individual cultural community as enclosed in a self-contained organic development. It is equally impossible to go into individuality as such with an open mind, or rather with a historical abandonment that lacks any direction. The dialectical Idea of development here permeates every moment. Every individual moment contains the whole course of world-history *in nuce*.

This intensive view of world-history has passed over into RANKE's Idea of development, notwithstanding all his criticism of HEGEL's dialectical logicizing of the historical process. RANKE recognizes as the scene of world-history only the coherence in the disclosed cultural development between the cultural communities of Asia Minor and those of the Occident.

For him, as for HEGEL, history starts only at the moment 'when the monuments become intelligible and trustworthy, when there are written records' [1]; when, in other words, the modal meaning of culture begins to anticipate symbolical signification.

Fundamental objections may be raised to such a centripetal direction of the entire Idea of development to the modern culture of the West. It is conceived from the idealistic conception of the Humanistic personality-ideal, or, as in RANKE, from a synthesis between the Lutheran belief in Providence and the modern Idea of humanity.

Especially HEGEL's dialectical logicizing of the process of the disclosed cultural development may be denounced as a fundamental denaturing of the meaning of historical evolution. And from the point of view of the Christian cosmonomic Idea the direction of HEGEL's developmental Idea to the Humanistic personality-ideal in its trans-personalistic conception, and its enclosure within the latter, may be deemed objectionable. But all this should not prevent us from recognizing the important element of truth contained in the *intensive conception* of the historical Idea of development as such. For only an *intensive* developmental Idea is able indeed to grasp the supra-individual historical connections between the disclosed cultural communities. Such an Idea is the unavoidable *ὑπόθεσις* also of every genuine special-scientific conception of history.

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[1] *Weltgeschichte*. Bnd. I, 1, p. V.

The necessity of an intensive Idea of historical development.

The insufficiency, or the fundamental unacceptableness from the Christian viewpoint, respectively, of RANKE's and HEGEL's Ideas of development can, consequently, never be ascribed to their *intensive* character. Rather their failure is only to be sought in their inner rigidity, due to the absolutizing of the cultural dominators of Western civilization, or in the false direction of the Idea to a Humanistic conception of freedom, respectively.

Genuine historical thought cannot do without an intensive Idea of development. In its opening process the historical aspect of reality itself everywhere shows intensive developmental connections.

It is a dogmatic prejudice on the part of the irrationalist historistic relativism to suppose that by immediate empathy or a direct entry into the historical material the 'historical consciousness' can grasp these cultural coherences quite apart from *an Idea of development at least used intuitively.*

Thinkers like DILTHEY and TROELTSCH trace the lines of historical development between the Middle Ages, the Reformation, the 'Enlightenment' etc. They try to show that the entire historical process centres in an absolutely autonomous Idea of culture, in which Christianity has been coordinated as an important factor together with others. This whole conception continues to be determined by a Humanistic Idea of development, although its content is strongly affected by Historism.

No doubt, modern Historism has undermined and abandoned earlier conceptions of world-history founded in the science-ideal of the "Enlightenment" and in the Idea of humanity in the idealistic forms of the Humanistic personality-ideal. RANKE's pupil J. BURCKHARDT was already fully aware of the mental revolution of the latter part of the 19th century. He could no longer accept his great teacher's Idea of "*Weltgeschichte*" (world-history). But a genuinely historical Idea of development could only be given up under the influence of a relativistic kind of Historism that knows no direction. This sacrifice must be considered, as MASUR rightly observes, as an 'expression of the total disorganisation of the realm of values in the western world at the end of the 19th century' [1]. It is a phenomenon of the crisis that undermines

[1] Cf. GERHARD MASUR, *Ranke's Begriff der Welt-Geschichte,* Beiheft 6

the foundations of all genuine historical thought by means of its scepticism. For no special-scientific historical technique in the investigation of the sources and in the study of details can avail the historian if real historical insight into the deepened developmental coherence of his subject matter is lacking.

> Directionless Historism destroys the Idea of development, and deprives scientific historical thought of its necessary ὑπόθεσις. SPENGLER's morphology of the civilizations of the world.

SPENGLER's 'morphology of the civilizations of the world', born of the mind of relativistic Historism, shows us the consequences of this standpoint for the insight into historical connections and coherences. There is no longer any room for an *Idea* of development in this relativism. Historical thought tightly clings to a *concept* of historical development, within which evolution shows merely *biotic retrocipations*.

Only parallels in the historical development of the great cultural totalities are accepted here. This drawing of parallels, however, leads to the disturbance of the real historical coherences. It also results in an unhistorical view of time, though SPENGLER thinks he has delimited the historical concept of time once and for all from every kind of natural-scientific time-concept. He eliminates the concept of causality and replaces it by the irrationalistic idea of 'Fate' ("*Schicksal*") [1].

Our previous analysis of the retrocipatory structure of the historical aspect has shown that without a historical concept of causality no single historical fact can be established.

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der Historischen Zeitschr. (1926), p. 130: "...Ausdruck der totalen Desorganisation der abendländischen Wertwelt am Ausgang des 19. Jahrhunderts".

[1] Cf. *Der Untergang des Abendlandes,* I, p. 161, where the concept of simultaneity is developed:

'I call two historical facts simultaneous when they, each in its own culture, make their appearance in exactly the same relative conditions, and therefore have an exactly corresponding significance. It has been shown that ancient and western mathematics have developed in perfect congruency'. ["Ich nenne g l e i c h z e i t i g zwei geschichtliche Fakta, die, jedes in seiner Kultur, in genau derselben relativen Lage eintreten und also eine genau entsprechende Bedeutung haben. Es war gezeigt worden, wie die Entwicklung der antiken und der abendländischen Mathematik in völliger Kongruenz verläuft."] In this conception civilizations really grow rigid and become self-contained organisms.

§ 6 - CONTINUED: THE COHERENCE OF THE ANTICIPATORY SPHERES OF THE HISTORICAL ASPECT AND THE RELATION BETWEEN POWER AND FAITH.

In the preceding paragraph we gave an account of the absolute necessity of an historical Idea of development, as the hypothesis of genuine historical thought.

In the *Idea* of a meaning-modus philosophical reflection oriented to our cosmonomic Idea passes through a process of successive meaning-coherences in the transcendental direction of time. The internal unrest of meaning drives it on from anticipatory sphere to anticipatory sphere, and so from one anticipatory connection to another. At last we arrive at the transcendental terminal sphere of our cosmos and reflect on the insufficiency of the modal Idea.

We then direct our glance to the transcendent meaning-totality and the Origin, in which at last our thought finds rest *in its religious root.*

In our previous investigation various modal anticipations were already made manifest in the historical aspect.

The symbolical anticipation in the modal aspect of history.

In the first place the symbolical anticipation is revealed, together with the transcendental coherence between the meaning of cultural development and that of language.

We saw how HEGEL and RANKE held that history proper does not start before the need arose to preserve the memory of historical events by means of deliberate symbolical signification. This, of course, is something quite different from the myths of primitive peoples preserved in oral traditions.

In his: *Die Vernunft in der Geschichte* HEGEL observes: 'It is to be supposed that historical narrative appeared simultaneously with historical deeds and events; it is a common internal basis from which both arise' [1].

For disclosed history, the field of inquiry of historical science in the narrower sense, this statement is correct. Every historian who knows the limits of his field will agree with it. But what is of the utmost importance in this connection is the insight that

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[1] *Die Vernunft in der Geschichte,* p. 145: "es ist dafür zu halten, dass Geschichtserzählung mit eigentlich geschichtlichen Taten und Begebenheiten gleichzeitig erscheine; es ist eine innerliche gemeinsame Grundlage, welche sie zusammen hervortreibt."

this necessary coherence with the modal meaning of language only exists with regard to the really *disclosed* anticipatory meaning of cultural development. *Primitive* history does not have the need of symbolic signification. Its relatively uniform course does not yet give *Mnemosyne* any subject matter worth recording as memorable.

The genuinely disclosed meaning of history, on the other hand, is necessarily *signified meaning.* The opened historical function of consciousness refers to the lingual meaning, whereas in the deepened cultural development itself there is an unfolding of *cultural symbolism* which marks off the *significant* from the *insignificant.*

It needs no further argument that *historical* signification is not identical with lingual meaning inherent in words, sentences etc. Nor can the historical interpretation of facts and source material be the same as a linguistic interpretation of symbols.

But the unbreakable inter-modal meaning-coherence between the two modal aspects concerned, revealed in the anticipatory direction of history, on the one hand, and in the retrocipatory structure of language on the other, is undubitable.

Just as symbolism in historical consciousness, marking off the significant from the insignificant, anticipates symbolical signification in historical narratives, monuments etc., so the lingual signification of words and sentences refers back to its historical substratum and is not to be conceived apart from the latter.

The 'social' anticipation in the modus of history.

In the differentiating and integrating process of disclosed history, investigated in an earlier context, is further revealed the anticipation in the historical aspect of *the meaning of social intercourse.*

The opened and deepened cultural development can only begin its course in *historical intercourse* between the nations, in the mutual exchange of historical treasures of the mind between the cultural communities. It is exactly the isolation of a primitive cultural community, its mental seclusion from the disclosed cultural communities, that causes its historical rigidity.

It should be borne in mind that the modal meaning of social intercourse anticipated in the opened structure of historical development, is itself to be conceived in a disclosed and anticipatory sense.

For it must be evident that in its closed or restrictive function it is not able to guide the opening-process of history. In this function it is also found in primitive tribal communities. But regular social intercourse is here restricted to the members of the group.

The economic anticipation. The historical principle of cultural economy.

'Social' anticipation points beyond itself to one that appears further on in the transcendental direction of time, viz. the economic anticipation.

In the *formative* process of history the various cultural spheres have the call to take an active share in it while *maintaining* their own *individuality* in historical intercourse. Then only can the differentiation and integration, inherent in every really disclosed historical development, be fruitful in a historical sense. But this implies that the different cultural factors ought to be prevented from expanding their power in an *excessive* sense.

Here a modal principle of the greatest importance is revealed, viz. that of *cultural economy*. This economy points beyond itself forward to the *aesthetic* and the *juridical* anticipatory spheres of the historical modus, presently to be examined.

In the sequel the importance of the principle mentioned will become more and more clear. In the nature of the case it has a *normative* character, and may be positivized in a better or in a worse way. In the case of some formers of history there may even be a fatal tendency to set this principle aside. But this tendency results in the total dislocation and ruin of an entire cultural complex, unless in due time the *unbridled, excessive* striving after power of some particular cultural sphere is broken, and the *encroachment* of this particular cultural factor on the other cultural areas is checked.

Here we touch on the anticipatory meaning-coherence of the historical aspect with the aesthetical and the juridical law-spheres, a coherence which demands special attention.

The inner connection between the economic and the aesthetical anticipations in history.

It must be clear that the economic anticipation in the modal structure of historical development is necesarily connected with an aesthetical anticipatory sphere. The modal principle of

cultural economy appeals to the principle of cultural harmony.

As soon as the undifferentiated cultural community is broken into a rich diversity of differentiated cultural spheres the necessity of a really harmonious relation between these different power-formations becomes evident. But how can these spheres of formative power be harmonized? If every excessive expansion of the one at the expense of the others must lead to disharmony in the development of culture, what then is the normative criterion of an excessive expansion of a differentiated sphere of power?

The principle of cultural harmony can provide this criterion only in coherence with the whole order of creation. The inner nature of the typical cultural spheres must unfold itself in the historical process of differentiation, and this inner nature is founded in the Divine order of creation.

As long as the expansion of power occurs within the boundaries of the typical structural principles by which this inner nature is determined, there can be no question of disharmony in cultural development. But when, for instance, the cultural sphere of natural science or that of technical industry try to expand their formative power at the expense of that of justice, morality and the Christian faith[1], they exceed the boundaries of their inner nature and evoke a cultural conflict.

The same effect will result from a totalitarian expansion of the political power of the state, i.e. the attempt to assimilate the typical spheres of formative power of the church, of science, fine arts, industrial life, and so on, to its own political ends. It is a delusion if the totalitarian political leaders think they can thus increase the power of the body politic to a supreme degree. The truth of the matter is that the authority of the state needs the support of the other cultural spheres of formative power, but this support can only have real value so long as their inner nature is left intact.

Their assimilation to the political ends of the state results in their denaturation, in their reduction to cultural corpses which do not increase the power of the body politic, but rather affect it with dissolution.

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[1] It should be borne in mind that modal aspects can be realized and given a typical cultural sphere of formative power only within social structures of individuality, such as, the state, the church, family-life, industry etc.

In a certain historical period the ecclesiastical institute may also try to expand its formative power excessively.

It is quite understandable that those who do not accept the Roman-Catholic view of human society are inclined to seek the most striking instance of such an excessive power-expansion of the church in the times of the ecclesiastically unified culture. But one should guard against a hasty and unhistorical generalization in the judgment of this cultural period. It should not be forgotten that after the dissolution of the Carolingian state the 'secular' organization of medieval society fell back into an undifferentiated condition. And it was only the church as a differentiated institute of grace, together with the continued influence of Greco-Roman culture, which could prevent this society from falling asunder into primitive closed communities. Through the church and the christianized Roman idea of the holy Roman empire medieval society was integrated into a community embracing the whole of Christianity with a spiritual and a secular head.

There is no reason to idealize this social condition. From a cultural viewpoint it meant that the formative power of science, philosophy, art, education, industry and even of secular government was one-sidedly bound to the ecclesiastical authority: The latter was really able to impede the propagation of new ideas in the secular cultural spheres if these ideas did not agree with ecclesiastical politics; for excommunication had serious consequences in worldly life. This structural trait in medieval society doubtless favoured an excessive expansion of ecclesiastical power. Many instances may be alleged from medieval history which show that the church did not resist this temptation.

But it should not be forgotten that the church has never defended a really totalitarian view of ecclesiastical authority.

At least in principle it did not intend to interfere with the inner spheres of "secular" culture. Since the introduction of the scholastic basic motive of nature and grace this intention found expression in the thesis that natural life has an inner autonomy with respect to the supernatural authority of the church. One should only be aware of the fact that this scholastic conception could not provide a real criterion for a harmonious relation between the different cultural spheres in their typical structures of individuality.

It could not do so because its view of nature was ruled by

the Greek form-matter motive in its accommodation to the doctrine of creation, and not by the genuine Biblical creation-motive.

The juridical anticipations and the true meaning of the '*Weltgericht*' in world-history.

The economic and the aesthetical anticipations in the opened modal structure of historical development appeal to the juridical anticipatory sphere.

It is from this intra-modal meaning-coherence that the real signification of the Hegelian adage of world-history as "*Weltgericht*" is to be understood. This adage cannot be true in the sense meant by HEGEL himself (as if in the struggle for power among the states a 'higher kind of justice' were revealed than in the legal order, viz., 'the justice of the Absolute Mind in the history of the world') [1]. According to HEGEL, that which is doomed to decline manifests itself as unworthy in the dialectical process of world-history: it is relinquished by the Idea. But HEGEL does not consider that justice in the anticipatory meaning of history is modally different from justice in the original modal sense of retribution and, consequently, cannot be compared with the normative measures of law. The jurisdiction of world-history has not the task of maintaining a legal order, as has jurisdiction in its original juridical sense.

In the factual course of world-history there is even no positive guarantee that the struggle for power is instrumental to a higher cultural justice in the sense that the culturally superior is destined to win.

Such a view would ignore the working of sin in history. It may occur that what is culturally superior is conquered by what is inferior. In our sinful world the course of history is often marked by blood and tears, and in the struggle for power the principles of justice are often trampled down. But doubtless in the opening process the deepened historical *principles* become manifest which anticipate the meaning of retribution.

The question if in the historical process of power-formation and power-expansion these principles are willingly *positivized* is something quite different. But world-history unquestionally reveals itself as an 'historical jurisdiction' in the sense that God

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[1] *Die Vernunft in der Geschichte*, p. 127. HEGEL acknowledges that no state may make an appeal to this 'higher justice'.

maintains His world-order and the principles founded in it, in spite of any kind of human arbitrariness and ὕβρις. God does not suffer His world-order to be trifled with. Any *excessive or extravagant* striving after power that ignores the fundamental modal principles of cultural economy and harmony, dashes itself to pieces against the power of the other differentiated cultural spheres. Or, if these have already lost the power to resist the usurper, it ends in the collapse of an entire culture. The history of the world offers many illustrations of this fundamental truth.

God's guidance in history as a realization of the juridical anticipations.

The Christian Idea of God's guidance in history here indeed assumes a normative meaning, but not as the execution of God's *hidden counsel* in the process of the history of the world! In this latter sense God's guidance doubtless embraces everything, including the outbursts of sin in the process of cultural development. But this hidden counsel can never become the normative standard for human activity, nor for the judgment of the course of world-history. In this respect Mr LEENDERTZ's previously mentioned criticism of the irrationalistic view of history is really irrefutable.

The idea of God's guidance can have normative-historical meaning only insofar as it refers to the juridical anticipations disclosed in the course of history. They are brought to light in the sense of an *historical retribution* even when a former of history proceeds subjectively counter to the normative principles invested in the anticipatory structure of the historical law-sphere. For a time it may seem that an excessive and arbitrary expansion of power is prosperous. The Christian, however, clings to the unshakable belief that in the history of the world judgment will be passed on such human ὕβρις. And this belief has not been built on idle speculation. In the wide perspective of world-history the delusion vanishes that the cultural process obeys no laws at all, and that the Divine call to the historical task enables man to dispose of his power as an absolute sovereign.

The moral anticipatory sphere in the modal structure of history. Cultural love and cultural guilt.

The juridical anticipatory sphere in the opened modal structure of history in its turn refers to a sphere of moral anticipa-

tions. The historical right of the differentiated cultural spheres to accomplish their formative task in accordance with their own typical nature appeals to the true cultural ἐρῶς, i.e. the love of this cultural call as a real formative power in history.

Without this cultural *erōs* no single great work has come about in the course of the opened development of civilization. But this moment of *erōs* in formative power can only disclose itself in a right way if the principles of cultural economy and harmony are respected. Otherwise cultural love is denatured to idolatry. We shall see in the sequel that nevertheless an idolatrous cultural love may bring about great things in the development of civilization. But it also implies the historical guilt of mankind, revenged by cultural tensions, conflicts and catastrophes.

One should again guard against reducing these moral anticipations to the original modal meaning of morality. They presuppose the latter, but retain their inner cultural sense.

The anticipation of the function of faith in the opening-process of history.

Following the process of disclosure in the historical law-sphere in the transcendental direction, we at last come upon its cosmic meaning-coherence with the function of faith, the second terminal function of our cosmos.

It is this function which ultimately guides the opening process without itself being guided by a later temporal meaning-function. In the process of the disclosed cultural development the shapers of history in the various specific cultural spheres may be guided by an Idea of science, an Idea of technical mastery of nature, economic welfare, beauty, justice, or the love of one's neighbour. But in the final analysis the entire opening-process makes an appeal to faith in its modal functional structure. And this holds good notwithstanding the great variety of specific tasks that the formers of history have undertaken in connection with the typical structures of their cultural spheres, their office, and their abilities.

The rise of modern natural science in the XVIth and XVIIth centuries was, historically considered, primarily conditioned by the growing power of the new functionalistic-mathematical ideal of science in cultural development. Owing to this power-formation of the new science-ideal, the scholastic-Aristotelian conception of nature that had prevailed before the Renaissance, was

driven from its leading historical position. But the new Humanistic Idea of science itself can never be understood apart from its background in the Humanistic *belief* in the sovereignty of mathematical thought. As shown in the second part of Volume I, the Humanistic science-ideal was primarily directed to the domination of 'nature'. The belief in the sovereignty of mathematical thought, however, appeared to be rooted in the Humanistic basic motive of autonomous freedom.

In the next period of the development of western civilization the natural-scientific way of thought gained the upper hand [1], also outside the typical cultural sphere of science. This was due to the powerful influence of a Humanistic life- and world-view, in which primacy was ascribed to the classical science-ideal in its deterministic form.

On the basis of this historical power, which for the rest did not remain unchallenged, the belief in the science-ideal during the period of the Enlightenment also began to guide the opening-process in the post-historical law-spheres. The Idea of civilization in the time of the Enlightenment has its last functional ὑπόθεσις in this faith.

> The so-called *'Religionsoziologie'* of WEBER and TROELTSCH and the schema of a sub-structure and a super-structure in the Marxist view of history.

It is in πίστις that the inquiry into the functional commencement of the opening-process ends in the transcendental direction of time. It is doubtless possible to investigate the typical social effects of a particular doctrine of faith as has been attempted, e.g., by the so-called *Religionssoziologie* of WEBER and TROELTSCH, although their so-called ideal-typical method may evoke seriour objections [2].

But then we look backwards to that which has already been *realized* in the foundational direction of cosmic time under the guidance of πίστις, viz. in the historical, social, economic, aesthetic, juridical and moral substrata of faith. The real

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[1] It will no doubt be superfluous to observe that by the 'cultural sphere of science' we understand that typical sphere of power-formation which finds its *guiding and qualifying function* in the scientific logical aspect. We have now made sufficiently clear that we do not consider science qua talis to be a cultural phenomenon in the merely historical sense of the term.

[2] E. SALIN is quite right when he remarks in his *Geschichte der Volks-*

problem, however, lies in the transcendental direction of the temporal order of the cosmos, in the *possibility of the opening of the aspect of faith itself.*

This real problem is especially to be borne in mind, if we want to evaluate the well-known sub-structure and super-structure schema of the Marxian view of history.

The basic error of Marxism is not that it assumes a historical-economic sub-structure of aesthetic life, justice, morals, and faith. But it separates this conception from the cosmic order of meaning-aspects, and in all seriousness assumes it can *explain* the aesthetic conceptions and those of justice, morals and faith in terms of an ideological reflection of a system of economic production.

Faith, as the transcendental terminal function of the entire process of disclosure in the meaning-structure of the cosmos, is driven on directly by impulses from the religious root of human existence, either for good or for evil. Every modern attempt at explaining *faith* psychologically, sociologically, or in terms of history and economics, is based on the well-known ὕστερον πρότερον. It ignores the transcendental direction of time in the order of the creation and entangles itself in a vicious circle. For all these rationalistic attempts at explanation stand or fall with the *belief* in the Humanistic science-ideal and therefore presuppose what they want to explain! The modal meaning of faith, it is true, has a psychical, historical, and economic *foundation.* In so far it is dependent on the meaning-coherence with the law-spheres concerned; but it can never be reduced to the meaning of its substratum-spheres.

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wirtschaftslehre (Berlin, 1932), p. 41, that there is a reversion of meaning hidden in MAX WEBER's "Religionssoziologie", with regard to the problem that this thinker had posed in his well-known study *Die Protestantische Ethik und der Geist des Kapitalismus* (Arch. f. Sozialw. und Socialp. 1904/5): 'A first study, as a valuable supplement to SOMBART's work, had proved in exemplary lucidity, what Puritanism had meant for the rise of capitalism. But in the later work the basic problem is methodically replaced by that of the influence of economic and social conditions on the religious systems.' ["Hatte eine erste Studie in müstergültiger Klarheit, eine wertvolle Ergänzung des Sombartschen Werkes, die Bedeutung des Puritanimus für die Entwicklung des Kapitalismus herausgestellt, so kehrt sich allmählich das Grundproblem ins Gegenteil um, zur Frage nach dem Einflusz der wirtschaftlichen und sozialen Verhältnisse auf die Religionssysteme"]. For the rest also the results of WEBER's first study have evoked serious criticism on the part of other scholars.

The meaning of history in the light of the Divine Word-Revelation.

Directing our glance to historical development from the temporal aspect of faith as the transcendental terminal function of the whole process of disclosure, we see this process inevitably related to the religious fulfilment of meaning and the Origin of history.

In the religious root of our cosmos (hence also in the root of the whole of historical development) irreconcilable war is waged between the *civitas Dei* and the *civitas terrena.* The temporal function of faith in determining the direction of the opening-process in the earlier law-spheres is itself immediately directed by religious basic motives in which this radical contest expresses itself.

This gives the Idea of cultural development its true and only possible *fulfilment of meaning* in the religious self-reflection of the Christian.

ST AUGUSTINE grasped the Biblical thought for the entire Christian view of history when he stated that, at bottom, the course of the history of the world is a struggle between the *civitas Dei* and the *civitas terrena.* In the last analysis, therefore, history becomes *meaningless* if it is detached from this religious root.

No Christian philosophy of history will ever be able to give to its Idea of cultural development another religious direction than this. Any other view is bound to lapse into the developmental Ideas of Humanistic immanence-philosophy, or into the Greek Idea of the eternal return of things in the circular movement of time.

The modal temporal meaning of history has, to be sure, its meaning-nucleus in culture as (formative) control, which has been set as a responsible task to man. But the historical law-sphere can only maintain this meaning in its absolute dependence on the religious fulness of meaning of history. The possibility of human formative control has its guarantee in the victory over the kingdom of Darkness gained by the kingdom of God in Christ Jesus, in Whom the call to historical power, as well as Christian faith, find their consummation. For Christ, to Whom 'all power is given in heaven and in earth' [1], is also 'the finisher of our faith' [2].

[1] Matth. 28 : 18.
[2] Hebr. 12 : 2.

The struggle between civitas Dei and civitas terrena is carried on through the whole of the temporal creation in all its meaning-aspects. It finds its pregnant and dramatic expression in the temporal course of world-history, since here the whole opening-process in its normative direction is founded. Adam's fall into sin and Christ's incarnation, although both concern the *root* of the entire cosmos, also signify *historical turning-points* of all-deciding importance in the history of the world.

The history of salvation is and remains, in a modal-historical sense, the central theme in whose light even the pagan and Humanistic ideas of culture only become fully understandable in their apostate meaning.

But it was a premature and incorrect opinion of the earlier Christian philosophy of history to assume that Holy Scripture itself has revealed a theoretical Idea of historical development, so that it is possible to read in the Word of God a kind of scientific division of world-history into periods.

This misconception had a deeper foundation in an erroneous conception of Christian science.

A truly *Christian* philosophical Idea of the history of the world pre-supposes a laborious work of theoretical analysis. The meaning of history must be distinguished in the whole of the meaning-coherence of the temporal law-spheres, in the transcendent light of the Divine Word-Revelation. And the science of history, if it is not to lapse into idle speculation, can never attempt a division into periods independent of the actual course of historical development. In addition, every attempt at such a division is bound to the provisional phase of history in which the historian himself lives. The latter should not risk predicting the periods that belong to the future. He will have to conceive of the scene of world history, not in an *extensive sense,* but *intensively.* His task is to investigate the historical coherences in the process of the disclosed development of history in strict conformity to the historical material.

This is the reason why the question as to the handling of the Christian Idea of development in historical science requires further investigation. For this question, as will appear in the sequel, confronts us with some new and extremely difficult problems.

Objections raised on the part of some of our fellow-Christians against the conception of the modal meaning of history as cultural development, and the misunderstanding from which they spring.

Viewed in this light, it must be due to some misunderstanding when on the part of some of our fellow-Christians exception is taken to our characterization of the temporal modal meaning of history as *cultural development*. This misconception is due to the fact that only the religious consummation of meaning of history is considered. But the same Christian-religious view demands the recognition of the temporal world-order in which history functions as an irreducible aspect of reality. Anyone who does not recognize this, falls a prey to a Historism which cannot accept the modal sovereignty of the other law-spheres. The kingdom of Christ not only comprises history, but the whole of creation in *all* its modal-aspects.

In the *Christian Idea* of cultural development the modal meaning of history as a temporal law-sphere is related to the religious fulness of meaning. At the same time it implies the recognition that only *in* this relation can the specific meaning of history be maintained. This Idea also determines our view of the original historical condition of mankind. As remarked above, this question implies a problem which science can never elucidate independently. This problem is inseparably bound up with the question about the origin of the human race, which directly touches the religious root of our cosmos. The idea of an original cultural state, as FICHTE rightly observed, is really a (subjective) transcendental *a priori* of historical science, for which, we would add, the historian has to account in his religious self-reflection. In the primitive undisclosed cultural conditions we recognize the subjective *falling-away* on the part of man from his own self and from his Creator.

Primitive culture as an apostate state of the cultural aspect.

For primitive culture (in the pregnant sense to be explained in the next section) is characterized exactly by the undisclosed state of the modal cultural aspect in the transcendental direction of time. Here man does not realize that he transcends the things of nature. His sense of being a personality is diffuse, dispersed: he even incorporates personality into animals, plants or lifeless objects.

The primitive control of nature which develops in such cultures is unable to bring home to man that he transcends the things of nature. The whole of the closed cultural aspect, and also logical thought, is here rigidly tied down to its pre-logical substrata. And the fear of the powers of nature which cannot yet be controlled by ordinary means is at the base of the content of primitive faith.

Is there really no meaning-coherence in such primitive cultures between the cultural aspect and the later law-spheres? Certainly there is. The subjective apostasy of man cannot set aside the temporal world-order, in which all the law-spheres have been woven into an indissoluble coherence. The apostate primitive function of faith even plays a dominant part in keeping the cultural aspect closed. It binds all the normative aspects of reality rigidly to their pre-logical substratum-spheres, because it deifies the closed forces of nature. It may be said that primitive culture in its essential traits is guided by this primitive faith in nature, and that this faith draws away all the normative meaning-functions of human consciousness from their super-temporal root and Origin. The guidance of faith here means guidance in the falling away of the personality to the pre-logical natural complex. The night of closed 'nature' covers up the primitive cultural communities. For from a deification of closed natural forces no guidance may be expected which could lead the other normative modal functions to an opening and deepening of their meaning. That is why this direction of civilization by faith does not at all result in a disclosure of the meaning of history.

The new problem.

At this point a problem arises that is very important to the Christian conception of history, viz. how the expansive development of the cultural aspect is possible or, for that matter, how the entire process of disclosure in all the normative aspects of experience may be realized, if the guiding terminal function of temporal human existence is not activated in this process by the Spirit of the *Civitas Dei*. A satisfactory answer to this question will bring us nearer to the insight into the peculiar function that the Idea of historical development has to fulfil in a Christian philosophy of history, if it is indeed to be a useful ὑπόθεσις for scientic thought.

For this purpose it is necessary to direct our attention to the

modal aspect of faith and the way in which it is interwoven in the Divine world-order with the other law-spheres. For, although the historical sphere is basic in the normative process of disclosure, that of faith is the guiding function in the transcendental direction of time.

Without an insight into the position that the function of faith has in the *opening-process* the new problem raised in this stage of our inquiry cannot be solved.

§ 7 - THE POSITION OF THE ASPECT OF FAITH IN THE OPENING-PROCESS

The modal law-sphere of faith is often identified with religion, which is very detrimental to religious self-knowledge. Up to now we have always spoken of faith as of a modal meaning-function, viz. as the second terminal function of temporal human experience and temporal reality. As a subject-function faith is at the same time the terminal function of human existence in the transcendental direction of time. As such it is found in *all* human beings, in believers in Christ as well as in those whose faith reveals itself in an apostate direction. There is an *apostate* faith, and there is a faith which can only come into action in man through the Spirit of God. *But both function within the modal structure of a law-sphere, implanted in human nature at creation.* In both a sharp distinction must be made between the *subjective function,* the *principium,* the *content,* the *direction* and the *root* of belief. And in both cases it is obvious that the function of faith cannot be identifified with the religious root of temporal existence or, in the words of the Ecclesiastes, with the heart from which spring the issues of life. Believing, logical distinction, feeling, etc. are temporal *functions* delimited from one another in law-spheres of mutually irreducible meaning-modalities. But the religious root of our entire existence is not a function; religion is not enclosed in a temporal law-sphere.

Dr A. KUYPER's conception of *πίστις* as a function.

Holy Scripture clearly points out the temporal limiting character of true Christian faith, which will find its fulfilment in the religious 'vision face to face', in the *βλέπειν πρόσωπον πρὸς πρόσωπον*. The epistle to the Hebrews expresses the limiting character of the function of belief in its content and direction

in this way: "Now faith is the ultimate ground (*ὑπόστασις*) of things hoped for, the evidence of things not seen' [1].

The great Dutch theologian Dr A. KUYPER has observed that these words do not refer to faith in the special soterio-logical sense, but rather to the function of believing as such, in whatever direction it may manifest itself [2]. I doubt whether the text is meant in this general sense. But, in my opinion, it cannot be doubted that the function of believing has a general modal structure, founded in the temporal order of creation.

Only in the 'heart' does the function of faith find its religious concentration, and from this spiritual root of our existence the direction of our believing is determined. True Christian faith is directed to the religious fulness of God's Revelation in Christ Jesus, to the invisible, super-temporal wealth bestowed on us in the Redeemer. But, as a function, it is not super-temporal itself, since it is interwoven with the whole temporal coherence of our existence. Faith as a particular modal function is not to be viewed in an exclusively soteriological orientation but in a much wider perspective. This view was no doubt first developed by Dr A. KUYPER in his famous *Encyclopedia of Theology*. In a masterly way he analyzed *πίστις* as an irreducible function in the whole process of human knowledge.

It is true, that his first formal and provisional epistemological definition of *πίστις* as 'that function of our *psyche* through which we obtain direct and immediate certainty, without any discursive reasoning', did not touch at the special modal meaning of faith. This circumscription was almost identical with the usual conception of intuitive evidence. But in the continuation of his inquiry this formal definition is related to a material one in which the essential reference of the function of faith to divine Revelation is clearly explained. In this material sense *πίστις* is laid at the foundation of every form of immediate certainty which manifests itself both in the different spheres of theoretic knowledge and in practical life [3].

Since KUYPER calls all these forms of certainty particular

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[1] Hebr. 11.

[2] Dr A. KUYPER, *Encycl. der H. Godgeleerdheid,* dl. II (2e druk, 1909), p. 74.

[3] Therefore KUYPER (op. cit. II, p. 83/4) warns emphatically against a simple identification of the rormal act of *πίστις* with the usual conception of intuitive knowledge.

manifestations of πίστις, it is clear that he meant the anticipations of faith in the other functions of human consciousness.

This has been completely misunderstood by those who supposed that KUYPER's formal conception of πίστις has nothing to do with faith in its 'theological' sense. The truth of the matter is that the latter is fundamental in KUYPER's whole explanation [1].

He showed that the function of faith in this original and material sense, implanted in human nature at creation, has not been lost by the fall into sin. Its essential structure has been maintained by God's common grace. But owing to the radical antithesis between the spiritual δύναμις of apostasy and that of the Holy Ghost, it now develops in an apostate as well as in a soteriological direction [2].

This was a deep Biblical conception whose great importance is far from being sufficiently recognized in theological circles.

The psychologizing of faith into a function of feeling, or its logicizing into an actus intellectus due to a super-natural gift of grace (THOMAS AQUINAS), was thus cut off at the root.

At the same time the modern irrationalistic-idealistic and transcendental-psychologistic views of faith as a religious *a priori* (TROELTSCH, OTTO) are rejected in KUYPER's conception.

The Barthian conception of faith.

On the other hand this conception also disagrees with the view nowadays defended by KARL BARTH, according to which the human subject of Christian belief originates from a new creation, since it is only constituted by the relation of this belief to Jesus Christ [3]. The latter view can be hardly accepted from a Biblical standpoint. It is true that a veritable Christian faith presupposes a radical regeneration of man, and that in this sense the Christian is a new creature. But the term 'new' can here only mean 'renewed'. Regeneration in Jesus Christ is not a creation, it does not add a new 'organ of believing' to the created nature of man. The function of believing, implanted in this human nature at creation, is the same in Christians and non-Christians; it has a

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[1] See my treatise *Kuyper's Wetenschapsleer* in the quarterly review *Philosophia Reformata*, 4th Year, 1939, p. 228 sqq., where KUYPER's conception of πίστις has been analyzed in greater detail.

[2] KUYPER, op. cit. II section 1, chapter II, 11. Cf. also V. HEPP: *Het Testimonium Spiritus Sancti*, p. 157.

[3] *Die Kirchliche Dogmatik*, Bnd IV, 1 (1953), p. 837.

modal structure which guarantees its unbreakable meaning-coherence with all the other modal aspects of the temporal order. If not, unbelief or apostate belief could not be the opposite to Christian faith. It would belong to an entirely different order and could have no point of comparison with the belief in Jesus Christ.

BARTH considers Christian faith entirely apart from the modal aspect of belief. It does not appear that he has seen this terminal aspect of human existence, and I suppose he is obliged to deny its existence. True, he accepts that the Christian as the subject of belief participates in the double solidarity of creation and sin with the other members of mankind. But he does not distinguish the regeneration of the religious centre of human existence from Christian faith in its functioning within the second terminal aspect of the temporal order. On the contrary, he identifies the regeneration of man in Jesus Christ, with the constitution of the subject of Christian belief as an act of new creation originating in the Redeemer. The subject-*function* of believing is in BARTH 'the Christian subject' itself, in the sense of the new individual *root* of human existence. So there remains no room for a modal aspect of faith founded in the temporal order of creation.

But if Christian belief has no point of connection with this temporal order, all the analogies of the other meaning-modalities, which reveal themselves in the analysis of the modal aspect of faith, lose their basis. And all that is said in the New Testament about the analogical relations between natural life and the life of faith should be interpreted as mere metaphors. Which is, however, impossible without abandoning the concrete meaning of the texts concerned.

In fact, we are again confronted here with the dialectical basic motive of nature and super-natural grace in an antithetic and dualistic conception.

It is true that in his *Kirchliche Dogmatik* BARTH has relinquished the extreme dualism of his earlier writings. It appears that he now seeks to understand the original nature of creation from the super-natural grace revealed in Jesus Christ. But the dialectical scholastic basic-motive itself has not been abandoned. It appears in a new antithetic and dualistic form in the conception of regeneration as a new creation, and in the denial of any connection between Christian faith and the innate function of believing which belongs to the temporal order of human exi-

stence. This is the more deplorable because there are really masterly and magnificent traits in BARTH's reflections on Christian faith.

The importance of a clear insight into the modal function of faith.

It is quite understandable why the conception of belief as a function implanted in human nature at creation has raised serious objections not only on the part of Barthian theologians.

At first sight it might seem that in this way Christian faith is reduced to a common human faculty, whereas the New Testament lays full stress on the radical impotence of carnal man to believe in Jesus Christ. But this is a radical misunderstanding of the true meaning of the conception concerned.

The question is not whether in the state of sin man can come to Christ by means of a natural faculty of faith alone. The only question is whether Christian belief can function outside of the temporal order of creation in which the modal aspect of faith has an essential and undeniable terminal position.

According to the order of creation this terminal aspect was destined to function as the opened window of time through which the light of God's eternity should shine into the whole temporal coherence of the world. That this window has been closed by sin, and cannot be opened by man through his own activity, does not mean that it cannot be disclosed by the Divine power of the Holy Ghost. It does not mean that sin has the power to render this essential terminal function of temporal human existence unavailable as an instrument of God's grace in Jesus Christ, so that God would be obliged to create a new organ of believing outside of the 'natural' order of creation. Sin cannot destroy anything that is implied in the order of creation. Otherwise it would be a real counter-power over against the Creator, whereas in fact it derives its power only from creation itself.

We shall see that the modal structure of the function of faith itself guarantees that it cannot be conceived apart from the 'heart' as the religious root of human existence and the spiritual *δύναμις* operative in the latter. So it must be evident that Christian belief cannot be understood apart from the *δύναμις* of Jesus Christ operative in the hearts of those who by regenetion are implanted in Him.

But this does not detract from the necessity of distinguishing

between faith as a modal function in the temporal order of creation, and its religious δύναμις, which transcends its functional character and determines its content and direction.

The misinterpretation of this state of affairs has occasioned a great deal of confusion in many fields, especially in the view of the relations between the State and the institution of the Church, and between 'believing' and 'thinking', etc. On the other hand, the usual identification of the function of faith with religion was fatal to the sense of the central, supermodal and radical position of the latter. It created a habit of looking upon religion as a particular aspect of human life comparable with the others. It led to the distinction of special 'religious norms' coordinated with ethical, juridical and social rules of conduct. Or, inversely, it became fatal to the insight into the temporal function of πίστις in elevating the Christian faith proper above temporal life within the 'ordinances'.

Compared with all these misunderstandings KUYPER's really Biblical conception of faith as a temporal function must be considered as breaking new ground.

His view, however, can only be understood in its full significance and scope in the general and special theories of the lawspheres. For here is revealed the position occupied by the function of faith in the whole of the temporal coherence of our cosmos. Here also its significance as transcendental terminal function becomes clear. At the same time it appears to be impossible to identifiy the function of faith with cognitive intuition, as VOLKELT does [1].

It may be that in the last instance intuition refers to faith in its original sense, but it lacks the very terminal character of the latter and the immediate relation to Divine revelation.

But we cannot go into this last question before the more detailed treatment of the epistomological problem.

> The transcendental character of the modal meaning-nucleus of πίστις. The Greek conception of πίστις as δόξα and its revival in HUSSERL's phenomenology.

If we want to comprehend the aspect of faith in its original modal meaning we must abandon the Greek philosophical concept of πίστις. The latter was conceived of as δόξα, a hypothetical

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[1] *Erfahrung und Denken*, p. 184; *Die Quellen der menschlich. Gewissheit*, p. 72 ff; *Gewissheit und Wahrheit*, p. 538 ff.

opinion, bound to sensory perception and representation. In this sense it is the opposite of the certainty of ἐπιστήμη which theoretically seeks for the ultimate grounds of truth.

HUSSERL's phenomenology revived this Greek concept of belief. Belief *(Glaube)* is conceived of as a noetic character of the intentional act of sensory perception or sensory representation (remembrance), respectively; it can assume different modalities and on the noematic side it corresponds to different characters of being.

In this sense belief is called '*doxa*'. The original perceptional certainty implied in a normal perception is called '*Urdoxa*', and its modifications (as presumption, doubt etc.) are designated as '*doxische Modalitäten*'. The '*Urdoxa*' corresponds to the being-character of reality on the noematic side. The '*doxische Modalitäten*' refer to the different modalities of being, as possible, probable, questionable, doubtful [1].

This phenomenological analysis of πίστις in the sense of '*doxa*' is not at all oriented to the modal structures of experience. In so far as it starts from the perceptional certainty as '*Urdoxa*', it has touched at an anticipation of faith in the modal meaning of sensory perception, without accounting for its meaning-coherence with belief in its original sense.

The irreducible meaning of the function of faith proper is bound to be entirely misinterpreted if its character as a transcendental terminal function is not recognized, i.e. its immediate relatedness to the transcendent root and to the Origin of temporal existence. As a modal function πίστις cannot exist without the revelation of God as the Origin. Only in orienting itself to this revelation of the absolute *Archè* can the function of faith reveal its irreducible meaning-character.

Therefore the modal meaning-nucleus of faith can only be theoretically approximated as an *original transcendental certainty, within the limits of time, related to a revelation of the* Ἀρχή *which has captured the heart of human existence.*

This is the only modal meaning-nucleus that points above time without the intermediary of modal anticipations. And that is why, strictly speaking, no *concept* of the faith-aspect is possible. Its meaning-nucleus cannot be isolated in its essential transcendental character from that which is beyond all comprehension.

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[1] *Ideen* I, p. 214 ff.

This fact should be recognized and it should also be admitted that the function of faith is not merely a subjective terminal function of our individual human existence, but the transcendental terminal function of the entire (earthly) empirical reality. Without faith this reality cannot *exist*. The view that it is possible to find a *hold on reality neutral with respect to belief* will then prove to be a fundamental error. Such a *hold* is no more possible in our immanent subjective functions of consciousness than in any objective function of temporal reality. In virtue of their meaning-structure, both offer an unconquerable resistance to any theoretical attempt at *enclosure* or at *obtaining a grasp* on reality in time, independent of faith.

> Can the function of faith occur in a closed state as well as in a deepened condition? If so, how is this to be understood?

The transcendental terminal character of the aspect of faith confronts Christian philosophy with the most difficult problems. If πίστις, as the transcendental terminal function of the cosmos, has a law-sphere of its own, it must have a law-side and a subject-side. And the law-side can only be the norm prescribing the subjection of our belief to Divine Revelation, as the ultimate guarantee of certainty. The religious consummation of the meaning of Revelation is Christ Jesus, as the Word that was made flesh (John 1 : 14). This Word-revelation *in its aspect of faith* establishes the *norm* and contains the *principium* of Christian belief.

The Divine Revelation, finding expression in the whole of creation, shows its meaning-coherence with *history* in its *temporal aspect of faith*. This appears from its *progressive* character (also as the special Revelation of salvation). This Revelation, also in a soteriological sense, has entered into history[1], and has its *historical aspect*.

From this it appears that the meaning of faith, even in its soteriological function, is susceptible of dynamics, of *meaning-disclosure*. Notwithstanding the irreducible modal character of πίστις, it can never be conceived of as detached from historical development. If in the modal structure of πίστις there is a

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[1] Cf. Dr H. BAVINCK, *The Philosophy of Revelation* (Stone-lectures 1908), Vth Lecture, pp. 95—120.

possibility of meaning-disclosure, and if this is *actualized* in reality, we must distinguish between faith in a *restrictive* or *closed* function, and faith in a *deepened* and *disclosed* state.

But does not this distinction cancel the transcendental character of faith *qua talis* on which we have laid so much emphasis?

This conclusion would be inevitable, if the 'closure' and 'rigidity' of the modal function of belief is taken in the same sense as that of all the preceding meaning-functions.

Then our assertion would be invalidated that the meaning-nucleus of πίστις is the only one that already in its primary state points beyond the boundary-line of time. But then the function of faith as the second terminal aspect of temporal reality, irreducible in its modal meaning, would also be cancelled. For as soon as the attempt is made to abstract it from *its direction to the Divine,* from *its relatedness to the Revelation* of the Ἀρχή, the meaning-nucleus of faith is itself eliminated. Then one may continue to speak of 'faith' in the phenomenological sense of 'doxa'; in the psychological meaning of an irresistible 'feeling' of certainty and confidence; or in the purely epistemological sense of 'intuitive evidence'; but the modal meaning of faith proper has been lost to sight. We shall presently revert to the analogical use of the word faith. Provisionally it must be established that when πίστις, as the transcendental terminal function of our temporal cosmos, disappears from our theoretical view, every possibility of explaining the functional structure of the opening-process is precluded. That is why we must bear in mind from the outset that the terms 'restrictive' and 'disclosed function', used with reference to the modus of faith, can only have a *special signification.* This particular and really exceptional sense is connected with the position occupied by faith as the transcendental terminal function in the entire opening-process of temporal meaning.

What is then the particular meaning of the terms here in question?

The Revelation of God in 'nature' and in His Word.

Christian theology has from the outset distinguished between the universal Revelation in 'nature' (i.e. creation), and the universal and the particular Word-revelation. The starting- point of our inquiry into tho special sense of the 'restrictive' or 'closed' function of faith is doubtless to be sought in the 'Revelation

in nature'. It is necessary to draw attention to the original essential connection between the 'revelatio naturalis' and the universal Word-revelation. God revealed Himself at the creation of the cosmos in the religious root and the temporal meaning-coherence of the world. He created man after His own image. He gave expression to His Divine fulness of Being in the whole of His creation, as a totality of meaning. From the very beginning, however, this revelation of God in the nature of the cosmos was borne and explained by the Word-revelation. At the outset, also after the fall into sin, this Revelation by no means had a private but rather a universal character. It was directed to the whole human race.

The independent line of development of a revelatio particularis, which was no longer universal, did not start before Abraham. Presently the people of Israel was to be the provisional bearer of this special revelation. Israel, which was to bring forth the Redeemer, was separated from the other nations because of the treatening general apostasy from the Word-revelation, until the Word appeared in the flesh [1].

In the Word-revelation God addresses the human race in its religious root, and man has only *to listen* faithfully. As this Word-revelation was originally a *revelation to a community,* and not to *individuals,* its addressee was not each individual believer apart, but mankind in community with its first head, Adam. The function of faith can likewise again be truly directed to God only in Christ, as the Head and root of the regenerate human race. But now in such a way that only Christ is the Finisher and the Subject of the Covenant of faith (Hebr. 12 : 2). Only in faithfully listening to the Divine Word is the true meaning of God's revelation in 'created nature' revealed to man.

The uncorrupted 'natural' knowledge about God was not a kind of knowledge originating from a reason that was self-sufficient in this 'natural domain'. It was not the 'theologia naturalis' of speculative philosophy; but it was knowledge which, in its temporal character, was in the last instance exclusively guided by faith in the Word of God. Through this Word alone the eyes of the mind were opened to the understanding of the universal revelation of God in created nature. Only the function of faith

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[1] Gen. 14 : 18—20; 20 : 3 ff; 21 : 22 ff; 23 : 6; 24 :-50; 26 : 19; 40 : 8 etc. Jos. 24 : 2, 14, 15; Deut. 26 : 5 etc. see also BAVINCK's exposition in his *Philosophy of Revelation* (1908), pp. 161 ff.

was able to direct the logical function of thought to the Divine Revelation, and only the Word-revelation could disclose to faith the Revelation in nature.

That's why apostasy from God started with a refusal to listen any longer to Him, with the repugnance of the heart to what God had said. The function of faith was thus drawn away from the Divine Word.

God's Revelation in the whole of created nature, and primarily in the heart of man, became man's doom when he fell away from the Divine Word-revelation. Where the heart closed itself and turned away from God, the function of *πίστις* was closed to the light of God's Word. As a result faith began to manifest its transcendental direction in an apostate way, in the search for an absolute firm ground in the creation itself. The inevitable consequence was the idolatrous absolutizing of meaning.

The thesis that there can be no conflict between God's Revelation in 'nature' and God's Word-revelation becomes a superficial attempt at accommodation, as soon as, contrary to the Scriptures, the natural Revelation of God is set apart and attributed to a self-sufficient 'naturalis ratio'[1]. 'Natural reason' then can start spinning one part of the thread of the explanation of the world, and the other end is supposed to have been prepared by the Word-revelation of God's special grace, as a supernatural one. The two parts are finally brought together by a kind of natural harmony[2]. But such a harmony is a delusion!

The 'natural revelation of God', detached from the Word-revelation, subjects apostate functional faith to the law of sin. This is the Divine Law which turns into a curse and a Divine judgement on man, because it is drawn away from its religious fulness and fulfilment in Christ by the apostate human consciousness.

The reason is that even apostate faith is not purely arbitrary, but subject to normative principles of natural Revelation.

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[1] The Roman-Catholic appeal to St PAUL's utterance in 1 Romans 19—23 is unacceptable. The apostle does not speak here of a natural knowledge of God from an autonomous natural reason. On the contrary, he states emphatically that God was knowable from a general revelation: "*διότι τὸ γνωστὸν τοῦ θεοῦ φανερόν ἐστιν ἐν αὐτοῖς· ὁ θεὸς γὰρ αὐτοῖς ἐφανέρωσεν.* The word *φανερῶσις* means a general revelation in the works of creation, not a particular one.

[2] Cf. BAVINCK's *Philosophy of Revelation*, p. 180, on the "*Vermittlungstheologie*" of the 19th century.

The revelation of God's common grace, on the other hand, by which the effects of sin were checked and retarded, is not to be separated from the Word-revelation in its general sense.

This common grace cannot be understood in the subjective apostate function of faith. Apart from Christ it does not become a blessing, but a judgment on humanity. Consequently, every fundamental dualism in the conception of the relation between gratia communis and gratia specialis, in the sense that the former has an independent meaning with respect to the latter, is essentially a relapse into the scholastic schema of nature and grace. It is even a greater set-back than the Thomistic-Aristotelian conception, which at least conceived of 'nature' as a 'praeambula gratiae'.

The restrictive function of the faith-aspect as the extreme limit of the transcendental apostasy of πίστις.

Apostate faith can only manifest itself in the modal aspect of πίστις ; in other words the extreme degree of apostasy in the pistic [1] function still remains a function of *faith.*

This modality of meaning must therefore also have a restrictive structural law which — unlike the restrictive structures of the earlier meaning-aspects — must be conceived of as a *transcendental restrictive structure in apostasy* [2].

This means that the modal aspect of πίστις retains its *transcendental terminal character,* even in this 'restrictive function'. This character is essential in this meaning-modus, though in its closed sense the true direction to the Absolute Origin has been reversed in the absolutizing of what has been created [3]. The 'restrictive function' expresses that cosmic limit of the possibility of apostasy in πίστις by which all the normative anticipatory spheres of the earlier law-spheres remain *closed* in the transcendental direction, in other words: that structural con-

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[1] The adjective 'pistic' is construed from the Greek word *pistis* (πίστις).

[2] The term transcendental here means: pointing beyond the limits of time to a Deus absconditus, revealing itself in the world.

[3] Cf. the extremely pregnant exposition given by KUYPER, op. cit. II, p. 254 ff. of the so-called "theologia naturalis" in the sense of an innate knowledge of God, and especially this statement: 'Christianity and paganism are related to one another in the same way as the plus- and minus-directions of the same series.'

dition of faith in which, as the guiding terminal function, it makes *impossible* the entire opening-process in this direction.

In this condition the function of faith must be considered as having reached the terminal point of its apostasy from the Word-revelation. There are primitive forms of faith-in-nature and of myths that make a pathological impression, and seem no longer to show any trace of the original universal *phaneroosis* of the Divine Logos. Nevertheless they can only be understood in the sense of the modal aspect of faith, which has its own sphere-sovereignty. They can never be explained in a causal psychological way e.g., in terms of sexual passions or demonic affects of fear, although the temporal meaning of faith has the emotional meaning of feeling as its necessary *substratum*.

Two kinds of starting-points for the opening-process in the transcendental direction.

Taken in this *restrictive* sense πίστις can never be the starting-point for the *positive* development and deepening of meaning of the function of faith implanted in man at creation. It must rather be viewed as the transcendental *limit* in the *devolution, the degeneration and the running to waste of the true nature of faith* [1].

But it can serve as the starting-point for the transcendental deepening of meaning in the process of the apostasy of πίστις about which we shall have to say more below.

There is, however, also a *positive* development and deepening of meaning of the pistic function to the fulness of the Christian faith. Its starting-point must be sought in the structure of πίστις as it was implanted in man by God at the creation, i.e. in its primary openness to the Divine Word-revelation.

After the fall into sin this primary disclosure is only possible by means of the working of God's Spirit in the opening of the heart by grace. The apostate function of faith as such does not offer any starting-point for the development of the Christian faith. First the religious root of human existence must be directed to God, if πίστις is to be a useful organ for listening to the Word-revelation.

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[1] KUYPER, op. cit., pp. 255/6, relates this absolute deterioration of the natural knowledge of God to what ST PAUL repeats three times in Romans I, viz. that at last God *abandoned* (παρέδωκε) the idolatrous sinner to the apostate inclination of his heart.

In this process no *new* function of faith is created, but the primary opening of the πίστις to the Divine Logos is a radical reversal of the direction of faith, which cannot possibly be brought about by the apostate nature of man.

Thanks to God's gratia communis, the *semen religionis* (as CALVIN calls it) has been preserved in the human heart. And in many apostate religions important remnants of the original Word-revelation have been retained. It is even possible that through contact with the Jewish race or with Christianity some religions show moments of Biblical origin. They can, therefore, not be called *pagan.* But these moments of truth in the apostate faith are baffled because of the radically false direction of the basic motive of the pseudo-religion.

The elements of truth left in the apostate 'theologia naturalis' [1] can only be understood in the light of God's Word-revelation. And even the structure of the entire process of devolution, in the apostate knowledge about God, can become transparant only in this light.

This statement has a much more universal implication. The function of faith is the essential transcendental terminal function, both of the whole of the temporal cosmos and of human consciousness. In the light of the Divine Word-revelation the recognition of this state of affairs will enable us to get an insight into the *true* meaning of the important elements of truth discovered through God's grace *also by apostate philosophy in general.* This at the same time explains why Christian philosophy does not and cannot simply cancel the whole of immanence-philosophy.

We must strongly emphasize, however, what we have already said in the *Prolegomena* about the meaning-structure of truth. No single partial truth is a self-sufficient moment that can be set apart. The partial elements of truth are falsified when interpreted from the immanence-standpoint. This is not a question of incidental misunderstandings, or errors of thought, which no sinful human thinking is exempt from. Rather it is evidence of a conscious repugnance in the human mind to the *root* and *fulness of meaning of the Truth.*

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[1] This term is here intended in the general sense of 'natural knowledge about God', and not in the special, theoretical sense.

The revelational principle of faith in its restrictive function and the theme of magic and cult.

It may have become sufficiently clear now that πίστις in its subjective manifestations cannot exceed its modal structure. Also in transcendental apostasy faith remains subject to the structure of its law-sphere, even in its closed, restrictive state. Its normative revelational principle is elevated above any human invention and arbitrariness, and remains valid, even when belief has reached the last stage of apostasy. In an earlier context we saw that the normative principle of πίστις is only to be found in the faith-aspect of the Divine Revelation. We shall therefore have to seek for the contents of the restrictive revelational principle which determines and limits the actualization of belief in temporal reality as a norm.

In early Humanistic rationalism the attempt was made to find a kind of natural, rational, original faith of which all positive dogmatic doctrines were no more than higher or lower forms of development. The attempt was hopeless. It originated from the Humanistic belief in the uniformity of human nature, in its supposed root of 'sovereign reason'. It has long since been given up by science. But this does not mean that the constancy of the structural law of πίστις has to be given up in the case of the restrictive function of faith. Even for the scientific research of the pistical phenomena of primitive religions the restrictive revelational principle is a necessary ὑπόθεσις without which it cannot delimit its special field of investigation. This appears already in the question as to whether or not magic belongs to 'religion' [1].

JAMES FRAZER, the first to raise this problem in the well-known chapter 'Magic and Religion' of his book *The Magic Art,* gives a negative answer.

In a purer form the question ought to have been framed as follows: 'Is magic indeed a phenomenon belonging to a cult in the modal meaning of faith?' FRAZER really meant this, — witness his definition of 'religion' [2].

This question must be answered by the inquirer if he is ever

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[1] Cf. also EDWARD WESTERMARCK: *Early beliefs and their social influence* (1932), first lecture *Religion and Magic,* and H. BERGSON, *Les deux sources de la Morale et de la Religion* (2ième ed. 1932), pp. 171 ff.

[2] 'a propitiation or conciliation of powers superior to man which are believed to direct and control the course of nature and of human life.'

to be able to start his specific inquiry into primitive belief. It cannot be answered without arbitrariness, if the investigator does not make use of a restrictive normative principle of revelation regulating the aspect of faith on the law-side. If, in theory, the subjection of the primitive subjective *πίστις* to such a restrictive revelational principle is ignored, the essentially transcendental, terminal character of functional faith is lost sight of.

Then the way is paved for no end of confusion as regards the modal aspects resulting in constructive efforts to explain the meaning of faith which pre-suppose the very thing in need of explanation [1].

The same is true of FRAZER's own theory about the origin of cult. According to him a period of magic precedes every kind of 'religion' (read: cult). Magic is directed to the impersonal forces of nature and does not strive after the propitiation of a deity, but aims at controlling and dominating the forces of nature. The discovery of the inefficacy of magic is supposed to cause in man a feeling of helplessness and a consciousness of the power of invisible things around him.

From this feeling the primitive forms of 'the religion of nature' are supposed to spring: the worship of the personified forces of nature and that of death. The principle of the economy of thought is then used to account for the transition from animism to polytheism, and from the latter to monotheism.

People would come 'to limit the number of the spiritual beings of whom their imagination at first had been so prodigal' [2].

In this theory, the construction of magic being the necessary preliminary stage of 'religion' is not only open to question. It is

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[1] The most deterrent instance of such explanations is S. FREUD's attempt at explaining the function of faith, which he identifies with 'religion', in a pycho-analytical way as a universally human compulsive neurosis. This is supposed to originate from the infantile 'Oedipus-complex', the 'relation to the father'. Primitive man is said to attribute the character of a father to the forces of nature and to deify them, just as a child elevates its father to 'God'. The father, admired and feared at the same time, is the primitive image of every form of deity. The 'father complex' on the one hand, helplessness and the need of protection on the other, are assumed to be very closely connected in the 'origin of any religon', and all dogmatic doctrines thus bear the stamp of an 'illusion'. (*Die Zukunft einer Illusion,* 1927, pp. 26, 36 ff. 50). That this entire theory already *presupposes* the irreducible transcendental meaning of faith, has apparently not dawned upon the author.

[2] *The Worship of Nature* I, pp. 17 ff.

actually refuted by the simple fact that magic and the cult of deities function simultaneously, side by side, and are interrelated. In addition, the principle of the economy of thought is abused in FRAZER's rationalistic construction of the evolution from animism to monotheism. But apart from these serious objections, the transition of a phenomenon which in essence is not qualified as faith, in the true sense of the word, to *πίστις* proper, is a leap which is simply not permissible in an explanatory theory.

This leap was only made possible through the misinterpretation of the irreducible modal meaning of faith and of the necessary revelational principle functioning in it. If one tries to give a 'natural explanation' of the essentially transcendental terminal function of human consciousness, one cannot avoid an obliteration of the modal boundaries between the aspects. This is the reason why all the constructive developmental theories of the origin of the different kinds of cult are doomed to fail. In trying to find the restrictive structure of the aspect of *πίστις* we in no way want to follow the path of this evolutionistic construction. This path must already come to a dead end in the indeterminateness of the meaning in which the concept of time is used.

A truly *historical* division into periods of the development of the different forms of faith presupposes, — as the minimum of scientific seriousness, — the insight that it is indeed the history of *faith* to which the investigator ought to devote his attention. He should refrain from framing any evolutionistic hypotheses about the origin of the pistic cult from phenomena of a different nature.

Even from the evolutionistic standpoint the hypothesis that the magical phase was *the oldest and therefore* the 'original' one is already obsolete, since BETH and VIERKANDT discovered a *pre-magical* cultural stage. This stage was characterized by the total lack of any magical meaning of human actions, and it is supposed to have left clear traces in the pre-historical period of the Aurignacians [1].

Scientific inquiry cannot shed light on the true *origin* of the pistic function and its original structure. This is the domain of the cosmonomic Idea which, as its *hypothesis,* lies at the *basis*

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[1] Cf. KARL BETH: *Religion und Magie* (2e Aufl. 1927); VIERKANDT: *Die Anfänge der Religion und Zauberei,* Globus 1907, pp. 21—25; 40—45; 61—65; and H. KÜHN: *Kunst und Kultur der Vorzeit Europas* (1929), pp. 478 ff.

of all theoretical investigations. In the light of our Christian cosmonomic Idea we could not accept the closed state of history as the *original* one. Nor can our examination of the restrictive meaning-structure of the revelational principle of faith be understood as an inquiry into the *original phase* of belief preceding all the other developmental phases. The restrictive pistic revelational principle, in the sense intended by us, can only be understood from the cosmonomic order itself, in the light of the Divine Word-revelation.

The restrictive function of the logical and post-logical aspects proved to be characterized by their rigid attachment to the prelogical aspects of reality.The restrictive function of faith is the extreme transcendental limit reached in the apostasy of faith, in which under its guidance the normative anticipatory spheres of all the earlier aspects remain rigidly closed.

This limit is consequently to be found in that stage of apostasy in which primitive man deifies the unknown forces of nature regulating life and death, fertility and barrenness etc., i.e., generally speaking, the whole of the biotic-sensory substratum of a closed society.

Man, fallen away from truth to this primitive faith, even lacks any awareness of his transcendental freedom and of his transcendence above the things given in nature. In his function of believing he directs himself to some deification of the natural forces whose normative anticipatory spheres have not yet been opened [1]. He believes that they wield a mysterious kind of power over the natural functions of life in the entire primitive community to which he belongs. To him they are both good and destructive deities, who ought to be propitiated or warded off by religious rites. In other words, the restrictive structure of the subjective *πίστις* has no other revelational principle than the transcendental certainty about the deity revealing itself in the closed 'forces of nature', and entitled to religious worship.

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[1] It need hardly be stated explicitly that these mysterious forces of nature are not conceived of by primitive faith in theoretical abstraction. Rather they are wrapped in a phantastic web of mythology woven by primitive man, who interprets the pistic object-function of the things of nature according to his phantastic sense of the deity. This state of things cannot be made clear before our investigation of the subject-object relation. Compare also what ED. V. HARTMANN observes with regard to the faith in nature in his book *Das religiöse Bewusstsein der Menschheit* (2e Aufl. 1888), pp. 16 ff.

Here, too, the Divine Revelation in 'created nature' primarily touches the *heart* of man's existence. Being completely closed to the Word-revelation this heart guides the function of faith in its restrictive apostasy.

This restrictive revelational principle turns into a curse to man in the depravity of his pistic function. Nevertheless, the principle itself is founded in the Divine world-order, and therefore elevated above all human arbitrariness. In the Word-Revelation, which finds its consummation in Christ, it is not set aside. But it is revealed in its true sense through its relation to the fulness of meaning of the Divine law: the service of God with our whole heart in Christian freedom.

The disintegration of the sense of personal identity in the belief in mana and in totemism.

In the restrictive function of its transcendental apostasy πίστις lacks any direction to religious self-reflection. The disintegration of personality-awareness, invariably seen in primitive peoples, finds remarkable expression in the belief that the divine is *mana*. CODRINGTON was the first to draw attention to this idea in his well-known book: *The Melanesians* (1891). Other names are also used, such as *orenda, wakonda, manitu, dema* [1]. It has been found that this belief has spread all over the earth.

After this discovery a lively controversy arose about the meaning of the mana-idea [2], which immediately resulted in a hypothesis of a *pre-animistic phase* of religious belief (KING, MARETT, HUBERT, and MAUSZ). From this discussion it appears that the pistic mana-idea may safely be characterized as possessing a peculiar *fluidity*. In 'mana' the natural and the supernatural, the personal and the impersonal merge into one another in a singular way [3].

Mana (with its negative counterpart: *taboo*) is the divine

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[1] Among the Marind-anim of Dutch Southern New-Guinea the 'dema', in a general sense, is conceived as 'mana'. This has been demonstrated by P. WIRTZ in his work: *Die Marind-anim von Holländisch-Süd-Neu-Guinea,* Bnd II, pp. 6 ff.

[2] Cf. the critical survey of writings on this subject brought up to date till 1920 in FR. RUD. LEHMANN's monograph: *Mana.*

[3] Cf. CASSIRER: *Phil. der symb. Formen* II (1925), pp. 98 ff.
The mana-idea is considered as a kind of basic category of mythical

mysterious force distributed in things everywhere. It is elevated above the familiar, every-day sphere of life which can be conceived by common sense. It is personified in mythical figures which, in a fragmentary and fluid way, embody themselves in visible beings such as plants, animals, men, and also in inorganic objets of a great size or with unfamiliar shapes, regarded as a kind of 'masks' of the mysterious mana [1].

This is the heno-theistic feature in the primitive nature-belief, as MAX-MÜLLER styled it. For although this fragmentary personification of the divine lacks every kind of concentration of the personality-awareness, it does not cancel the belief in the deeper unity of *mana* [2].

In the case of some tribes it is possible to show that primitive belief assumes a distinct splitting-up of the personality. This happens during the critical transition that every member of the tribe passes through at his initiation into the life of the community (e.g., among the Kurnai in S.E. Australia) [3].

After the initiation-rites another 'self' has arisen. In totemism the members of the clan identify themselves with the totem-

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thought by HUBERT and MAUSZ: *Esquisse d'une théorie générale de la magie,* L'Année Sociologique 1902—1903. Paris 1909, pp. 1—146.

[1] Thus Dr VAN BAAL in his work already quoted (pp. 60, 61) writes about the dema-belief of the Marind-anim of Dutch Southern-New-Guinea investigated by WIRTZ: 'It is only to a certain extent that a distinction can be made between these personal demas which are the gods in the proper sense of the word and that universal all-pervading dema-power of which we spoke a moment ago. They are no more than special facets of one and the same thing, dema, which is now conceived in its specific form as a personal dema, now as a supernatural power operating in all things in general. How fluid this distinction between the two aspects is, can be clearly demonstrated by referring to the so-called dema-stones which are said to be the abodes of a dema. The shape of such a stone is decisive for the special dema incorporated in it: small round stones, e.g., are called coco-dema's. They cause the fruitfulness of the coconut-tree. Most dema-stones are found by accident, but there also exists a method to get possession of them deliberately. Only a messâv can manage this. When he thinks he has found a dema-place, he sets out for it, and knocks on the ground, whereupon the dema appears and tries to run away. The messâv seizes him and the dema changes into a stone in his hands."

[2] Cf. ED. VON HARTMANN, op. cit., pp. 40 ff.

[3] Cf. S. HOWITT: *The native tribes of South-East-Australia* (1904) and P. W. SCHMIDT: *Die geheime Jugendweihe eines australischen Urstamms* (1923), pp. 26 ff.

animal or the totem-plant. They *are* storks, or kangoroos or coconut-palms, etc. [1].

This clearly shows how diffuse primitive personality-awareness is [2].

The transcendental moral retrocipation in the restrictive structure of the aspect of faith.

Even in this restrictive structure of the aspect of faith we find the retrocipatory connection with the earlier law-spheres maintained. The retrocipatory meaning-moments share in the tran-

[1] We cannot agree with the explanation that BERGSON (op. cit., pp. 195 ff.), gives of totemism. In his opinion the identification of the members of the clan with the totem-animal or the totem-plant should neither be taken in the literal sense, nor in a purely symbolical meaning. Rather it should be interpreted in connection with the phenomenon of exogamy as the primitive sensory indication of the biotical *species*-character of the different *clans*. BERGSON takes no account of the *pistic meaning* of totemism, because of his vitalistic explanation of the entire 'static' primitive 'religion'. In this respect E. CASSIRER's striking criticism of DURKHEIM's explanation of totemism applies also to BERGSON in its full force (cf. CASSIRER's *Philosophie der symbolischen Formen* II (1925), pp. 237 ff.). DURKHEIM attempted to explain totemism as the outward projection of certain internal social clan-relations (cf. DURKHEIM's *Les formes élémentaires de la vie religieuse)*. According to DURKHEIM totemism does nothing but transfer to the whole of nature the interindividual and kinship relations that man experiences immediately as a member of the clan. It simply depicts the social mikro-cosmos in the macrocosmos. The totem is then understood as an arbitrary sensory sign. CASSIRER rightly objects that this attempt at explanation rests on some ὕστερον πρότερον, in so far as it tries to infer totemism from the social organisation of the clan. And, besides, this theory leaves the *particularity* of the totem-symbol absolutely unexplained.

[2] CASSIRER has a striking remark in his *Philosophie der symbolischen Formen* II (1925), p. 226, on the identification of human beings and animals in totemism:

'In all this it appears that animals and human beings stand in a continuous magical coherence in the primitive view. Their magical activities continually merge and change into one another.

'But on the standpoint of mythical thought this unity of *action* would be impossible, if it was not based on some unity of *essence*. The condition of things obtaining in our theoretical division of nature into definite 'species' and 'classes' as distinct forms of life, is here reversed. The determining of the species is not founded on the empirical causal rules of generation. The idea of the 'genus' does not depend on the empirical coherence between the *gignere* and the *gigni*. The primary fact is the conviction of the identity of the genus as it develops on the ground of the mutual magical relations between man and animal. The idea of common 'descent' only indirectly fits into it.'

scendental terminal character proper to the meaning-nucleus of πίστις. The pistic law-sphere is directly founded in the moral aspect. The restrictive meaning of faith, therefore, retrocipates on the primitive modal meaning of love in its rigid adhesion to the pre-logical-sides of reality.

The meaning-nucleus of πίστις in its restrictive-transcendental function can only express itself in the *cult*. The worship of the good forces of nature and the exorcizing of the evil forces imply a moral analogy directly founded in the natural love of the revelation of the deity in the life-force, as well as in the natural hatred of the mysterious forces threatening the biotic existence of the primitive community, such as illness, death, barrenness, etc. The transcendental character of the cult as a necessary meaning-moment in the aspect of πίστις is revealed in its relation to the deity.

K. BETH in his book *Religion und Magie bei den Naturvölkern* (1914, p. 208) rightly emphasized the fact that the cult is simply not found without the ethical moment. This was the very reason why he sharply distinguished the primitive cult from mere magic.

From this moral retrocipation the other retrocipatory spheres may be analysed. In the present context we do not wish to continue this transcendental analysis[1]. We only wanted to set the restrictive revelational principle of this law-sphere in its true light.

§ 8 - CONTINUED: THE OPENING OF THE FUNCTION OF FAITH IN THE APOSTATICAL DIRECTION

The central problem demanding special attention at the moment lies in the opening-process of πίστις in the apostatical transcendental direction. How is such an opening-process to be understood, and how is it made possible?

The answer to this question is also of supreme importance for the conception of the Idea of historical development. It is

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[1] An ample analysis of the analogical moments in the modal structure of faith is to be found in the second Vol. of my *Reformation and Scholasticism in Philosophy*, which volume has not yet been published. Here I have shown that this analysis is highly important for theology insofar as it lays bare the meaninglessness of theological problems resulting from disregarding the analogical character of the theological basic concepts.

simply impossible to deny that in various religions after a period of a primitive and diffuse belief in nature there is an opening-process of πίστις in an apostatical direction.

This opening-process is immediately connected with the emergence of the respective peoples from a more or less primitive stage of civilization.

> The aesthetic humanizing of Greek polytheism by HOMER and HESIOD and the opening-process in the Greek cultural community.

Thus the peculiar aesthetic humanizing of Greek polytheism since HOMER and HESIOD is doubtless based on a civilization that had been opened to a rather considerable degree. In his *Theogony* HESIOD had taught the Greeks how the younger gods of measure, order and harmony had conquered the older deities of indeterminateness (Uranos) and measurelessness (Kronos). He had related how the younger deities cleared the earth of ugly monsters and of measureless human beings and diffuse transitional beings. In the Homeric Epic these younger gods had arrived at individual-personal determinateness in their intercourse with each other and with men. In this way the pistic function is directed to the formation of personal cultural gods. HOMER's and HESIOD's pistic conceptions of the world of the gods acquire a basis for *historical power* in the popular conviction. At the same time we see how the modal-historical norm of individualization begins to assert itself in the development of Greek civilization. This process is bound to the norms of differentiation and integration analysed in an earlier context.

CASSIRER has also pointed out this evolution, although he started from a quite different point of view. First he makes the remark that in the primitive community in which e.g., totemism functions, all individuality of the members is entirely absorbed by the totality of the group. This is doubtless a strong exaggeration and generalization of the power of the primitive communal consciousness. MALINOWSKI and other ethnologists of the so-called functionalist school have shown that this usual conception of the primitive mind does not agree with the social facts. In the common social relations within the group the individuality of the members is certainly not effaced or absorbed by the group-mind.

But if we restrict CASSIRER's statement to the *pistic aspect* of primitive social life it is doubtless right.

In an earlier context we have explained in what sense it may

be said that the individual in a primitive society lacks historical or cultural significance. The same restrictions and modifications should be applied to the sequel of CASSIRER's argument.

He continues: 'As soon as in this group the religious consciousness [1] rises to the thought and to the form of personal gods, the entanglement of the individual member in the totality of the group begins to disappear. Not before this stage of development does the individual get his independent peculiar character and his personal features in contradistinction to the life of the community. This direction to the individual is connected with a new tendency towards the universal — which fact seems to be contradictory, but is in reality correlated with it. For above the smaller unit of the tribe or the group now rise the more comprehensive social units. The personal gods of HOMER are also the first national gods of the Greeks — and as such they have straightway become the creators of the general Hellenic consciousness. For they are the Olympians, the universal celestial gods, bound neither to one single locality or province, nor to a particular place of worship. In this manner the liberation to personal consciousness and the elevation to national consciousness are accomplished by one and the same fundamental act of religious formation' [2].

Under the guidance of this Greek popular faith, whose mythical forms were created by HOMER and HESIOD, and in whose religious basic motive the dialectical tension with the earlier natural religion was retained, Greek art rose to a great height in epic poetry, tragedy and plastic art. We see the social, juridical and moral law-spheres opening themselves [3] and the Greek body politic pass through its classical period of efflorescence.

And in Greek philosophy which continued to be in contact with mythology (witness the influence of *Orphism*), it is not really philosophical thought as such which gradually undermines polytheistic popular belief. It is rather the transcendental direction of πίστις to deified theoretical thought, which leads the Greek mind to philosophical theological self-reflection. Philo-

[1] CASSIRER, of course, does not recognize a modal aspect of faith and continually identifies religion with πίστις in the usual way.

[2] *Phil. der symb. Formen* II, pp. 245/6.

[3] In the formal principles of moderation and justice, the juridical and moral conceptions as they developed under the guidance of this popular faith, doubtless rise above the restrictive level of a kind of eudemonism that still clings to sensibility and to the biotic conditions of life. Even PLATO and ARISTOTLE started from this popular morality in their ethics.

sophical speculation also remains guided by the function of faith, which in itself is not theoretical.

The true character of the disclosure of faith in transcendental apostasy.

In the apostasy from the Divine Word-revelation, the whole of the normative opening-process is guided by a deepening of the apostate direction of faith, as the transcendental terminal aspect. This deepening can only be understood as a process in which man arrives at transcendental self-consciousness in his falling away into the absolutization of the relative.

The faith-aspect has no functional anticipatory spheres in its modal structure. The only thing πίστις in apostasy can anticipate, is the religious root of temporal existence. The function of faith rises above its restrictive, rigidly closed state in the civitas terrena, as soon as apostate humanity becomes conscious of its freedom to transcend the merely foundational direction of time.

Then it realizes that it is free to anticipate the immanent revelation of the deity in the *selfhood,* in the root of human existence itself. But this revelation has been falsified in its religious meaning, because the human ego has been absolutized into self-sufficiency. This awakening of the tendency in the pistic function to anticipate the transcendent selfhood, is essentially a hopeless affair. It is the attempt of man to re-discover his selfhood, lost in the religious apostasy into the relative, by transcendental anticipation of a vain self-absolutization. In the primitive mana-belief the natural sense of the godhead is diffused among the mysterious forces of nature. These are still closed and incomprehensible to man, and to them the whole of temporal existence is rigidly bound. Man believes he is 'possessed' by them. But in the process of his rising to transcendental self-consciousness, apostate man discovers *his freedom in faith to devise his idol* in the image of the deified normative functions of *his own personality.* That which is typical for the deepening of πίστις in the apostate direction, is invariably the search after the human selfhood in the image of cultural idols who give expression to man's elevation above the blind forces of nature.

Nevertheless, also in this disclosure and deepening of its apostate direction faith remains bound to a principle of Divine revelation in the order of creation. This is the innate tendency of the human ego to transcend itself in the central relation to

its Divine Origin, in order to discover itself in the image of God.

It is this central revelational principle of creation which, isolated from the Word-Revelation, leads man in the state of apostasy to a disclosure of his pistic function and makes him aware of his elevation above the things of nature. So there is at the same time a positive and a negative aspect in this opening-process of the meaning of πίστις. We should remember this state of affairs when presently we return to the developmental Idea of history.

> The transcendental freedom of πίστις, deepened in its apostasy, in devising idols. CASSIRER's critique of mythical consciousness.

The religious law of concentration of human existence retains its universal validity even in its apostate condition. All self-knowledge is dependent on knowledge of God. In the same way the *apostate selfhood only arrives at self-knowledge through its idols,* in which it absolutizes its temporal normative subject-functions [1].

This state of affairs has also struck CASSIRER, who tries to explain it from the immanence-standpoint. In the second Volume of his important work *Philosophie der symbolischen Formen* he interprets every pistic conception of the human selfhood in its relation to that of Deity as a manifestation of mythical consciousness.

He wants to make a sharp distinction between this 'mythical mind' and critical 'theoretical consciousness'. In a general sense he declares that the concentration of self-consciousness, above the diffuse idea of personality in the primitive belief in nature, is reached within the cadre of mythical consciousness only by projecting new images of the Deity [2].

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[1] Cf. H. BAVINCK on the connection between self-consciousness and revelation in his: *The Philosophy of Revelation* (1908), pp. 62 ff.

[2] Op. cit. II, p. 269: 'Thus it invariably appears that man can only know and conceive his own existence insofar as he can make himself visible in the images of his gods. Just as he only learns to understand the structure of his body and his limbs because he forms tools and creates labour, he derives from his mental formations, his speech, his myth and his art, the objective measure by which he measures himself and through which he understands himself as an independent cosmos with characteristic structural laws.' ["So bewährt sich immer wieder, das der Mensch sein eigenes Sein nur in soweit erfaszt und erkennt, als er es sich im Bilde seiner Götter sichtbar zu machen vermag. Wie er nun dadurch, dasz er

This happens when faith frees itself of the primitive deification of the natural forces connected with the biotic conditions of life, and assumes a normative moral content [1].

The selfhood, too, is identified with a normative function of the personality: in this function faith seeks the deeper *unity* of the human ego.

In the Egyptian texts of the pyramids we presumably find the oldest historical documents of a gradual rise of mythical self-consciousness to the normative juridical and moral functions of the personality. Here we see the ethical conception of the selfhood accentuating itself more and more strongly in the belief in immortality and the cult of the dead. This depends on the increasing tendency in the pistic conceptions to consider Osiris, the god of the dead, as *the judge of good and evil.* In earlier texts this god could only be compelled by means of magic formulae to accord the soul of the deceased a favourable reception.

The same moral motive is found in the Iranian belief about the dead, and in the Vedic conception of the gods Varouna and Mitra, as the guardians of the *rita,* the astronomical world-order, which is at the same time the *moral* and the *juridical* order [2]. In comparison with the earlier, magical view of Vedic polytheism, this conception strikes a fundamentally new note.

In the development of the speculation of the Indian Upanishads about the selfhood we even find a more elevated conception of I-ness (âtman). This is now conceived of as an absolutely abstract supra-temporal, actual centre of the contemplative intuition of essences. It transcends all that has the shape of a thing or bears a name, and it participates in the Brahman, the spirit of the world. But even this mystical speculative conception of I-ness in the Upanishads remains caught within the boundaries of the 'mythical-religious consciousness'.

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werkzeugbildend und werkbildend wird, das Gefüge seines Lebens und seiner Gliedmaszen verstehn lernt, so entnimmt er seinen geistigen Bildungen, der Sprache, dem Mythos und der Kunst die objektiven Masze, an denen er sich miszt und durch die er sich als einen selbständigen Kosmos mit eigentümlichen Strukturgesetzen begreift."]

[1] In his concept of the 'mythical consciousness' CASSIRER merges animistic and pre-animistic pistic ideas into one another.

[2] A conception which is probably due to the Chaldeans. Cf. R. BERTHELOT: *"L'Astrobiologie et la pensée de l'Asie"*. Essai sur les origines des sciences et des théories morales. (Revue de Métaphysique et de Morale 1934, 41, 3) pag. 378 ff.

In CASSIRER's opinion it remains separated by an unbridgeable cleft from the theoretical -I- of transcendental apperception, from KANT's transcendental-theoretical cogito. The *method* by means of which religious mysticism penetrates to its conception of the selfhood, the unity in the personality, is entirely different from that of the critical analysis in the theoretical cognitive attitude of mind.

Mythos and *Logos*. The criterion for the distinction between mythical and non-mythical thought.

Theoretical self-consciousness, however, is also guided in the transcendental direction of time by πίστις as the terminal function. It finds its super-temporal concentration-point in the religious root of human existence. As soon as this insight is gained, the contrast made by CASSIRER becomes very questionable.

From the immanence-standpoint it seems hardly possible to find a tenable criterion for distinguishing mythical and non-mythical consciousness. The current standard of such a distinction depends upon the idea of 'pure experience' and 'pure logos' in a theoretical-scientific sense. But this criterion is ambiguous to a high degree and becomes mythical insofar as it implies an absolutization of theoretical and especially of mathematical and natural-scientific thought. L. ZIEGLER speaks of the "Mythos atheos" of science [1].

In the last century it was current opinion that μῦθος is the primitive phantastic and magical-sensible form of a life- and world-view preceding religion. Religion, philosophy and science were supposed to have originated from it in a process of differentiation. But this was nothing but an evolutionistic speculation. We do not know any instance of a real myth which does not give expression to a religious motive. And it is not true that mythical thought is necessarily bound to a magic view of the world. We are only entitled to say that it always implies an interpretation of things from the viewpoint of faith which *may* be connected with magic representations. But not every view of the world in the mode of faith is to be ascribed to mythical consciousness. The mythical view implies an essential moment of fiction, but not in the same sense as a tale or a legend.

Mythical consciousness is by no means exclusively bound to

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[1] L. ZIEGLER, *Gestaltwandel der Götter* (3th ed. 1922).

a primitive stage of thought. It may have developed to a high degree of theoretic abstraction in a philosophic-theological speculation in which the viewpoint of faith is masked.

If the conception of âtman in the Upanishads is to be qualified as mythical, it is certainly not a primitive magical form of mythical thought. And if CASSIRER's qualification of this conception is justified, it should also be applied to the idea of the transcendental-logical subject in KANT's epistemology. For our transcendental critique of this Kantian idea has shown that it has by no means resulted from a really critical analysis of the structure of theoretic human knowledge. Rather it appeared to depend on a Humanistic belief in the autonomy of theoretic reason and to interpret the structure of the logical aspect from the viewpoint of this belief.

The mythological character of this concept of the transcendental subject manifests itself in the Kantian circumscription that it is to be conceived as a logical unity without any multiplicity — an evident *logical* impossibility, but a possibility from the viewpoint of a mythical faith.

But we have observed that not every faith is to be qualified as mythical. The latter appeared to imply an essential moment of fiction. In what sense is this to be understood?

This question is all the more urgent since every real myth has the (not necessarily deliberate) tendency to reveal a religious truth which is essentially related to the modal function of πίστις and founded in a Divine revelation in the order of creation. In this respect it is sharply to be distinguished from a tale and a legend. Its time-aspect is that of faith, not that of aesthetic fantasy or history.

But mythical faith is characterized by its interpreting the natural Divine revelation in accordance with the fictitious conceptions of an 'autonomous' pistical fancy. This is the hybrid character of mythical consciousness by which it is sharply distinguished from the non-mythical. It is related to a truth which is necessarily misunderstood.

The 'mythical' is the pistic interpretation of the experience of the 'deus absconditus' in the apostate root of human existence.

Theoretical self-consciousness can no more avoid this than pre-theoretical self-awareness. Only in the opening of πίστις to the light of God's Word-revelation are the mystifications of mythology penetrated. In this disclosure the boundaries of 'mythical consciousness' are broken through by the transcendent

power of Divine Truth. Without this Divine illumination even *theoretical* self-consciousness retains the fundamental characteristics of mythology. PLATO became aware of the unity of the selfhood. He sought this unity in the absolutized 'thinking part of the soul'. But this conception of the self was due to his mythical idea of the pure divine *Nous* which had been conceived by deepened apostate faith. Not before the mythical idea of the 'intellectus geometricus archetypus' had been devised in the disclosed apostate πίστις, did the supposed root of human personality reveal itself to DESCARTES and LEIBNIZ. They identified the selfhood with mathematical thought, as the image of the 'Divine geometer'.

KANT's philosophic thought assumed its transcendental direction to the super-sensory Idea of the *homo noumenon* (with which the apostate ego identified itself), only by the 'faith of practical reason' in the moralistic Idea of god.

Even the theoretical view of the coherence of temporal reality remains *mythological* under the guidance of faith in autonomous reason. 'Mythological' in this sense are both HUME's psychologistic and KANT's transcendental-idealistic conception of temporal reality.

The primitive-magical mythological conception of reality makes a fundamental separation between the sphere of the profane (or familiar), and that of the sacral (or the 'mana'). The mystical conception of the Upanishads separates the *brahman-âtman* from *maya*. They are the counterparts of the dualistic separation in the cosmic meaning-coherence between *noumenon* and *phenomenon* in western metaphysical immanence-philosophy. All these dualistic views of reality in the last analysis originate in mythical consciousness.

The Platonic μὴ ὄν and ἄπειρον bear a distinctly mythical stamp, just as LEIBNIZ's πέρας in the sense of 'metaphysical evil'. The disclosure of the nature-myth into the cultural myth[1] in popular belief has its parallel in the history of modern immanence philosophy. There we see philosophers attain theoretical self-consciousness by ascending from a mythical belief in the deterministic image of nature devised by the classical science-ideal, to a mythical belief in creative human freedom in culture and morality.

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[1] 'Culture' taken in the indeterminate Humanistic sense of the complex of the normative aspects of temporal reality.

In naturalistic thought, guided by the faith in the self-sufficiency of natural science, the theoretical self-consciousness is dispersed in its pre-logical '*Gegenstände*' (= the modal aspects investigated). In transcendental thought the apostate selfhood reflects on its subjective, temporal, theoretical activity, identifying itself with those normative subject-functions of the personality that have been absolutized by the faith in self-sufficient reason. But only in dependence on *the Idea of the Origin* devised by πίστις does the *Idea of the selfhood* reveal itself to philosophical thought.

It should, however, be borne in mind that the faith in reason as such, no matter whether it expands in a naturalistic or in an idealistic sense, is never a πίστις *of a restrictive structure,* as is the primitive faith in nature.

Rather it is always the manifestation of an extreme stage of the *deepening of meaning* in the apostasy of πίστις. At the same time it reveals a refinement in the process of development of ἀπιστία which aggravates guilt.

Mythical consciousness under the guidance of the 'magical'[1] faith in nature and of faith in reason. The problem of magical thought.

Faith in the sovereignty of natural-scientific thought guides both theoretical and pre-theoretical consciousness which is ruled by the Humanistic naturalistic science-ideal.

This faith also frees the mental attitude of naïve experience from its commitment to the magical-mythical ideas of the primitive faith in nature, at least, so long as this faith actually takes the lead in human life, which it never permanently does.

The only result, however, is that the mythical strangle-hold of the faith in the rational origin of the entire cosmic reality is tightened. We must bear in mind that, in contrasting rational faith and 'magical' faith in nature, and the two different ways in which these two control logical thought, magical thought must not be identified with naïve primitive thinking.

An essential feature in the 'mana' faith is the fundamental separation between what is *ordinary, profane* in reality and what is *sacral, mysterious.* The familiar can be understood in primitive thought by 'common sense'.

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[1] The adjective 'magical' is not taken here in its strict sense but in the sense meant by CASSIRER, viz. 'mystical', opposed to scientific logic.

Only the *mysterious* is conceived by the mythical pistic imagination in a 'magical context of activities'. For this reason it is impossible to accept the well-known theory advanced by LÉVY-BRUHL. He holds that 'primitive thought' does not move in logical categories but in a pre-logical, mystical, collective-psychic sphere, lacking every kind of analytical character. The logical basic principles of identity, contradiction and sufficient ground are supposed to have been completely set aside. In the pre-logical sphere the collective representations are assumed to be ruled by the law of participation, which is indifferent to contradiction [1].

CASSIRER's view of 'magical thought' has been strongly influenced by LÉVY-BRUHL. Both identify the logical aspect with the theoretical logic of mathematical natural science. I suppose this is the reason why they have lost sight of some primordial states of affairs.

In the first place it is overlooked that primitive thought is not to be *identified* with the particular 'magical' way of thinking. But, in addition, 'magical' thought cannot function as such outside the primary structure of the logical law-sphere. As far as their logical aspect is concerned, the typically magical ideas are orientated to the primary logical principles [2].

The ideas of a possible splitting up of personality and of the identity of the members of the clan with the totem are not *illogical*. For logic *alone* neither yields an idea of personality nor of the difference between man and animal. We are con-

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[1] LÉVY-BRUHL: *Les fonctions mentales dans les sociétés inférieures* (Paris, 1922), p. 454: 'The mentality of the inferior societies is of an essentially pre-logical and mystical character, ... it is differently orientated from ours, ... the collective representations are regulated by the law of participation, indifferent therefore to contradiction, and united by bonds and by preliminary connections disconcerting to our logic." ["La mentalité des sociétés inférieures est de caractère essentiellement prélogique et mystique, ... elle est orientée autrement que la nôtre, ... les représentations collectives y sont réglées par la loi de participation, indifferentes, parsuite, à la contradiction, et unies entre elles par des liaisons et par des préliaisons déconcertantes pour notre logique."]

[2] How would the members of the clan otherwise be able to identify themselves with the totem-animal of their clan and distinguish themselves from the members of another clan? And how would they be able to express judgments of faith?

fronted here with typically *pistological*[1] ideas which consciously rise above the concepts of ordinary primitive life[2]. They are meant to give a *pistological* interpretation of the divine mystery, which is inexplicable to ordinary primitive thought and manifests itself in the dark forces of nature which also rule primitive society. This interpretation is really of a primitive mythological nature, and falsifies the true state of affairs within the pistical aspect of reality.

But the faith in reason also falsifies reality when deifying subjective reason. This fact renders CASSIRER 's distinction between critical-theoretical and mythical consciousness extremely misleading[3]. His criterion appears to be inadequate.

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[1] '*pistological*' means: according to a logical retrocipation of faith. In this case logical thought is made to follow the lead of some faith, and distinguishes according to the standards of this faith.

[2] See on this subject the well-founded and sober remarks of T. S. G. MOELIA: *Het primitieve denken in de moderne wetenschap* (thesis, Leyden 1933), p. 52 ff.

[3] Cf. CASSIRER, op. cit., Vol. II, section 2 ch. I. [Der Grundgegensatz].

CHAPTER IV

THE UNIVERSALITY OF THE ASPECTS WITHIN THEIR OWN SPHERES AND THE INTERMODAL DISHARMONY IN THE PROCESS OF DISCLOSURE ON THE LAW-SIDE OF THE LAW-SPHERES.

§ 1 - THE UNIVERSALITY OF THE MODAL ASPECTS WITHIN THEIR OWN SPHERES

The sphere-sovereignty of the modal aspects of reality has its counterpart in the *universality of each aspect within its own sphere.*

The term 'sphere-universality' is intended to signify that the modal meaning-structure in each aspect gives expression to the entire coherence of meaning of all the law-spheres.

This is made possible by the retrocipations and anticipations in each meaning-modus. Immanence philosophy could not help misinterpreting this state of affairs, because of its failure to grasp this universality in relation to the modal sphere-sovereignty.

Why the different attempts at absolutizing seem to be acceptable.

The universality of each modal aspect within its own sphere may also explain the apparent success of the various absolutizations in immanence philosophy.

DAVID HUME, e.g., resolves the whole of given reality in impressions of feeling, or 'perceptions'. He calls out: 'Let us chase our imagination to the heavens, or to the utmost limits of the universe; we never... can conceive any kind of existence, but those perceptions... This is the *universe of the imagination*'[1] (Italics are mine). In this exclamation we distinctly hear his conviction that he has discovered an undeniable state of affairs.

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[1] *A Treatise of Human Nature* I, Part II, Sect. VI.

And indeed, whatever the critical transcendental philosophy might have to say against HUME, the thesis that in 'feeling' the universe expresses itself in the whole of the cosmic meaning-coherence is irrefutable. The analysis of the meaning-structure of the law-sphere of feeling in the retrocipatory and in the anticipatory direction of time confirms the universality of this meaning-modus in every respect.

This structural analysis of the psychical modality does full justice to the kernel of truth in HUME's psychologistic conception. At the same time it lays bare the fundamental error of his psychologistic absolutization, whereas the Kantian epistemological criticism touches the root of this absolutization so little that it becomes itself guilty of absolutizing the transcendental-logical structure of thought.

The universality of the modal meaning of feeling implies that the psychical law-sphere is not self-sufficient. This universality is only possible as a *modal universality of the aspect within its own sphere*. Its absolutization is equal to its *theoretical cancellation*.

Therefore, HUME's epistemological psychologism destroys itself if it is consistently thought out. The epistemological thesis that the whole universe is given us only in psychic 'perceptions' cannot be correct. For nothing is given in theoretical abstraction.

The modal meaning of feeling itself cannot be given "*an sich*" (in itself), i.e. apart from the cosmic meaning-coherence in which it can function only as *psychical modus*.

Psychologism may try to escape from the force of this argument by answering that here we are exclusively concerned with the problem whether or not we can be *aware* of anything outside our impressions of feeling. But the opinion that we are at least only *conscious* of our psychical perceptions, is equal to *the denial of any possibility of being conscious of anything*. This view results in a radical kind of *epistemological nihilism*. Being conscious of one's impressions of *feeling* implies the self-consciousness of the whole of the cosmic meaning-coherence. In this coherence, feeling only exists as a modal meaning-function that lacks self-sufficiency.

The appeal to a supposed absolute subjective pole of thought in the transcendental cogito cannot hit the heart of psychologism. In the Prolegomena we have disclosed the speculative trap in the conception of the self-sufficiency of the transcendental-

logical function of thought. At bottom this self-sufficiency is open to the same criticism as the psychologistic view. A genuinely transcendental epistemological criticism necessarily reveals the self-*in*sufficiency of the transcendental-logical function of thinking, both in theoretical *self*-reflection and with regard to the temporal intermodal coherence between the experiential aspects. This coherence only makes transcendental logical thought possible.

The really radical criticism of the conception of the "*Unbedingtheit*" (the being unconditioned) of transcendental logical thought is the analysis of the structure of its *universality of meaning within its own sphere.* Such an analysis also explains the seeming plausibility of the transcendental-logicistic conception. But more about this later on.

In the same way we can show the fundamental error of historism, aestheticism, mathematicism, biologism, etc., viz. by a structural analysis of the *universality of each of the law-spheres* absolutized by them.

The Divine irony in the history of apostate philosophy.

The universality of each of the law-spheres within its own boundaries can only be seen in its true structure from the Christian transcendence-standpoint.

Immanence-philosophy continually goes astray, because in its Archimedean point lurks a primary absolutization of meaning. This absolutization is due to a misinterpretation of the universality of each law-sphere within its own limits. There is a Divine irony in the development of apostate philosophy, since the temporal world-order at first seems to justify every kind of theoretical absolutization in an equal measure. When viewed from the immanence-standpoint, is not historism as convincing as a logicistic or a psychologistical interpretation of empirical reality? Is not it an indisputable fact that in theoretical thought as well as in the life of human feeling is revealed the prevailing tendency of a special period of history? Is it not true that HUME's psychologism as well as KANT's transcendental philosophy bear the stamp of modern western culture? HUME asserts that the universe is given to us only in psychical impressions. Wherever we direct our gaze we are supposed to find nothing but 'perceptions'. But cannot this music be transposed with equal justice into the key of the *historical* aspect?

HUME thinks he can start from some permanent uniformity

of human nature. He places his epistemology outside the current of historical development. Is this not a false dogmatism when confronted with the indisputable universality of the course of historical development?

Indeed, historism cannot be dethroned solely with formally-logical arguments, no more than transcendental psychologism will capitulate to a logicistical transcendental philosophy.

Only the insight into *the universality of the historical aspect within its own sphere* reveals the fundamental error of historism and the grounds for its seeming plausibility.

The cosmic order passes an internal judgment on the theoretical absolutizations of immanence-philosophy, which invariably result in internal antinomies. We cannot interpret the Divine order on the basis of a self-sufficient and autonomous reason. Apart from the Divine Word-revelation, this order maintains the unfathomable silence of the Sphinx.

So long as πίστις remains closed to this Word-revelation, theoretical thought remains under the ban of mythology. The Divine world-order begins to *appeal* to us only when our heart and our function of faith are open to the voice of God's Word. Then we become aware of the religious foundation of that wonderful universality of each of the modal aspects. For only in the disclosed insight into this profound state of affairs does the Christian see the true connection between temporal reality and the Christian religion in the theoretical cognitive attitude.

In the pre-theoretic attitude of thought he ought to experience this relation immediately in faith apart from any theory. Anyone who, as a Christian thinker, has seen through the modal sphere-universality, cannot fall back into the nominalistic dualism between believing and thinking, and between 'nature' and 'grace'. Every dualism of this kind makes the temporal modal functions self-sufficient with regard to their religious root. But there is nothing in time that can be set apart and by itself. The Idea of the universality of each aspect within its own sphere should be related to the process of disclosure in the temporal cosmic meaning-coherence in order to reveal its full import.

The new problem: The intermodal disharmony in the opening-process.

But at this very point Christian philosophy is once again confronted with the problem concerning the influence of sin on this process. If it were permissible for a Christian to choose a

purely eschatological standpoint with regard to our sinful cosmos, the Idea of universal meaning-disclosure would no longer hide any internal tensions and antitheses.

The Idea of the fulfilment of meaning in Christ undoubtedly implies that in the specific universality of each law-sphere the opening-process gives temporal expression to the full religious abundance of God's creation both on its law- and its subject-side. In this world, however, this sphere-universality cannot unfold itself perfectly in accordance with the guidance of the religious fulness of meaning. The development is affected by sin, otherwise the refraction of the fulness of meaning in time would nowhere be experienced as disharmony. If there were no sin, the harmony among the law-spheres would be fully realized, just as in a perfect work of art. In such a work the 'natural' sides of the material are subjected to the guidance of the aesthetic structural function to such a degree that they no longer obtrude themselves as a *disconcerting resistance*. In their individual deepening of meaning and 'spiritualization', they are a pure expression of the artist's conception. Reality is, alas, different. The deification of the temporal meaning-aspects of the cosmos in apostate faith, expanded to free striving leadership, causes a fundamental disharmony in the opening-process.

In the previous chapter this disharmony was only considered in its modal historical sense. But we have now to examine it in the *intermodal coherence* of the different aspects of the process of meaning-disclosure.

If apostate faith gains the functional guidance in the opening-process, the subjection of the latter to the Divine world-order is not thereby cancelled. The Creator of Heaven and Earth maintains the functional-structural law-conformity in the disclosure of the temporal modal aspects against any human arbitrariness. If the Divine order in the temporal cosmos were not kept intact and elevated above any kind of human ὕβρις, the manifestation of sin in time would not even be possible. For the whole of temporal reality would then burst like a soap-bubble. Does this mean that the effect of sin leaves the law-side of the creation entirely unaffected, and can only manifest itself on the side of the *subject*?

But such a view would be at variance with the structure of the cosmic order analysed in an earlier part of this work. For in all the normative law-spheres the νόμος has been laid down only in the form of a *principle*. These Divine 'principia'

have been left to human formation and positivizing in accordance with the modal structure of the law-spheres.

In the opening-process of the normative anticipatory spheres even the laws of the pre-logical aspects require this human intervention for their deepening of meaning. From the point of view of the structure of the temporal cosmos we can state that the disharmony in consequence of sin must necessarily also manifest itself on *the law-side in the work of human formation and positivizing.*

In this human interference the Divine *structural principles* are doubtless maintained and saved from human arbitrariness. Even the most impious law-maker or former of history can only form law or culture by the formation and positivizing of super-arbitrary *principles* founded in the order of creation[1]. The formal abolishing of paternal authority by the first wave of the French Revolution was one of the many '*paper decrees*' which, as an expression of human ὕβρις, were swept away by what is very inadequately termed *the logic of the facts.* By setting aside the normative *principles* of law, morality or culture human arbitrariness can create a social chaos; it cannot create juridical, moral or historical norms in this way.

The human work of formation remains unshakably bound to the Divine structural principles of the normative law-spheres. But in this very work of formation and positivation the process of opening of the temporal meaning on the law-side cannot be carried out harmoniously, when in apostasy it has lost its direction to the religious fulness of meaning. Disharmony on the law-side is then inevitable, because the opening-process invariably moves in the direction of the absolutizing of certain meaning-moments.

It would be an illusion to think that this disharmony would not appear if the work of formation and positivation were only in the hands of *Christians.* For on the one hand, a Christian remains a thoroughly sinful creature, no better in himself than others. And on the other hand, the Christian former is bound to the history of mankind as a whole. In keeping with the entire structure of the Divine world-order, he cannot escape his historical position in a society in which the power of the civitas terrena is clearly revealed.

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[1] These principles are to be sharply distinguished from the subjective principles of political parties.

Within the opening-process of temporal meaning the position of genuine Christianity is one of restless struggle. In its temporary defeats and victories Christianity bears witness to the sinful broken state of its existence and that of the entire earthly creation; its position is only justified through faith in Christ. In Him the struggle for historical power in the opening-process may become a temporal blessing for a corrupted and broken world. The Christian Idea of the opening-process, guided by the faith in Christ as the Redeemer, cannot detach itself from sinful reality in an idealistic optimism. This Idea would then become false and worthless to temporal life. It must rather remain *broken in character,* in spite of its direction to the Root of reborn humanity, to Christ Jesus and to the Sovereign Creator, Who is willing to be our Father in Him. Only in its eschatological expectation of the ultimate full revelation of the Kingdom of God can Christian belief rise above this broken state without losing its *relation to the sinful cosmos.* For the same reason the Idea of the *universality of each of the aspects within its own sphere* cannot be conceived in a purely eschatological sense; it should also be related to our sinful cosmos.

This Idea retains its normative transcendental direction to the consummation of meaning in Christ. But at the same time it should give us an insight into the disharmony that the process of disclosure shows in apostasy. Only in this way can we arrive at a satisfying conception of the *Christian Idea of cultural development.*

Attention should first be directed to the disharmony in the opening of meaning on the law-side of the normative aspects due to apostate faith. This theme can only be treated in an exemplifying way. Our examination will restrict itself to an analysis of the influence of faith in the mathematical Humanistic science-ideal upon the opening-process in the different spheres. It stands to reason that this influence could not fail primarily to reveal itself in the domain of science.

§ 2 - THE GUIDANCE OF THE FAITH IN THE HUMANISTIC SCIENCE-IDEAL IN ITS MATHEMATICAL CONCEPTION AS AN IMPEDIMENT TO THE FULL DISCLOSURE OF THE IDEA OF SPHERE-UNIVERSALITY

The Idea of 'mathesis universalis', propagandized since DESARTES, has had an enormous historical influence. In its conception of the universal significance of mathematics Humanistic thought was led by faith in the mathematical science-ideal.

This Idea led LEIBNIZ to the discovery of the differential and integral calculus, without which the enormous development of physics in the period immediately following would have been inconceivable. In its philosophical sense the Idea took a false direction, and because of the deification and logicizing of mathematical thought it showed a tendency to obliterate the modal boundaries between the law-spheres. But it is undeniable that, notwithstanding all this, it has considerably deepened the meaning of mathematical thought. The reason is that this Idea, though turned in a false direction by the subjective *πίστις*, was not a merely arbitrary creation of thought. It was *determined* on the law-side by the Divine world-order, in which the modal universality within their own spheres of the mathematical aspects and that of logical analysis is founded. But for this point of contact in the modal sphere-universality the logicistic Idea of 'mathesis universalis' would have never arisen, or it would have remained a phantasm, without any perspective of fruitful theoretical application.

The Idea of the mathesis universalis could only be fruitful insofar as the thinkers, guided by it, followed the anticipatory spheres of the modal aspects of number, space and movement. In the differential and integral calculus this was really the case. Disclosed mathematical thought directed itself to the internal anticipatory coherence that was to be revealed in the modal aspects mentioned under the guidance of deepened theoretical analysis.

The internal rigidity in the Idea of the mathesis universalis due to the misinterpretation of the universality of the aspects in their own spheres.

But at the same time there arose an internal rigidity in the disclosure of mathematical thought. This increasing rigidity was caused by the apostate direction of the Idea of the mathesis universalis. The rationalistic science-ideal was from the outset orientated to mathematical physics. In the logicizing of the modal aspects of number, space and movement, mathematics orientated to physics was in reality taken as the basis. This was also done in the attempt to approximate justice, morality and beauty by mathematical methods.

LEIBNIZ, as has appeared in Part II of the first Volume, sought to construe even the world-order as a metaphysical-mathematical lex continui. This construction was oriented to the model of the

As soon as they try to follow the logical creative motive of the science-ideal not only seemingly, but *actually*, they land in speculative constructions whose inner antinomies resist any attempt at solution.

infinitesimal calculus that was essentially bound to the analysis of a spatial or moving continuum. As a consequence, the unfolding of the insight into the true universality of the meaning of number, space, and movement within their own spheres was doomed to remain checked in the Humanist Idea of the mathesis universalis. Scientific thought, insofar as it followed the mathematical science-ideal, was not really free to conceive the transcendental Idea of the mathesis universalis in the sense of modal sphere-universality. The dogmatic faith in the sovereignty of mechanistically directed mathematical thought was bound to put arbitrary limits to the latter. It gave rise to the opinion that at this stage mathematics had reached its *nec plus ultra*.

This internal rigidity in the mathematical Idea is openly expressed in the period of the Enlightenment.

DIDEROT, for example, in his book *De l'interprétation de la Nature* (1759) makes the following statement: 'I venture the thesis that, before a hundred years have elapsed, there will not be three great mathematicians left in Europe. This science has reached its acme, and it will remain essentially at the level to which EULER and BERNOUILLI, D'ALEMBERT and LAGRANGE have raised it. They have established the pillars of Hercules above which nobody will rise.'

It is true that the development of mathematics in a comparatively short time exceeded the limits put to it by DIDEROT. But its prevailing typically logicistical direction does not offer any perspective for a genuine theoretical disclosure of the *universality of the mathematical meaning-modi within their own sphere.*

Mathematical thought is isolating itself to an increasing degree within the boundaries of relational logic. As 'pure mathematics' it seemingly scorns any orientation to the inter-modal meaning-coherence between the mathematical and the non-mathematical aspects. And it cannot be denied that logicism has achieved, and is still achieving, very great things. There is a further systematical-logical and symbolical disclosure of the mathematical spheres of meaning, and a considerable expansion of the principle of the economy of thought in mathematics.

On the other hand the logicizing of mathematics has also led to the modern crisis in the foundations of mathematics. In addition, nothing has been done for a theoretical disclosure of the biotic and various later anticipatory spheres in the modal meaning of number, space, and movement. The logicistical interpretations falsify the meaning of the theoretical fields of inquiry.

The set-theory for instance which, in the [illegible] has developed the pseudo-concept of the *transfinite numbers* in the theory of ALEFS, has built the latter on a speculative-constructive basis. It has evoked the sharp protest of various prominent mathematicians [1]. And this protest was not unjustified.

The Humanistic Idea of the mathesis universalis and biology.

Is it too great a risk to say that in the modal meaning of number and in that of space there must exist a biotic anticipatory sphere, which has remained hidden from the classical Humanist Idea of mathesis universalis?

Permit me then to quote a pronouncement made by a prominent biologist, who has broken with the mechanistic conception of the modal field of his inquiry. In his oration: *Die organische Wirklichkeit und ihre Ideologien,* delivered on the 3rd of February 1933, the Hamburg Professor Dr MEYER made the following remarks about the relation between biology and mathematics: 'On the basis of mechanics it is quite impossible to gain a satisfactory theory of what is organic. The latter always presupposes a mathematical control of biological phenomena on the foundation of its own specific laws. This work cannot be accomplished by biologists only. The mathematicians must render them assistance, since the specific mathematics required for mathematicizing biological laws does not yet exist at present. It will be procured in the progress of our work, just as modern physics has had to create the new mathematics it required, entirely on its own account' [2].

[1] Cf. the judgment of the famous intuitionistic mathematician H. WEYL in his oration *Die Stufen des Unendlichen* (1931), p. 14: 'But we can now hardly believe that behind CANTOR's theories there is anything tangible..... The criticism by H. POINCARÉ, B. RUSSELL, BROUWER, SKOLEM, and others, have everywhere made scientists aware of the untenable logical positions from which the set-theory has started.' ["Aber wir können heute kaum noch glauben, dass hinter diesen Cantorschen Theorien etwas Faszbares steckt..... Durch die Kritik von H. POINCARÉ, B. RUSSELL, BROUWER, SKOLEM, u.a. sind allmählich die Augen darüber aufgegangen, von welchen unhaltbaren logischen Positionen die mengentheoretische Methode ausgegangen is."]

[2] "Auf mechanisischem Boden kann somit niemals eine befriedigende

unable to provide quantum-mechanics with an adequate concept of space. Its logicistic constructions of the mathematical continua did not fit to the micro-dimensions of energy, no more than the differential- and integral calculus.

[illegible] mathematics may not be required to enter the

MEYER and HALDANE, both representatives of the so-called holistic trend in biology, have tried to project such a biological mathesis. I am not competent to judge these projects critically. It seems that on the part of mathematicians they have met with little interest. But the attempt in itself is doubtless interesting from the viewpoint of the biotical anticipations in the mathematical aspects.

Biology should realize that physical methods of inquiry can only be sufficient for the investigation of the physical substratum of the organic-biotic aspect of reality. It will then with increasing emphasis insist on the desirability of a mathematics of specifically biological orientation.

The influence of the old mathematical-mechanistic science-ideal still *prevents* this insight from meeting with general recognition. From the standpoint of the so-called 'pure mathematics' it will be objected that the latter in any case can have nothing to do with such an as yet problematic kind of mathesis. Its task does not lie in the field of so-called 'applied' mathematics. But in this objection a fundamental misconception is expressed. It may be asked, how it was possible for the differential and the integral calculus, for the non-Euclidean geometries, the modern systematic set-theory etc., to be applied fruitfully in macro-physics, although they originated in the so-called pure mathematics. And why do they not offer any possibilities for a successful application in the specific domain of biology? The answer has to be: because the so-called 'pure mathematics' has been *walled in* under the guidance of the rationalistic-natural-scientific Idea of the mathesis universalis. It has been *imprisoned* in an absolutization and logicistic reduction of the mechanical, logical and symbolical anticipatory spheres in the modal meaning of number, space, and movement. It was even

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Theorie des Organischen gewonnen werden. Sie hat stets eine mathematische Bewältigung der biologischen Erscheinungen auf eigengesetzlicher Grundlage zur Voraussetzung. Diese Arbeit kann nicht nur von den Biologen geleistet werden, die Mathematiker müssen dabei helfen; denn die für die Mathematisierung der biologischen Gesetze erforderliche Mathematik existiert heute noch nicht. Sie wird ebenso im Verfolg unserer Arbeit geschaffen werden müssen, wie die moderne Physik sich die neue Mathematik, die sie brauchte allmählich selbst hat schaffen müssen."

This report has been included in the "Jaarboekje van de Groningsche Natuurphil. fac. vereen." 26th year, 1933, p. 39.

field of the experimental sciences. But the demand may indeed be made that it shall not cause the Idea of mathesis universalis to become rigid in a mechanistic logicism.

The Idea of modal sphere-universality does not lead to an obliteration of the boundaries between pure and applied mathematics. But it may stimulate mathematical thought to seek for new methods which can do justice to the anticipatory spheres of the mathematical modi in their rich diversity.

The Humanistic Idea of mathesis universalis and the social and juridical anticipatory spheres of the mathematical aspects.

There can also be no question of any real disclosure of the social and juridical anticipatory spheres in the modal mathematical aspects, so long as scientific thought remains under the guidance of the rationalistic-Humanistic Idea of the mathesis universalis. The Humanistic doctrine of natural law started with the postulate of dealing with the jural sphere 'more geometrico'. It was tied down to an atomistic-mechanistic way of thought. As a result it could only construct the state and the other communities of human society according to a mechanistic mathematical schematism. The method started from a multiciplity of unconnected, atomistically constructed individuals in a hypothetical state of nature. Then came the mechanistic-mathematical construction of the civil state, as the *totality* of these individuals, instituted by means of contracts. This entire system of thought remains a document of the internal rigidity of the Idea of the mathesis universalis as it developed under the guidance of the naturalistic Humanistic science-ideal.

In recent times there have not yet been any symptoms of the mathesis universalis developing in a direction that would really be fruitful for juridical thought.

What HUSSERL's "*reine Mannigfaltigkeitslehre*" has yielded for juridical theory, e.g. in the phenomenological 'pure theory of law' advanced by FRITZ SCHREIER [1], does not exceed a barren kind of eidetic juridical logic. The latter is supposed to deter-

all these parts of legal doctrine was essentially based upon a mathematical-mechanistic way of thought.

And the so-called organological trend in the theory of corporations (GIERKE c.s.) could only oppose a biologically oriented [illegible] to this mechanistic-mathematical individua-

mine the extent of formal possibilities lying at the foundation of any legislation. This is done by explaining the formal structure of every positive legal norm [2] whose fundamental conceptual elements are designed by letter-symbols. In this way four fundamental legal concepts are detected which are nothing but an arbitrary complex of analogical notions lacking any modal juridical determination. For the modal meaning-structure of the juridical aspect as such has been eliminated for the sake of turning pure legal theory into a branch of mathesis universalis. In accordance with KELSEN the positive legal norm is conceived as a logical proposition!

This entire trend of thought has taken over as a "*Leitmotiv*" (leading motive) the pronouncement made by HERMANN COHEN, the founder of the Marburg School of neo-Kantianism: legal theory is the mathematics of the social-cultural sciences (*Mathematik der Geisteswissenschaften).*

This sufficiently shows how little they have penetrated to the complicated problem regarding the inter-modal meaning-coherence between the mathematical and the juridical law-spheres. The reason why this is fatal to juridical thought is that legal theory can in no way do without the use of mathematical analogies. The lack of insight into the meaning-coherence between these analogies and the social and juridical anticipatory spheres of the mathematical aspects has led to fundamental errors in the juridical conception of social relations, in that of the legal person, the juridical object [3], subjective right etc.

The individualistic juridical theory that has asserted itself in

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[1] FRITZ SCHREIER, *Grundbegriffe und Grundformen des Rechts* (Wiener staatswissensch. Studien Neue Folge, Bnd. IV, 1924. Cf. his statement, p. 33: 'The juridical norm is an exact law, it is not on a level with the laws of physics but with those of mathematics.' ["Die Rechtsnorm ist ein exaktes Gesetz, sie steht nicht auf einer Stufe mit den Gesetzen der Naturwissenschaft, sondern mit den Gesetzen der Mathematik."]

[2] This formal structure is circumscribed as follows: "Wenn der Tatbestand vorliegt, soll die Person bei Sanktion die Leistung erbringen" (op. cit., p. 70). [The facts of the case being present, the person concerned ought to pay his debt under guarantee of a sanction.]

I refer to the critical analysis of SCHREIER's theory in my book *De Beteekenis der Wetsidee voor Rechtswetenschap en Rechtsphilosophie* (1926 publ. by J. H. Kok, Kampen), p. 69 ff.

[3] In the same way the individualistic view of the rēs already led the

lism. This school conceived the relation between the individual and the corporation in the schematism of *the whole and its parts* (in which the structural characteristics were levelled out). In the third Volume we hope to discuss this point in greater detail.

The Humanistic Idea of mathesis universalis in pure economics.

Doubtless, the mathematical science-ideal in its mechanistic orientation has had a seemingly convincing success in pure economics, especially in the theory of prices.

Economical theory owes it the first methodical reflection on the functional coherence of economic phenomena, and under its influence this theory has reached a high degree of systematical development. In monetary price, as an objective value-denominator, the numerical analogies of economic valuation and the economic anticipations of number present themselves in a pregnant way. And the mechanical analogies of price-movement and market equilibrium could not fail to give the mechanistic conceptions of pure economics a firm basis in the opinion of economists influenced by the classical Idea of mathesis universalis.

But on the other hand the one-sided mechanistic and logical orientation of this Idea has prevented pure economics from analyzing the very complicated structure of the mathematical and mechanical analogies in the economic aspect.

The modal boundaries between the relatively simple mechanical anticipations in the numerical, spatial, and kinematic aspects, on the one hand, and the extremely complicated kinematic and quantitative retrocipations in the economic law-sphere, on

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Roman jurists into an impasse in cases where the multiplicity in the juridical subject-object-relations in which the same bodily rēs functions, had to be conceived. They started from the view that the rēs was entirely permeated by the subjective will of the subject which had full rights of property. Consequently, the *jura in rē aliena* could not but cause insurmountable difficulties to this individualistic conception of the juridical subject and the juridical object. The individualistic theory got into difficulties especially when the object of a *jus in rē aliena* is itself the object of another *jus in rē*. But of this in a later chapter.

But in the present context we are not treating of the *artistic creations* of classicism but its *aesthetics*, which gave theoretical expression to the style of classicism. It is the theoretical-aesthetic Idea, guided by the faith in the mathematical science-ideal whose

the other, were lost sight of. This resulted in a pseudo-natural scientific conception of theoretical economics which has caused fundamental antinomies in economic thought and a continuous tension between the 'laws' of pure theory and the factual side of the economic aspect. Though in our days these antinomies and tensions are clearly seen, especially since EUCKEN's famous analysis, mathematical theory proves to be able to express only a mechanistic view of the economic aspect, and no other.

This unsatisfactory state of affairs is only accentuated by qualifying pure theory as a logic of economic choosing. Here, too, the Humanistic Idea of mathesis universalis proves its rigidity, caused by its exclusive orientation to the classical mechanical mode of thought.

The rigidity in the aesthetic Idea under the guidance of the faith in the science-ideal. French classicism.

The Humanistic Idea of mathesis universalis, guided by the faith in the mathematical science-ideal, also imparted an internal rigidity to the aesthetic Idea of Humanism in the time of French classicism. We have never denied that the Idea of the mathesis universalis has caused Humanistic mathematical thought to develop enormously. Neither have we felt inclined to detract from LEIBNIZ's genius as the discoverer of the differential and integral calculus. And there is not any need for us to agree with the opinion pronounced by TAINE, who cannot see anything but impoverishment in the spirit of classicism. From the point of view of a critical conception of the history of the fine arts, this view is superficial to a high degree.

Even though it is necessary to gain an insight into the internal restraints put on the development of the aesthetic Idea under the guidance of the Humanistic science-ideal, one should beware of passing such an unhistorical judgment. The insight into the cosmic meaning-coherence between the aesthetic and the historical law-spheres should prevent us from doing so. The aesthetic aspect of a work of art has its historical analogy in the moment of its *style*. The great artists are shapers of style. And classicism is nothing but a typical style giving aesthetical expression to the prevailing spirit of a particular period of western culture. A style as such is not decisive with respect to the aesthetic value of an artistic creation. In every style works of genius may be produced and the period in which classicism developed historical power can also show them.

internal rigidity we intend to demonstrate.

DESCARTES in his *Regulae ad directionem ingenii* had already extended the Idea of the mathesis universalis to music. The age-old conception of art as the imitation of nature, seemed to bridge the gulf between aesthetics and mathematical natural science. The basis of both nature and fine arts was sought in sovereign mathematical thought.

"Les arts ont cela de commun avec les sciences," so LE BOSSU in his *Traité du poème épique* (1675), "qu'ils sont comme eux fondés sur la raison, et que l'on doit s'y laisser conduire par les lumières que la nature nous a données" [1].

In BOILEAU's *Art Poétique,* published in 1774, the Idea of rationalistic classicism found its most representative expression, and the author was honoured as the 'law-giver of Parnassus'.

I will follow CASSIRER's [2] plan to show this aesthetic Idea from its strongest side, though indeed I see this strong side in a different light. In his *Art Poétique* BOILEAU wants to give a general theory of the various forms of poetry, just as the mathematician aims at a general theory of curves. In the differential quotient, the differential and integral calculus shows us with respect to a definite function the whole of the law of the possible variations in the curve belonging to it. This method requires the *ὑπόθεσις* of the modal aspect of movement in the transcendental direction of time.

In the same way BOILEAU wanted to discover the aesthetic basic law which lies at the foundation of all special forms of poetry. This law was supposed to condition tragedy and comedy, elegy and epic, satire and epigramme, with their special laws of form.

Guided by the science-ideal, classicist aesthetics succeeded by analysis in penetrating to the functional character of aesthetic meaning.

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[1] Cf. HEINRICH VON STEIN: *Die Entstehung der neueren Asthetik* (Stuttgart, 1886), pp. 25 ff. and 64 ff: [The fine arts have this in common with the sciences that they, just like the latter, are founded on reason, and that it is not allowed to let oneself be guided by anything else but by the lights that nature has given us.].

[2] E. CASSIRER: *Die Philosophie der Aufklärung* (1932), p. 384.

aesthetic way of thought. The artist's individuality is given some scope only in the *form* of his expression [1].

The mathematical and the economical analogies in the aesthetic meaning-structure are misinterpreted *in that logicist-mathematical sense* which gave so much offence to the 'Storm

It discovered the mathematical, logical and economical analogies in the modal aesthetic meaning-structure. It disclosed the aesthetic unity in multiplicity[1], and aesthetic economy. The latter requires the artist to abstain from ostentation, burlesque, and precocity in the style; it demands clear simplicity in the aesthetic content, frugality, manifesting itself in a careful selection of the means of expression.

Moreover, classicism discovered that the aesthetic meaning cannot be lodged in the psychical-emotional aspect of feeling. But it by no means denied that a work of art should also appeal to the imagination and to feeling. It did not conceive of the aesthetic aspect in the rigid primitive commitment to its substrata in nature, but in the transcendental direction of time, i.e. in a relative deepening of meaning. But, in spite of this relative deepening of aesthetic thought, the aesthetic Idea of classicism became rigid, guided as it was by the faith in the Humanistic science-ideal. As a result the modal aesthetic aspect was not conceived in its universality and specific sovereignty within its own sphere. It was seen as a specific expression of the logical-mathematical 'ground of being', supposedly differentiated in various ways in the psycho-physical aspects of nature and in the aesthetic modality.

In this sense the beauty of a poetic expression coalesces with its truth.

> "Rien n'est beau que le vrai, le vrai seul est aimable.
> Il doit régner partout et même dans la fable:
> De toute fiction l'adroite fausseté
> Ne tend qu'à faire aux yeux briller la vérité" [2].

In the rationalistic-mathematical line of thought the individuality of a work of art changes into a subordinate function of aesthetic law-conformity. The individual internal structure of an artistic product is levelled out in a one-sided functionalistic-

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[1] CASSIRER rightly points out (op. cit., 162 ff and 387) that the discovery of this mathematical analogy goes back on LEIBNIZ who expounded it in great detail in his treatise *Von der Weisheit.*

[2] [Nothing is beautiful but what is true; truth only is worth loving. It must reign everywhere, even in a fable. Of every fiction the dexterous untruth only tends to make verity shine forth.] Quoted by CASSIRER, op. cit., p. 383.

and Stress' and to Romanticism. And above all, the increasing rigidity in the aesthetic Idea of classicism appears when it tries to define the *limits* of art. These limits are not sought in the internal meaning of what is aesthetic, but in the adequacy of the linguistic expression of the aesthetic conception. If once a certain artistic form has achieved its individual expression in such a way that in it all other possible forms of expression as to truth, clarity, sobriety and pregnancy have been surpassed, then this artistic form has attained to a 'non plus ultra', to its absolute limit of perfection. Aesthetic economy is almost identified with linguistic and logical economy, and the aesthetic Idea is deprived of its modal sphere-universality.

This is brought out most clearly in the nominalistic conception of CONDILLAC, who seeks the connection between artistic expression and science in their common relation to *language*.

Belles-lettres and science substitute signs for things, and they are only distinguished by the use they make of these signs. Scientific theory can signify one and the same object with the aid of different symbols. But one of these modes of expression will after all reach comparative *perfection*, because the state of things concerned will have been represented by it in the *simplest formula*.

'The same 'simplicity' is elevated to an ideal in classicist aesthetics: simplicity is held to be the corollary to genuine beauty, just as it is the corollary and the criterion of truth,' CASSIRER observes [2].

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[1] Cf. GUSTAVE LANSON, *Boileau* (1892), pp. 131 ff. CASSIRER tries to defend BOILEAU against the charge of having levelled the aesthetic individuality in favour of an abstract law-conformity. He apparently does not take offence at this restriction of the artist's originality to the form of expression only.

[2] Op. cit., p. 390. We need not be surprised that CASSIRER does not see the weakness of this theory in its principles but only in its elaboration. He has started from the mathematical science-ideal himself in his philosophical thought. "So paradox diese Behauptung auch erscheinen mag," he writes in this passage, "so lässt sich sagen, dass in *dieser* Hinsicht eine der wesentlichen Schwächen der klassizistischen Lehre nicht darin bestand, dass sie die Abstraktion zu weit getrieben, sondern viel mehr dar-

strongly 'empirical-analytical' spirit. We know that it was the genius of NEWTON and LOCKE, rather than that of DESCARTES which impressed the science-ideal of the time of the Enlightenment with its specific stamp. Nevertheless, in the opening-process

The rigidity in the Idea of development in the philosophy of history of the 'Enlightenment'.

The Humanistic science-ideal, in the popular philosophy of the 'Enlightenment', underwent a shifting of accent during the eighteenth century. This made it possible for methodical theoretical investigation to turn to history too. It did so under the guidance of the faith in reason, which had shifted its point of gravitation in this sense. For the first time the philosophy of the Enlightenment formulated its philosophical Idea of historical development, which bore a perfectly secular stamp. It opposed this secular Idea of history to the Christian-Augustinian Idea of historical development that had prevailed up till that time. This secularized developmental Idea, mentioned already at an earlier stage of our investigation, will now be examined more closely in the light of the universality of the modal aspects, each in its own sphere. We shall point out the internal rigidity, bound to arise in the historical thought of the 'Enlightenment', because it was guided by the faith in the Humanistic science-ideal.

To recent investigations we owe wider and historically better-founded knowledge of the Enlightenment, supported by the documents, than was formerly possible under the influence of the haughty judgment passed on it by Romanticism.

While according full recognition to historical continuity, we have learned to pay attention to the difference between the 17th and the 18th centuries. In both the Humanistic science-ideal elevates 'reason' to the throne, but not in the same sense. We know now that the 'Enlightenment' of the 18th century cannot be accused of a lack of interest in history. In fact it *broke new ground*[1] for scientific historical research, on account of its

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in, dass sie sie nicht konsequent genug festgehalten hat." [Paradoxical as this view may seem, it may be said that the essential weaknes of the classicist doctrine is not that it went too far in its abstractions, but rather that it did not stick to them consistently enough.]

In what does this lack of consistency consist? In this, that classicist aesthetics clearly 'slipped off from its scientific concept of the universal reason into the paths of a philosophy of 'common sense' which again and again based the ideal of reason on a 'purely empirical criterion'.

[1] DILTHEY's treatise: *Das achtzehnte Jahrhundert und die geschichtliche Welt,* first published in the *Deutsche Rundschau* of Aug. and Sept. 1901, now included in the *Gesammelte Schriften,* Bnd III (1927, pp. 209 ff,

during the supremacy of the cultural [illegible]
faith in the sovereignty of natural scientific thought continued to prevail. The 'Enlightenment' saw this science-ideal embodied in NEWTON's *Philosophiae naturalis principia mathematica* [1].

In consonance with this conception the philosophical Idea of historical development of the Enlightenment found its classical expression in VOLTAIRE's *Essai sur les moeurs et sur l'esprit des nations* [2]. It was the Idea of the steady progress of mankind through the evolution of scientific thought.

Reason is essentially uniform, super-temporal, and unchangeable. But in its 'psychical' shape, in its manifestation in human customs, morals and manners it passes through a *historical process*. In this it can only gradually shake off the burden of prejudices in tradition and 'morality'. That's why history cannot be identified with the history of the states, a view still held by DE MONTESQUIEU. It should be conceived of as the history of 'culture' in the widest sense of the word. The meaning of history is the attaining to self-consciousness of 'reason' in overcoming all kinds of restraints caused by the prejudices of tradition [3].

This eternal unchangeable human reason is the science-ideal, which, also in historiography, has to replace the theological-metaphysical search for final causes. Science has to explain historical phenomena from unalterable 'empirical' causes, which can be traced by means of psychological analysis.

The developmental Idea of the philosophy of history is thus shut off from the transcendental direction of time by the faith

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has paved the way for a better insight into the importance of the 'Enlightenment' for historical science. At present CASSIRER may be mentioned with due respect.

[1] Cf. POPE's lines:

"Nature and Nature's laws lay hid in night
God said: "Let Newton be" and all was light."

[2] The entire historical science of the Enlightenment followed in the path of VOLTAIRE. In France, e.g., TURGOT, CONDORCET, DUPUIS; in England, ROBERTSON, GIBBON and HUME, while BOLINGBROKE's *Letters on the Study and Use of History* (1738) had been conceived in the same strain some time before them.

[3] Cf. CASSIRER's: *Die Philosophie der Aufklärung*, pp. 293 ff.

method. For NEWTON had replaced the one-sided constructive method of mathematical thought in physics by a mathematical analysis of the physical functions of empirical reality. Instead of imposing arbitrary hypotheses on empirical reality, he had [illegible] the laws to be derived inductively from the physical

in the self-sufficiency of natural scientific causal thought. The victory of the faith in reason of the Enlightenment is elevated to the ultimate phase of historical development.

The typical culture of the Enlightenment is the 'non plus ultra', above which history can never rise. This is the deeper ground of the fierce struggle that the 'Aufklärung' waged against the Christian interpretation of the meaning of history, which related the Idea of development to the kingdom of Christ in the consummation of times [1]. It may be agreed that in this struggle the Enlightenment was partially in the right, when contrasted with a constructive theological view of history, such as that of BOSSUET. In the conception of the latter the modal boundaries between theology and historical science were really not observed. The truth was ignored that the knowledge of faith can never function as a stop-gap, but only as a guide to scientific historical research. On the other hand, the view of history held by the Enlightenment had been infected by the naturalistic-rationalistic mentality. That's why, in spite of its admirable attempt at a genuine analysis of historical facts, it could not grasp the meaning of history in the temporal meaning-coherence.

A naturalistic concept of causality, used as a means to explain historical events from psychological causes, and misinterpreted in a rationalistic way, is useless in historical science.

It does not grasp the historical facts in their internal meaning; it is in conflict with the normative Idea of development applied in the historical thought of the Enlightenment itself. The basic antinomy between the ideal of science and that of personality was gnawing at the root of this view of history [2].

Cartesianism, with its a priori mathematical way of thought according to which true science can only consist in the tracing of eternal truths, was not at all able to form an Idea of historical development. In it historical development had to be considered as an accident, as a 'phenomenon' lacking rational sense. The Idea of the mathesis universalis in the absolutism of DESCARTES' mathematical science-ideal left room exclusively for exact mathematical thought. The Enlightenment could only rise above DESCARTES because its science-ideal was no longer oriented to deductive analytical geometry but to NEWTON's new physical

[1] Ephesians 1, 10.

[2] Cf. what CASSIRER [op. cit., p. 335] says about the attempt undertaken by VOLTAIRE in his *Traité de Métaphysique* (1734) to reconcile man's sense of liberty with the deterministic consequences of the science-ideal.

phenomena themselves. Historical research should be subjected to the same rules of scientific exactness.

Psychological analysis, carried out according to the methods employed in natural science, was to be the organon of the science of history. This science was to be freed of any kind of theological and metaphysical speculation. And psychological analysis was introduced as a 'pragmatic method', representing the equivalent of the analytical mechanical method of physics.

Individuals became the elements of history. Social groups were supposed to be constituted by their conscious, systematic, calculating psychical interaction. This causal explanation, doing away with miracles as well as with Divine Providence, was confronted with an infinitely complicated network of human motives and forces. The need was felt to relate these complicated causal processes to a small number of invariable basic principles, found in the ideas of modern Humanistic natural law, 'natural morality', and 'the natural faith of reason', as a precipitation of the uniform rational human nature [1].

Any deviations from these invariable principles in history were explained as due to craftiness, tyranny, and cheating on the part of priests, or to stupidity and ignorance [2]. And all progress in the development of civilization was ascribed to the gradual victory of the critical understanding over affects and prejudices.

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[1] Cf. VOLTAIRE's statement in his *Essai sur les moeurs*, Chap. CXCVII, Oeuvres, XVIII, 425: "L'empire de la coutume est bien plus vaste que celui de la nature, il s'étend sur les moeurs, sur tous les usages, il répand la variété de la scène de l'univers; la nature y répand l'unité; elle établit partout un petit nombre de principes invariables; ainsi le fonds est partout le même, et la culture produit des fruits divers." [The realm of custom is very much vaster than that of nature; it extends over morals, over all usages; it creates variety in the scene of the universe. Nature creates unity there; everywhere it establishes a small number of invariable principles. In this way the foundation is the same everywhere, and culture produces a diversity of fruits."]

[2] Cf. TROELTSCH: *Die Aufklärung* (included in his Ges. Schriften, Bnd IV) p. 353.

sophical Idea of historical development of the Enlightenment shows an internal rigidity that appeared to be disatrous to a real insight into historical connections. The Enlightenment was blind to the internal universality of the historical aspect within its own sphere, since it shut off its developmental

BAYLE's method of critical analysis of the facts in historical research.

This Idea of development, oriented to psychological analysis, was connected with BAYLE's extremely shrewd critical method of establishing the facts. In his *Dictionnaire historique et critique* [1] he had applied the Cartesian methodical doubt of every opinion to historical tradition. He had gained the insight that historical facts have not been *given* to scientific inquiry, but that science has been *set the task* to analyse them. In a truly exemplary way scientific accuracy in establishing these facts was elevated by him to the methodical postulate of all real historical inquiry. He was guided in this by the sincere convinction that the historian can serve truth only by detaching himself from any bias of faith, education, and nationality.

There was, however, one thing he forgot: it was precisely that which is essential to a truly historical method of thought, viz. that the historian, as such, is not concerned with the 'facts' in an unqualified sense. History is concerned with the essentially *historical aspect* of the facts. Because of his scepticism BAYLE himself had no room for an Idea of development in the proper sense of the word. But for this very reason he lacks any methodical standard to recognize the *historical meaning* of the facts established by his analysis. The result was that the scrupulous accuracy of his investigation really missed its aim and degenerated into an uncritical accumulation of antiquarian facts without any truly historical connection. That is why CASSIRER's praise of BAYLE as the 'the logician of modern historical science' [2], cannot be accepted without considerable qualifications. It was only by a connection of BAYLE's critical-positivistic method of establishing the facts with the rationalistic Idea of progress that the historical thought of the Enlightenment could acquire its characteristic stamp. This connection was quite natural since the two factors mentioned were indeed internally related in the typical spirit of the 'Aufklärung'. And it cannot be denied that, guided by the science-ideal of the Enlightenment, historical thought developed in a critical direction as to the verification of facts. In a technical scientific respect it was superior to both the constructive-theological conception of historiography and to the diplomatical view. But, on the other hand, the philo-

[1] Published for the first time at Rotterdam in 1695 and 1697 in two volumes.

[2] Op. cit., p. 278.

Idea in its faith in the supreme power of natural scientific thought. The universality of history here becomes a merely extensive, geographical matter. VOLTAIRE strove after accuracy in the description of details in the forms of the family-life, handicraft, and art of the nations. He based his work on extensive preliminary studies. But he nowhere approximates the inner historical spirit of the periods to which the Humanistic science-ideal was a stranger.

In consequence the description of the conditions in such periods shows merely an *external exemplary* character. Contrary to CASSIRER's opinion, this result was not caused by a defect in the execution of the theoretical programme of VOLTAIRE's historiography. It was the fundamental defect in the programme itself; it was a *vitium originis* of the entire developmental Idea in the historical view of the Enlightenment.

The method of a critical examination of the facts, and the Idea of historical development, are indeed indissolubly connected in the conception of the Enlightenment. Historical facts cannot be analysed according to a natural-scientific method, apart from every Idea of historical evolution. For they function, as such, within historical coherences of meaning which disclose themselves only if the historian has a theoretic insight into historical development. This insight is always guided by an Idea, which, after all, also influences the theoretical analysis of the facts.

§ 3 - CONTINUED: THE DISHARMONY IN THE OPENING-PROCESS ON THE LAW-SIDE, GUIDED BY THE FAITH OF THE ENLIGHTENMENT.

The historical 'explanation' of the ideals of the Enlightenment, and the vicious circle in this attempt at explanation.

Under the influence of Historism it has become a habit in historical thought to 'explain everything historically'.

Philosophical systems, theoretical ideas, the dogmas of the Church, political and economic principles and theories etc., everything is '*explained historically*' after the manner of histo-

order to camouflage the continual leaps in thought necessary to explain essentially non-historical meaning-structures in a purely historical way. In discussing the Humanistic theory of the 'contrat social' by means of which an attempt was made to construct the state independently of the Christian revelation, he observes:

rism, or at least, everything is *understood* so, if the idea of causal explanation has been abandoned. When the Enlightenment is viewed in its entirety, and when its historical influence is considered, it has become a sign of 'good breeding' to look upon its ideas as mere results of a certain historical development. In an essay on the Enlightenment TROELTSCH calls this movement the product of particular relations and circumstances, a product entirely historically determined, as is proved by its very difference from the Enlightenment of antiquity. 'The means of the latter are used by the moderns, but applied to a quite different material, so that quite different results are obtained.' And he continues: 'Its method has been determined by classical tradition and the new natural science; its contents by those elements of tradition which it considered to be the natural possession of every individual reason, which, however, were really the products of historical development' [1].

And so powerful is the influence of Historism on modern historical science that such a view is in general simply accepted as the only scientific possibility.

A truly radical opposition to the historicistic method and its pre-suppositions is scarcely to be found even on the part of Christian historians. And yet this entire scientific view of history is founded in a prejudice, which must come into an implacable conflict with the really Christian attitude of scientific thought. The philosophy of the cosmonomic Idea strikes at the heart of the historicistic conception of history by laying bare its religious-philosophic pre-suppositions. Thus it deprives this view of the illusion of working in a purely scientific way, the illusion of being unbiased.

Even in the case of a scientific thinker like TROELTSCH the historicistic prejudice leads to mythological mystifications in

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[1] TROELTSCH: *Die Aufklärung:* ["ein durch und durch historisch bestimmtes Erzeugnis bestimmter Verhältnisse und Lagen (wie dies gerade ihr Unterschied zur Aufklärung des Altertums zeigt, deren Mittel von der modernen benutzt, aber auf einen ganz neuen Stoff angewendet wurden und daher ganz andere Resultate ergaben)... Ihre Methode ist durch die antike Ueberlieferung und die neue Naturwissenschaft bestimmt, ihr Inhalt durch diejenigen Elemente der Ueberlieferung, die sie als selbstverständlichen Besitz jeder individuellen Vernunft ansah, die aber in Wahrheit Erzeugnisse der geschichtlichen Entwicklung waren."]

The essay appeared in 1897 and is included in "Aufsätze zur Geistesgesch. und Religionssoziologie", herg. v. H. BARON 1925, in Bnd IV der Ges. Schriften, pp. 338 ff.

"The circumstances and the period necessitated this. The disagreement between actual political life and the requirements of revelation was either to be taken as the result of original sin, or was bound to lead to a restriction of the sphere of validity of revelation."

Consequently, the historical conditions have created the idea of the social contract. But what was it that called these historical conditions into being? The answer is: 'historical development'! By which the circle of mystification is completed. The insight into the sphere-universality of the historical aspect frees scientific historical thought of these mystifications. It brings home to us the fact that every truly historical problem points outside and above itself. In the functional structure of the normative opening-process the historical law-sphere is the *foundation,* but never the final *completion.*

The process of disclosure in the foundational direction of time could not start if it were not guided in the transcendental direction by essentially non-historical meaning-functions. In the last analysis it receives its religious direction from the struggle in the transcendent root of the cosmos.

We shall now briefly give an account of the contribution of the Enlightenment to the process of disclosure in western civilization, western economy, western juridical life, morality etc. From the outset one must be alive to the fact that the historical development of the power of the ideas of Enlightenment was only possible under the guidance of the Humanistic faith in the sovereignty of scientific thought.

Without faith not a single movement has ever succeeded in gaining formative power in history. We think we have sufficiently shown that πίστις cannot itself be historicized.

> The opening-process in the historical law-sphere guided by the ideas of natural law of the Enlightenment.

The development of the historical power of the individualistic ideals of natural law of the Enlightenment first claims our attention. For it is generally acknowledged that these ideas, together

But the leading thinkers of the Enlightenment had to carry on an historical struggle for the power to form history. In this struggle the theory of human rights had to be adapted to the development of the historical conditions in which an immensely [illegible] set of formative factors were operative.

with modern natural science, have had the greatest influence on the development of western civilization.

The ideas of natural law were *juridical* ideas of meta-historical meaning, guided by the faith in the science-ideal and that of personality in its rationalistic individualistic form. They owe the *development of their historical power* to a complex of factors that had been undermining the old foundations of the ecclessiastically unified culture since the late Middle Ages.

In my series of studies: *In de strijd om een Christelijke Staatkunde,* I have investigated these factors. In this development it is always in the last instance a question of human formative activity within the coherence of the differentiating cultural spheres. That is why only a concept of causality conceived in a truly *historical* sense can be usefully applied in such investigations.

The mighty influence of the theme of innate human rights, conceived by LOCKE, then expanded in the theory of the rights of men and citizens by ROUSSEAU and the French Revolution, gave western culture during the next period a *rationalistic-individualistic form.*

The historical norm of individualization was positivized in a one-sided rationalistic-individualistic spirit under the primary guidance of this complex of ideas and the final guidance of the Humanistic faith in reason. On this historical basis also the normative principles of human intercourse, economy, justice, morality and faith were positivized in an *anticipatory* individualistic direction. The Ideas guiding historical development in the transcendental direction of time are as such still merely *subjective.* Only in the struggle for historical power between progress and tradition are they cleansed of their arbitrary subjectivity. Then the historical basis is laid for the positivizing of certain super-arbitrary normative principles in the post-historical law-spheres, on the condition that the Ideas concerned are really related to such principles.

For instance, LOCKE's conception of absolute innate human rights pertaining to natural law, although it became a guiding motive in the development of the historical power of the Enlightenment, was in itself a subjective theory, and as such not susceptible of real positivation in the legal order [1].

[1] The entire conception of *absolute* rights of the individual is, as such, in conflict with the fundamental structure of any *positive legal order.* Every right is by nature *relative.*

Only after new forms of culture had been created under the guidance of the ideas of Enlightenment, but accommodated to the historical principle of continuity, could the foundation be laid for a genuine law-formation along the lines of the truly super-arbitrary elements in the theory of natural law. In this the Enlightenment had to accomplish its own historical cultural task. In the legal field the opening-process was started by the rationalistic Idea of humanity stimulating the struggle for the recognition of the rights of *man as such.* Its contents had been derived from the Stoical idea of world-citizenship and from a secularization of the Christian ideas of freedom and personality. The medieval idea of the Corpus Christianum had fallen away from the truly religious meaning of the Biblical doctrine of the body of Christ. It identified the 'Kingdom of God" with an eclesiastical organization encompassing the whole of Christianity [1] and was given its death-blow by the historical development of the power of the Humanistic Idea of humanity, favoured by the increasing contact with non-Christian peoples. The idea of the natural rights of man definitively broke through the limits of the undifferentiated medieval conception of corporative law.

In this process Humanism could utilize the historical influence (formative power) that the ideas of the Reformation had gained in popular conviction. At this point the historical tendencies of the two great spiritual movements crossed each other; it is impossible historically to *isolate* the influence of the Enlightenment. But the typical direction that the process of disclosure takes under the predominating guidance of the Enlightenment, can certainly be indicated.

An individualistic and rationalistic utilitarian tendency penetrates into the codifications of the time of the Enlightenment under the influence of CHRISTIAN WOLFF [2] and LOCKE. This tendency is evidently to be traced back to the guidance of the Humanistic science-ideal in the positivizing of the juridical

[1] About this point we shall have to say more in the 3rd volume.

[2] Especially in the "Preussisches Landrecht" (1794) projected by the Wolffian jurists KARL GOTTLIEB SUAREZ and E. F. KLEIN. The Austrian Civil Code of 1811 was more directly influenced by KANT.

to the nominalistic and rationalistic conception of the principle of the liberty and equality of the individuals in inter-individual juridical relations of intercourse. 'Justice of actions is by writers divided into commutative and distributive', thus HOBBES in his *Leviathan*, 'and the former they say consisteth in proportion

principles. The juridical principles positivized here were not 'sinful' and neither a creation of human arbitrariness, nor even completely new. For example, the principle of the freedom of contract had already been positivized by canon law and had been taken over by modern Germanic law under its influence.

This principle means a necessary disclosure of the juridical aspect in the modern development of trade and traffic when compared with the restriction to fixed types of agreements valid in Roman civil law, and with the primitive commitment to rigid symbolical forms.

But in canon law this principle had been conceived in its immediate connection with the 'natural ethical law', with the moral demand of keeping one's word. And for this reason the theory of canon law bound this principle to an elaborate doctrine of the '*justa causa*', which the Church, as the guardian of the 'lex naturalis', was supposed to have the duty of interpreting. Add to this the manifold ways in which juridical life was bound to the corporative forms of medieval society. It is true that, because of their undifferentiated character, the latter were doomed to dissolution as soon as the process of differentiation and integration of western society proceeded. They gradually became antiquated since the commencement of modern times, but they were not definitively liquidated before the French Revolution. From the outset the rationalistic personality- and science-ideal, expressed in the Humanistic theories of natural law, fought a bitter struggle against all these restraints of individual liberty. Already HUGO DE GROOT detached the principle of natural law *pacta sunt servanda* from the *justa causa* [1].

In HOBBES' theory of natural law the Aristotelian-Thomistic doctrine of the 'justum pretium' is entirely given up. The distinction between justitia commutativa and distributiva, whose implied recognition of the difference between inter-individual law and communal law DE GROOT already could not understand on account of his nominalistic attitude, was almost cynically set aside. Constitutional law and civil law alike are reduced to the formalistic contractual principle [2].

Under the guidance of the faith in the science-ideal the Idea of private law became formalistic. Its whole content was reduced

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[1] Cf. *De Jure belli ac pacis*. Liber I. cap. IX, 10: "nam et sine ulla causa promissum naturaliter deberetur."

[2] Cf. my *In den strijd om een Christelijke Staatkunde*, I, XIV (Anti-revol. Staatkunde, 2e Jg. 1926, pp. 438 ff.)

arithmetical; the latter in proportion geometrical. Commutative therefore, they place in the equality of value of the things contracted for; and distributive in the distribution of equal benefit to men of equal merit. As if it were an injustice to sell dearer than to buy; or to give more to a man than he merits. The value of all things contracted for is measured by the appetite of the contractors: and therefore the just value is that which they be contented to give. And merit besides that which is by covenant, where the performance on one part meriteth the performance of the other part, and falls under justice commutative, not distributive, is not due by justice; but is rewarded of grace only. And therefore this distinction in the sense wherein it useth to be expounded, is not right. To speak properly, commutative justice is the justice of a contractor; that is, a performance of covenant, in buying and selling; hiring, and letting to hire; lending, and borrowing; exchanging, bartering and other acts of contract' [1].

The relative disclosure of the economical law-sphere; the disharmony of this process under the guidance of the faith of the Enlightenment.

In this entire process the modern Humanistic view of natural law has already sealed its union with economic individualism. It was to expand in a mercantilistic spirit as long as it turned into state-absolutism. But soon it turned into the classical-liberal idea of the state of law (Rechtsstaat), first formulated by LOCKE, according to which the political association in terms of the social contract had no other purpose than the organized protection of the natural rights of property and liberty. This individualistic liberal conception of the rule of law was allied with the political program of the classical school of economics. The latter propagated its adage "laissez faire, laissez aller", the unrestrained free play of the social forces in economic life. In this economic individualism economic life was strongly rationalized. The medieval forms of corporative life in the monopolistic guilds were shattered. They were calculated to fence in economic life, not to ex-

[1] *Leviathan* I, Chap. XV.

lacked a counterpoise in a private differentiated communal law of labour and a public social law. This was to cause the most painful material inequality in the position of the contracting parties. And yet — it was not the positivizing of the economic law of supply and demand, nor the rationalizing and individu-

pand it. Economic individualism gained its decisive victory under the leadership of the ideas of the Enlightenment and attained to theoretical reflection in the economic theories of the physiocrats and the so-called classical school of economics. By liberating the individual spirit of enterprise in the modern expansion of industry and trade it comes to mean a one-sided kind of meaning-disclosure of the inter-individual relations in the economic law-sphere at the expense of the communal relationships.

The economic law of supply and demand, which after the definitive abandonment of the medieval guilds was positivized as a basic norm for the economic determination of prices, was only a norm for the economic inter-individual relations in the modern freedom of exchange; just as the principle of contractual liberty was only adapted to the juridical inter-individual relations. But this economic norm oriented to a free market situation was presently to be denatured and absolutized[1] by the classical theory into an unalterable, pure, 'natural law'.

In it the economic aspect on its law-side opened out in anticipation of the individualistically conceived rights of man, of the utilitarian autonomous rational morality and of the faith in the science-ideal. But the process of disclosure here showed a poignant *disharmony*. The *excessive* individualizing and rationalizing of the formative process, guided by the faith in the sovereignty of mathematical and natural scientific thought, resulted in the idolatry of the abstract individualistic idea of the 'homo economicus'. And this idolatry also came to expression in the formation of the economic principles to positive norms. A hard-headed calculation of private profits became the only rule of conduct in economic life; it broke every bond with economic communal principles.

Just as the science-ideal was a continual threat to the personality-ideal, the individualistic rationalizing and technicizing of economic life was presently to reduce thousands of labourers to actual wage-slavery. Economic life had been delivered into the hands of the officially still 'Christian' bourgeois-mentality, permeated by the utilitarian spirit of the Enlightenment.

In the same way the individualistic principle of 'natural law' concerning liberty and equality in civil juridical intercourse,

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[1] Even in our days liberal economic theory has not yet really detached itself from this naturalistic conception of economic laws oriented to the Humanistic science-ideal.

alizing of economic life in themselves that were sinful, but the mode in which they occurred. The curse in the opening-process on the law-side, proceeding under the guidance of the Humanistic faith in reason, was only the poignant disharmony in the excessive development of certain anticipatory moments of the economic aspect, at the expense of all the others. Considering this process from the point of view of its *historical basis,* we find an excessive increase of the formative power on the part of the cultural sphere of modern natural science, at the expense of the formative power of the other cultural spheres. This means a negation of the principle of *cultural economy.* Western culture could not bear this. When presently the consequences of the tyranny of the science-ideal began to appear in the course of history, a fulminating opposition on the part of the other cultural spheres to this hegemony was bound to come, in order to save the entire western civilization from ruin. Under the guidance of the ideas of romanticism, after the French Revolution had been liquidated, the Restoration-movement was to follow a seemingly historical, but indeed reactionary policy, which in its turn was to evoke the resistance of liberalism in the XIXth century.

And this liberalism itself could not fail to evoke the mighty reaction of socialism and communism.

§ 4 - FINAL REMARKS ON THE CHRISTIAN IDEA OF CULTURAL DEVELOPMENT.

To Humanistic philosophic thought the disharmony, manifesting itself even on the law-side of the opening-process in the sinful cosmos, changes into *antinomy.* This is the original antinomy in the two basic factors of the Humanistic cosmonomic Idea: the ideal of science and that of personality.

For the Christian philosophic consciousness, however, conforming to the fundamental structure of the Christian cosmonomic Idea, without compromising with immanence-philosophy, it is impossible to accept antinomies in the Divine worldorder, even in this sinful world.

The disharmony referred to manifests itself only as a defect in the opening-process under the curse of sin. For a Christian

the ultimate victory of the Kingdom of God in Christ, to Whom has been given the fulness of power in the religious fulfilment of history.

The methodical application of the Christian Idea of

there can be no question of the inner antinomy that Humanism has to experience on seeing how human personality, claiming to be autonomous in its self-sufficient freedom, is being enslaved by its own rational creations. The Divine world-order is not itself antinomic when it avenges itself on every deification of temporal meaning by the disharmony caused on account of this apostasy in the opening process. No more is it antinomic when it causes philosophical thought to entangle itself in inner antinomies, as soon as this thought supposes it can ignore the Divine order.

This world-order binds the normative process of disclosure, in the foundational direction of time, to the historical formation of power. In the transcendental direction it binds the opening-process to the direction of faith, and at the same time the world-order points beyond and above all the temporal law-spheres to the religious radical unity of the Divine law. That is why truly *Christian* philosophic thought cannot discover any *antinomy* nor any *paradox* in the validity within a sinful world of the full religious demand of the Divine law. This law even remains in force in a world in which the temporal ordinances of the law-spheres through sinful human formation have been drawn away from their direction to the fulness of meaning of the Divine law. Holy and without any inner contradiction is the world-order, even when it binds the possibility of a defective positivizing of Christian principles to a historical basis of power and to the guidance of true Christian faith.

Holy and without inner contradiction is the world-order, when it avenges itself on the process of disclosure in which the civitas terrena has gained the power to direct the formation of history.

The defectiveness caused by sin in the root and the temporal refraction of meaning, has been expressed in our transcendental basic Idea itself in the struggle between the civitas Dei and the civitas terrena. It must therefore also naturally find its expression in our Idea of historical development, in our economic Idea, in our Idea of justice, of morals, of beauty, etc.

The Christian Idea of cultural development cannot be guided by an optimistic faith in the steady progress of civilization. It cannot be sacrificed to pessimistic relativistic Historism either. It remains ruled by the religious basic motive of the struggle between the civitas Dei and the civitas terrena in the temporal course of history, though eschatologically it remains directed to

The functional structure of the opening-process, in connection with the modal universality of the aspects, each in its own sphere, provides us with the insight into the only possible method of using this Idea of development in historical investigations. Our analysis has yielded a univocal criterion to distinguish between primitive and disclosed cultural spheres, which criterion is a necessary *ὑπόθεσις* for historical science proper. We saw further that a real opening of the historical aspect is possible under the guidance of an apostate faith, and that in this case the process of disclosure must show its disharmonious character also on the law-side of the aspects. We have frankly to acknowledge that apostate movements have their special task in history when they have gained the power to form and to positivize deepened cultural principles of development. But this entire view of history implies a radical rejection of Historism. We have explained[1] that any true meaning-disclosure of history points beyond and above this aspect and is only possible in the universal temporal meaning-coherence of all the modal law-spheres.

The Christian Idea of development, therefore, cannot be narrow-minded. It recognizes any relative meaning-disclosure of civilization, even though positivized by anti-Christian powers. Every spiritual movement, having the power of historical formation has to fulfil its own task as an instrument in the hand of God. Our developmental Idea has broken with any speculative philosophical or theological construction of periods in cultural development. And above all, it continues to observe the inner tension between sinful reality and the full demand of the Divine law.

This demand is terrifying when we consider how much the temporal ordinances labour under the destructive power of the fall into sin. Terrifying also, when it puts before us our task as Christians in the struggle for the power of cultural formation.

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[1] Cf. our analysis of the universality of the aspect of history in its own sphere.

For it makes a demand on us which as sinful human beings we cannot satisfy in any way. And it urges us, in the misery of our hearts, to seek refuge with Christ, from Whose fulness, *nevertheless,* a Christian can derive the confidence of faith to carry on the ceaseless struggle for the control of cultural development. This is the remarkable 'nevertheless' of Christian faith.

Christian philosophic thought has to fight shy of self-exaltation, because it is directed in its root to Christ. The whole struggle that positive Christianity has to carry on for the direction of the opening-process is not directed against our fellow-men, in whose sin we partake and whose guilt is ours and whom we should love as our neighbours. That struggle is directed against the spirit of darkness who dragged us all down with him in the apostasy from God, and who can only be resisted in the power of Christ.

As Christians we shall hate that spirit because of the love of God's creation in Christ Jesus.

CHAPTER V

THE SUBJECT-OBJECT-RELATION IN THE MODAL ASPECTS

§ 1 - INTRODUCTORY FORMULATION OF THE PROBLEM.

In our investigation of the functional modal structure of the law-spheres, each with its nuclear moment, retrocipations and anticipations, we discovered the correlation between the subject-side and the law-side of each aspect. Meanwhile we repeatedly came across a peculiar relation between *subjectivity* and *objectivity* manifesting itself both on the law-side and the subject-side of an aspect. For instance, it appeared that the optical picture of space in the cosmic coherence of temporal reality is a sensory *objectivation* of the *original* spatial aspect in the modal structure of the psychical law-sphere. This *objective spatial analogy* appeared to be only possible in its indissoluble connection with *subjective spatial feeling.* In the modal aspect of language we found the coherence between subjective symbolical signification and objective sign; in the historical aspect we found the coherence between subjective cultural activity and its object, and between subjective historical relations and the historical object-function of natural facts, etc.

This raises the question whether the subject-object relation discovered here is restricted to certain law-spheres, or whether it has a universal character and can be found in *all* the aspects of temporal experience.

If it should appear that the subject-object relation is not universal, we must inquire after the cosmic foundation of this relation in the temporal meaning-coherence of the modal aspects. In the present context the whole problem is kept within the cadre of the theory of the modal spheres, in which we are concerned with the functional analysis of the modal meaning-structures. This strong abstraction in our formulation of the problem is a methodological necessity because the modal, functional structures lie at

possible as the 'subject' was conceived in the sense of *ὑποκείμενον*, 'substance'. A subject was either identified with a 'thing' (rēs), or with 'substance' in a narrower sense as the bearer of the 'accidentia'. At the same time this subject was taken to be a [illegible] of our mental activity of thought

the foundation of the individuality-structures of temporal reality. Consequently, the latter cannot be conceived apart from the former.

When in the third Volume we again have to examine the subject-object relation within the typical total structures of individuality, we shall have to refer to the results of our inquiry in the present chapter, in which the methodical basis is laid for later discussions.

§ 2 - THE SUBJECT-OBJECT SCHEME IN IMMANENCE PHILOSOPHY.

In immanence philosophy the problem concerning the modal structure of the subject-object relation has never been raised, and could never be raised in the sense intended here. Yet, this relation plays a central part in modern thought insofar as it is used as a *schema* for a first orientation in the cosmos. This schema has not been obtained from a truly cosmological analysis of the structure of human experience, it is rather imposed on reality in consequence of the immanence-prejudice.

The subject-object schema of modern immanence-philosophy has a confusing multivocality, which has already done a great deal of harm in philosophical thought. It originates in epistemology as a schema of 'theoretical reason', and it is also handled as a schema of 'practical reason'.

Immanence-philosophy objectifies empirical reality either with regard to a cognitive or to a volitional subject. 'Object' is identified in this case with that to which our mental activity in thought or volition is directed.

The subject-object relation in Scholastic philosophy, and in modern pre-Kantian metaphysics.

Scholastic philosophy at least distinguishes the intentional *object of cognition* from the *subjective reality of things.*

'Esse objective', as a merely intended being ('esse intentionale'), is opposed to 'esse subjective, formaliter, in rē, extra nostram mentem' etc. [1].

DESCARTES, too, still holds to this distinction [2] and in modern times F. BRENTANO applied the Scholastic doctrine of intentional objectivity to all psychical acts. In pre-critical philosophy the distinction between 'subjective' and 'objective being' was still

[1] Cf. e.g. THOMAS AQUINAS. In L. 1 *Sentent.* 23, 1, 3c; SUAREZ, *Metaph. disputationes* II, sect. 1, 1.

[2] *Meditationes* III, *Princip. philos.*, I, 57, 67, 70, 199.

or volition.

In this view the grammatical-logical subject-concept as that to which the predicates in a judgment refer, played an important rôle. The metaphysical subject was conceived as that which cannot become the predicate in a judgment, because the predicate can only refer to 'accidentia'.

The subject-object relation as an epistemological schema and the identification of the object and the *'Gegenstand'* of theoretical knowledge.

Not before KANT did the concept of the subject-object relation become a real epistemological *schema*. KANT conceived of the subject in an epistemological sense as the transcendental pole of thought to which the entire empirical world, inclusive of 'empirical' psychical subjectivity, is opposed in the counterpole of the objectivity to be determined by this subject. Since then we constantly find the identification of the 'object' and the *'Gegenstand'* of knowledge in Humanistic philosophy. In KANT the things that we experience have objective *'Gegenständlichkeit'* insofar as they are products of a formative process which connects transcendental thought and sensory intuition according to the rules of transcendental synthesis.

The transcendental subject, elevated above all empirical individuality, is the origin of all universal validity, objectivity, *'Gegenständlichkeit'* in 'empirical reality.

This 'objectivity' is identified with universal validity, lawconformity, and as such opposed to 'empirical', individual subjectivity.

In FICHTE's subjective freedom-idealism the object as the *non-I*, as the counterpole to the transcendental *I*, turns into 'the sensualized material of our duty'. This subject-object schema appears in all possible manners of precision and variation in Humanistic philosophy. It may be interpreted in a (critical) realistic sense, so that a 'thing in itself' is assumed to exist behind the empirical object. It may be interpreted in an idealistic sense, in which case the philosopher breaks with the metaphysical 'thing in itself'.

§ 3 - THE COHERENCE BETWEEN THE MODAL SUBJECT-OBJECT RELATION AND THE RETROCIPATORY MEANING-STRUCTURES OF A LAW-SPHERE. THE SUBJECT-OBJECT RELATION IN THE MODAL ASPECT OF FEELING

Starting from the so-called empiricist nominalistic tendencies that have been operative since Greek sophistic, the Humanistic subject-object schema can be taken in a psychologistic sense in which the 'critical-transcendental' view of subject and object is given up, etc. But in all cases it is serviceable to an obliteration of the modal structures of the different aspects of experience.

The only general distinction that is accepted in this scheme is that between *cognitive* and *volitional objects*. In an extremely subtle way this distinction has been adapted to the basic structure of the Humanistic cosmonomic Idea, by means of which philosophic thought on its own authority undertakes *to construct* the cosmos in accordance with the aspects of the science-ideal or the personality-ideal.

Immanence-philosophy must take an *arbitrary starting-point* when it embarks upon an inquiry into the subject-object relation. If the immanence-standpoint is to be maintained, it must eliminate from its pre-suppositions the cosmic order of time in which the subject-object relation is founded.

And thus there is no longer any possibility to get an insight into the rich *modal varieties of meaning* of the subject-object relation. In the old pre-Kantian metaphysics, as well as in nominalistic so-called 'empirical' psychologism, both in critical transcendental philosophy and in phenomenology, objectivity is only conceived in correlation with the immanent subjective cognitive and volitional functions.

In all these conceptions there is no room for the cosmological analysis of the different modal structures of the subject-object-relation. The 'object' becomes a 'general notion' serving to level out the modal boundaries between the law spheres. The *foundation* for 'objectivity' can then only be found either in a metaphysical concept of substance, or in a transcendental-logical synthesis, or in an ethically necessary tension between 'nature' and 'freedom' in the 'transcendental consciousness' itself, or in a common root of subject and object in 'being'. Such is the case, insofar as at least any attempt is made to give *account* of this foundation.

A radical break with this subject-object schema of immanence-philosophy is necessary, if we are to conceive the subject-object-relation in the intermodal coherence of cosmic time.

The internal modal subject-object relation in contrast to the theoretical *'Gegenstand'-relation.*

What is to be understood by a modal subject-object relation? An object in a modal functional sense is always an object to a modal subject-function coordinated with it within the same law-sphere. The modal subject-function, insofar as it is the transcendental correlate of the modal object, can no more be objectified in the *same modal aspect* than it is possible for the modal object-function to be a subject within *the same modal sphere.* The modal subject is the *active* pole on the subject-side of the modal aspect, whereas the modal object is the *passive,* merely objective pole.

From the Prolegomena we know that it is especially important not to confuse the modal object with the *'Gegenstand' of theoretical thought.* That which is *opposed* to our theoretical-logical function of thought can never have the same modal meaning as our logical subjectivity.

Modal objectivity cannot be reduced to modal law-conformity.

Equally confusing is the prevailing identification of *objectivity* and *universally valid law-conformity.* This is done by the customary method of contrasting what is merely individual and subjective with what is universally valid and objective. In this way the insight into the modal structure of the subject-object relation is made impossible. In all the modal law-spheres in which this relation is to be found it has a subject-side as well as a law-side.

On the subject-side neither the subject nor the object can be reduced to universally valid law-conformity. On the law-side the subject-object relation functions in the sense of a rule of this relation which determines the subject- and the object-function only in general.

In the concrete actualized individuality-structure of reality, however, subject and object within the same law-sphere are both individual. That is why a sharp distinction should be made between the two sides of the subject-object relation even in its

ion and the objectively perceptible aspect of the thing perceived, and that this perception must be directed to the 'outer world'. The sensory aspect of the activity of the imagination will be left out of account for the present, because this point can only be

modal structure. For in its realization this modal relation has always individual *relata* on its subject-side.

A modal object-function, however, has a different individuality from that of a modal subject-function. *That is why in general its individuality is indifferent to that of the modal subject.* An individual modal object is an object to any subject whatsoever which in the same modal aspect has the same typical relation to it.

Nevertheless the relation itself can also assume an individual character. This is the case when the object is the result of the formative activity of an individual subject, or when the latter has acquired the exclusive use of the object. From this it appears that also the *relation* between an individual subject and an individual object cannot be reduced to a general or typical law.

In the present context this complicated matter cannot be further examined. It is necessary to abstract from the structures of individuality in order to gain an insight into the modal basic structure of the subject-object relation. Our enquiry is only concerned here with the *functional structure* of this relation in the intermodal meaning-coherence as it is determined by the cosmic order. In this examination the arbitrary starting-point, ruled out in the preceding section, should be avoided. The modal subject-object relation should be understood from the intermodal meaning-coherence of the law-spheres themselves.

If this meaning-coherence is kept in view, it is comparatively immaterial in which of the law-spheres we first examine the modal structure of the relation in question. A truly cosmological analysis of any modal aspect whatsoever remains strictly bound to the *cosmic temporal order of the law-spheres* and cannot deviate from this order in an arbitrary way. We propose to start with a subject-object-relation which occupies a central place in the psychologistic tendency of the Humanistic epistemology, viz. the subject-object relation in the modal aspect of feeling, manifesting itself in any sensory perception.

From the outset psychology has given special attention to the distinction between the sensory perception of the 'outer world', dependent on 'observation in space', and the 'inner' subjective experience of feelings which does not give us a spatial picture of objective phenomena. It is clear that the subject-object relation in the modal aspect of feeling can only be found in the relation between the subjective sensory aspect of percep-

made clear when it is contrasted with [illegible]
the objectively perceptible 'outer world'. The term 'outer world', and the terms *"äussere"* and *"innere Sinn"*, are evidently used for want of better words and cannot teach us anything with regard to a cosmological analysis of the psychical subject-object relation. The words 'outer' and 'inner' have an evident spatial meaning, and are therefore confusing, when one tries to express a contrast with *spatial* perceptions by means of the word 'inner'.

To gain a clear insight into the modal structure of the psychical subject-object relation, it is necessary to ask the question: '*What aspects of reality can be objectified within the psychical law-sphere in the sensory image to which subjective sensory perception is related?*' This question cannot be framed correctly unless we break with the custom (originated in metaphysics) of turning the word 'psychical' into a collective noun signifying the whole of the concrete subjective activity of our consciousness. The provisional analysis of the modal field of research of psychology has shown that perception, representation, remembrance, volition etc. are concrete human 'acts', which as such cannot be enclosed in a modal aspect of reality, but have only a *modal function* within the psychical law-sphere. And the modal nuclear moment of the aspect of experience which we have called 'psychical', appeared to be '*feeling*'. This term is to be taken not in the sense of a subjective phenomenon but as the qualifying moment of the modal structure of the aspect concerned.

> The necessary functional coherence between a sensory subjective feeling of extension and an objective sensory image of space.

It appeared to be necessary to break with the mechanical view that 'outward' sensory impressions can be isolated from 'inner feelings' as if they were separate psychical elements *lacking the modal meaning of 'feeling'*.

The objective sensory space of perception functions in the modus of *emotional sensibility* and is fitted indissolubly into a functional-structural coherence with subjective *emotion*. But for

aspect of feeling we find the retrocipations (analogies) of these modal functions of reality.

And in the objective sensory image to which subjective sensory perception is related, the objectifications of the above-mentioned [illegible] functions of empirical reality (preceding the

our subjective feeling of extension we could not perceive any objective sensory image of space. The space of sight, that of touch and the more rudimentary space of hearing (investigated by BRENTANO, STUMPF, v. HORNBORSTEL; and by KATZ-ENGELMANN in animal psychology) have a very different objective-sensory structure. Nevertheless it has been established as an undubitable fact that they function in a structural coherence with each other in the concrete sensory perception of space [1].

Physiology has shown that the organs forming the substratum for the feelings of vision and touch are connected in a functional-organic coherence [2], so that between the feelings of sight and those of touch there exists an innate association based upon the biotic coherence of the organs [3].

The optic objective picture of space, dependent on the impressions made by light, is a projective and limited spatial picture. In itself being two-dimensional, it becomes a three-dimensional complete sensory picture of space only when it is associated with the non-projective tactile image related to the feelings of touch and movement.

It is therefore impossible to resolve the sensory perception of space into merely passive impressions. The objective sensory picture of space cannot exist without its structural relation to our active subjective feeling of extension in its subjection to the universally valid laws of spatial sensory perception.

Now it appears that the possibility of objectification in the modal aspect of feeling is primarily bound to the retrocipatory structure of this modal aspect.

Implicit objectification in the modal aspect of feeling.

The subjective modal functions of number, space, movement, energy, and organic life can be psychically objectified in the (objective) space of sensory perception [4], because in the modal

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[1] Cf. the inaugural oration of G. REVÉSZ: *Het psychologische ruimteprobleem* (1932).

[2] i.e., the nerve cells of the motorial apparatus of the eye are connected with those of the ampullas of the semi-circular canals in the labyrinth of the ear. FLOURENS, GOLTZ and E. v. CYON discovered that our sense of the directions of movement in the sensory picture of space is founded in this labyrinth.

[3] Cf. A. RIEHL: *Der phil. Kritizismus* II, (2nd edit. 1925), p. 174 note.

[4] Naturally this does not mean that the original meaning of number, space, movement, energy, and organic life may be sensory perceptible. It

psychical function) are *implicit*. This means that it is not possible to objectify the organic biotic function in any other way than in a *mobile spatial picture* with a *multiplicity* of sensory qualities.

In other words, the psychical objectification of the organic biotic function implies that of the modal aspects in which the organic biotic function is itself founded in accordance with the temporal order of the law-spheres. And a corresponding state of affairs is to be established with respect to the pre-biotic functions, which are founded in the first terminal aspect of experience.

The objectification of pre-psychical modal subject-object relations in the aspect of feeling.

The subject-object relations of the earlier law-spheres can also be objectified in the psychical aspect, viz. in the objective sensory image of a natural event. When I perceive with my senses how a mother-bird is feeding its young ones in its nest, the psychical modus of objectifying the biotic subject-object relation is also contained in the objective sensory image of such animal behaviour.

The biotic subject-object relation *as such* has been *actualized* in the concrete behaviour of the animals themselves with respect to their food. In my perceptual picture I really see the sensory analogy of this subject-object relation before me *objectively*. This entire objective sensory image is related to the possible subjective sensory perception of every observer. In the objective perceptual image I see the animals move and take food in their nest in an *actual* subjective way.

The sensory analogy of the biotic subject-object relation in its *actuality* is thus objectively perceptible by means of the senses.

This statement is correct in so far as one does not for a moment lose sight of the fact that this sensory perceptibility is only possible in the temporal interlacement of the actual subjective biotic and psychical functions. One should never try to resolve the biotic subject-object relation in its original modal meaning into sensory

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means only that in the objective sensory space there are *objective analogies* of them to be found which refer back to these original modal functions.

A sensory copy is an implicit, dependent object-structure in the modal meaning of the psychical law-sphere.

A sensory copy is unilateraly dependent on the original objective perceptual image whose optic copy it is, and also on the

impressions, as is done by psychological empiricism. The original objective sensory image always refers back to actual pre-psychical subject- (respectively subject-object) functions objectified in the original sensory perceptual image. This is their essential characteristic.

Such an actual reference is absent in hallucinatory images, in those of the imagination and those of dreams. In the images of our memory this actual reference is only of a *reproductive* nature.

Besides, the dream-image and the pathological hallucination lack the sense of identity on the part of the subject.

> The representational relation *(Abbild-Relation)* within the objective perceptual image. The pre-psychical aspects cannot be psychically represented and do not produce a psychical copy.

When in the objective sensory perceptual image, say of a real piece of cloth or paper e.g., some *representations* have been objectified, the psychical subject-object relation becomes still more complicated. In order to understand this intricate psychical object-structure modally, the *original objective perceptual image* must be sharply distinguished from its *representation in sensory objectivity.*

There can never be a representational relation between the original objective perceptual image and the actual pre-psychical subject- (and subject-object) functions. For a sensory representation (copy) pre-supposes a sensory *original image,* and as such the pre-psychical aspects of reality cannot occur. A representation, as such, is not originally objective; it is merely the optic copy of an individual perceptual image within another individual objective perceptual image, and always bound up with the latter in an optical-tactile way. Thus the objective perceptual image of a human being, an animal or a tree, has its inverted optic representation or copy on the retina of the eye.

It is optically perceived only on the condition that in its physico-biotic substratum the stimuli of the incoming rays of light, on the extreme ends of the optic nerves, are transmitted to the brain. The sensory perceptible object-structure of the inverted copy on the retina is obviously a different one from that of the original objective perceptual image.

other objective perceptual image in which it is objectified has an *implicit* and an *indirect* object-structure. These dependent, implicit object-structures may show all kinds of individual complications in the psychical aspect. They cannot be analysed by means of the modal concept of function. Only by analysing the individual thing-structure in which they occur can their nature become theoretically clear to us.

> Is an objectification of post-psychical subject-functions and subject-object-relations possible in the objective sensory perceptual image? The modal sphere-universality of sensory perception in the objective direction.

It is not possible to objectify the post-psychical subject-functions and subject-object-relations in an objective sensory perceptual image in the same way as the pre-psychical.

I can perceive neither the subjective-logical function of thought nor objective logical characteristics (e.g., of a bird, or a tree) in the same objective-sensory way in which I can see the movements and spatial shapes of a human being, an animal, or a tree.

Neither is this the case with respect to the post-logical subject-functions and post-logical modal subject-object relations, e.g., that between subjective signifying and the objective sign or symbol, or that between a subjective right and its juridical object.

Does this mean that there exists no possibility at all to objectify them in sensory space?

In the first (Dutch) edition of this work I thought so. But on second thought I cannot maintain this opinion. Already in the third volume of this edition it was implicitly abandoned. If it were true, the sphere-universality of the psychical aspect would be lacking in the objective direction and would express itself only in the opened subjective functions of feeling.

But in this case there could not exist sensory subject-object relations of an anticipatory character, and in the objective direction human perception in its sensory aspect would not be fundamentally distinct from the animal manner of perceiving. Moreover, the objective sensory perceptual image of the human body

the latter may be completely subordinated to that of the others.

Even human laughing and weeping in its objective sensory expression shows a rational trait by which it is radically distinct from animal expressions of pleasure or pain.

[illegible] to cultural anticipations in the objective sensory

would lack in principle any expression of the logical and post-logical subject-functions and in general of its human character. All these consequences are unacceptable.

The consideration of this problem must consequently be resumed from the viewpoint of the modal sphere-universality of the feeling-aspect in its subject-object relations.

Let us begin by establishing that in the retrocipatory direction of sensory perception the objective analogies of the pre-psychical functions of a thing or event are *given in a natural way* in objective sensory space, independent of any axiological moment in human sensory perception. This does not mean that in our actual subjective sensory impressions we have an adaequate image of all the objective sensory traits of a thing perceived. It means only that there is given an objective image of the thing perceived whose sensory qualities are perceptible in principle to a normal human sensory perception, so that a one-sided perception may be completed by regarding the other sides of the thing, or an inexact, superficial perception may be improved by a more exact sensory contemplation, etc.

Now it must be clear that, as to its anticipatory direction, sensory perception cannot find in the objective spatial sensory image of a natural thing or event any trait in which an objectification of logical or post-logical functions is actually given without any relation to human valuation.

If in this sensory image there is to be found an anticipatory objective expression of logical characteristics — and this must be so since the naïve concept formation is entirely bound to this image — this expression is only given *potentially*.

It must be actualized by subjective logical feeling under the direction of the analytical function of human consciousness in its subjection to logical norms. This means that the analytical anticipations in the objective sensory image are related to axiological moments in the subjective sensory perception, and that they are not delimited in objective sensory space in the way of retrocipatory sensory qualities.

As to the subjective logical activity of thought, we must observe that it doubtless may find *actual* expression in the objective sensory image of the human face. But it is not the *abstract* logical function which is sensorily objectified in this way, but always a concrete act of human consciousness in which the logical aspect functions. These acts may have different structures of individuality but they never lack the logical function, though the rôle of

image of a thing or event we meet with a new state of affairs which demands special attention. Everything that is given in nature has a potential object-function in the cultural aspect. But it cannot become a cultural thing proper without undergoing a transformation realized by human cultural activity according to a free project. In this case a new thing has been produced which was not given in nature, and which shows a typical structure of individuality differing radically from those of natural things. It must be clear that this structure of individuality cannot fail to express itself in its objective sensory image. The sensory perceptible shapes, combinations of colours etc. of a chair, a table, a lamp etc. are not found in nature. They betray the cultural characteristics of the things concerned, and these cultural anticipations are indeed *realized* in the objective sensory image, they are not only given *potentially*. Nevertheless they are not given to a restrictive subjective sensory perception, but only to an anticipatory perception in which the axiological moments have been disclosed.

Cultural things cannot be sensorily perceived without cultural feeling, anticipating the cultural aspect of human experience and being directed by it. They cannot be sensorily perceived without an anticipation of cultural norms in the implicit valuation of feeling. To animal perception, which is rigidly bound to natural vital needs, they must remain hidden.

Natural things as such can also get an actual object-function in the cultural aspect without being transformed into cultural things.

Plants or animals may be cultivated by man, just as the soil, the water etc. A special examination of these states of affairs from the viewpoint of the typical structures of individuality and their mutual interlacements must be reserved to the third Volume. In the present context we can only observe that the cultural qualities of cultivated natural beings and things must find an anticipatory expression in their objective sensory image and that these anticipatory sensory qualities are given in their realization by human activity.

It has appeared that also natural events can have an actual

or an implicit character. Non-conventional is in general the sensory symbolism of original aesthetical means of expression. It is *explicit* for instance in the case of musical themes or motifs designating a dominant mental disposition, and *implicit* where

object-function in the cultural aspect as objective historical facts, for instance an inundation, or an earthquake, which destroys a considerable part of a cultural area. Since their objective function as historical facts is necessarily related to subjective cultural activity and its objective cultural results, this relation must also be expressed in their objective sensory image. The sensory perceptible image of the destruction of a cultural area by a natural catastrophe is perceived as a disaster, a calamity.

We cannot perceive it as a sensory objectification of a cultural disaster without an implicit valuation in our cultural feeling which anticipates cultural norms.

But it would be a false subjectivistic interpretation of this state of affairs if it were assumed that this anticipatory moment of valuation in human sensory perception lacks an objective correlate in the sensory image itself. For the latter differs in principle from the sensory image of a natural catastrophe which lacks the function of an objective historical event.

In all these examples of psychical subject-object relations the current conception shows its insuffiency because of its lack of insight into the modal structure of these relations.

Especially the view according to which the sensory aspect of perception is to be conceived outside of the modal meaning of feeling proves to be untenable.

> The objectification of symbolical and post-lingual anticipations in the objective sensory image of a thing or event. Conventional and non-conventional, explicit and implicit symbolism.

The anticipatory moments whose objectification in the objective space of sensory perception has been examined until now are indeed perceptible without the intermediary of sensory symbolism. On the other hand the objectification of post-lingual anticipations in the sensory image of a thing or event is not possible without this intermediary. The objective sensory image of a courtesy implies a sensory symbolism anticipating its social signification in the normative aspect of human intercourse. In this case sensory symbolism has a conventional and explicit character so that it may vary considerably in different social circles and peoples at a different stage of cultural development or with a different cultural tradition.

But it is also possible that some sensory symbolism is of a non-conventional nature. In this case it may have either an explicit

the combination of the successive sensory [illegible]
symbolizes only an abstract aesthetical structure. It is evident that this sensory symbolism in the sound-images, and the aesthetic anticipations founded in it, are essentially related to symbolical and aesthetical anticipations in the subjective sensory perception. But also here we should guard against every subjectivistic interpretation of this anticipatory subject-object relation. If there were no perceptible symbolic and aesthetical anticipations realized in the sound-image of a musical work of art itself, the whole realizing objectification of the subjective aesthetical conception of the composer in its reproduction by the executing artist would be impossible. For without its sensory objectification this conception could not be realized at all. But this point can only be discussed in its full extent in the third Volume.

The lingual anticipation in objective sensory symbolism which has no natural coherence with the meaning signified. Abstract symbols.

In the present context we have still to pay special attention to sensory symbolism as such, in so far as it has no natural coherence with the meaning signified by the signs.

What does it mean that a symbolical function is objectified in the sensory image of a thing or event which, as such, is *qualified* as a symbol?

In this case one is always confronted with *conventional* symbols, since there do not exist natural things which have a typical symbolical qualification, though they doubtless may have an implicit objective symbolical function. They may be called *abstract symbols*, in contradistinction to things or events which are not qualified by their symbolical function. It is beyond dispute that the signified meaning of an abstract symbol cannot be objectified in its sensory image. It is the very function of such a symbol only to *signify* this meaning without any perceptible coherence between its sensory image and the meaning intended.

But how can this symbolical function itself be objectified in its sensory image? It must be clear that this indeed is not possible so long as the abstract symbols are only considered as separate

of post-lingual functions which have no natural (or at least non-conventional) but only an abstract conventional symbolic foundation, is restricted to the symbols or combinations of symbols by which their meaning is signified.

things or events. The objective optical, auditive or tactile image of an abstract conventional sign (for instance a letter or a numerical symbol, or a sound- or light signal, or a braille sign) is in itself arbitrary.

But let us consider the modal structure of the symbolical subject-object relation itself as it is given within the lingual aspect of experience. For its sensory objectification cannot be independent of the latter. The modal structure mentioned implies cultural, logical and psychical analogies of a retrocipatory character.

A genuine symbol, in contradistinction to a natural animal means of expression, always has a cultural and logical foundation. In the case of a natural symbolism which lies at the foundation of objective aesthetical relations in nature (for instance the objective beauty of a landscape) the objective symbolical, as well as the objective logical and cultural functions of the beautiful natural whole, are only given potentially in relation to human actualization by the corresponding modal subject-functions.

But a conventional and especially an abstract symbol is not found in nature; it is the product of human formation. An abstract symbol does not stand by itself but belongs to a rational system of signs, originated from a free project and controllable in free meaningful combinations, conformable to lingual rules, for instance, of a particular written or spoken language or of a general code language.

But it is also essential to an abstract symbol that its symbolical function is founded in an objective optical, auditive or at least tactile sensory image. So we may conclude that a sensory objectification of its symbolical function is only possible in a successive or simultaneous multiplicity of sensory images whose arrangement betrays an anticipatory coherence with a logical method of distinction and combination and with a controlling (cultural) mode of usage referring to a lingual intention of signifying. These anticipatory moments in the objective sensory total image of the symbolical combinations are naturally related to the corresponding anticipations in the subjective sensory aspect of the act of perceiving.

It has appeared that in the case of abstract conventional symbols, which as concrete perceptible things or events are typically *qualified* by their symbolical function, the possibility of sensory objectification of their intended meaning is excluded. This is the reason why the possibility of sensory objectification

This is the case with the greater part of ...

juridical relations, in a differentiated and disclosed human society. It hangs together with the disclosure of logical symbolism by which the analytical function of human thought is freed from its rigid dependence on sensory representations. In this way theoretical analysis may directly anticipate the meaning designated by abstract conventional symbols, whose sensory image has no natural coherence with what is signified by them.

But with respect to aesthetic functions, even in their differentiated and disclosed modal structure, the possibility of sensory objectification is not restricted in this way. The reason is that the specific combinations of symbols by which they are signified are themselves aesthetical means of expression. In their sensory aspect they must consequently be arranged in a sensory harmony which anticipates the original aesthetic meaning signified by their symbolical (lingual) function.

As to the forms of social intercourse it must be established that they can be objectified in the sensory image of human actions in which they are realized. But this is only the case insofar as their original modal meaning is not only signified by abstract conventional symbols, but by a symbolism expressed by the human body itself.

The same thing can be said with respect to the modal subject-functions and object-functions which in the faith-aspect are related to the cult.

An act of praying, for instance, may be perceptible to the eye of sense in the objective sensory image of the kneeling body, the closed eyes, the folded hands etc. The objective pistical qualification of things which have a typical objective destination in the cult (as temples, confessionals, altars etc.) must also in some way find anticipatory expression in their sensory image.

But in all these cases we once again touch upon complicated states of affairs which can only be sufficiently explained in the theory of the typical structures of individuality.

nuous extension of the *parts* of a straight line, each of which is *limited* by two points.

The terminal points of these parts are objectively *before* and *after* any interjacent point in that original spatial aspect of time

... simultaneity.[1]

§ 4 - THE SUBJECT-OBJECT RELATION IN THE MODAL ASPECT OF SPACE

If our thesis is correct, that the modal subject-object relation is indissolubly connected with the modal retrocipatory spheres of an aspect, the following thesis is also true: The subject-object relation is to be found in all the law-spheres whose modal structures show retrocipations of earlier modalities, in other words, in all the law-spheres that come later in the cosmic order of time. This insight sheds light on many states of affairs that cannot be satisfactorily explained by immanence-philosophy.

The subject-object relation in the modal aspect of space.

A spatial point is obviously an arithmetical analogy in the spatial modus. A point may be said to function in the aspect of continuous dimensional extension, but it is not subjectively extended. Two non-parallel straight lines have their point of intersection in a plane surface, but this point can have no actual subjective existence in space. A subjective spatial figure is necessarily extended in dimensional continuity. A spatial point cannot be called a fiction. If it were a pure fiction, a two- or three-dimensional figure should also be called a fiction. Then spatial magnitude would be a fiction, and the whole of the spatial aspect of reality would be a fiction of thought.

Such a fictionalistic view would have to deny the entire intermodal foundation of the sensory picture of space and would rob itself of the insight into the modal coherence between the law-spheres. But apart from this, such a conception would have to admit that there can be no sense in declaring a spatial point to be the only geometrical fiction.

How is the spatial meaning of a point to be conceived?

The dependent existence of a point in space.

A spatial point is dependent on a subjective spatial figure. It cannot exist apart. The objective magnitude of the subjective spatial figure depends on points. A point is founded in numerical relations. It is an intensive *objectification* of number in space. A subjective spatial figure and an objective spatial point stand, consequently, in a modal subject-object relation. An infinitesimal series of numbers can be objectified in the points of a straight line. These points continue to depend on the subjective conti-

The simultaneous before and after in the objective spatial function of time has the meaning of spatial magnitude, which is founded in the arithmetical aspect.

The magnitude of two parts of a straight line that have one terminal point in common, depends on the distance between their second terminal point and the first they have in common. The point itself possesses no extensive magnitude in any spatial dimension. The two terminal points objectively determine the magnitude of the subjective spatial extension of the straight line they limit. In the deepened theoretical analysis modern arithmetic approaches the objective magnitude of a spatial extension between points in a series of 'real numbers'.

On the one hand, however, this real function of number is identified in an inadmissible way with a point, and on the other hand, just as inadmissibly, the irrational function of number is conceived of as an actual number. In the systematic theoretical disclosure of the anticipatory spheres of the aspect of number theoretical thought should be on its guard against misinterpreting the modal sphere-universality of the arithmetical aspect by a theoretical eradication of its modal boundaries.

In original space there can be no *objective retrocipatory analogy* of original movement. The genetic view of the spatial figures considers them as having arisen from the 'movement' of a point, a line, a plane. In this case the meaning of space is grasped in its anticipation both of *original* movement and of the movement of *thought*. But this view has to start from the spatial subject-object relation if it does not want to get entangled in antinomies, because a point in its purely *objective* spatial function has no meaning apart from a *subjective spatial figure*. It always pre-supposes the intersection of straight or curved lines, even in the so-called imaginary points of intersection.

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[1] The statement that in the original static spatial aspect of time we must distinguish *before* from *after* is not-self-contradictory. It would be so, if these terms were taken in the original modal meaning of movement.

of thought as the differential of extensive magnitude (on the ὑπόθεσις of the modal aspect of movement), cannot be considered as the unilateral origin of a line or any other spatial figure. For a point remains the objective intensive correlate of the subjective extensive continuity of a spatial form. It is not

The antinomy in the construction of the so-called 'continuum of points'.

There has never been given a real definition of a spatial point that did not pre-suppose continuous extension. That is why in the construction of the so-called 'continuum of points' there is an insoluble antinomy hidden. For in this case the spatial continuity is supposed to be constructed in all its relations of magnitude synthetically, or even in a 'purely analytical' way, with the aid of certain elements that have no extension themselves. These elements cannot be thought of as 'positions', i.e. as the points of intersection of curved or straight lines in a pre-supposed spatial continuum. They are called *points* without any attempt to determine the real meaning of the 'point-concept' theoretically.

This could be defended by the argument that the meaning of these elements is only to be defined from their relations established by the axioms. This argument, however, is only acceptable if these relations are conceived in the modal meaning of pure extension. But in this case the construction of space from points must be abandoned, because the latter appear to be determined by space itself. In fact, at least in the logistic way of deduction, the relations concerned are conceived in the logical sense of formal analysis. The continuity of the different series of points is supposed to be a result of the logical continuity of thought. The *totality* of points is thought of as continuous, without the points *coalescing*. As soon as this construction is interpreted in a spatial sense, the antinomy arises that points are made into spatial *subjects*, whereas they have only a *dependent objective existence* in the spatial subject-object relation. Making them into the infinitesimal origin of an extensive continuum by their integration into a logical 'all-ness' is tantamount to annihilating them. For an absolutely 'dense' set of points really means the cancellation of every spatial distance between them. This cancels the multiplicity of points at the same time, and also every separate point, and spatial magnitude [1].

In the differential and integral calculus this state of affairs can be recognized in the necessary correlation between differential and integral. A point conceived in the theoretical movement

[1] LUDWIG FISCHER, in his *Die Grundlagen der Philosophie und der Mathematik*, 1933, p. 82 ff. has analysed this antinomy in a very lucid way, without being able to define the relation between a point and a spatial figure. The analysis of the modal spatial subject-object relation is necessary for such a definition.

the expression of the continuity of a creative movement of logical thought, as the Marburg school thinks. It is only meaningful in its stringent correlation to subjective extension. This correlation makes it accessible to an approximation by the anticipatory infinitesimal function of number, in subjection to the cosmic order of the meaning-coherence. Spatial magnitude, viewed as a 'variable magnitude' in the differential and integral calculus, is conceived in an evident *anticipatory function.* In the continuity of the logical movement of thought, as the supposed 'origin and justificatory foundation of being' [1], there is neither to be found the original meaning of number, nor that of original space or movement. The modal relation between a point and a spatial figure cannot be logicized. It must be understood by theoretical thought from the same cosmic meaning-coherence that makes thought itself possible.

§ 5 - THE SUBJECT-OBJECT RELATION IN THE MODAL ASPECT OF ANALYSIS AND THE STRUGGLE BETWEEN NOMINALISM AND REALISM.

We now turn to a subject-object relation whose misinterpretation played a central part in the conflict between Nominalism and Realism, viz. the subject-object relation in the logical lawsphere. From the outset Realism stuck to the reality of the universalia, either ascribing to them a hypostatized existence 'ante rem', or merely an implicit existence 'in rē'. In realistic Christian Scholasticism the universalia were said to exist 'ante rem' in God's Mind, and to have moreover an existence in individual things. A merely 'intentional' abstract existence [2] was assumed for the universalia in human concepts. Nominalism, on the other hand, in all its possible varities, denied the universalia any other existence but a purely intentional one 'in mente' (univer-

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[1] NATORP, *Die logischen Grundlagen der exacten Wissenschaften,* 2e Aufl. 1921, p. 221: "Ursprung und rechtfertigende Grund des Seins".

[2] Cf. THOMAS AQUINAS, *In sent.* II, dis. III, q. 2, a. 2 and *Summa Theologiae* I, q. 85, a. 2 ad 2.

tentio as a subjective activity and its *intended* objective contents. Nominalism, naturally, ascribed an exclusively intentional existence to the universalia (OCCAM), as symbolical signs (termini), by which only empirical individual things are signified. Occam, e.g., is most inclined to identify an intentional concept

salia post rem), although it could acknowledge them very well as objective symbols or natural signs of reality.

Realism, in contrast with Nominalism, is often qualified as 'conceptual realism', which is not completely correct. Nevertheless it is true that — even in its moderate Thomistic form — it pre-supposes a final hypostasis in which the *νοῦς*, as the *νόησις νοησέως* and as the divine origin, is separated from the temporal coherence of reality in an absolute *χωρισμός*.

That on this moderate standpoint not only an existence *in rē* is ascribed to the substantial forms of temporal reality but, in addition, an existence *ante rem in mente divina,* was due to the accommodation of the Aristotelian metaphysics to the Augustinian doctrine of the Divine Logos. The *universale in rē* remains the formal component of the metaphysical *εἶδος* (the *essence*) of things giving matter its form, to which matter owes actual *being* ('forma dat materiae esse', as it is formulated in Scholasticism). The extremely realistic conception of PLATO's doctrine of the Ideas is rejected in orthodox Christian Scholasticism. Nevertheless, in the Scholastic doctrine of the 'formae separatae', the imperishable intelligences separated from all matter, the Platonic *χωρισμός*, the splitting up of reality into an independent noumenon and a material phenomenon, is again clearly revealed.

(Moderate) Nominalism is also based on a splitting up of the temporal meaning-coherence into a noumenon and a phenomenon. Seeing the great variety of forms it has assumed in the history of philosophical thought, it is extremely difficult to give a general characterisation of the nominalistic conception of the mutual relation between universale and real thing. We can only state that nominalism ascribes no other existence to the 'universale' than that of a concept in (human and eventually in divine) thought which lies outside the 'empirical reality' of things and can only be taken as a symbol of a set of individual things.

The scholastic doctrine of the logical intentional object.

In Scholasticism the logical subject-object relation has been paid great attention to in the theory of the intentional contents of concept and representation. The *universalia post rem,* as the essential forms, abstracted from things by logical *aphaeresis,* only have an 'esse intentionale' or 'esse objective' in moderate Realism. And then a sharp distinction is made between the *in-*

with the *actus intelligendi* [1]. The logical subject-object relation proper is thus detached from the temporal meaning-coherence of reality, both in realistic and in nominalistic Scholasticism, and opposed to temporal things as that which is *intended* in logical thought. A purely intentional logical object as such is no part of reality, it is only 'the intentional content of thought'. In this manner the important scholastic theory about the intentional logical object is indissolubly joined to the realistic or nominalistic view of reality of Scholasticism, based on the immanence-standpoint. We have found it to be absolutely incompatible with our Christian transcendence standpoint. The (Aristotelian) realistic conception unavoidably leads to the '*Abbild-theorie*' (the copy-theory) according to which the so-called 'intentio secunda' (i.e. the act of thinking exclusively directed to the abstract universale) grasps the logical copy of the materialized essential form of things in the intentional logical object. The moderately nominalistic conception of OCCAM, too, must have recourse to a copy-theory in order to head off absolute fictionalism. According to him the universalia as intended objects of thought can represent (supponere pro) an incalculable multiplicity of real individual things, only because they are no mere *fictions* of thought. They are rather images ('imago'), symbolical copies of the common features of things that show mutual resemblances. These resemblances must not be considered, however, as the 'substantial essential form' of things [2].

That is why we need not be surprised that after all Scholasticism could not conceive the '*Gegenstand*' of theoretical thought in the correct way. It could not give an account of *the limits*

[1] WILLIAM OF OCCAM, *Summa totius logicae ad Adamum*, I, 12 ed. Venet. 1522, fol. 6 r. A.

[2] *In Sent.* I. d, 2, q. 8 H.: 'Universale non est figmentum tale, cui non correspondet aliquid consimile in esse subiectivo..., non est figmentum, sicut chimaera vel aliquid tale'.

Ib. E. 'illud potest vocari universale, quod est exemplar et indifferenter recipiens omnia singularia extra, et propter illam similitudinem in esse obiectivo potest supponere pro rebus extra'. — and ib. F: 'Illud sit fictum... propter ista potest esse terminus propositionis et supponere pro omnibus illis, *quorum est imago vel similitudo*'.

temporal reality. But also in this latency it remains *possible* logical objectivity for the logical subject-function under the universally valid logical law-conformity.

The limits of logical objectivity.

within which logical objectification is possible. In realistic Scholasticism the *'Gegenstand'* is identified with the 'substance', and all the so-called 'transcendentalia': the concepts of being, of the unity, the good and the true, and the other 'transcendental concepts' of the 'philosophia prima', become *objects* of the actus intelligendi [1]. The question *what* these logical concepts are the objectifications of, cannot arise here, because logical objectivity is not conceived of in the temporal meaning-coherence of reality. In nominalistic Scholasticism the intentional object and the *'Gegenstand'* (*ἀντικείμενον*) of the logical function of thought are even *identified,* which has become the rule in Humanistic epistemology.

The logical object-side of temporal reality. The content and the object of a concept are not identical.

A satisfactory insight into the logical subject-object relation can be gained only if we try to understand also this relation from the temporal meaning-coherence of the modal aspects. *Temporal reality itself has a logical object-side.* This is the first fact that should be grasped. The logical object cannot coalesce with the intentional logical content of a subjective concept. Logical objectivity is not the same thing as a *being* that is *merely intended* in the logical aspect of this concept. The intentional content of the concept in itself remains subjective and is not even always related to logical objectivity. Take e.g., the so-called reflexive concepts, from which every kind of objectivity is deliberately abstracted. But apart from this, exception must be taken to the scholastic and the neo-scholastic doctrine of the merely *intentional existence* of the logical object, because in it the logical object-side of temporal reality in its necessary structural relation to logical subjectivity is denied. Consequently logical objectivity cannot be grasped in its cosmically founded modal structure.

It may be that not every subjective logical concept is related to logical objectivity, just as not every subjective psychical feeling is directed to an objective sensory phenomenon. But the logical object-function of reality is certainly related to subjective logical thought; it has no metaphysical existence in a 'thing in itself', but only exists in the logical subject-object relation. It must be disclosed by logical subjectivity, and without this disclosure it remains *latent, hidden* in the meaning-coherence of

[1] Cf. THOMAS AQUINAS. *Quaest. sup. Metph. I,* IV qu. 1 (Opera Omnia, Paris): 'Primum objectum intellectus est ens ut commune omnibus'.

To which of the modal aspects of reality is logical objectivity related in the cosmic meaning-coherence? In the first place to those aspects that serve as the substratum for the logical modus and whose objective analogies must be found in the logical object-side of reality. The pre-logical aspects become logically *thinkable* only in logical objectivity.

But for the logical object-side of reality the so-called 'natural sides' of temporal reality would remain *logically foreign* to us; we should not be able to form a concept of them, because they are not logically *founded*. The pre-logical aspects of reality must primarily be objectified by logical thought, i.e., the logical object-side of reality must be made *patent, manifest,* if we are to attain to *knowledge* of these aspects. Logical objectivity is, however, not a *creation* of a 'transcendental logical subject', but it is fitted into the temporal world-order as the objective logical aspect of reality. Logical thought would not be able to objectify anything logically, if reality had not been given a logical object-side in the Divine order of the creation. Logical objectivity is the objective connectedness of logical multiplicity into modal logical unity comprised in the systatic [1] meaning-coherence of reality. Outside of this meaning-coherence it could not exist. This objective logical systasis has no *subjective* analytical meaning, but it is the *logical object* of subjective analysis.

The element of truth in the so-called *'geisteswissenschaftliche Methode'*.

The limits within which it is possible to objectify anything logically are bound up with the retrocipatory structure of the logical law-sphere. This sheds a new light on the element of truth contained in the modern so-called *'geisteswissenschaftliche'* method in contrast with that of 'natural science'. Under the influence of Romanticism, and of HEGEL, the demand was made on the so-called *'Geisteswissenschaften'* [2] to detach themselves completely from the 'spatial', objectifying way of thought custo-

[1] This term will be explained in the second part of this Volume (cf. p. 431).

[2] Compare: *Prologomena,* Vol. I.

analysis. This relation is essential to the modal figure of a subjective right. The theory of subjective right still suffers from the lack of a proper analysis of the meaning of its *'Gegenstand'*.

The result is that the theoretical concept of subjective right is extremely uncertain and indeterminate. The classical Roman

mary in the natural sciences. The reason was that 'socio-cultural phenomena' were supposed to be knowable only by reflexive dialectic thought. DILTHEY replaced the latter by 'empathy'. In the light of our cosmonomic Idea this socio-cultural scientific method cannot be maintained [1]. The element of truth contained in it, however, is this: the post-logical aspects of reality cannot be *logically objectified* in the same way as the pre-logical ones.

The post-logical subject-functions and subject-object relations have doubtless an objective logical foundation which is structurally related to subjective analysis. But it has already appeared from the analysis of the modal structure of historical facts that they are not given in the manner of natural events and that they lack a natural delimitation in the objective sensory space of perception. The historical identity and diversity of cultural facts appeared to depend on historical imputation. These logical analogies doubtless pre-suppose an identity and diversity in the original logical sense which can only be conceived in the logical object-function of the concrete facts in which the historical functions are realized. But the objective-logical characteristics of the facts which in their historical aspect are to be conceived as a unity, distinct from other events, are only to be found in the anticipatory direction of theoretical analysis. They cannot be established but under the direction of the historical viewpoint, not by seeking for a foundation in the objective sensory space of perception. And an analogical state of affairs is to be observed with respect to the objective logical characteristics of the post-historical functions of real facts.

It is therefore not true that the so-called '*Geisteswissenschaften*' lack any logical objectivity. We may only say that their logical objectivity is quite different from that of the natural sciences.

In addition a sharp distinction should be maintained between the logical subject-object relation and the theoretical '*Gegenstand-relation*'. It may be that the latter pre-supposes the former, but an identification of these relations would cancel the fundamental difference between theoretical and pre-theoretical thought.

§ 6 - THE SUBJECT-OBJECT RELATION IN THE JURIDICAL ASPECT AND THE PROBLEMS OF SUBJECTIVE RIGHT.

Finally we want to subject the important subject-object relation in the *juridical law-sphere* to a preliminary meaning-

[1] Compare: *Prologomena*, Vol. I.

jurists conceived of subjective right as essentially an individualistic subjective volitive power without giving account of the *modal meaning-structure* of the latter. Though recognizing the subject-object relation in subjective rights they tried to approximate the latter one-sidedly from the subjective angle. And, in an individualistic manner, they considered the juridical subject as an in-dividuum. Only sporadically did they raise the problem of the juridical corporation (universitas) and inquired, how in the universitas a multiplicity of individuals becomes a subjective juridical unity. In order to solve this problem they had recourse to the Stoic construction of the *universitas* as a *corpus ex distantibus* (σῶμα ἐκ διεστώτων) [1] in which both the *universitates rerum* (a herd, a library, etc.) and the *universitates personarum* (the corporate juridical communities) were included.

This 'universitas' was looked upon as a multiplicity of individuals naturally existing without sensory-spatial points of contact as *corpora singula et unita* (σώματα ἡνωμένα) [2]. But these individuals were supposed to be combined in thought into a unity by means of a fictitious juridical bond and named by one word (uni nomini subjecta) [2].

Also the concept of the juridical object lacked a modal analysis of its meaning. According to the view held by the jurists the individualistic subjective power of the will determined the content of a subjective right in an entirely one-sided manner. This explains why the Germanic conception of an *objective juridical sphere of things* in which numerous subjective rights could be *vested* independent of the individual person entitled to them, was quite alien to the theoretically developed Roman ius civile and ius gentium.

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[1] Cf. e.g. POMPONIUS. 4. 30. D. 41. 3.

[2] Cf. SENECA, *Epist.* 102 (lib. XVIII, 2): 'Quaedam (corpora ex distantibus), quorum adhuc membra separata sunt, tanquam excercitus, populus, senatus, illi enim, per quos ista corpora efficiuntur, j u r e aut o f f i c i o cohaerent, natura diducti et singuli sunt.'

objects of other *jura in rē* or assume the existence of objectless subjective rights? The Roman jurists tried to avoid this dilemma by distinguishing between *incorporeal* and *corporeal things;* in this distinction the *rēs incorporalēs* were identified with sub- [illegible] rights. This led to the construction of 'rights to rights'.

The 'thing' concept with the Roman jurists.

Every sensorily perceptible thing capable of being the object of human volitional power was considered by the Roman jurists as a rēs, *a corporeal juridical object.* The fulness of right to this corporeal thing was the right of property, which was therefore often identified with the thing itself.

This primitive thing-concept was in the nature of the case insufficient to comprise the extremely differentiated juridical objects at a higher level of civilization. It already failed when a special right to a *pars pro indiviso* had to be understood.

For the rēs, — just as the juridical subject — was conceived as an isolated singularity without any internal multiplicity of juridical subject-object relations. GIERKE points out that, strictly speaking, for this reason a thing could not be the object of various subjective rights at the same time. In fact, there was essentially only one direct *ius in rē,* viz. the right of property. As the right of property included a thing in its totality entirely within the 'volitive sphere' of a juridical subject, it in principle excluded every other juridical will from the direct control over the same thing[1]. Only as rights of a special (and at bottom of a fictitious) character the *jura in rē aliena* did make their appearance. However, they could never wholly become *direct jura in rē,* because the right of property continued to intervene between them and the thing. That is why these rights were always considered more or less as an anomaly.

In the case of personal rights, the subject-object relation could not be entirely eliminated either, but here the juridical object was, as much as possible, absorbed by the personal juridical connection between the juridical subjects concerned.

The distinction between corporeal and incorporeal things in Roman jurisprudence.

The difficulties were increased when juridical objects are successively related to a plurality of *jura in rē,* e.g., in the case of a mortgage on an object of *usufruct,* whereas the *usufruct* itself rests on the object of property. Here the Roman jurists were confronted with a dilemma caused by the natural corporeal thing-concept used as the foundation for the concept of the juridical object: Should one deny the possibility of *jura in rē* to

[1] The origin of this exclusivistic conception of the dominium is doubtless to be found in the undifferentiated structure of the primitive Roman *familia* and the undifferentiated power of the pater familias.

a construction maintained up till the present day in modern continental European jurisprudence.

In itself juridical 'constructions' cannot have a scientific sense. They are technical means serviceable to the practical task of law-formation. As such they are only to be judged according to their practical goal and to the requirements of the legal order.

But from the scientific viewpoint of theoretical jurisprudence they are to be subjected to a theoretical analysis in order to lay bare the real juridical states of affairs to which they give a technical legal form. When we confront the construction of rights to rights with the modal structure of the juridical subject-object relation we must ask the following question: Does the juridical subject-object relation, implied in every subjective right, permit itself to be made in its turn into a juridical object of another subjective right? If the modal subject-object relation does have a super-arbitrary structure which is founded in the cosmic-temporal order of the modal law-spheres, this question is inescapable. It will be examined in the next paragraph.

Legal theory has given very little attention to the problem mentioned. To my knowledge the famous German jurist OTTO GIERKE was the first to subject the construction of rights to rights to a critical analysis. But this criticism has found little adherence in legal theory and GIERKE himself has not carried it through consistently.

In his analysis of the Roman construction of rights as *rēs incorporalēs* he observes that 'incorporeal things' can never be 'rights' as such but rather 'that part of the object-sphere of real things that has been affected by the right concerned and made into an object of the will' [1].

It is all the more astonishing that GIERKE, notwithstanding this insight, has relapsed into the current construction of subjective rights as juridical objects without any further attempt to justify it. One does not speak of a right of mortgage to the right of property. Why then speak, e.g., of a right of mortgage to a claim

[1] *Genossenschaftsrecht* II, p. 63: "...der von dem betreffenden Recht ergriffene und als Willensobjekt gesetzte Theil der Sachsphäre bestimmter Gegenstände".

HEGEL's theory of volitional power.

HEGEL conceived of subjective right as an individual volitional power. This theory, which had a great influence on the legal dogmatics of the 19th century, again starts from the conception

for debt? This theoretical obscurity may lead in practice to unfair consequences. Every Dutch jurist knows this when he compares the jurisprudence of the Dutch High Court of Justice (de Hoge Raad der Nederlanden) with regard to the so-called 'right of pledge on a claim for debt not made out to order' with the social juridical sense of this form of security [1].

The conception of subjective rights in the theory of natural law.

On tracing the development of the dogmatics of subjective rights we are struck by the increasing confusion caused by the lack of a genuine modal analysis of the juridical subject-object relation. The Humanistic doctrine of natural law adapted its theory of subjective rights to its Idea of freedom. But this Idea of freedom shows a dialectical tension with the construction of the sovereign power of the legislator by means of the mathematical method of the science-ideal. This is the reason why the adherents of this doctrine direct all their attention to the relation between the subjective rights and the positive legal norms enacted by the legislator. They do not care for the cosmic structure of the juridical subject-object relation. The character of the juridical object is not even mentioned any more.

According to HOBBES, PUFENDORFF and THOMASIUS *my own* right is all that has not been forbidden me. Another view (already found in GROTIUS) holds that *my own* right is all that other juridical subjects in relation to me are forced to respect on account of the legal order. The theory of absolute innate human rights, which was started by LOCKE, really placed these rights as an 'absolutum' entirely outside of the legal order. As soon as it was consistently thought out, this theory was bound to be destructive to the recognition of positive law as an order of norms. These radical consequences were actually drawn by the young FICHTE.

From this essentially un-juridical natural law conception are derived the notorious constructions of the rights to sleeping, to walking, to breathing, to living etc., which were taken quite seriously by the pandectists of the last century.

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[1] Cf. ASSER-SCHOLTEN: *Zakenrecht*, 7th edition, 1933, pp. 425 ff. According to the Hoge Raad the right of pledge on a claim for debt can only be realized by public sale of the claim. This means in fact a frustration of the right of pledge. In praxis this unacceptable consequence of the construction is escaped by stipulating in the pledge-contract an irrevocable authorization of the creditor to receive the amount of the claim directly from the debtor.

Like KANT, HEGEL considers justice as having its anchorage in the super-sensory *Idea of freedom* [1]. He gives a modal-historical content to this Idea in its realization in a legal order: with him justice becomes identical with *the Idea of ethical power* which is historically realized in the state as an ethical institution. In the legislative power of the body politic this Idea finds expression as a *universal competence,* and in subjective individual right as a *particular will-power,* as a *private competence.* Subjective right is the antithesis of morality, which antithesis is dissolved dialectically into a higher synthesis in the body politic as the incorporation of the true '*Sittlichkeit*' [2]. For the communal will of the state, in its conformity to the Idea of Justice, is at the same time the true will of its individual members, the citizens.

Just like KANT, HEGEL excluded from the concept of subjective right the *purpose* to which the will-power in subjective right is made subservient, viz. the satisfaction of the needs and inclinations of man.

The element of interest is thus eliminated from the concept of subjective right [3]. This view was adopted by the Historical School.

[1] *Grundlinien der Philosophie des Rechts,* §§ 29 and 41.

[2] HEGEL contrasts morality in its individualistic Kantian sense and '*Sittlichkeit*' as the ethics of the trans-personal community.

[3] This elimination of the element of purpose from the concept of subjective right was of great consequence for the later theory of the abuse of rights. In the footsteps of the sociological legal theory of the French jurist LÉON DUGUIT (a disciple of DURKHEIM) the French civilist JOSSERAND defended the thesis that abuse of right is always present when a subjective right (not belonging to the '*droits non causés*') is used in a way opposite to its social-economical purpose. This modern theory started from DUGUIT's conception of the 'droit social', which had no room for the classical idea of private civil law. It absolutized the specific juridical sphere of modern industrial law. DUGUIT maintained that civil law was to be transformed into 'social law'. JOSSERAND's theory, inspired by DUGUIT, was accepted in the first paragraph of the bolshevist Russian code of civil law.

In sharp contrast to this theory HEGEL defended the classical conception of civil law, according to which the positive determination of the specific purpose to which a subjective right is made subservient, is reserved to the private autonomy of man within the limits of the public interest of the body politic. If this conception is accepted the criterion of abuse of right can only be found in the absence of any rational in-

The distinction between *jura in personam* and *jura in rē.*

The consequences attendant upon this emancipation of the concept of subjective right from the juridical subject-object relation in the first place showed themselves in the break with the

VON SAVIGNY [1] and PUCHTA [2] both look upon subjective right as essentially the *particular will-power of the individual,* apart from the interest served by it.

The elimination of non-juridical interests from the concept of subjective right in *the theory of civil law* had indeed a good sense. But the Historical School also eliminated the *juridical* element of interest which, as we shall see, as an economical analogy, is essential to the modal structure of every subjective right.

This was bound to result in a disconnection of the subject-object relation inherent in the latter. Subjective right was supposed to be concentrated in the subjective power of the will (whose analogical character within the juridical aspect was lost sight of) and the point of gravitation was sought in the juridical relations between one person and another.

HEGEL could only recognize 'unfree nature' as an object. In its later development (LENEL, SCHLOSSMANN and THON, and later on also WINDSCHEID) the theory of will-power entirely relinquished the juridical object.

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terest whatsoever. It can never have the positive formulation given by JOSSERAND. In the third Volume we shall examine this conception in the light of the typical structure of civil law.

[1] VON SAVIGNY, *System des heutigen römischen Rechts* I, p. 7: "Betrachten wir den Rechtszustand, so wie er uns im wirklichen Leben von allen Seiten umgibt und durchdringt, so erscheint uns darin zunächst die der einzelnen Person zustehende Macht: ein Gebiet worin ihr Wille herrscht und mit unsrer Einstimmung herrscht. Diese Macht nennen wir *ein Recht* dieser Person, gleichbedeutend mit Befugniss: Manche nennen es das Recht im subjektiven Sinn." [When we consider the juridical condition as it surrounds and permeates us on all sides in real life, we first of all discover in it the power belonging to the individual person: a domain in which his will rules, and rules with our consent. We call this power *a right* of this person, of the same meaning as competency: Many people call it a right in a subjective sense.]

[2] PUCHTA, *Cursus der Institutionen* I, § 6: "Wir gebrauchen das Wort Recht:

1°. für den allgemeinen Willen, den Willen der Gesammtheit;

2°. für den Willen des Einzelnen, sofern er jedem allgemeinen Willen entspricht, für die Herrschaft oder Macht, die der Person über einen Gegenstand gegeben ist."

[We use the word right:

1°. for the general will, the will of a community;

2°. for the will of an individual insofar as it is in accordance with the general will, for the control (or power) given to the individual person over an object.]

earlier conception of the difference between *jura in personam* and *jura in rē*.

Von Savigny still tried to find a basis for this distinction in the difference between the objects of right (not conceived in the modal juridical meaning):

'Unfree nature', according to him, is the object of *jura in rē*; certain human actions are the objects of *jura in personam*. The juridical character proper of subjective right, however, he only found in the personal juridical relation as it is regulated by a juridical norm: 'every juridical relation appears to us as a relation between person and person, determined by a juridical norm' [1]. The earlier theory of will-power had not conceived the subject-object relation in its modal juridical meaning. It was therefore only consistent in the later will-theorists to abandon this relation altogether, when they distinguished between *iura in personam* and *jura in rē*. According to them a *jus in personam* was merely the volitive control over a person in consequence of a particular personal legal relation; a *jus in rē* was such a control over any other than the person entitled to it. They simply identified *jus in rē* and so-called *absolute right*, of which it was formerly held to be only a specimen.

The consequence of the elimination of the juridical subject-object relation is the cancelling of the concept of subjective right.

This elimination of the juridical subject-object relation was in reality only the result of a lack of theoretical distinction of its juridical meaning that had from the outset been characteristic of the theory of subjective right.

It now led to endless confusion between subjective right and juridical competence (in the sense of a juridical authority over persons), and in close connection with this obliteration of the boundaries, to *a complete merging of subjective right into the law-side of the juridical aspect*. The ultimate consequence was a radical abandonment of the concept of subjective right. This

[1] *System* I, 52: "jedes Rechtsverhältnis erscheint uns als eine Beziehung zwischen Person und Person, durch eine Rechtsregel bestimmt."

The volitional theory in its positivistic-psychologistic form.

When the irrationalistic-idealistic view of right of the Historical School was being overthrown by rationalistic positivism, the [illegible] gradually changed its character. Psychological

conclusion has been drawn in recent times, though from a different methodological starting-point, by KELSEN and DUGUIT and their followers. They look upon the concept of subjective right as merely a metaphysical residue of natural law.

From the beginning this radically negative result was favoured by an inner antinomy in the will-power theory that wished not to merge subjective right into the law-side of the juridical aspect. For this theory really conceived of subjective right as a kind of private authority over other juridical subjects, even in the merely *coordinate juridical interpersonal relations* of private civil law in which these juridical subjects are related to one another in *juridical equality*. That is why this theory immediately got involved in this difficulty: How can the subjective will of a juridical subject obtain authority over the will of a juridical subject coordinated with him, and as such impose obligations on the latter.

The historistic view of law which is of an irrationalistic origin, always tried to reduce the law-side of the juridical aspect to the subject-side conceived as a community or a group. To this view law is originally the irrationalistically conceived 'general will of the people' which receives its juridical organization in the State. Nothing was thus more obvious than identifying the will-power manifested in subjective right with *the will of the State as a juridical communal will.*

In the beginning the will-power theory did not draw this conclusion from its starting-point. It rather maintained HEGEL's point of view that the general will and the particular will, the will of the State and subjective right, remained dialectically distinguished from each other, although the latter was considered to form a dialectical unity with the will of the State. KIERULFF, for example, a Hegelian, and not an adherent of the Historical School, defined subjective right as 'the concrete unity of the will of the State and the individual subjective will' [1].

This is to say that the private subjective will-power over persons can only create obligations insofar as the latter are consonant with the positive juridical norms (as the general will of the State).

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[1] *Theorie des gemeinen Civilrechts* I, p. 154.

views ousted the idealistic-historical conceptions which at least had oriented volitional power to the normative Idea of freedom. A psychological idea of will was introduced into the theory of subjective right. So the latter got entangled in the familiar antinomies incident upon this concept of will with respect to the rights of new-born babies, madmen, sleeping people, and generally of those who acquire subjective rights without themselves knowing anything of them.

With the aid of *fictions* it was attempted to mask these antinomies. The positivistic theory of will considered both subjective right and the juridical norm to be a *psychological imperative.* But when thought out consistently this theory could not find any other commands in subjective right than those of the law-giver [1].

Thus BINDING's pupil THON retained nothing of subjective right but the 'claim' that the law-giver grants to the individual by permitting other norms to be enforced (the so-called secondary or sanctionary norms) in case the primary norms that protect him are infringed. These secondary norms aim at the primary norms being complied with, or at obtaining something that is equivalent to this [2]. If this reasoning was carried on in the same positivistic strain, there was no escape from resolving the pre-processual subjective right into the purely formal processual competence to bring in an action.

The theory of interests also eliminates the juridical subject-object relation.

Thus the volitional theory ultimately cancelled the concept of subjective right by eliminating the subject-object relation. The theory of interests introduced by RUDOLPH V. JHERING in the last period of his thought was no more able to resist the gradual theoretical merging of subjective right into a function of the juridical norm. With him this was due to an unjuridical conception of the interest-element.

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[1] Cf. A. A. H. STRUYCKEN: *Het Rechtsbegrip,* thesis, Leyden, 1903, pp. 82 ff.

[2] *Rechtsnorm und subjectives Recht,* p. 218.

juridical power over persons), because they neglected to analyse the meaning of the juridical subject-object relation.

The fundamental difference between juridical competence and subjective right. The content and the

V. JHERING, in an earlier period an adherent of the Historical School and its *theory of will-power*[1], subsequently called interest a *substantial* or *material moment* in subjective right. This interest depends for its juridical definition on a formal moment, viz. *the legal protection* given to it by the legal order. Since this juridical delimitation is only of a formal character and lacks any material determination of the meaning of law, it is of essential importance to know in what sense v. JHERING understands the moment of interest. He puts it on a level with the ideas of utility, a good, value and pleasure. The standard by which the legal order measures these concepts is, according to him, by no means exclusively an *economical* criterion, which v. JHERING moreover identifies very arbitrarily with money and monetary value. Capital is not the only thing that must be safeguarded by the legal order. There are other values of a higher order, i.e., of an ethical nature, viz. personality, liberty, honour, the bond of kinship, all of them things without which 'outwardly visible' goods would be valueless[2]. This means that v. JHERING turns 'interest' into a general concept which eradicates all modal boundaries of meaning. In addition, his theory of subjective right also eliminates the subject-object relation completely.

If one talks of a subjective right to personality, or to liberty, and denatures paternal authority (which is a juridical power over persons and not over objects) to a subjective right, as v. JHERING does, the concept of juridical object as a requisite for every subjective right is in principle given up. The legal order can in principle only protect *retributive* interests. A child has a *moral* interest in receiving its livelihood from its parents as a *gift of love,* and not merely as an object of its *civil right.* But the protection of this interest is something that in principle cannot be guaranteed by the legal order of the body politic, which v. JHERING considers as the whole of law.

v. JHERING, however, does not in any way define the meaning of his concept of interest. This defect has never been removed in the later so-called combinative theories which aimed at a compromise between the theory of volitional power and that of interests. Each of these theories has obliterated the boundaries between subjective right and competence (in the sense of a

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[1] *Geist des römischen Rechts* II, 1e Abt. p. 143 ff.

[2] *Ibid.* III, 1, p. 339/40.

object of a subjective right are not identical.

Competence does not belong to the subject-side but to the law-side of the juridical sphere. It is primarily *competence* to the *making of law*, and in general *juridical power over persons.*

Competence necessarily has a *juridical content,* but in principle it lacks any *relation to a juridical object.*

The content and the object of a subjective right coalesce no more than do the content and object of a concept, or of a subjective sensory image of perception. The competence of government, that of voting, paternal authority, the competence to perform private legal acts etc., are fundamentally *different from genuine subjective rights.* They have no juridical object. The prevailing theories about subjective right lack a clearly defined juridical concept of object. This appears, e.g., clearly from the combinative theory of the famous German jurist JELLINEK, who speaks of a subjective right of the sovereign to the juridical obedience of the citizens[1], thereby promoting a *legal duty* to the rank of a *legal object.* Once the fundamental boundaries between competence and subjective right are effaced, there are no longer any means to resist in principle the elimination of the concept of subjective right.

The volitional theory at first laid emphasis on the power of disposal on the part of the party entitled to it. By this it did not mean the disposal of *the object* of a subjective right, but that of *this right itself.* But *this* power of disposal cannot possibly be an integral part of a subjective right, let alone a subjective right as such, since the disposal of a right is really *a private act of law-making.*

The competence to transfer subjective rights is a competence to the autonomous formation of private law in concreto and has only its normal juridical ground and condition in the subjective right of the authorized party. It may be that in particular cases this competence is lacking, whereas the subjective right is doutbless present. In other words, competence and subjective right are different juridical powers which are normally connected with each other but are not identical.

[1] *System der subj. öffentl. Rechte* (2nd Edit. 1919), p. 86 ff.

Subjective right and reflex-permission.

By conceiving subjective right fundamentally apart from the juridical subject-object relation, the prevailing theories could not possibly find a tenable criterion to distinguish *subjective* [illegible] *reflex-permission.*

The identification of the juridical power to dispose of a subjective right as such with the power over the object of this right made it seem easy for THON to show that the faculty of disposition may also occur entirely detached from a subjective right.

He pointed, for instance, to the conveyance to a bona fide third party of fraudulently converted personal property. In virtue of an explicit provision of German private law this conveyance makes the third party the owner of the good. This argument was unsound [1], it is true, but it did not fail to make some impression. If on the other hand the theory of interests emphasized the *power of enjoyment* of the entitled subject, the un-juridical view of the concepts of interest and enjoyment immediately took revenge, so that it was easy for THON to carry to absurdity the doctrine that the power of enjoyment is essential to a subjective right.

The consistently Hegelian view in the will-theory had eliminated the element of interest from the concept of subjective right, and therefore was obliged also to cancel the power of enjoyment contained in that concept. This is what KIERULFF, HAELSCHNER and others actually did with the utmost rigour. Yet in the volitional theory, especially in WINDSCHEID, this consequence was by no means generally taken [2]. THON, as an adherent of this theory in its positivistic psychologistic form, did so with great penetration [3]. His criticism of the view he combats was all the more effective as the latter conceived of the power of enjoyment as the natural freedom to enjoy anything freely that has not been forbidden in the positive legal order. This unjuridical view, already defended in HOBBES' theory of natural law, had led to a great disturbance in the doctrine of subjective rights.

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[1] It mixes up juridical ground with juridical consequence (the causal analogy on the law-side of the juridical aspect). THON makes an attempt to prove the possibility of a private disposing power apart from a subjective right. This attempt can never be successful. The owner can convey the property on the *ground* of his subjective right. The person not entitled is exactly the one who possesses *no* competence to convey the property. If according to the Dutch Civil Code art. 2014 the property in a fraudulently converted movable is transferred to a bona fide third party who has got the possession, it is only in virtue of the *law* which applies the juridical principle of the protection of good faith to this case.

[2] *Pandekten*, 167, 179, no. 5.

[3] *Rechtsnorm und subjektives Recht*, pp. 288 ff.

The interest-theory was especially obliged to seek such a criterion, as its concept of interest was perfectly unjuridical.

A manufacturer may have an interest in an act increasing the import-duties on goods competing with those produced by him. But this does not mean that he has a mysterious subjective right to the execution of the act. In the elective public function no doubt personal interests are involved, but this does not make it a subjective right. VON JHERING, who was presumably the first to pay attention to the difference between subjective right and reflex-permission, sought the criterion in the legal protection (the action in a material sense).

But not every interest protected by an action is a subjective right! We may refer to the old actio popularis in Roman Law, to the administrative action ex art. 58 of the Dutch Civil Servants Act 1929 allowed to the official on account of 'détournement de pouvoir' of his superiors (abuse of power), to the action for divorce, etc. Neither can one find a criterion in the restriction that the action must have been allowed in the preponderantly individual interest of the person concerned. In the case of the civil servant mentioned above his personal interest is no doubt involved in the administrative action in a preponderant way.

But where can one find a subjective right that would have been infringed in the case of a civil servant being transferred by his superiors to another department of the administration, not for reasons concerning the service but because of sheer personal rancour? And the conclusive proof that the above-mentioned criterion is wrong was already to be found in the interdicts of the Roman law of possession. These interdicts even protected the thief against any act of force undertaken by the subjectively entitled person on his own account. Possession as such, in contradistinction to property, is not a subjective right at all. In every respect the theory of subjective right appears to come to grief, if it does not conceive of subjective rights in the juridical subject-object relation.

So I may now submit the synthetical formulae for the concept of the juridical aspect on its law-side and its subject-side, which should be taken in strict correlation with each other.

1°. The modal meaning of the juridical aspect on its law-side

§ 7 - THE JURIDICAL SUBJECT-OBJECT RELATION AND THE LIMITS WITHIN WHICH JURIDICAL OBJECTIFICATION IS POSSIBLE.

The modal meaning of the juridical object.

How are we to conceive the juridical subject-object relation? In the first place full emphasis should be laid on the fact that this relation is by no means exclusively bound to the figure of subjective right.

There are also 'objective juridical facts', such as, e.g., (the juridical aspect of) the burning-down of a house, the damage caused by a hailstorm, etc., which stand in a juridical subject-object relation to juridical subjects (e.g., the proprietor, the insurers and the insured). They are *dependent* juridical facts that have no juridical meaning outside their connection with *subjective* juridical facts (e.g., an insurance contract; a tort; etc.) Without this modal subject-object relation no juridical object-function is possible. In the juridical relation of a subjective right the juridical object is the object of a subjective legal power of disposal and enjoyment, and the latter is regulated by juridical norms on the law-side. It is of the utmost importance to conceive of a juridical object in a truly modal juridical sense as related to the subjective power of disposal and enjoyment of the subjectively entitled person. Otherwise one will not be able to avoid the errors discovered in the theories discussed in an earlier context. A juridical object can only be found in the juridical object-side of concrete reality. It can never be identical with the full reality of a thing, nor with an object of sensory perception, — a view held by the Roman jurists in their concept of the '*res corporalis*'. The juridical object can only be conceived in the modal meaning of retribution. It is nothing but a modal function, and this function is determined by the modal structure of the juridical subject-object relation. This state of affairs does not detract from the fact that the modal object-functions and the juridical subject-object relations in which they function are individualized in the typical structures of individuality.

In previous examinations we have already referred to the arithmetical, the spatial, the kinematic, the physical, the psychical, the logical, the historical, the lingual, the 'social', the economic and the aesthetic retrocipations in the retributive aspect [1].

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[1] Cf. pp. 128 ff, 134 ff, 136 ff. of this Volume.

positivized from super-arbitrary principles and having a particular, signified meaning, area and term of validity.

In the correlation of the inter-personal and the communal functions of the competency-spheres these norms are to be imputed to the will of formative organs, and they regulate the balance in a multiplicity of inter-personal and group-interests according to grounds and effects, in the coherence of permissive and prohibitive (or injunctive) functions by means of a harmonizing process preventing from any excess, *in the meaning-nucleus of retribution.*

2°. The modal meaning of the juridical aspect on its subject-side is: the multiplicity of the factual retributive subject-object relations imputable to the subjective will of subjects qualified to act, or per repraesentationem to those not so qualified. These subject-object relations are bound to a place and a time, in the correlation of the communal and the interpersonal rights and duties of their subjects. In their positive meaning — in accordance with (or in conflict with) the juridical norms —, these subject-object relations are causal with respect to the harmonious balance of human interests *in the meaning of retribution.*

In these definitions all the retrocipatory moments in the modal structure of the juridical aspect have been summarized and qualified by the juridical nuclear moment of retribution.

The juridical object in the legal subject-object relation is no arbitrary construction of thought. No more is the juridical subject, but both are modal functions strictly bound to the cosmic temporal order, and they can only be understood from the modal structure of the juridical modus whose two-fold theoretical definition is given above.

The cosmic boundaries of the possibility of juridical objectification. The economical and historical analogies in the juridical object-function.

Legal theory should in the first place be aware of the fact that the juridical object-function is strictly bound to an economical analogy. It is not true that everything can be made into the juridical object of a subjective right. This is only the case with

and duties of decent behaviour in their original modal sense. For in this case it would be impossible to maintain the retributive balance between the juridical interests: the rights of creditors might be completely frustrated if every moral or 'social' duty to

things which have the economic function of relatively scarce goods serviceable to human needs and therefore capable of frugal administration. Neither the free air, nor natural organic functions like breathing or sleeping can, as such, be objects of subjective rights. In the second place the historical retrocipation in the modal structure of the juridical subject-object relation implies a fundamental restriction of the juridical object-function. Things which in the present state of human culture are not controllable by cultural activity cannot function as juridical objects of human rights.

The juridical power of disposing is necessarily founded in the possibility of cultural control. Therefore HUGO GROTIUS in his famous book *Mare liberum* denied with good reason the claims of England to the propriety of the open sea, just as in his earlier treatise *De jure praedae* (ch. XII) he denied the same claims of Portugal. A subjective right implies a retributive interest of the entitled subject. But a claim to juridical power over the open sea which, as such, is neither controllable nor economizable by a single people exclusively, is excessive in a retributive sense. Consequently, it cannot be based upon a retributive interest; in international law it has never been aknowledged. This question is indeed to be discussed apart from political prejudices. It is susceptible of a scientific examination in the light of the modal structure of the juridical subject-object relation.

Apart from the figure of subjective right, the juridical subject-object relation is also bound to the economical and historical analogies in the case of objective juridical facts.

Natural events which have no actual objective function in relation to human culture and economic valuation, cannot function as objective legal facts in relation to juridical subjects.

The possibility of moral and pistical anticipations in the juridical object-function.

Particulary interesting is the question whether post-juridical modal subject-functions and subject-object relations may be objectified in the anticipatory spheres of the juridical law-sphere.

This philosophical problem has become of actual consequence in Dutch jurisprudence since in 1926 the Hoge Raad (High Court of Justice) decided that obligations of morality and decent behaviour may found a natural obligation in the sense of civil law. It is quite evident that there can be no question here of moral duties

financial support of our neighbour would be accepted as a natural obligation in the sense of civil law.

Apparently we are confronted here with moral anticipations in the juridical subject-object relation. There is question of morality in the anticipatory sense of retribution, so that its obligations remain subject to fundamental retributive principles of balance and harmony between the different interests of juridical life.

The object of a natural obligation participates in this anticipatory structure of the juridical subject-object relation, because its juridical meaning is dependent upon the subjective legal relation between the persons concerned in the obligation.

There also exist juridical obligations which are typically *qualified* by a moral relation of love. So for instance the natural juridical obligations between the husband and his wife, between parents and children, which exceed the boundaries of civil law.

In the same way juridical obligations may be typically qualified by a relation of faith. This is the case with the internal ecclesiastical legal relations. In all these cases the juridical subject-object relation shows an anticipatory structure.

The construction of rights to rights.

We shall now return to the question whether the subject-object relation, implied in every subjective right, in its turn permits itself to be made into the juridical object of another subjective right.

In my opinion, the construction of rights to rights, quite apart from the question as to what consequences ought to be connected with it by the legal order, may indeed correspond to real juridical states of affairs. When GIERKE says that the real object of a right can only be the specific object-sphere of the rēs affected by this right, this is doubtless correct. But a *jus in rē* may indeed be vested in an immovable in such a way that it is independent of the particular person entitled to it, and remains valid even when the latter is temporarily lacking. This state of affairs is found, e.g., in the so-called "*Reallasten*" of Germanic law.

It is doubtless true that, as long as the entitled subject is not determined, the right cannot be actualized.

medieval society juridical authority over persons could doubtless be the object of a private subjective right. The so-called regalia were conceived as *rēs in commercio*; they had an economical value not only because of their private proceeds, but also because the social honour connected with the private possession

But it remains inherent in the immovable. It is really objectified in the latter. There is nothing in the modal structure of the juridical subject-object relation which prevents the making of such an objectified right itself into the object of another right, for instance of a right of mortgage.

Both the cultural and the economical retrocipations are doubtless present in the *"Reallast"*. It is indeed a juridical objectification of a cultural and economical interest and, as such, the incorporation of a retributive interest: it is an objective juridical sphere in the immovable related to the right into whose object it has been made.

In this objective sphere of juridical power the original juridical subject-object relation is maintained. This is not contradictory. It has appeared that also in an objective sensory perceptual image, subject-object relations may be implied, for instance in the objective perceptual image of a mother-bird feeding its young ones [1]. The subject-object relation between the birds and their food is essential even in its sensory objectification.

It is true that we are confronted here in the first place with the sensory objectification of a biotic subject-object relation. But in this context we have referred to the implicit character of the objectification [2]. In the instance concerned there is also a psychical subject-object relation between the birds and the food, which is implicitly objectified in the sensory perceptual image of the mother-bird feeding its young ones. In this image one can observe how the young birds perceive the food. In other words the objective sensory perceptual image also implies a sensory objectification of subject-object relations between sensory animal perception and the food as object of this animal perception.

So it appears that modal subject-object relations may even be objectified in the law-sphere in which they function. If this is correct there is nothing surprising in the fact that in the juridical law-sphere rights may become objects of other rights.

Our enquiry into the possibilities of juridical objectification can be continued by asking whether a competence implying juridical authority over persons is to be made into the object of a subjective right. This question is of great importance with regard to the problem of the so-called public rights.

In the undifferentiated state of the secular under-structure of

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[1] Cf. p. 374 ff. of this Volume.

[2] Cf. p. 373.

of a juridical authorithy over persons was a desired good.

Since the rise of the modern state, as an institution of public interest, as a rēs publica, connected with the general process of social differentiation, no single juridical authority over persons can be the object of a private right.

If there are public rights to be acknowledged, their subject cannot be a private person, but only the body politic and its parts.

In this respect there is no difference between states under monarchical and those under non-monarchical government. In a real state, in contradistinction to the undifferentiated feudal regnum, the person invested with the royal office cannot have a private right to this office notwithstanding the fact that the kingship may be hereditary and the succession to the throne is regulated in the constitution. The public office of kingship is never an object, neither of a private nor of a public right. The person who, according to the constitution, is called to the throne, has only a public claim to the kingship, which in principle lacks the character of a subjective right. But the person of the King has doubtless a subjective right to the royal income and to the use of the royal palaces, and these rights have a public as well as a private aspect.

In the object of public rights there must also be present a juridical objectification of cultural and economical interests, but these interests may not be of a private character. In this sense the state has a public right to taxes, to public rivers and roads etc. But it is meaningless to speak of a public right of the state to the obedience of its subjects, as does GEORG JELLINEK.

The legal duty of obedience does not function in a juridical subject-object relation, in which the obedience is the object of a legal duty and of a corresponding right.

Obedience as such is only subjective behaviour in conformity to legal norms. It is the *content*, not the *object* of a legal duty.

No more can the parental legal authority over infants in a differentiated society be a subjective right, nor the object of a subjective right of the parents.

It lacks, as such, a juridical object, and is only a legal relation between subjects, an office inherent in the institution of the

exist without its substratum of a cultural and economical interest. For it refers to the subjective power of disposal and enjoyment in the meaning of retribution.

Juridical power of disposal and enjoyment is only possible [illegible] objects that are juridically *assignable* on the

natural family. Quite different was the legal figure of the *patria potestas* in the ancient Roman domestic community, which was not a natural family but rather a primitive undifferentiated community. This undifferentiated domestic power of the paterfamilias was indeed at the same time an office and a subjective right of propriety implying the legal faculty to sell the children subjected to the patria potestas.

It cannot be explained from the natural structure of the family, and should be sharply distinguished from the natural legal authority of the parents over their infants. Therefore it is very confusing that the latter is usually conceived by legal theory as a subjective right.

It should always be borne in mind that in the subject-object relation implied in a right the object can only be a juridical objectification of a cultural and economical interest. This gives the concept of subjective right its natural restriction.

The cosmic boundaries of the possibility of juridical objectification and the juridical meaning of slavery.

This is also important for a true insight into the meaning of *slavery*. Never can the full personality of a human being, or even his subjective moral and faith-functions as such, be *juridical objects*. On this the Christian Church has laid emphasis from the outset, also when it could oppose the institution of slavery only indirectly [1].

For this reason STAMMLER's opinion that slavery makes human personality as such a juridical object, is untenable even in a *juridical* sense.

The juridical object in itself is no more a cultural and an economic interest than an objective psychical perceptual image is identical with the pre-psychical aspects of a thing perceived. But a juridical object, such as the object of a subjective right, cannot

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[1] Cf. e.g. LACTANTIUS, *Div. Instit.* 5, 15: 'nam cum omnia humana non corpore, sed spiritu metiamur, tametsi corporum sit diversa condicio, nobis tamen servi non sunt, sed eos et habemus et dicimus spiritu fratres, religione conservos." [for, since we judge of whatever is human by spiritual and not by bodily standards, they are no slaves to us. And although their bodily condition may be different, we not only *hold* them to be brothers in a spiritual sense, and fellow servants in religion, but we *call* them so too.]

In his *De benef.* 3, 20 ff also SENECA had declared himself against the extension of slavery to the 'spiritual'. But in other writings, he speaks in a quite different strain! (e.g., *De ira* 3, 10, 4; 3, 37, 2).

with respect to objects that are juridically [illegible]
basis of their capability of being objects of cultural control and of economic valuation and allotment. And this is not possible with regard to human personality as such.

The so-called rights of personality and the juridical subject-object relation.

It might be objected that this view is in danger of neglecting the whole of the modern development, which has come to recognize personality rights by the side of property rights. But this argument is due to a misunderstanding.

It can hardly be denied that in the 'personality rights' recognized by Dutch law, — viz. the rights to a patent, to a trademark, copyright, and the right to a trading-name, — an economic interest of the party entitled has been objectified juridically. This does not alter the fact that there is indeed a basis for refusing to put the so-called 'personality rights' on a level with the property rights. A correct distinction between them can only be made insofar as these personality rights are characterized by a special kind of subject-object relation. For, quite unlike the property rights, they are related to the individual personality of their subject.

This is no reason to proclaim the personality itself the object of these rights. It is not even a reason to split copyright and the right to a patent into two dissimilar subjective rights, viz. an 'individual right' to one's own personality, and a 'right to immaterial goods' in the sense of a real right to a creative idea or invention. This is what the famous German jurist KOHLER does. But he overlooks the fact that the objectified product of the mind is the only possible *object* of a copyright or a right to a patent, and remains indissolubly bound up with its individual maker or inventor, in contradistinction to other juridical objects. It remains *his* creation or invention, although others may make use of it on certain conditions, and even acquire real rights to it. It must be immediately granted that modern civil law protects the individual personality in the 'personality rights' in a special way. But the special legal protection of the personality as such, without any demonstrable real juridical object, does not require

an impossible subjective right to personality. This appears from the way in which the Dutch Civil Code accords protection to a person's reputation and to his life. The same course might be taken to protect a person's name, portrait etc. while dropping the requirement of guilt on the part of him who encroaches upon this protected sphere of personality. In this way there is not any need of the construction of a subjective right.

The theory of personality-rights tries to make the personality itself an object of subjective rights[1]. This idea is merely inherited from the doctrine of the innate fundamental rights of man, one of the most famous chapters of Humanistic natural law since LOCKE and CHRISTIAN WOLFF. But, as remarked above, this natural law construction of subjective right lacked any orientation to the juridical subject-object relation.

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[1] Cf. e.g. GIERKE's definition: 'Personality-rights we call rights safeguarding their subject the control of a part of his own personality-sphere. By this name they are designated as 'rights to one's own person', and consequently distinguished from all other rights by referring to the peculiarity of their object.' ["Persönlichkeitsrechte" nennen wir Rechte, die ihrem Subjekte die Herrschaft über einem Bestandteil der eigenen Persönlichkeitssphäre gewährleisten. Mit diesem Namen werden sie als "Rechte an der eigenen Person" gekennzeichnet und somit durch den Hinweis auf die Besonderheit ihrer Objektes von allen anderen Rechten unterschieden"] *(Deutsches Privatrecht,* p. 702).

Cf., however, also op. cit. p. 765 where GIERKE admits with respect to copyright that the objectified *"Geisteswerk"* (intellectual product) is an object proper, insofar as it remains the personal property of its maker *(Persönlichkeitsgut seines Schöpfers)*. A younger adherent of GIERKE's theory, REINHARDT, however, in his inaugural oration, delivered in the University of Cologne on: *Das Persönlichkeitsrecht in der geltenden Rechtsordnung* (1931) considers the object of such rights as copyright and the right of patent to be the characteristic of man's personality in contradistinction to 'goods of the outerworld'. According to him it is not the objectified work of an author or of an inventor that is the true object of copyrights and rights of patent, but the essence *(Wesenheit)* of the originator (*"Urheber"*) which expresses itself on its account. I would modestly ask where in this case the *subject* of these rights must be sought. Perhaps *outside of* the *"Wesenheit des Urhebers"* (the originator's essential being)?

CHAPTER VII

THE PROBLEM OF INDIVIDUALITY WITHIN THE MODAL CADRE OF THE LAW-SPHERES.

§ 1 - THE MODAL FUNCTIONS OF INDIVIDUALITY AND THE GRADATIONS OF THE MODAL INDIVIDUALITY OF MEANING.

The problem of individuality is a fundamental question of empirical reality and as a *structural* problem it cannot be discussed before the third volume. In our analysis of the modal structure of the law-spheres, however, it appeared necessary to consider the *modal individuality of meaning,* because in its functional character it belongs to the theory of the modal-spheres. In the structure of the law-spheres the problem of individuality presents itself as the problem of the *functional* or *modal individuality of meaning.* There would be no internal connection between the theory of the modal spheres and that of the typical structures of individuality, if the modal-structure of the former did not itself refer to the structures of individuality. In that case our philosophic inquiry would fall asunder into two absolutely separate parts. But our earthly cosmos does not consist of two separate worlds, one of the modal law-spheres and one of individual things.

The modal-structures lie at the foundation of the structures of individuality and are individualized by the latter. But how is it possible for the modal meaning of a law-sphere to express itself in such a wealth of functional individuality, whereas it is always the same modality in all kinds of individualization?

The distinction of juridical facts according to the modal structural moments of juridical meaning.

For instance, the primary modal meaning of the juridical law-sphere is always the same in all juridical norms, on the law-side, as well as in all subjective and objective juridical figures, on the subject-side. And yet, this modal meaning is expressed in an incalculable number of meaning-individualities within the legal sphere. This will appear from a comparison of the various

analogy of the juridical aspect on its law-side, in its insoluble coherence with juridical competency. In our summary analysis of the historical aspect we have seen that this moment can be discovered on the law-side of all the post-historical spheres and is typically interwoven with the subject-side [1].

subjective juridical facts according to their juridical-functional content. Juridical systematism tries to classify this modal individuality according to a gradually descending scale from general to more particular concepts. This exterior method of classification at any rate pre-supposes some gradation in juridical individuality itself.

A method derived from the theory of the modal spheres should start from the modal structural moments of the juridical sphere itself.

We have seen that the modal subject-object relation requires the distinction between subjective and objective juridical facts, the latter always functioning dependently. A fire caused by a stroke of lightning, e.g., can obviously function in the juridical aspect of reality only as an objective dependent juridical fact. It can only be attended by juridical consequences in connection with the legal relations between juridical subjects.

As such it is a dependent incomplete juridical fact, as its objective juridical meaning always depends on possible subjective juridical relations.

On the other hand a contract of sale or a marriage settlement are undeniably subjective complete legal facts; in the former juridical subject-object relations are contained from the start.

In this general fundamental distinction the modal individuality of meaning does not yet play a part. No more is it relevant to the distinction between lawful deeds and delicts.

This distinction is oriented to a logical analogy (lawfulness and unlawfulness) in the modal meaning of the juridical sphere [1].

Also the distinction between law-making volitional declarations and such that have merely a subjective legal content (as for instance serving a summons upon a certain person), is no more than a modal structural distinction. It is apparently intended in the German general theory of law in the strange opposition of "*Rechtsgeschäfte*" and "*Rechtshandlungen*"; but here the real legal states of affairs to which the distinction refers, is fundamentally misinterpreted. In fact, a law-making volitional declaration is related to a particular retrocipatory moment in the modal structure of the juridical law-sphere, viz. that of law-formation [2]. The formative moment is found in the *historical*

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[1] We have seen that this distinction ultimately refers back to the principium contradictionis in the analytical modus.

[2] In the positivistic general theory of law this distinction lacks a

The typical structures of juridical facts in which the modal distinctions are individualized.

Things are quite different when theoretical jurisprudence and the legal order itself start classifying the juridical facts after specific types, e.g., criminal delicts in manslaughter and murder, arson, theft, perjury, etc. and then try to include these types under more general heads (crimes against bodily security, crimes against property, etc.). At this point we are face to face with the modal meaning-individuality. It may be that the latter is determined by the modal meaning-structure of the juridical aspect, but the meaning-individuality is not to be inferred from the modal structure in an *a priori* way. It is clear that typifications and classifications like those mentioned above can never hit off the absolute individuality of a *juridical casus*. They are founded on a theoretical abstraction that is only possible at a higher historical level of culture in which law-making is really in need of a scientific juridical foundation.

In any case the individualizing of the modal sphere appears to show gradations. It tends to the pole of complete subjective individuality where no two juridical facts are the same.

When this pole has been attained, we become definitively aware of the impossibility of reducing the factual subject-side of the juridical aspect to the law-side.

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scientific foundation. It is due to the introduction of a psychologistic concept of will in theoretical jurisprudence. The criterion is whether or not the 'psychical will' is directed to the juridical consequences! But our provisional analysis of the modal structure of law has shown that the juridical volitional function is quite different from the psychical function of the volitional act. Besides, this distinction disregards the law-making character of the so-called *'Rechtsgeschäfte'* (contracts etc.).

[1] This view is of fundamental importance to the theory of the sources of law. The so-called formal sources of law, such as laws and ordinances, contracts, treaties, etc. prove to be only subjective juridical *forms* (that is to say legal volitional declarations) in which the positive juridical norms come into existence; they are only dependent moments in the complete concept of a source of law. Positivistic formalism, however, identifies these forms with the sources of law.

indeterminateness is of no consequence for philosophy. If primacy was ascribed to the matter-motive, individuality was conceived as a guilt which must be reconciled by the dissolution of individual beings.

Matters are entirely different in the light of our Christian

True structural concepts of individuality can never be acquired by means of the current method of gradual abstraction.

The classificatory method exemplified here, in which one makes use of generic and specific concepts, remains within the cadre of the concept of modal function.

But it is no more possible to acquire true *structural* concepts of individuality by means of the current procedure of gradual abstraction which neglects the cosmic order of time than we can obtain theoretical insight into the modal structures of the law-spheres in this way.

Hence: In a merely functional concept of meaning-individuality, acquired by a procedure of gradual abstraction, one cannot grasp the structural individuality of reality according to its juridical aspect. Neither can the individualization which a modal aspect shows within a (typical) structure of individuality be inferred from the modal meaning-structure. Where then can we find the bridge leading from the modal meaning-structure to the immense wealth of the modal individuality of meaning?

This problem has a strong appeal to philosophy and at the same time it has great profundity.

§ 2 - THE ELIMINATION OF THE MODAL MEANING-INDIVIDUALITY IN THE FORM-MATTER-SCHEME OF IMMANENCE-PHILOSOPHY.

The problem could not be solved, if the modal structures and the typical structures of individuality had no common root.

The old problem of scholastic rationalistic metaphysics in its 'realistic' attitude, viz. the question: What is the *principium individuationis?* is insoluble and internally contradictory. This metaphysics started from the dialectical Greek form-matter motive which prevents the insight into the radical individual concentration of temporal reality in the human I-ness.

So the dialectical problem was born as to whether individuality originates from the essential form or from the matter of natural substances. If the latter solution was accepted the form in its pure essence was conceived of as a *universale* which can be only individualized by matter. But this individualization contradicted its ideal character. If the first solution was chosen the form seemed also to be deprived of its ideal nature.

In Greek metaphysics individuality was depreciated in principle. If religious primacy was ascribed to the form-motive individuality was conceived of as an *apeiron,* which in its ultimate

cosmonomic Idea. According to the latter there cannot be in creation any dialectical tension between the *universal* and the ultimate *individuality* of things and events. The *universal* is inherent in the law-side, the ultimate *individual* is essential to the subject-side of our earthly cosmos, in a strict correlation of these two sides of creation. This correlation is maintained in the religious root of our empirical world. Consequently there can be no question of a depreciation either of the individuality of factual things and events or of the universal trait inherent in the Divine order of laws.

In Christ, the root of the reborn creation, the transcendent *fulness* of individuality has been saved. The 'corpus Christianum' in its radical religious sense is not a colourless conceptual abstraction without any individuality. Rather it is, according to the striking metaphor used by ST. PAUL, a religious organism in which the individuality of its members is ultimately revealed in all its fulness and splendour. Individuality, in other words, is rooted in the religious centre of our temporal world: all temporal individuality can only be an expression of the fulness of individuality inherent in this centre. However obfuscated by sin, it springs from the religious root. If the modalities of meaning are temporal refractions of the religious fulness of meaning, then the fulness of individuality must also be refracted prismatically within the modal aspects, and temporal individuality must be diversified in all the meaning-modalities.

The modal meaning-structure can only function in the temporal coherence of the law-spheres. Therefore the modal individuality of meaning can only be understood from the temporal coherence of all the modalities of individuality.

The insight into the transcendent-religious root and the immanent cosmic meaning-coherence of the modalities of individuality necessarily implies that there is not a single law-sphere that may be considered as the exclusive origin of individuality. The cosmonomic Idea also here proves to be of universal and fundamental importance to the sense in which philosophical problems are understood.

On the immanence-standpoint it is impossible to recognize the

tic views on individuality in detail in our treatise on the Thomistic substance-concept and the idea of the structure of individuality, published in the review *Philosophia Reformata*[1]. In the present context we restrict ourselves to giving a short outline of the views concerning individuality in the cadre of the

modal all-sidedness of individuality. It is immaterial whether in a rationalistic way individuality is degraded to a phenomenon, or, conversely, whether it is absolutized in one of its aspects (e.g., the psychical, historical, aesthetic, ethical modus) in an irrationalistic conception. In both cases the insight into the radical sense of individuality and into its true relation to the universal character of law is lost sight of.

Nominalism in its older as well as in its more modern varieties may assert that all things are individual in themselves and on their own account, and that the universal is only a subjective abstraction in the human mind. But Nominalism must do the same thing as Realism did, though in the opposite direction, viz. it must eliminate the cosmic coherence of meaning and enclose the true reality of things in certain meaning-aspects. On this standpoint the insight into the modal all-sidedness of individuality is equally impossible.

The ultimate cause which prevents immanence-philosophy from doing justice to individuality is always to be found in the dialectical character of its religious basic motives. Not only the Greek form-matter motive but also the modern Humanistic motive of nature and freedom are involved in a dialectical tension between the *individual* and the *universal* in the point of departure of the philosophic view of reality.

Thus in all immanence-philosophy the richness of meaning of individuality revealed in the modalities of the law-spheres has to suffer from a process of schematic impoverishment.

This impoverishment is most clearly manifested in the metaphysical and in the modern critical *form-matter-scheme.*

According to ARISTOTLE the *substantial form* of a natural being, as such, lacks individuality and must be combined with matter into a *σύνολον (τόδε τι)*. The 'principium individuationis' is only to be found in 'matter' in its quantitative potentiality [1].

THOMAS AQUINAS seeks the principium individuationis in a 'materia signata vel individualis' [2] a conception that frankly contradicts his scholastic Christian view of individual immortality of the rational soul as form and substance. In order to save the latter he had to take refuge in the hypothesis of *formae separatae* that were individualized by their having been created in proportion to a material body. We have discussed the scholas-

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[1] *Met.* XII 8, 1074 a. 33.

[2] *Summa Theologiae* III, qu. 77, 2.

critical form-matter-scheme of Kantianism.

Individuality in KANT's form-matter-scheme.

KANT seeks the seat of individuality in the sensory matter of experience. The schematized logical forms of thought only determine the latter in a universally-valid and formal way. Only a divine 'intuitive' intellect (LEIBNIZ's 'intellectus archetypus') could know *a priori* the specification in the reality of nature.

Material creation of reality by the intellect and teleological creation are one and the same according to KANT. For what the understanding creates, it creates in teleological adaptation to its concepts. The view of nature as the work of a divine intellect is thus necessarily *teleological.*

Already in the *Kritik der reinen Vernunft* KANT inquires after the transcendental structure of individuality when he discusses the regulative use of the theoretical Ideas. He tries to find this transcendental law, which he calls the 'law of specification', on the basis of the ancient logic of subsumption, i.e. by descending from the abstract universal to the more and more specific (genus, species). Logic expresses this as the relation between the extension and the contents of concepts. The principle of specification is then viewed as a regulating rational principle of the systematic unity of theoretical thought. It requires the understanding continually to particularize its notions and to penetrate to the remaining diversities from which abstraction was made in the higher generic and specific concepts.

This transcendental principle of specification as such *(Grundsatz der Varietät des Gleichartigen unter niederen Arten)* [2] is connected with two other regulative principles viz. that of homogeneity or the principle of the similarity of the manifold (individual) under higher genus concepts, and the rule of the continuity of the forms resulting from the combination of the former two principles.

The principle of the continuity of the forms results from the

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[1] Phil. Ref. 15, Year 1950, p. 66 ff.

[2] i.e., the rule of variety in the similar among the lower kinds.

perience, as KANT asserts, it can have no functions in the *modal meaning* of law-spheres. In itself it remains a meaningless ἄπειρον. Finally it must be conceived negatively as the lack of transcendental-logical determinateness, as the limit to theoretical thought. KANT's law of specification as such remains an *a priori*

completion of the systematic coherence in the Idea both in ascending to higher generic notions and in descending to lower specific concepts. Then all individual multiplicities are interrelated insofar as they originate from one single highest genus through the total of all the degrees of further determination [1].

In the *Krit. d. teleol. Urt. Kr.* this view is worked out in detail (cf. our critical analysis of this view in Vol. I, p. 385 ff.).

Summarizing, we can say that KANT seeks the seat of individuality in the sensory matter of our experience which, in accordance with his 'Copernican revolution' of philosophic thought, supersedes the metaphysical ὕλη of Greek and scholastic thought. He tried to adapt this 'empirical' functionalistically conceived individuality to the *forms* of 'transcendental thought', by means of the regulative rational principles of homogeneity, specification and continuity. So it is understandable why, in his ethics, KANT considered all individuality as 'empirically determined' and why he has no room for it in the normative sphere of his practical Ideas.

The Baden School and the problem of individuality.

The neo-Kantians of the Baden School try to combine FICHTE's philosophy of history (developed in his fourth period) with the critical formalism of the Kantian transcendental philosophy. They subsume meaning-individuality under the subjective teleological viewpoint of the method of cultural science.

Individuality as such continues to be of a sensory empirical character, originating from the 'matter' of experience. According to RICKERT the only genuine 'individual' is that which occurs only once in this definite place in (sensory) space and time [2]. But this individuality is related to super-sensible 'values' by the method of cultural science. Then individuality is considered as 'empirical uniqueness related to values', as *meaning*-individuality, whereas the method of natural science is 'blind to values' and works in a generalizing way.

What is the result of such efforts to force individuality into the form-matter-scheme?

Not only do they eliminate all genuine structures of individuality of temporal reality, but they misinterpret the modal, functional individuality of meaning as such fundamentally.

If individuality really belongs to the sensory matter of ex-

[1] *Kr. d. r. V.* (Groszh. Wilhelm Ernst Ausg.), p. 503/4.

[2] *Die Grenzen der naturw. Begriffsbildung*, p. 244 ff.

logical rational principle. It furnishes the understanding with a regulator to determine individuality in a logical series of degrees[1], from the more general to the more particular. For the Baden School real individuality remains a sensory μὴ ὄν for thought. It is 'empirical individuality' which can only become *meaning*-individuality by means of a subjective judgment relating it to values[2]. But then it is meaning-individuality only in the (modally indeterminate) general notion of 'culture'.

The consequences for jurisprudence of the distortion of individuality because of its subsumption under the form-matter scheme.

In scientific thought the application of the critical form-matter scheme must lead to a fundamental misinterpretation of all modal individuality of meaning and to endless formalism.

Thus in the *'reine Rechtslehre'* the juridical modus is reduced to an empty form of thought. Anything in the juridical field of vision that cannot be inferred from the 'transcendental juridical categories' is reduced to the 'matter' of experience. It has juridical meaning only in the abstract form of juridical thought. The form of thought itself can only be specialized *logically*[3].

Formalism knows nothing about individualizing the modal meaning of law. The 'form of thought' must be conceived as 'pure', i.e. apart from the temporal coherence of the law-spheres. But that which does not originate from 'transcendental *a priori* thought' is the entire inter-modal temporal meaning-structure of reality which alone makes thinking possible. Formalistic rationalism in legal theory necessarily entails the denial of a modal juridical aspect *of the full temporal empirical reality*. The whole subject-side of the juridical aspect is thus reduced to the law-side, which is misinterpreted formalistically.

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[1] 'Abstufung'.

[2] 'wertbeziehend'.

[3] Cf. KELSEN's logicist *'Stufentheorie'* of law-making and my criticism in *De Betekenis der Wetsidee voor Rechtsw. en Rechtsphil.* 1926 and *De Bronnen van het Stellig Recht in het licht der Wetsidee* IV (A.R. Staatkunde 1934, driemaand. orgaan), p. 67 ff.

meaning-structure maintains the functional coherence in all modal individualizations.

A modal aspect thus individualizes itself only *within its structure*, which is fitted into the inter-modal meaning-coherence of cosmic time. It is not exhausted by this structure.

The consequences of the form-matter schema for the view of individuality show that this schema is not capable of accounting for the real states of affairs.

When the modal meaning-aspect has been denatured to a 'form of thought' and, consequently, cannot be individualized, it is also impossible to account for the material diversity of 'content' found within the law-sphere under examination. The consequences of this misrepresentation of the modal individuality of meaning lead to the grotesque.

For example, is the individuality of REMBRANDT's Nightwatch to be attributed to its sensory matter in the objective impressions of its paint? and is its proper aesthetic meaning without individuality? Or is this a question of merely sensory individuality subjectively related to a universal 'aesthetic value'?

Is the individual difference between intercourse in marriage and that in a club something outside the meaning of social intercourse, and is it only derived from the sensory matter of our societal experience?

Must we attribute the individual character of juridical facts only to the sensory aspect of experience? And is their juridical structure as such without any individuality because it is a mere transcendental form of thought?

The problem of the modal individuality of meaning cannot be solved in the cadre of the form-matter schema. It must necessarily be ignored in such a frame of thought. This fact again proves the impotence of this schema to account for the real states of affairs with which philosophy is confronted.

§ 3 - ORIGINAL, RETROCIPATORY, AND ANTICIPATORY TYPES OF MEANING-INDIVIDUALITY WITHIN THE MODAL STRUCTURE OF THE LAW-SPHERES.

Modal meaning must be individualized if it is ever to express itself in the fulness of temporal reality. It is not an abstract form added to individual matter and remaining intrinsically alien to it. *Meaning* is the creaturely mode of being, and possesses the fulness of individuality in its subjective religious root.

The process of individualization, however, does not affect the fundamental functional *structure* of the modal aspect. This structure is determined by the cosmic temporal order, and is the very condition of all modal individualization. For the modal

The pole reached by modal individualization in the full temporal reality on its subject-side, is the complete or a-typical individuality of the modal meaning. This individuality remains controlled and determined by the laws of the sphere within its fundamental structure.

The modal structures of the law-spheres with their original meaning-nucleus, their retrocipatory and anticipating moments, continue to express themselves in the individualizing of modal meaning. In the third Volume it will appear that in this very state of affairs the inner coherence between the modal structures and the structures of individuality is clearly revealed.

In the first place we distinguish the *original* or *nuclear* types of modal meaning-individuality. As *types* they are not founded in original modal types of earlier law-spheres. As an example one may consider the sexual type of propagation and the blood-relationship connected with it in the organic biotic aspect of experience. It is true this biotic type necessarily has its substrata in physical-chemical, kinematic, spatial and numerical types. But these substrata are no *original* types of modal individuality. They are only constituted in their functional anticipation of the sexual biotic type. We will call them *anticipatory* modal types. They are not to be found in the foundational direction of time in their respective law-spheres. The nuclear type of individuality to which they refer lies outside of their own modal sphere.

On the other hand the typical juridical relations between parents and their children as well as their typical moral relations of love are doubtless *biotically* founded modal types, in which the general modal meaning of the juridical and that of the moral aspect are individualized. It is undubitable that as modal *types* they lack an original character in these aspects, though, as such, they have certainly a typical juridical and ethical meaning. The typical legal competence and obligations and the typical moral duties implied in these modal types can never be reduced to the typical biotical blood-relationship in which they are characteristically founded.

In the psychical law-sphere sexual feeling, the feeling of blood-relationship etc., are undoubted biotically founded types of feeling.

In the opened structure of this modal type all subjective types of aesthetical projects are founded. This does not alter the fact that the objective works of art in which these projects are realized, have typical objective foundations. For the subject-object relation plays an essential part in the modal types of

Anticipatory modal types of individuality are to be found in a rich diversity in the numerical, spatial and energy-aspects. Physics and chemistry have detected many typical numbers in nature which are only to be explained from their anticipatory coherence with typical physical and chemical relations. As examples may be mentioned the typical constant *h* in quantum-mechanics, the typical numerical relations between the particles of the chemical elements, the typical atomic weights, the so-called LOSCHMIDT-number N[1] etc. In biology we are confronted with typical numerical relations between the particles of the cell, the typical numbers of chromosomes etc.

Anticipatory types of individuality in the spatial aspect are to be found in great diversity in the spatial forms of living beings which can only be explained from their anticipatory coherence with typical organizing bio-impulses.

Crystallography has detected 32 possible spatial form-types of crystallization qualified by physical-chemical effects.

We shall return to these interesting states of things in the third Volume.

In the energy-aspect we meet with many anticipatory modal types, related to original modal types in the biotic or the psychical aspect. We refer, for instance, to the typical albumen formations of the different biotic species.

In general it may be said that in the mathematical aspects we find only *anticipatory* types of modal individuality. The reason is that no single structure of individuality is *typically qualified* by a numerical, a spatial or a purely kinematic modal function.

The subject-object relation in the modal types of individuality.

In the psychical law-sphere there is, e.g., an original type to be found in sensory phantasy, which in a restrictive function, is also seen in animal psychical life. Even in this 'undisclosed meaning', and although rigidly bound to the organic vital function, this original type of sensory feeling-activity is not at all *typically founded* in the biotic function. Rather it is exclusively characterized by the internal psychical fact that the sensory function of imagination produces its phantasms in merely *intentional* objectivity, entirely apart from the sensory objectivity of real things.

[1] This is the typical number of molecules in a cubic centimetre of gas at a temperature of 0 degrees and a pressure of one atmosphere (760 mm Hg).

meaning-individuality.

Take, for instance, the objective modal-aesthetic typicalness of a picture in comparison with that of a sculpture, or the objective juridical types of movables and immovables, or the subjective-objective typicalness of the *servitutes praediorum rusticorum* as compared with that of the *servitutes praediorum urbanorum* etc.

These states of affairs, however, cannot be accounted for by the theory of the law-spheres alone. We now touch a point where this theory naturally passes into that of the typical structures of individuality.

PART II

THE EPISTEMOLOGICAL PROBLEM IN THE LIGHT OF THE COSMONOMIC IDEA

This group of problems originated from the theoretical breaking-up of the cosmic meaning-coherence of the full temporal reality. On the one hand was placed the *phenomenon* related to the sensory perceptive function, and on the other hand the

CHAPTER I

§ 1 - THE WAY IN WHICH THE EPISTEMOLOGICAL PROBLEM IS POSED ON THE IMMANENCE-STANDPOINT AND THE METAPHYSICAL BACKGROUND OF THE CRITIQUE OF COGNITION ROOTED IN THIS STANDPOINT.

The inter-modal systasis [1] of meaning as the condition for all theoretical synthesis.

The functional modalities of meaning guaranteeing the different aspects their sphere-sovereignty are integrated into the cosmic coherence of time. In this cosmic temporal coherence they show an *intermodal systasis of meaning.* The modal aspects do not owe their existence to theoretical synthesis, although without theoretical disjunction from one another they cannot be articulately distinguished. Anyone who ignores the cosmological priority of meaning-*systasis* to theoretical *synthesis,* cannot even properly pose the epistemological problem.

The fundamental mistake made by the critique of knowledge rooted in the immanence-standpoint was that it had not grasped the cosmological meaning-problem implied in the theoretical cognitive attitude as such.

This critique was led astray by the prejudice of the self-sufficiency of theoretical thought, and tried to isolate the human cognitive faculty within certain immanent functions of consciousness.

From the outset this critique of knowledge was founded in a group of problems raised by a metaphysics that had burdened immanence-philosophy since the time of the Eleatics.

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[1] *Translator's note:* This obsolete word is used here in a special sense to distinguish the natural coherence of our integral experience of reality from the theoretical attitude implied in the word 'synthesis'.

noumenon which could only be grasped by *theoretical* thought (considered to be intuitive or not).

This metaphysics centred in the problem of *substance,* i.e. the problem about a permanent being of things, hidden behind the sensory phenomena and, as such, independent of human consciousness. The epistemology based on this metaphysics took the functionalistic view that human knowledge is due either exclusively to sensory perception, from which also logical thought must take its content, or that it originates from the cooperation of the logical and the sensory function, or that logical thought is an independent source of knowledge of the *noumena.* Epistemological criticism then inferred that the 'substance' is either cognizable or not.

Since KANT the 'substance' in this metaphysical sense was called the 'thing in itself'. In ultra positivistic nominalism the existence of a substance behind the sensible phenomena was flatly denied.

So the main problem of this critique of cognition became: Is it possible for us to get adequate knowledge of true reality, i.e. of the *'Ding an sich',* behind the sensory phenomena, from the (isolated) functions of consciousness which are to be accepted as the exclusive sources of human cognition? If *intuition* (intuitive evidence) was supposed to play a part in the cognitive process, it was either identified with the *inner certainty* of the psychical function *of feeling,* or intuition was elevated above the sensory and analytical functions, as *a superior rational organ* to apprehend the noumena. It was sometimes also reduced to *the immediate evidence* of the logical fundamental concepts and basic truths of thought.

Until HUME and KANT, epistemology generally held to the view that the real *'Gegenstand'* of human cognition transcends the phenomenon and must be sought in the true reality behind the sensory phenomena. KANT asserted that his conception was a 'Copernican revolution' in epistemology. As we know, his 'transcendental-idealistic' view regarded the *'Gegenstand'* of knowledge as the product of a universally valid subjective formative process. In this a 'given' chaotic sensory experiential material is arranged by the 'transcendental consciousness' into a syn-

of theoretical thought, explained in the Prolegomena, has shown that this abstraction is only made in theoretical thought in a process of disjunction and opposition.

The logical and psychical functions (with their modal subject-object relations) are certainly not *given* in their abstraction

thesis of logical categories and forms of sensory intuition. Thus the functionalistic attitude of Humanistic epistemology based on the immanence-standpoint became even more emphatic. From the outset KANT derives human knowledge from only two origins: sensitivity and logical thought. From the latter function of consciousness every intuitive factor was explicitly eliminated. And following the steps of English 'empiricism', he starts from the dogmatic supposition that the 'datum' in experience is of a purely functional sensory character. This datum is supposed to contain nothing but the sensory impressions as yet lacking any kind of order. Everything in the empirical world of things that is beyond the un-arranged sensory impressions must consequently be the product of some *"gegenständliche Synthesis"*, starting from the transcendental logical subject.

This view is absolutely contrary to the true character of naïve experience, which does not know of a *'Gegenstand'* in antithetical relation to the logical function of thought.

The erroneous identification of the datum in cognition and that which has been theoretically isolated.

In this functionalistic attitude epistemology simply took for granted that which should be the chief problem of any critique of knowledge, viz. the abstraction of the sensory and logical functions of consciousness from the full systasis of meaning of the modal aspects of human experience[1]. Our transcendental critique

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[1] This fundamental error is also inherent in an epistemology like that of DRIESCH or VOLKELT, though it assumes the possibility to trace its supposed 'datum' behind the logical and psychical functions of consciousness, behind every abstraction of a 'transcendental' epistemological subject. This supposed 'datum' is in reality the theoretically isolated empirical fact of the self-assurance of the individual subjective consciousness. VOLKELT's argument is typical. He asserts that this *'reine empirische Selbstgewiszheit'* is a datum, which is absolutely free of thought and has, therefore, an a-logical character: 'It is essential', he argues, 'to conceive the self-assurance of consciousness in its purity. Assertions made on the ground of this assurance should not be interwoven with anything derived from thought. In ordinary life, a well as in the sciences, this self-assurance is usually more or less mixed with some thought. This should be eliminated.' (*Gewiszheit und Wahrheit*, 1918, p. 64).

I merely ask: Is it possible for 'pure self-assurance' (conceived by VOLKELT in the sense intended by the functionalistic immanence view) to separate itself in this way from the meaning-coherence into which consciousness has been fitted? It is theoretical analysis alone that can

from the other modal-functions of experience. The real datum of human experience precedes every theoretical disjunction. It has an absolutely systatic character.

The assumption that certain functions of consciousness, theoretically isolated in the synthetic act of cognition, are the *datum*, was nothing less than the cosmological capital sin. And on the basis of this pseudo-datum the attempt was made to formulate the epistemological problem. Thus a critique of knowledge, born out of a false metaphysics, was proclaimed the gateway to philosophy, before it was realized that there is a cosmological meaning-problem pre-supposed in the theoretical isolation of certain functions of consciousness. All modal structural relations were eradicated by means of the subject-object schema of this epistemological theory, thus camouflaging its cosmological petitio principii.

In this respect the so-called critical trend in epistemology became the model of all cosmological dogmatism.

It is true that the great Königsberg thinker was very far above the uncritical 'dogmatism' of many of his epigones. In his doctrine of the theoretical Ideas he was certainly led by a truly transcendental motive. But the starting-point of his *Kritik der reinen Vernunft* remains a dogmatic one in the sense that he does not realize the problems involved in his pre-suppositions. Ancient, scholastic and pre-Kantian Humanistic metaphysics, called dogmatic since KANT's criticism, were more critical, *in this respect at least,* than their great antagonist. They gave an account of the cosmonomic Idea on which their epistemology was based. They did not make the mistake of tackling the epistemological problem before founding their epistemology in a theory of

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perform this abstraction. In other words the *supposedly* ultimate empirical fact itself proves to be a theoretical abstraction in which thought can in no way be eliminated. It is not a genuine *datum*. It remains something beyond my understanding how a thinker of VOLKELT's rank can be unaware of this simple truth. Or rather — it is only understandable from the absolutization of the primary theoretical synthesis in which the immanence-standpoint is founded.

The primordial question should be: What do we abstract from the real datum of experience in the fundamental antithetical relation of theoretical thought which gives rise to the problem of the *'Gegenstand'*? And only in an unbreakable

the cosmic coherence in which the gnoseological relation is fitted (be it a metaphysical theory, viz. the theory of 'being').

In recent times the isolation of the critique of knowledge has again been recognized in various quarters as a piece of dogmatism. The need has been felt of an ontological foundation for epistemology in the cadre of a phenomenological description of the intentional acts of human cognition. This fact doubtless means a deepening of philosophic thought. But on the immanence-standpoint the primary theoretical synthesis, contained in the theoretical attitude of knowledge as such, and thus also in the phenomenological attitude, *cannot* become a problem. For, as explained in the *Prolegomena,* immanence-philosophy stands or falls with absolutizations, made by means of theoretical logical thought. They can no longer be recognized as such, because in the cosmonomic Idea theoretical thought has been declared self-sufficient. This transcendental basic Idea of immanence-philosophy with its primary absolutizing of theoretical synthesis is the source of all uncritical dogmatism in epistemology in whatever varieties it may present itself.

§ 2 - THE CRITICAL FORMULATION OF THE EPISTEMOLOGICAL PROBLEM. MEANING-SYSTASIS, LOGICAL SYNTHESIS AND INTER-MODAL SYNTHESIS OF MEANING.

In opposition to this really dogmatic attitude in epistemology it should be first acknowledged that what has been *theoretically isolated* is never the '*datum*'. On the immanence-standpoint this 'datum' has been falsified. The real 'datum' is the systatic coherence of meaning. In mature naïve pre-theoretical experience reality is grasped in the full systasis of its modal functions. In this systasis the psychical and the logical functions prove to be bound up with all the other modal functions of human experience in an insoluble temporal meaning-coherence.

Here it is necessary to resume the first and the second transcendental basic problem, formulated in the *Prolegomena,* with respect to the theoretical attitude of thought.

The epistemological problem only arises in deepened thought, in which the logical function by means of a theoretical abstraction is opposed to the non-logical aspects of experience as its theoretical resistant. The fundamental question of epistemology should, consequently, not be formulated: How is universally valid experience of the '*Gegenstand*' (i.e., the resistant to the logical function of thought) possible?

coherence with this primordial question should the second problem be raised: How can the theoretical antithesis between the logical function of knowledge and its non-logical *'Gegenstand'* be reconciled by an inter-modal theoretical meaning-synthesis?

By the first fundamental question the epistemological problem is intrinsically connected with its cosmological pre-suppositions which alone give it meaning.

The necessity of distinguishing between analytical synthesis and inter-modal theoretical synthesis of meaning.

At this point it is necessary to introduce an important distinction generally unknown in immanence-philosophy. This distinction is indispensable in order to place the epistemological problem on a correct cosmological basis.

There are two different kinds of synthesis:

One is the *logical functional* mode of uniting, implied in the analytical structure of meaning; the other is the *inter-modal, inter-functional meaning-synthesis*. The latter has no transcendental-logical character, but is based on a theoretical disjunction of the cosmic systasis of meaning.

Every theoretical cognitive synthesis is an inter-modal synthesis of *meaning*[1]. On the other hand, the logical synthesis, found also in pre-theoretical naïve thought, is *an indispensable element in the empirical meaning-systasis*. To this subjective analytical synthesis is related the objective systasis of logical characteristics implied in the logical object-side of empirical reality (cf. p. 389 ff.).

Considered according to its analytical aspect, every subjective concept, including the theoretical one, is a synthesis of a multiplicity of analysed conceptual moments.

ARISTOTLE speaks of a *σύνθεσις τις νοημάτων ὥστε ἓν ὄντων*[2]. He does not, however, realize the difference between analytical synthesis and theoretical meaning-synthesis. This distinction de-

[1] This meaning-synthesis is fundamentally different from KANT's supposed 'transcendental synthesis', as will appear in the sequel.

[2] *De anima* III, 4, 430 a 28.

The relation between the logical and the linguistic structure of a judgment. The multivocality of the word *'is'*.

This reasoning is far from clear. In the first place, KANT makes a logical problem dependent on the linguistic structure of a

pends on the insight into the cosmic systatic meaning-coherence, lying at the foundation of theoretical thought. In principle it cannot be understood on the immanence-standpoint. In order to grasp the real meaning of this distinction, it is necessary to break with that peculiar hypostasis of theoretical thought, inherent in the immanence-standpoint in all its variations. It is this hypostatization which makes the insight into the meaning-structure of naïve experience impossible.

§ 3 - THE KANTIAN DISTINCTION BETWEEN ANALYTICAL AND SYNTHETICAL JUDGMENTS.

We must now consider, whether or not there are judgments containing an *exclusively* analytical synthesis. This question touches the well-known distinction, made by KANT in the Introduction to his *Kritik der reinen Vernunft*, between analytical and synthetical judgments. On this distinction KANT's entire epistemology is based; with it his view stands or falls. He defines analytical judgments as those sentences in which the connection of the predicate with the subject is thought through *identity*. In synthetical judgments this connection is supposed to be thought *without identity*. Synthetical judgments are thus supposed to add a predicate to the concept of the subject not previously contained in the latter, so that this predicate cannot be inferred from the subject by analyzing its elements.

KANT gives the following example of an analytical judgment: 'All bodies are extended.' He then adds: 'For I need not go beyond the concept which I connect with '*body*' in order to find extension as bound up with it. I have merely to analyze the concept, that is, to become conscious of the manifold which I always think in that concept, in order to meet with this predicate: it is therefore an analytical judgment' [1].

On the other hand the judgment: 'All bodies are heavy' is assumed to be synthetical in character, because the predicate has not been implied in the concept of the subject.

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[1] *Kr. d. r. V.* (Groszh. W. Ernst Ausg., Bnd. III, p. 42): "Denn ich darf nicht über den Begriff, den ich mit dem Wort Körper verbinde, hinausgehen, um die Ausdehnung als mit demselben verknüft zu finden, sondern jenen Begriff nur zergliedern, d.i. das Mannigfaltige, welches ich jederzeit in ihm denke, mir nur bewuszt zu werden, um dieses Prädikat darin anzutreffen; es ist also ein analytisches Urteil."

judgment. The copula forming the linguistic relation between that of which something is said in a signifying way, and that which is expressed in the predicate, is of central importance. But KANT does not realize this. The word *'is'* by no means always signifies a logical relation of identity. Symbolic logic must be credited with having pointed this out emphatically, especially DE MORGAN [1] and B. RUSSELL [2]. On the other hand these thinkers are also guilty of confusing the logical and the linguistic question by attributing an original symbolic signifying function to the concept as such ('notion' as a 'denoting' term in RUSSELL).

The word *'is'*, connecting the so-called 'linguistic subject' with an adjectival predicate, never means a relation of identity according to the logical aspect of a judgment. As to the logical state of affairs it only signifies what might be called an analytical implication of that which is predicated in that about which we predicate something. (The term 'implication' is used here in the sense of *analytical inherency)* [3]. It is simply impossible *to identify* the concepts body and extension *logically.* For the present the relation between the logical and the linguistic structure of a judgment must be left alone, because the linguistic structure as such is not at issue here. We only want to answer the question whether the concept *'extension'* is implied in

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[1] DE MORGAN, *Formal Logic,* pp. 49, 50.

[2] B. RUSSELL, *The Principles of Mathematics,* Vol. I, p. 64 observes: 'The word *'is'* is terribly ambiguous, and great care is necessary in order not to confound its various meanings. We have (1) the sense in which it asserts Being, as in 'A is'; (2) the sense of identity; (3) the sense of predication, in 'A is human'; (4) the sense of 'A is a man', which is very identity. In addition to these there are less common uses, as 'to be good is to be happy', where a relation of assertions is meant, that relation, in fact, which, where it exists, gives rise to formal implication.'

LASK has very emphatically warned against confounding the linguistic and the logical senses of the copula in his *Die Lehre vom Urteil"* (1912).

[3] RUSSELL apparently gives the analytical relation of implication a narrower sense by distinguishing it from a predication. I do not see a sufficient ground for this distinction in the *logical* aspect. In itself a predication is a linguistic figure. As to its *logical* meaning it can only denote that the predicate is analytically implied in the concept denoted by the linguistic subject of the sentence.

All 'empirical judgments' are synthetical according to KANT. In the light of his dogmatic prejudice concerning the 'sources of our knowledge' this means: all judgments based on the sensory aspect of human perception are synthetical. Their 'predicate' is not implied in the concept of their 'subject'. From

the concept 'body', according to the logical aspect of the concept, and whether that of 'heaviness' is not.

Now the question becomes very urgent: What does KANT mean after all by the *concept* of a body?

Apparently he anticipates his views expounded in detail in his *Transzendentale Aesthetik*, when he considers extension to be logically implied in the concept 'body'. He conceives of space as an *a priori* form of sensory intuition: 'That bodies are extended is not an empirical judgment, but a proposition which holds *a priori*. For before turning to experience, I already have in my concept 'body' all the requisite conditions for the judgment. And I have only to extract the predicate from the concept in accordance with the principle of contradiction. Thereby I become conscious of the necessity of the judgment; a necessity which I could never learn from experience' [1].

By implication KANT's argument admits that the concept 'body' is not purely analytical in meaning. But why does not 'heaviness' belong to this concept then? If the matter is considered in an objective-logical way, the assertion that the notion 'heaviness' is not implied in the concept 'body' (of course he means *material* body, otherwise the predicates 'extension' and 'heaviness' would not refer to the same subject) does not rest on any tenable ground.

Rather it appears that the concept 'heaviness' is necessarily implied in an objective logical sense in the concept 'material body'. Also in the subjective-logical aspect of the judgment the concept 'heaviness' should be implied in the concept 'body', in accordance with the analytical principium contradictionis.

For in the logical object-function of empirical reality the original subjective energy-effect of matter, in its subjection to the law of gravitation, has been analogically objectified. This alone entitles us to attribute the characteristic of gravity to the general concept 'material body'.

Again we ask: What does KANT really understand by the concept of a 'body' in which the predicate 'heaviness' is supposed to be not implied?

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[1] "Dasz ein Körper ausgedehnt sei, ist ein Satz, der *a priori* feststeht, und kein Erfahrungsurteil. Denn ehe ich zur Erfahrung gehe, habe ich alle Bedingungen zu meinem Urteil schon in dem Begriffe, aus welchem ich das Prädikat nach dem Satze des Widerspruchs nur herausziehen und dadurch zugleich der Notwendigkeit des Urteils bewuszt werden kann, welche mir Erfahrung nicht einmal lehren würde."

this it follows that in KANT's argument all 'empirically' established 'predicates' in a judgment *(according to its logical aspect)* should be excluded from the concept of the 'subject'. This conclusion, however, is obviously contrary to the truth that, with regard to its logical aspect, *every* judgment is subject to the analytical principium identitatis and the principium contradictionis.

In an affirmative judgment of a logically correct structure the predicate can never contain an element which is not analytically implied in the concept of the 'subject'. In other words: Viewed from their modal logical aspect all judgments are necessarily *analytical*. Also theoretical judgments, originating from an inter-modal synthesis of meaning, have necessarily an *analytical* structure according to their logical functional aspect. This truth is so little open to refutation that it is almost a tautology. In the arithmetical judgment: $2 + 2 = 4$, the notion $2 + 2$ must be implied according to the logical aspect in the concept 4. This holds even though the logical implication, in its subjection to the principia identitatis and contradictionis, can only be verified in an inter-modal theoretical synthesis of meaning. For it is inherent in the number 4 that it consists of the sum of smaller units, which is therefore implied in its concept.

Or, to use another example of a 'synthetical judgment *a priori*' given by KANT himself: In the judgment: 'Everything that happens, has a cause'; causality must belong to the *concept* of happening, if the judgment is not to be obviously false in a logical sense.

The distinction between 'formal object' and 'material object'.

There is another objection to the above argument. It has been raised by ALEXANDER PFÄNDER. In a note, published by REICKE [1], KANT observes:

'In an analytical judgment the predicate is concerned with a *concept*; in a synthetical judgment it is concerned with the *object*

[1] REICKE: *Lose Blätter aus Kant's Nachlass* (1889).

PFÄNDER sharply distinguishes the intentional object of a concept (the intended '*Gegenstand*' and its properties) from the content of this concept, and also from the separate elements of this conceptual content. He calls it a very serious logical error if a '*Gegenstand an sich*' is confounded with the merely inten-

of a concept, because the predicate is not contained in the concept" [1].

RIEHL paraphrases this as follows: 'Synthetical judgments are cognitive judgments, judgments about objects' [2]. Of course, he means that 'synthetical judgments' are judgments about *'Gegenstände'*, but analytical judgments are not.

In his *Logik* PFÄNDER has elaborated this famous Kantian thesis in a way deserving our attention.

KANT ignored the real modal-logical subject-object relation. PFÄNDER, whose conception is phenomenologically oriented, has given it prominence in favour of KANT's distinction. This is, however, not the logical subject-object relation in the sense of our analysis, but in the well-known scholastic sense of the relation between the *intentio* (the subjective intention in the concept) and the *intended* or *supposed 'Gegenstand'* to which the concept refers. The *'Gegenstand'* intended in the concept is sharply distinguished by PFÄNDER as a 'formal object' from the *'Gegenstand an sich'*, which he calls a' material object'.

It is possible that the *'Gegenstand'*, intentionally related to a certain concept, as *'material object'* has more determinations than those attributed to it in the concept. But these determinations do not belong to the *'Gegenstand'* insofar as it is only the intentional correlate of the concept. Let us say, e.g., that the concept 'triangle' does not intend anything else but a plane figure bounded by three intersecting straight lines. Then the intentional object of the concept 'triangle' does not imply, e.g., that this figure has three interior angles. In PFÄNDER's own words:

'In the concept triangle, so determined, there is no angle intended at all. It is, consequently, not at all possible to infer from the concept 'triangle', mentioned above, that a triangle has three interior angles, because this fact is not at all implied in the concept of a triangle. Rather it is necessary to pass on to the intended object 'triangle' as such in order to obtain the knowledge independent of this concept that a triangle, so defined, has three interior angles. Everything else knowable about the intentional object does not belong to it, insofar as it has not been intended in the concept of it' [3].

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[1] "Im analytischen Urteil geht das Prädikat eigentlich auf den Begriff, im synthetischen auf das Objekt des Begriffs, weil das Prädikat im Begriffe nicht enthalten ist."

[2] *Der philosophische Kritizismus* (3th ed. 1924), p. 416.

[3] *Logik* (Jahrbuch für Philosophie und phänomenol. Forschung, Bnd

ional object of the concept of a *'Gegenstand'*, and the content of this concept with the sum of the characteristics of the *'Gegenstand'*. By means of the distinction made in this manner between subjective concept, intentional object (formal object) and *'Gegenstand an sich'* (material object), it does not seem difficult any longer to find a tenable sense in KANT's distinction between analytical and synthetical judgments. KANT's judgment: *'All* bodies are extended', is an analytical judgment insofar as in the concept 'body' an extended *'Gegenstand'* is *intended.*

PFÄNDER terms this an *Attributionsurteil,* viz. insofar as in the concept of the subject 'body' extension has been implied as an attribute. The concept 'extended' is then partly identical with the concept 'body'. Then, of course, all judgments not implying the predicate in the concept of their subject, are synthetical propositions.

To this PFÄNDER adds another interesting distinction. He says that there are *synthetical* judgments in a purely logical sense which must be regarded as *analytical* from the point of view of ontology. And by the side of these there are judgments which both *logically* and *ontologically* must be qualified as synthetical.

The first class of judgments do not intentionally imply their predicative concept in the concept of their subject, but the predicate can be immediately found by an analysis of the essence of the *'Gegenstand an sich':* 'So what leads to the judgment here, is not the analysis of the *concept* of the subject, but that of the *Gegenstand* of the latter, and of all that belongs to its essence' [1].

IV (1931) p. 273/4): "Im so bestimmten Begriff des Dreiecks liegt durchaus keine Intention auf Winkel. Man kann also durchaus nicht aus dem angeführten Begriff des Dreiecks erkennen, dasz das Dreieck drei Innenwinkel hat, weil dies gar nicht "im Begriffe des Dreiecks liegt." Man musz vielmehr zu dem gemeinten Gegenstand Dreieck, wie er an sich ist, übergehen, um die von dem Begriffe des Dreiecks unabhängige Erkenntnis zu gewinnen, dasz das so definierte Dreieck drei Innenwinkel hat. Alles, was man über den intentionalen Gegenstand noch weiter erkennen kann, gehört nicht zu ihm, soweit es nicht in dem Begriff von ihm schon gemeint ist."

[1] op. cit., p. 339: "Nicht also die Analyse des Subjekts b e g r i f f s,

whereas in an ontological respect, (in relation to the full essence' of the *'Gegenstand'*) it must be regarded as *analytical,* is untenable. The objective logical properties of a "*Gegenstand*" are as such of an analytical character. But they are never "purely analytical", no more than the property 'extension' is in the

In other words, the *ontological* analytical judgments which are *logically* synthetical, are founded in the analysis of the *'Gegenstand'* itself, and not in that of the concept.

PFÄNDER gives an example of such a judgment: 'The plane triangle has three interior angles.'

These judgments are said not be subjected to the principium identitatis, because their predicative concept is neither wholly nor partly identical with the concept of the subject of the judgment. The judgments which are synthetical both in a logical and an ontological sense, coalesce with KANT's 'empirical judgments', which are all *a posteriori.*

Criticism of PFÄNDER's theory about analytical and synthetical judgments.

Has PFÄNDER succeeded in making the Kantian distinction between analytical and synthetical judgments plausible?

It is obvious that his argument stands and falls with his conception of the modal logical subject-object relation. The distinction between subjective concept, logical object and *'Gegenstand'* is doubtless correct in itself. But the fundamental error in PFÄNDER's theory lies in his subjectivizing of the logical object (the so-called formal object) into something that is entirely formed by the subjective concept in the *intentio,* something that is 'entirely left to the mercy of the subjective concept', to use PFÄNDER's own words.

This subjectivizing is equal to denying the logical object-side of reality. It results in denying all logical objectivity in its proper sense. Our distinction between *'Gegenstand'* and *logical object* is not affected by PFÄNDER's criticism of the mixing up of the concept with the *'Gegenstand'* itself. A correctly formed subjective concept of the *'Gegenstand'* must *in its logical aspect* necessarily intend the full logical objectification of the *'Gegenstand'*.

The logical object cannot depend on the mercy of the subjective theoretical 'intentio'. An *incomplete* subjective concept is an incorrect concept since it does not correspond to the objective logical state of affairs. For this reason PFÄNDER's thesis to the effect that in a logical sense, a judgment may be synthetical,

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wohl aber die des Subjekts g e g e n s t a n d e s und dessen was zu seinem Wesen gehört, führt hier zu dem Urteil."

analytical', no more than the property 'extension' is in the concept 'triangle'.

PFÄNDER's thesis that the so-called 'ontological-analytical judgments' are not subjected to the principium identitatis, is doomed to fall with his erroneous subjectification of the 'logical object'. The principium identitatis is deprived of its logical meaning, when it is eliminated from the temporal meaning-coherence which alone makes logical thought possible.

In whatever way we look at the matter, it cannot be reasonably contested that every judgment must have a logical (i.e. analytical) aspect. In accordance with this analytical aspect it is *per sē* subjected to the basic principles of logical thought.

According to the intentional meaning of the judgment: 'all bodies are heavy', the logical characteristic of 'weight' refers in the logical aspect-structure of the sentence to the pre-logical aspects of a thing, and the judgment expresses a universally valid law-conformity. If this is so — and it appears from the formula signifying the judgment — then it follows that the concept of the body is itself also related to the pre-logical aspects of that thing.

It is logically untenable to say that in a true so-called synthetical judgment the concept of the property of a thing functioning as the grammatical predicate does not belong to the concept of that thing. The subjective intentio in such a judgment should never be separated from the really logical objectivity, if we are unwilling to substitute logical arbitrariness for logical law-conformity in our concept-formation.

SIGWART's and SCHLEIERMACHER's interpretations of KANT's distinction.

From an angle, quite different from PFÄNDER's, SIGWART had already tried to subjectify the distinction between analytical and synthetical judgments. SIGWART thinks that in speaking of the concept of the subject (in a judgment) KANT does not mean the objective concept containing all the logical properties, but a purely subjective preliminary concept. From causes that are accidental with regard to the essence of a thing, only a part of the logical characteristics really inherent in that class of things

KANT's dualistic cosmonomic Idea as the background to the distinction.

It is only due to the metaphysical fundamentals of the *Kritik der reinen Vernunft* that KANT keeps up this distinction. His [illegible] cosmonomic Idea demands the ascription of indepen-

have been summarized in such a subjective concept and employed for signifying this class. Only on the ground of the subjective meaning of the word 'body' (which meaning is only universally valid in a factual respect, or presupposed to be universally valid) we can say, that the judgment 'all bodies are extended' is analytical, and the judgment 'all bodies are heavy' is synthetical [1].

SCHLEIERMACHER, starting from the same subjective interpretation of KANT's distinction, also declared the difference between analytical and synthetical judgments to be purely relative, because a concept in a subjective sense is always in the state of *becoming*. The same judgment, e.g., 'Ice melts', may be an analytical judgment and a synthetical one. It is analytical, when the formation of the ice and its disappearance caused by changes in temperature, have been included in the concept 'ice'. It is synthetical, when this is not the case. The difference lies in the various phases of the subjective process of concept-formation [2].

Although KANT's own exposition of the synthetical character of all experiential judgments might occasion such a purely subjective interpretation, this explanation is untenable with respect to his *a priori* synthetical judgments. The distinction between analytical propositions and synthetical judgments *a priori* forms the basis of KANT's entire critique of knowledge. This critique does not deal with subjective individual knowledge, but with its universally valid pre-requisites. What KANT really meant by his 'synthetical judgments' can only be inferred from his transcendental conception of synthesis *a priori* which will be examined in greater detail below.

The distinction between analytical and synthetical judgments becomes more and more problematic in KANT's own line of argument. Repeatedly the great philosopher conceived of the 'transcendental synthesis' expounded in his theory, as the prerequisite of logic itself. By transcendental synthesis he meant the *a priori* reference of the logical unity of thought to time as a form of sensory intuition. According to KANT synthesis generally precedes analysis, insofar as only the former makes the latter possible. This view, essentially based on an absolutization of theoretical meaning-synthesis, seems to knock the bottom out of the contrast between analytical and synthetical judgments.

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[1] *Logik* I, 106.
[2] *Dial.* 308, p. 264.

dence to the super-sensory noumenon for practical metaphysical reasons. This noumenon is independent of the cognitive 'synthesis', which he restricts to sensory experience. It must remain possible to form analytical judgments from concepts alone, if in KANT's line of thought the formal basis for the *a priori* rational faith in the reality of the noumenon is not to be undermined. For the *form* of the autonomous moral law itself, (the categorical imperative), depends on the possibility of an analytical judgment which is independent of theoretical 'synthesis', because the latter has been restricted to sensibility.

SIGWART confounds the linguistic and the logical structure of a judgment.

When viewed linguistically, it can indeed be said that the predicate adds, or does not add, a *new symbolical signification* to the 'grammatical subject' of a judgment. Everything in this case depends on the verbal meaning of subject and predicate. But the epithets 'analytical' or 'synthetical' do not at all apply to the linguistic aspect of a judgment.

This fact is overlooked by SIGWART when he writes: 'If a judgment as such, and in itself, is to be considered as analytical, there should be no subjective differences between the concepts which by different persons can be connected with the same word. So there can be undubitable analytical judgments only on the condition that the meaning of the words is perfectly fixed and circumscribed. These judgments are given with the *recognized* meaning of the word in this case. The Kantian example is exactly correct, if it is pre-supposed, that at all times everybody connects the property 'extended' with the word 'body' and nobody does so with the property 'heavy' [1].

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[1] *Logik* I, p. 107: "Sollte ein Urtheil an und für sich als analytisch betrachtet werden müssen: so wäre offenbar vorausgesetzt, dasz keine subjectiven Differenzen zwischen den Begriffen wären, welche Verschiedene mit demselben Worte verbinden können; unter der Voraussetzung also vollkommen fester und abgeschlossener Bedeutung der Wörter kann es Urtheile geben, die sicher analytisch sind; sie sind in diesem Fall mit der anerkannten Bedeutung des Wortes gegeben. Das Kantische

In this connection KANT does not answer the question: What entitles us to attribute the property of weight to *all* material bodies? He does seem to suggest that he seeks the ground for attributing weight to *all* bodies in the sensory aspect of experience. For he writes: "From the start I can apprehend the concept of

This shows how everything is made into a muddle owing to the lack of a proper analysis of the modal aspects. And from the outset KANT has favoured this confusion.

Can ARISTOTLE's theory of the categories have influenced KANT's distinction?

In this connection it is worth while to consider the possibility of ARISTOTLE's theory of categories having influenced the Kantian distinction between analytical and synthetical judgments. The Aristotelian theory of categories [1] was influenced both by metaphysical and linguistic considerations. The categories are basic forms of predication about the existent. At the same time they are qualified as the highest concepts under which the existent can be subsumed.

Among these categories that of substance (*οὐσία*) is given a special position. As the concept of the *ὑποκείμενον* (subjectum) it is the highest; it denotes that which cannot be predicated of anything else. It can be only the grammatical *subject* in a judgment. Compared with the substance all other categories are *συμβεβηκότα* (accidentia). In his *Met.* IV, 30, 1025 a 14 ARISTOTLE, for instance, calls 'being white' an accidental quality of 'man'.

KANT adopted the distinction between substance and accidentia in a modified form. 'Substance' he considers theoretically to be a transcendental category, related only to sensory experience. The 'accidentia' he defines as 'the determinations of substance which are nothing but its special modes of existence' [2].

It is not unlikely that KANT's conception of 'empirical' synthetical judgments was influenced by this. For he remarks: "So it is experience which is the foundation of the possibility to perform a synthesis between the predicate 'weight' and the concept 'body'. For both concepts, although the one is not contained in the other, still belong together *(only contingently, however)*, as parts of a whole, namely, of an experience which itself is a synthetic combination of intuitions" [3]. (Italics are mine).

Beispiel ist streng richtig, wenn vorausgesetzt ist, das mit dem Worte Körper immer Jedermann das Merkmal ausgedehnt, niemand je das Merkmal schwer verbindet."

[1] *κατηγορίαι, γένη τῶν κατηγοριῶν.*

[2] "Bestimmungen einer Substanz, die nichts anderes sind als die besonderen Arten derselben zu existieren."

[3] *Kr. d. r. V.*, Einleitung IV: "Es ist also die Erfahrung, worauf sich

'body' analytically through the characteristics of extension, impenetrability, shape etc. all of which are thought in this concept. But now I extend my knowledge, and *looking back on experience* from which I had abstracted this concept of body, I find weight invariably to be connected with the above characteristics." (Italics in the last sentence are mine) [1].

But it is a priori hardly believable that KANT should make the gross mistake of calling a series of sensory perceptions — apart from their inter-modal coherence with the original energy-aspect of experience — the logical foundation of the absolute universality of a judgment. In his own opinion the senses furnish us only with 'contingent', individual impressions. The logical concept 'all' implies super-individual necessity in the sense of logical law-conformity. In the above judgment this law-conformity can be no other than that of the logical implication of the objective concept 'weight' in the objective concept 'body' qua talis, an analytical law-conformity only given in the cosmic inter-modal systasis, and therefore not 'purely analytical'.

In the *Transzendentale Logik* KANT seems to revert to the question regarding the objective validity of the judgment 'all bodies are heavy'. This is, however, only seemingly so, because in the formula the crucial word 'all' has been omitted.

In the *Deduction of the Pure Concepts of the Understanding*, § 19, KANT writes: 'But if I investigate more closely the relation of the given modes of knowledge in any judgment, and distinguish it, as belonging to the understanding, from the relation produced according to the laws of the reproductive imagination

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die Möglichkeit der Synthesis des Prädikats der Schwere mit dem Begriffe des Körpers gründet, weil beide Begriffe, obzwar einer nicht in dem andern enthalten ist, dennoch als Teile eines Ganzen, nämlich der Erfahrung, die selbst eine synthetische Verbindung der Anschauungen ist, zu einander, wiewohl nur zufälliger Weise, gehören."

[1] "Ich kann den Begriff des Körpers vorher *analytisch* durch die Merkmale der Ausdehnung, der Undurchdringlichkeit, der Gestalt usw., die alle in diesem Begriffe gedacht werden, erkennen. Nun erweitere ich aber meine Erkenntnis, und indem ich auf die Erfahrung zurücksehe, von welcher ich diesen Begriff des Körpers abgezogen hatte, so finde ich mit obigen Merkmalen auch die Schwere jederzeit verknüpft."

In the passage quoted it is again repeated that the judgment regarding the weight of material bodies has an empirical, contingent character. KANT now cancels the word "all" in the formulation of the judgment. In the context of the "transcendental [illegible] is to find the logical (supposedly

(which has only subjective validity), I find that a judgment is nothing but the manner of bringing given modes of knowledge to the *objective* unity of apperception. This is denoted by the relational word *'is'* in judgments, used to distinguish the objective unity of given representations from the subjective. For this term indicates their relation to the original apperception, and its *necessary unity.* It holds good even though the judgment itself is empirical, therefore contingent, as for instance in the judgment *"bodies are heavy"* (italics are mine). By this I do not assert that these representations *necessarily belong to each other* in the empirical intuition, but that *in virtue of the necessary unity* of apperception in the synthesis of intuitions they belong to each other, i.e., they belong to each other according to principles of the objective determination of all representations, insofar as knowledge can be acquired by means of these representations. These principles have all been deduced from the fundamental principle of the transcendental unity of apperception. In this way alone can a *judgment* arise from this relation, that is, a relation which has *objective validity.* It can be adequately distinguished from a relation of the very same representations which would have only subjective validity — e.g., when they are connected according to laws of association. According to the latter I could only say: When I carry a body, I feel an impression of weight; but I could not say: "It [the body] *is* heavy"; for this latter statement would be equal to saying that both these representations are combined in the object, no matter what the condition of the subject may be, and have not merely been conjoined in my perception, (however often the perceptive act may be repeated)" [1].

[1] ib., p. 130/1: "Wenn ich aber die Beziehung gegebener Erkenntnisse in jedem Urteile genauer untersuche und sie als dem Verstande angehörige von dem Verhältnisse nach Gesetzen der reproduktiven Einbildungskraft (welches nur subjektive Gültigkeit hat) unterscheide, so finde ich, dasz ein Urteil nichts andres sei, als die Art, gegebene Erkenntnisse zur *objektiven* Einheit der Apperzeption zu bringen. Darauf zielt das Verhältniswörtchen i s t in denselben, um die objektive Einheit gegebener Vorstellungen von der subjektiven zu unterscheiden. Denn dieses bezeichnet die Beziehung derselben auf die ursprüngliche Apperzeption und die *notwendige Einheit* derselben, wenngleich das Urteil selbst empirisch, mithin zufällig ist, z.B. die Körper sind schwer. Damit ich zwar nicht sagen will, diese Vorstellungen gehören in der empirischen Anschauung *notwendig zu einander,* sondern sie gehören *vermöge der notwendigen Einheit* der Apperzeption in der Synthesis der Anschauungen zu einander, d.i. nach Prinzipien der objektiven Bestimmung aller Vorstellungen, so

transcendental) form of *all* judgments, concrete empirical ones included. This logical form is the "objective unity of self-consciousness", which is also called the "transcendental unity of apperception".

In its relation to the transcendental form of sensory intuition "time", KANT ascribes to this logical form of self-consciousness the function of uniting in the concept of an object all multiplicity given in an intuition.

In the Kantian system, however, the objectivity of a judgment is only guaranteed by an *a priori* theoretical synthesis between logical forms of thought and the transcendental forms of intuition "time" and "space", originating from the transcendental unity of apperception. It is identified with "*Gegenständlichkeit*". Therefore in KANT's line of thought I may say: "*all* bodies are extended", because extension is an *a priori* form of sensibility. But I may not say: "all (material) bodies are heavy", because weight cannot be inferred from the synthesis of the forms of thought and of intuition[1]. But then it follows from the Kantian principles that also the *objectivity of the weight* of a body is not really guaranteed. For according to these principles objectivity and universal validity are identical. The transcendental unity of apperception which must guarantee the objectivity of the judgment can never make a merely 'empirical' (and therefore, according to KANT, contingent) property of the body to a universally valid quality inherent in *all* bodies. In other words,

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fern daraus Erkenntnis werden kann, welche Prinzipien alle aus dem Grundsatz der transszendentalen Einheit der Apperzeption abgeleitet sind. Dadurch allein wird aus diesem Verhältnisse *ein Urteil*, d.h. ein Verhältnis, das *objektiv gültig* ist und sich von dem Verhältnisse eben derselben Vorstellungen, worin blosz subjektive Gültigkeit wäre, z.B. nach Gesetzen der Assoziation, hinreichend unterscheidet. Nach den letzteren würde ich nur sagen können: wenn ich einen Körper trage, so fühle ich einen Druck der Schwere; aber nicht: er, der Körper, i s t schwer, welches so viel sagen will, als: diese beiden Vorstellungen sind im Objekt, d.i. ohne Unterschied des Zustandes des Subjekts, verbunden und nicht blosz in der Wahrnehmung (so oft sie auch wiederholt sein mag) beisammen."

[1] In KANT's line of thought an appeal to PFÄNDER's 'material object' is impossible, because the '*Gegenstand an sich*' is unknowable.

sarily has a logical aspect. In our view of empirical reality the full concrete reality does have its concrete logical object-side. That is why we accept meaning-individuality even in the logical law-sphere.

it can only guarantee objectivity to the transcendental form, not to the empirical content of the natural laws. MAIMON must have considered this when in his later critical phase he denied the possibility of applying the Kantian synthetical judgments *a priori* to the contingent "matter" of experience.

Throughout his view of objectivity KANT's lack of insight into the analytical subject-object relation is fatal to him. If he had seen the logical object-side of the full temporal reality, he could never have entertained such confused notions about the concept "body". But if, as KANT assumes, nothing is given to us of the empirical reality of a thing but chaotic sensory impressions, there is no room left for the objective analytical systasis of the conceptual characteristics in its structural relation to subjective analysis.

The rationalistic conception of the analytical is in an impasse with regard to the criterion of the truth of concrete experiential judgments.

The Kantian conception of the analytical (which is essentially Aristotelian) gets entangled in an *aporia*[1] with regard to the concrete experiential judgments. When pronouncing the pre-theoretical judgment "This rose is red", this judgment claims universal validity. This is only possible if it has an analytical aspect, so that I can truthfully say that the quality of *being red* belongs to the individual objective logical systasis of this rose, which at this moment I perceive in its full individual reality. Should this judgment not have a concrete analytical aspect, it would not be subjected, as a concrete judgment, to the logical principium identitatis and contradictionis. It cannot be objected that the logical structure of the judgment is a merely "formal" one: "S = P" and that on account of this abstract structure it is certainly subjected to the fundamental logical norms (S is P and S is not P excluding one another logically). For — apart from the fact that the judgment S is P is *not purely* analytical — the issue is exactly the *concrete* structure of a judgment of reality, which in its formalization given above can in no case be *the same* proposition. If there is no concrete logical structure of a judgment, there can be no concrete truth, for every truth referring to the temporal horizon neces-

[1] i.e., insoluble difficulty; this Greek term has acquired a philosophical meaning since ARISTOTLE.

There must be an objective individual [illegible]
full concrete reality of "this rose at present in front of me". Otherwise it can never be decided if, according to their logical aspect, two conflicting judgments like "this rose is white" and "this rose is red" really refer to the same rose. It is quite true that the individual analytical implication of the quality "redness' in the concept "this rose", is given only in the inter-modal meaning-systasis of its concrete structural reality. To the latter also belongs the objective sensorily perceptual image related to the subjective sensory aspect of our perception. But in the modal sensory impression as such there is no logical identity. This impression cannot furnish a logical foundation for the application of the fundamental logical norms to the judgments formulated above.

That is why every conception which, in the rationalistic line of thought, only acknowledges concepts that lack individuality[1], lands in an insoluble impasse where concrete existential judgments are concerned. In KANT's opinion individuality only belongs to the non-ordered, chaotic sensory matter of experience. The impasse resulting from this view is that the "universal validity" of a judgment can only be founded in the *a priori* synthesis of abstract categories of thought and abstract forms of sensory intuition. For the *concrete* truth of an experiential judgment there is consequently no criterion left.

§ 4 - THE DISTINCTION BETWEEN ANALYTICAL AND SYNTHETICAL JUDGMENTS AND THE LIMITS OF MEANING OF LOGICAL FORMALIZATION

HUSSERL's conception of analytical judgments as completely formalized propositions.

The distinction between analytical and synthetical judgments in the forms up to now examined proved to be untenable. But in his *Logische Untersuchungen* HUSSERL has tried to distinguish

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[1] KANT observes in his *Logik* (Ein Handbuch zu Vorlesungen, hrg. v. G. B. Jäsche WW. (CASSIRER) VIII § 1 Anm. 2 p. 399: "Es ist eine blosze Tautologie, von allgemeinen oder gemeinsamen Begriffe zu reden." [It is a mere tautology to speak of universal or common concepts].

pretends it can operate with purely formal analytical basic concepts and axioms. We have seen in an earlier context that RUSSELL and WHITEHEAD even assume that it is possible to deduce the whole of mathematics in this purely analytical way. HUSSERL
[illegible]

between analytical and synthetical judgments according to a better criterion than KANT's. HUSSERL denies that the Kantian criterion is to be considered as 'classical' and sufficient.

By "analytically necessary judgments" HUSSERL understands those propositions (or rather "necessities in the form of a proposition") that possess a truth perfectly independent of the actual, material peculiarity of the "*Gegenstand*" intended in it, as well as of the factuality of the case, i.e. the validity of the possible natural view of the "*Gegenstand*" as actually existing; such propositions are consequently "judgments that may be completely formalized" [1].

It is supposed that it would be possible to substitute every factual content by the logically empty form "something" and to eliminate everything "accidental" by a change of the factual form into the propositional form of unconditional universality [2].

An example of such an analytic judgment is: "The existence of this house includes that of its roof, walls and other parts." For according to HUSSERL, this judgment may immediately be transformed into a purely analytical proposition, by saying that the existence of a whole G (α, β, γ ...) in a universally valid sense, implies that of its parts (α, β, γ ...). The latter judgment is supposed to be the formulation of a purely analytical law-conformity, abstracting from every factual content of the proposition.

For the individual reality referred to by means of the word "this" in the example given has been eliminated by the change of the proposition into the "purely analytical form of the law". "And this is indeed an analytical law; it is composed exclusively of formal-logical categories and categorical forms."

In contrast to these, all judgments containing factual concepts that salva veritate cannot be formalized, and which are founded in a synthetical law *a priori*, are supposed to be of a synthetic character. The example: "this red is different from that green" contains an empirical specialization of a "synthetical law *a priori*".

The supposed purely analytical character of modern symbolical logic.

The formalizing spoken of by HUSSERL at once confronts us with the mental sphere of modern symbolic logic, which also

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[1] "Sätze, die sich vollständig "formalisieren".

[2] *Log. Unters.* (2nd Edit. 1913) II, p. 254 ff.

is of the same opinion [1].

Some of the fundamental relational concepts of the axiomatical-analytical system of symbolic logic are, e.g., that of the propositional function, in connection with the concepts judgment, variable, true, one, more, all; "negation" (not ...); "disjunction" (either ... or ...), whereas the concept of implication (if — then) can be inferred from that of negation and disjunction. Among the "purely analytical axioms" we find, e.g., the judgments: "That which has been implied in a true proposition, is true". "When p implies q, then q is implied in p." "When p implies q, and q implies q; then p is implied in pq" etc.

The remarkable thing is that symbolic logic is capable of deducing all of modern arithmetic, and geometry with unerring certainty, and that it can do so, seemingly at least, without including any original arithmetical or geometrical meaning in its basic concepts and axioms.

Thus the whole of modern mathematics, however complicated it may be, appears to be a logicist creation. It seems to be nothing but the purely analytical discovery of the internal relations of the fundamental system of symbolic logic. This system only contains some basic concepts, such as "propositional function", "negation", etc. and some axioms of the above-mentioned kind. Its entire method consists in the deduction of new judgments and new concepts from the axioms and basic concepts.

In the *Principia Mathematica* by WHITEHEAD and RUSSELL the ancient idea that LEIBNIZ developed in his conception of the "logical calculus" seems to have been realized in a masterly way.

We have repeatedly given expression to our admiration of modern logistic. But this does not mean that we can accept it as a system of a *purely analytical character*. In its supposed purely analytical method of developing concepts and judgments, symbolic logic renders itself guilty of shifting the meaning of the modal aspects. And this seemingly enables it to accomplish the feat of deducing arithmetic and geometry in a rigidly analytical way. In the general theory of the modal spheres some-

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[1] cf. *Ideen* I, p. 135/6 where HUSSERL acknowledges the affinity of his conception of mathematics with that of HILBERT.

To the formal region of the purely analytical essential forms he subordinates all material "regions" [1]. As a consequence, he knows nothing about the cosmic-temporal foundation of the modal analytical meaning. When we accept this foundational relation, the idea of "pure logic" must

thing has been said about this point. A more detailed discussion belongs to the special theory of the law-spheres.

A criticism of HUSSERL's conception of complete formalization. A cosmological meaning-analysis of the analytical relation of the whole and its parts.

The tenability of HUSSERL's criterion stands and falls with the purely analytical meaning of the basic forms qualified by him as "purely analytical". He mentions: the whole and its parts; independence and dependence; necessity and law; property; relative nature; state of affairs; relation; identity; equality; set (collection); number, genus and species; and also the categories of signification (Bedeutungskategorien), i.e., the basic concepts inherent in the essential nature of a linguistic judgment (apophansis) [1].

Beforehand HUSSERL has tried to safeguard himself from an "empirical" interpretation of these concepts. "It is easy to see," he remarks, "that the principal concepts treated by us in this paragraph, i.e. "whole" and "part", "independence" and "dependence", "necessity" and "law", will undergo a real change of meaning if they are interpreted as empirical concepts, instead of as *essentialia,* consequently as *pure* concepts" [2].

The purely analytical categories have been conceived in an eidetical-logical way, as empty basic forms which as such have not been obtained by generalizing *species* [3].

At this point we will submit the supposedly "purely analytical" category "the whole and its parts" to an analysis of its meaning. HUSSERL has devoted an elaborate exposition to it and has developed a theory of its purely analytical forms and laws programmatically.

In HUSSERL there can be no question of such a meaning-analysis, if it were only on account of the exceptional "unconditional" position he assigns to the "purely analytical" essential forms as a consequence of the commitment to his Archimedean point.

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[1] *Ideen* I, p. 22.

[2] *Logische Unters.* II, 1, p. 256 note 2: "Man sieht leicht dasz die hauptsächlichen der von uns in diesen Paragraphen behandelten Begriffe: *Ganzes* und *Teil, Selbständigkeit* und *Unselbständigkeit, Notwendigkeit* und *Gesetz,* eine wesentliche Sinnesänderung erfähren, wenn sie nicht im Sinne von W e s e n s vorkommnissen, also nicht als r e i n e Begriffe verstanden, sondern als empirische interpretiert werden."

[3] *Ideen* I, Part I, p. 13.

dal relation the idea of "pure logic" must be abandoned. As HUSSERL does not know of a cosmic temporal order, he cannot grasp the modal aspects in the structure of their meaning. His material "regions of being" delimited by material "synthetical categories", are even devoid of an elementary meaning-analysis.

For instance, he calls "material thing" and "soul" different "regions of being" [2]. But the general concept 'material thing' lacks any delimitation of its meaning. It is the result of an arbitrary method of conceptualization which eliminates both the modal structures and the typical structures of individuality to which every meaningful generic and specific concept is bound. How then could it correspond to a real 'region of being'? No more can the undefined current concept of the 'soul' correspond to any real meaning-structure within the horizon of our temporal experience.

The whole of HUSSERL's line of argument is governed by the contrast between the super-temporal "essence" (εἶδος) with its absolute essential law-conformity and "essential necessity", on the one hand, and the "purely accidental", "empirical fact", on the other. This makes it *a priori* impossible for him to get an insight into the temporal inter-modal coherence between the logical aspect and the other modal spheres. If the relation "the whole and its parts" is to be conceived in its modal analytical meaning, it cannot belong to the meaning-nucleus of the analytical law-sphere. It rather presupposes a subjective analytical synthesis and an objective analytical systasis respectively; for it is a logical unity in a logical multiplicity.

This dependent meaning-moment in the analytical aspect appeared to be a retrocipation originally founded in the modus of number. As soon as this inter-modal relation is broken, the logical "unity in multiplicity" loses every sense and becomes a "pure nihility".

But the foundation of the logical relation between a "whole and its parts" is much more complicated than appears from the arithmetical analogy alone. In the metaphysical deduction of

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[1] *Ideen* I, ch. I, § 10.
[2] *Ideen* I, p. 32.

"the whole and its parts" as a "purely analytical" essential form above the intermodal meaning-coherence, the "formal analytical region" itself loses all determinateness of meaning. A multiplicity of "purely analytical categories" cannot guarantee this "region" its internal unity.

tion" of the whole of modern mathematics. HUSSERL tries to define the concept "whole" in a purely analytical way with the aid of the concept of "foundation" which is also supposed to be "purely analytical".

By a "whole" he understands a "set of formal kinds of content" which are "encompassed" by a uniform foundation, and that "without the support of any further kinds of content." A content of the class α is then founded in one of the class β, when according to its essence (i.e. in conformity to the law of its specific nature) there can be no α without the existence of a β, inclusive of the possible co-existence of some further kinds of content, viz. γ, δ, etc., all the same pre-supposed in α [1].

Then he presumes he can give a purely analytical division of the concept "part" viz. into *pieces* or parts in the strictest sense, and *moments* or abstract parts of the whole. Every part which is independent with reference to a "whole G" is called "piece", every part which is dependent on the same "whole" is a "*moment*".

When some whole can be divided into pieces in such a way that "essentially" the pieces are of the same lowest kind as the one determined by the undivided whole, HUSSERL calls it an *extensive whole,* and its pieces *extensive parts* [2].

All these supposedly "purely analytical definitions" clearly betray the intermodal meaning-synthesis with the modalities of number and space contained in them. And HUSSERL is guilty of undoubted modal shiftings of meaning when he includes original modal relations of the numerical and the spatial aspects in the analytical modus itself.

He admits that all the concepts and axioms formulated with regard to the analytical relation of "the whole and its parts" have been obtained from arithmetical, spatial and even sensorily perceptible relations. After this synthetical cognitive process HUSSERL proceeds to his "logical formalizing" in which he thinks he has eliminated every meaning-coherence with the non-logical aspects of experience. And then his "pure logic" is sadly led astray, because he ignores the modal structure of the analytical relations which is founded in the order of cosmic time.

He risks the statement that all totalities, except only the extensive ones which can be divided into pieces, lack "unifying

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[1] *Log. Unters.* II, 1, p. 275.

[2] op. cit. p. 267.

connective forms" (i.e. *structural principles* guaranteeing unity) "and are only based on unilateral or mutual foundations of their parts": "It is the relations of foundation that are only really unifying, we would like to say" [1].

As a supposed universal essential truth, this pronouncement, of course, also bears on the typical total structures of individuality (for instance the vegetable or animal structures, the structure of a work of art, of a social group, etc.), which as such can never be grasped with the mere concept of a modal function alone. HUSSERL thinks he can deduce his thesis in a "purely analytical" way without any cosmological investigation of the different empirical types of totality-structures. This is no longer the firm ground of exact science [2], but it is the sphere of the *a priori* dictates of logicism, which draws its vital saps from the Humanistic science-ideal with its absolutized mathematical logic.

The criterion of complete formalization is unable to make the possibility of purely analytical judgments plausible. What remains is: not a single judgment, and not a single concept can be "purely analytical". There is only an analytical *aspect* of a concept and a judgment, which is present in every judgment and in every concept.

The cosmic limits of the possibility of formalizing in the formation of concepts.

HUSSERL's concept of logical formalization induces us to consider the cosmic limits of meaning of the possibility of formalizing concepts. For a moment I take over the questionable term "formalization" from HUSSERL. It is dependent on the form-matter-schema of immanence-philosophy, so that it is necessary to delineate the meaning in which I accept it. I only understand by it the abstraction in the concepts from all meaning-individuality in the law-sphere concerned, including the generic and specific particularities. I agree thus with HUSSERL insofar as I sharply distinguish the abstracted modal basic concepts from all generic and specific notions. For the latter must derive all their modal determinateness from the former.

The concept "triangle", for instance, is really a generic con-

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[1] op. cit., p. 279: "*Alles wahrhaft Einigende, so würden wir gerade sagen, sind die Verhältnisse der Fundierung.*"

[2] HUSSERL considers his 'eidetical pure logic' as an exact science, just as his phenomenology.

cept. But its meaning is limited by the original spatial modality whose structural meaning-moments are to be grasped in the modal basic concepts of geometry.

The cosmological limits of meaning set to the logical formalizing of concepts are found in the modal meaning-structure of the analytical law-sphere itself, in its indissoluble coherence with the modal structures of the other law-spheres.

The false formalism in the formation of concepts and the multivocality of formalistic notions.

When abstracting theoretical thought oversteps these boundaries, a false formalistic general concept arises. It is always characterized by the lack of any modal delimitation of its meaning and displays endless multivocality. This multivocality is then used by the theorist to obliterate the modal meaning-boundaries between the law-spheres.

Such false formalisms are e.g., the supposedly original basic concept "dimension in general", serving to eradicate the limits between the analytical, arithmetical and spatial aspects; the concept "the whole and its parts" in the modally indeterminate sense intended by HUSSERL. Other examples are the concept "point" and the concept "continuum" as supposedly purely analytical notions whose analogical character is disregarded; the supposedly purely logical concepts of "arrangement", "aggregate", "class", "value"; the supposedly "purely analytical" propositional form "there is" (es gibt), all belonging to the arsenal of the logicistic world of thought, etc.

But also the so-called "transcendental-logical categories" and forms of sensory intuition of Kantian epistemology lack a genuine delimitation of their modal meaning. The very lack of insight into their analogical character affects KANT's *Critique of Pure Reason* in its fundamentals [1].

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[1] Cf. my treatise *De analogische grondbegrippen der vakwetenschappen en hun betrekking tot de menselijke ervaringshorizon* (Mededelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, Nieuwe Reeks (1950).

§ 5 - THE PROBLEM CONCERNING THE POSSIBILITY OF A SO-CALLED FORMAL LOGIC AS A SCIENCE.

The distinction between analytical and synthetical judgments should be replaced by that between theoretical judgments of an implicit and those of an explicit synthetical structure of meaning.

We have had definitely to reject the distinction between "(purely) analytical" and "synthetical" judgments and come to the conclusion that without any exception all theoretical judgments bear a synthetical character, just as without any exception they all have an analytical aspect. Even the judgment S is S can only be conceived in its analytical aspect in an inter-modal synthesis of meaning. As soon as we wish to *know* its analytical aspect, we must grasp its modal structure in its intermodal coherence.

One can indeed distinguish between theoretical judgments of an implicit synthetical structure and those of an explicit synthetical structure of meaning. This distinction has an epistemological character.

When e.g., our theoretical attention is exclusively directed to the correct linguistic *formulation* of universal modal analytical relations in the judgment, with abstraction from any meaning-individuality, the truly synthetical meaning-structure of the judgment remains merely *implicit* for theoretical knowledge. The intermodal meaning-synthesis does not enter our theoretical consciousness *explicitly*. Our theoretical knowledge remains purely *formal* insofar as it comprises merely the *formulation* of the *logical relations*.

It will not do to speak in this case of logical judgments 'an sich' falling entirely outside of the *gnoseological relation* and having a self-sufficient "objective-logical meaning". For the truth is that neither the *linguistic formula* nor the analytical relation signified by it have an *objective* character in an absolute sense. The logical meaning of the judgment has been (analogically) objectified in lingual symbols, which, however, only have a lingual sense in their indissoluble relation to the symbolically signifying subject. In the same way objective analytical states of affairs can only exist in relation to the subjective analytical function of human thought. And if "logical objectivity" is identified with "logical law-conformedness" it should be remembered that the modal analytical laws of thought are not valid 'in themselves', i.e. in an *absolute sense*, but only in the indissoluble relation to the thinking subject that is subjected to it. The theoretical logical subject-object relation and its linguistic objectification in the *formula* are not independent of the gnoseological "*Gegenstand-relation*". And this is why the real analytical

meaning signified by an objective theoretical propositional formula can only be grasped in a theoretical "explication" of the structural meaning-synthesis perhaps only *implicitly intended* in it.

The meaning *signified* is never the formula itself, and the formula is nothing without the subjective intention of signifying. Formalism in logic (which is not the same as the formalization of judgments) is always based on the absolutization of the formula.

The formulation of the judgment will remain extremely abstract and formal in this formalization. In the judgment *S is S* e.g., nothing is signified but the analytical identity of the logical unity in the duality of the terms related. The two terms of the analytical relation function in the formula as the so-called grammatical subject in any meaning-synthesis whatever. All that has been objectively implied in this judgment, according to its analytical aspect, [e.g., that logical identity is correlated with logical diversity] can only enter our theoretical consciousness explicitly in a further theoretical analysis and synthesis of meaning.

In PLATO's dialogue *Parmenides* the Eleatic conductor of the discourse renders all these implications *explicit* in order to show that the analytical relation of identity may not be absolutized.

In this process theoretical thought is expressly directed to the coherence of the modal structure of its analytical aspect with that of the retrocipated and anticipated modal structures. Our theoretical attention then may remain concentrated on the analytical states of affairs themselves.

In other words, in the explicitly accomplished theoretical synthesis of meaning between the analytical function and those of number, space, motion, etc., the important thing for *theoretical logic* is not primarily the knowledge of the modal meaning-structures opposed to the analytical modus, but rather the *explicit* knowledge of the *analytical states of affairs* as such. This alone can be meant, without any internal contradiction, by the statement that in the "formalized judgments" resulting from a synthesis of meaning, we make *abstraction* from any "*Gegenstand*". Such a theoretical abstraction is indeed only possible in a theoretical analysis and intermodal synthesis of meaning. In these theoretical acts we *oppose* the analytical aspect to all that is non-analytical, e.g., in order to grasp the modal difference between *logical* and *arithmetical* multiplicity, *logical* and *original* extensiveness etc.

In other words, the theoretical abstraction of the analytical

from the non-analytical states of affairs should be the product of an intermodal synthesis of meaning in which we have grasped the limits of the modal analytical aspect in opposition to all the others. We shall presently return to this state of affairs.

The systatic structure of the non-theoretical judgments of experience.

The structure of the pre-theoretical judgments is systatic. It remains fundamentally different from the meaning-synthesis implied in the structure of all theoretical judgments. It is immaterial in this respect whether or not the latter are *formalized.*

A truly naïve, pre-theoretical judgment of experience in principle lacks the abstraction proper to the intermodal theoretical synthesis of meaning.Thought in this case remains systatically integrated into the temporal meaning-coherence and has no "*Gegenstand*".

Is a theoretic logic possible as an independent science?

Our enquiry is now confronted with a fundamental problem which cannot be posed without ambiguity, unless it is recognized that the structure of a modal aspect can only be grasped in an intermodal synthesis of meaning pre-supposing a "*Gegenstand*". This problem reads as follows: Is logic possible as an independent science? If so, by means of what synthesis can the modal meaning of the logical law-sphere be opposed to subjective logical thought? We came across this problem already in the previous paragraph, when demonstrating the hidden intermodal theoretical synthesis of meanings in HUSSERL's "formalization" of the judgments. It appeared then that the analytical aspect itself can only be grasped in an inter-modal synthesis by opposing it to the non-logical modal structures of the other law-spheres. But this statement cannot solve the problem. Intermodal synthesis and theoretical analysis of meaning mutually pre-suppose one another. In theoretical knowledge the modal analytical aspect is connected with the modal meaning of the law-sphere opposed to it in a way not yet explained.

The seeming paradox of the analysis of the analytical aspect.

It is, however, not yet clear how it is possible to subject the analytical aspect itself to theoretical analysis. At first sight

the following argument seems to be irrefutable: Every theoretical analysis of the analytical modality pre-supposes that which it wants to analyse, viz. the analytical aspect. It is also evident that the analytical aspect cannot be the "*Gegenstand*" of the analytical aspect itself. Consequently, an analysis of the modal analytical aspect is impossible.

We are now face to face with a paradox whose origin may be traced very accurately, even before we have embarked upon a more detailed inquiry into the character of the intermodal synthesis.

This origin lies in the resolution of the structure of theoretical synthesis into two isolated modal functions made independent of one another; and in the supposition that the (already abstracted) modal analytical aspect would have to analyse itself if we are to obtain theoretical *knowledge* of things analytical. This intrinsically antinomic supposition can only occur if one does not see that every theoretical analysis pre-supposes a cosmic systasis of meaning.

The theoretically grasped modal analytical aspect which can only be analysed in a synthesis of meaning, is not, and cannot be the *actual analysis*. In the *actual* analysis it is I who am operating theoretically. As a '*Gegenstand*' of theoretical analysis the modal structure of the logical aspect is itself theoretically abstracted from the cosmic continuity of the cosmic temporal order. This structure as such is no more purely analytical than that of the other modal aspects. Even in its abstraction as a '*Gegenstand*' of theoretical analysis it retains its *cosmological* character as a modal expression of the cosmic order of time. Not as an abstracted '*Gegenstand*' of analysis, but in its actual inherence in this cosmic order, it is a transcendental condition of our analytical function of thought. Nevertheless we cannot acquire theoretical insight into this modal structure except by making it into the '*Gegenstand*' of our analysis. This is the very reason why the distinction between transcendental reflexive thought and objectifying thought (identified with the attitude of natural science) is of no avail here, so long as the paradoxical basic thesis of transcendental immanence-philosophy is adhered to.

This philosophy assumes that the theoretical-logical function of thought in its abstract isolation can be *actual*, whereas the isolation is in reality the product of theoretical abstraction. The epistemological problem of the possibility of analyzing the analytical aspect itself cannot be satisfactorily solved before we have

obtained an insight into the fundamental problem of epistemology, viz. the inter-modal synthesis of meaning.

For the present only one thing can be accepted as an established truth: a true analysis of the modal analytical meaning can never have a "purely analytical" character, because such a conception leads to the obvious antinomy that has been discussed.

Is "formal logic" possible? What is to be understood by a Christian logic?

Is there any room left in our line of thought for "formal logic"? In the previous investigation it has been established that the conception of "formal logic" in the sense of a "pure analytics" destroys itself in internal antinomy. It is meaningless to speak of "purely analytical" when one has obtained an insight into the complex structure of the analytical modality in the cosmic meaning-coherence.

Every meaningful theoretical concept, every meaningful theoretical judgment, however highly "formalized", pre-supposes the intermodal synthesis and the cosmic systasis of meaning. A "formal logic" can only be a "formalized" logic in intermodal meaning-synthesis. It particularly examines the analytical aspect in this "formalization" whose limits are determined by the modal structure in its universal intermodal meaning-coherence. As remarked, all analytical modal individuality and all total structures of individuality are eliminated in this case. Such a formal logic belongs to the special theory of the law-spheres. It will be distinguished from the mathematical, physical, biological, psychological, etc., fields of research. In these latter our theoretical attention is not directed to the analytical aspect itself, but to the opposed non-logical aspects analysed in the theoretical synthesis, which are only analytically *encompassed* by the logical categories.

Even formal logic remains bound to the cosmological fundamental principles of modal sphere-sovereignty and sphere-universality. At this point a truly Christian logic [1] differs essentially from the current logical theories rooted in the immanence-standpoint. This difference does not lie in unimportant corrections of traditional logic or of modern "formal" logic. And a

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[1] Cf. D. H. Th. Vollenhoven, *De Noodzakelijkheid eener Christelijke logica* (pub. by Paris, Amsterdam, 1932).

fortiori it has nothing to do with the meaningless supposition that Christian thought should be subject to other logical laws than that of non-Christians.

It can only mean that formal logic ought to come under the control of our Christian cosmonomic Idea and ought to be made fruitful by the transcendental Idea of the "logica universalis" which does not find a rest in time but is irresistibly directed to Christ and in Him to the Creator of all things. A truly universal formal logic ought to be oriented to the philosophic basic Idea of the Origin, the meaning-totality, and the universal cosmic meaning-coherence, when it sets out to investigate the logical relations as such.

CHAPTER II

THE STRUCTURE OF THE INTER-MODAL SYNTHESIS OF MEANING AND ITS TRANSCENDENTAL AND TRANSCENDENT PRE-REQUISITES.

§ 1 - THE THEORETICAL CHARACTER OF THE *"GEGENSTAND"* IN THE SCIENTIFIC COGNITIVE PROCESS.

The fundamental epistemological problem with respect to scientific knowledge is concerned with the possibility of the inter-modal theoretical synthesis of meaning. But since this theoretical synthesis pre-supposes a theoretical antithesis, it implies the primordial question: What gives rise to the problem of that which is opposed to the logical function, i.e. the *'Gegenstand'?*

In the *Prolegomena* (Vol. I) these problems have been raised and discussed in the general cadre of a transcendental critique of theoretical thought. But in their specific epistemological context they imply questions which could not yet be investigated in this provisional discussion. Therefore they ought to be resumed here in greater detail.

On the immanence-standpoint the problem concerning the theoretical antithesis cannot be posed in a really critical manner, even when behind KANT's critical inquiry the attempt is made to base epistemology on some type of metaphysics, on a "critical ontology" or on modern phenomenology.

Phenomenologists presume that the *"Gegenstand"* is no *problem* at all, since it is to be found as a phenomenological datum in the intentional relation of the act of consciousness. The *"Gegenstand"* is then nothing but the "intended correlate" to which the "intentional consciousness" is directed. The world, according to phenomenologists, is *given* us as *"intended Gegenstand"*. This does not detract from the fact that in the opinion

of EDMUND HUSSERL it is constituted by the transcendental consciousness itself, outside of which "*nulla res potest existere*".

In the epistemology founded in pre-Kantian metaphysics the *ἀντικείμενον* is regarded as identical with the subjective reality of a *substance*, supposed to be independent of human experience.

In KANT's theory, as appeared in the preceding chapter, the "*Gegenstand*" is identified with the universally valid and "objective" of experience. In this case, too, the problem of that which is opposed to the logical function, in other words the problem of the possibility of the isolating act of abstraction, has not even been raised. This renders the multivocal concept of the "*Gegenstand*" handled in immanence-philosophy fundamentally useless to us.

A closer investigation into the primary basic problem of epistemology as it is formulated by us, should therefore be preceded by a more detailed explanation of the true character of the "*Gegenstand*" and of the structure of the theoretical synthesis of meaning.

Is it possible to speak of the '*Gegenstand*' of *knowledge?*

It is usual to speak of the "*Gegenstand*" of *knowledge*, assuming that the "*Gegenstand*" is *opposed to knowledge*. But to what element in knowledge is the "*Gegenstand*" opposed? If one should say: it is opposed to the *subject* of cognition, this answer would be *problematic* in every respect. It does not become less so when one tries to be more precise by defining the "cognizing subject" as the "transcendental consciousnes", the transcendentally reduced "I think" (ego cogito). This has been shown in the *Prolegomena*.

Is then the "*Gegenstand*" opposed to our cognitive selfhood? We shall see in the sequel of our examination that such a view would make epistemology impossible.

In the *Prolegomena* it has appeared that the epistemological "*Gegenstand*" owes its origin exclusively to a theoretical disjunction of the cosmic temporal meaning-systasis. Our "selfhood" is not to be found in the latter. The correlate to the "*Gegenstand*" must consequently be sought within the temporal diversity of aspects, not in the I-ness. The resistance as such is due to an antithetical opposing act, which is essentially a theoretical act of setting apart the several aspects of the cosmic

meaning-systasis. This setting apart is only possible by means of analysis. For this reason the analytical modality must show a very special and indissoluble correlation with the *"Gegenstand"*.

The enstatic and the antithetical attitude of thought.

The modal function of feeling meets with no resistance in an epistemological sense. The subject-object relation inherent in it cannot be interpreted as an essentially inter-modal opposition (in the theoretical analysis). The analytical function itself has no theoretical resistance as long as this function remains merely inherent in temporal reality. It is part and parcel of the cosmic meaning-systasis, an indispensable aspect of empirical reality, in which all the post-logical aspects are founded.

In the *Prolegomena* it has been shown that in naïve experience the analytical function of thought is fitted into temporal reality and operative in the cosmic meaning-coherence. That is why naïve, pre-theoretical experience does not know of an epistemological problem. Naïve thought has no "*opposite*" to its logical function and does not perform any inter-modal theoretical synthesis, but is operative in the full temporal reality *in enstasis.*

Naïve experience is a concrete experience of things and their relations in the fulness of individual temporal reality.

The analytical *subject-object relation* also has a merely *enstatic* character here. Even in the theoretical attitude of thought this relation has indeed nothing to do with the antithetical *Gegenstand-relation.* But here it can be opposed to non-logical subject-object relations. In addition its modal structure can be made into a *'Gegenstand'* of analysis by abstracting it from the inter-modal coherence of cosmic time *in its continuity.*

The problem of meaning-synthesis is rooted in the problem of time, in the problem of the ἐποχή[1] from the continuity of the temporal cosmic meaning-coherence.

The epistemological "*Gegenstand*" cannot be cosmic reality itself, because the analytical function, even in its deepened theo-

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[1] This term, which has such a central function in HUSSERL's phenomenology, was by no means invented by him. It originates from Greek philosophy. There is no point in trying to find Husserlian motives behind my conception of the ἐποχή. I exclusively use this term to signify an

retical meaning can never break the bonds of its immanence in temporal reality. The analytical function cannot transcend cosmic time or be opposed to the cosmos. That which is abstracted in anti-thetical theoretical thought appeared to be nothing but the continuity of cosmic time.

The basic problem of epistemological antithesis and inter-modal synthesis of meaning thus proved to be essentially rooted in the problem of cosmic time, viz. in the possibility of a theoretical ἐποχή (refraining) from the temporal continuity of the cosmic coherence of meaning.

Varieties of "*Gegenstände*".

In the primary analytical ἐποχή the "*Gegenstand*" may be conceived in a larger or lesser degree of abstraction. The absolute *limit* of "*gegenständliche*" abstraction is found in the functional basic structure of the modal aspects.

An entire law-sphere with its immanent modality of meaning can function as a "*Gegenstand*".

Within such an abstracted law-sphere a whole field of mutually coherent particular "*Gegenstände*" reveal themselves. Finally it is possible to abstract a *structural* "*Gegenstand*" from a thing or event of naïve experience and from a typical total structure of social life. This structural "*Gegenstand*" is no longer merely modal, or functional, but displays typical structural coherences of an inter-modal character in the analytical ἐποχή. This latter kind of "*Gegenstände*" constitute the field of our investigations in the third volume.

§ 2 - THE RELATION BETWEEN INTER-MODAL MEANING-SYNTHESIS AND DEEPENED ANALYSIS. THE OBJECTIVE ANALYTICAL DIS-STASIS AND THE ANALYTICAL CHARACTER OF THE THEORETICAL ἐποχή.

The question may be asked: What is the reason why the deepening of analysis can only be accomplished in the inter-modal meaning-synthesis of thought? This question deserves close attention. Why cannot the deepening of meaning in the analytical aspect remain at rest in the cosmic meaning-systasis? Why should the opening analytical function abstract its "*Gegenstand*" from the full cosmic coherence of time?

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abstraction from the temporal continuity in the cosmic coherence of meaning. The original signification is 'refraining from'.

The answer is: the analytical function itself cannot possibly abide by the mere meaning-systasis of cosmic reality because of the dynamics of its "universality within its own sphere". This universality can only reveal itself in the deepened meaning of analysis. It sets the modal structures of the law-spheres apart from each other by breaking up the continuity of the cosmic meaning-coherence into a logical discontinuity.

In its purely enstatic function the logical law-sphere can never approach the totality of meaning in its own modality. Enstatic logical analysis is restrictively bound to sensory perception and can only analytically distinguish concrete things and their relations according to sensorily founded characteristics.

> The reason why the naïve concept of a thing cannot be based on an inter-modal synthesis of meaning. The analytical character of the *ἐποχή*.

Naturally this does not mean that the naïve concept of a thing is founded in a synthesis of analytical and psychical meaning. Naïve, pre-theoretical thought is unable to isolate the psychical function as its "*Gegenstand*" from the full temporal reality.

The truth is that the naïve concept of a thing remains embedded in the full temporal systasis of naïve experience forming an indissoluble subjective component part of it. This is the reason why pre-theoretical thought is unable to analyse the modal aspects of the reality of a thing. Naïve analysis does not penetrate behind the objective outward appearance, and cannot embrace the functional laws of the modal spheres in an inter-modal synthesis of meaning. It has to be satisfied with pre-theoretical distinctions oriented to the praxis and more or less verifiable in the sensory aspect of experience. These distinctions are not arranged according to a systematical-methodical viewpoint.

But conformable to the transcendental Idea of the consummation of its meaning, the logical function requires the analytical comprehension of the totality of the modal functions with their law-conformities.

It is characteristic of this Idea of analysis not to leave the cosmic data alone, but to separate its own substratum- and superstratum-functions, and even the analytical modus itself, which is abstracted in the inter-modal meaning-synthesis. From the *Prolegomena* we know that this theoretical setting apart of the modal aspects is only possible by means of an analytical disjunction of their continuous coherence in cosmic time. It is

the continuity of the latter from which theoretical analysis has to abstract its *'Gegenstand'*, though this analysis can have actuality only within cosmic time.

The disclosure of the logical anticipatory sphere in the pre-logical *"Gegenstand"*.

In the first place the deepened analytical function can make the pre-logical law-spheres into its *"Gegenstand"* and concentrate on one of them in particular (that of number, space, movement, energy, organic life, or psychical feeling).

This concentration originates from the actual direction of theoretical attention, which cannot be explained in a purely modal analytical way. The result is that under its functional guidance the logical anticipatory sphere of the pre-logical *"Gegenstand"* is opened [1]. The modal aspects of number, space, movement, etc., with their law-conformities, which have sovereignty in their own spheres, follow the *lead* of systematic analysis, thus revealing their meaning-coherence with the logical modality. The pre-logical law-spheres abstracted into the *"Gegenstand"* of theoretical analysis, reveal their "predisposition" to the systematic tendency of theoretical thought, their anticipatory appeal to logical systematics.

This state of affairs is fundamentally disregarded in the metaphysical conception of substance. For according to the latter the pre-logical properties of the "thing in itself" are supposed to have no relation whatever to human thought, although the latter is certainly related to the substance.

The deepening of the logical object-side of reality in theoretical thought. The objective-analytical dis-stasis.

At the same time the logical object-side of reality is deepened in the subject-object relation. It changes from an objective logical systasis, merely embedded in temporal reality, into an objective logical 'standing apart', the objective dis-stasis of a functional multiplicity in the analytical aspect.

In theoretical scientific thought the modal *concept of function* discloses the logical object-side of reality. Analysis is no longer

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[1] We have pointed this out already in the General Theory of the Law-spheres.

content with a sensorily founded distinction of things whose modal aspects have not been analysed, but it proceeds to the theoretical disjunction of these aspects themselves.

Only now are those aspects which precede the logical law-sphere *distinctly* objectified in the latter. And yet this objective analytical dis-stasis is no more a creation of theoretical thought than the objective analytical systasis is a creation of pre-theoretical thought. It belongs to the objective logical aspect of the full temporal reality, and is only made *manifest* by theoretical analysis. Empirical reality is doubtless not *given* in analytical dis-stasis; the latter can only function within the continuous coherence of cosmic time. But this dis-stasis is an objective possibility in the logical aspect of reality itself.

The ἐποχή which is characteristic of theoretical thought, is made in deepened analysis. It functions within the logical law-sphere; but it is the theoretical meaning-synthesis that refers analysis to its "*Gegenstand*". Now that the modal meaning of the theoretical ἐποχή has been explained, the possibility of the inter-modal synthesis of meaning demands our attention. The modal analytical aspect cannot explain this possibility, because it has been theoretically abstracted itself. This theoretical abstraction appeals to the inter-modal synthesis of meaning.

§ 3 - INTUITION IN THE CONTINUITY AND IN THE FUNCTIONAL REFRACTION OF COSMIC TIME.

The intermodal synthesis of meaning is a subjective cognitive act. Its super-individual universal validity depends on the cosmic temporal order, which makes it possible. As an *actus* it pre-supposes the transcendent super-temporal I-ness or selfhood which, according to the Archimedean point of our cosmonomic idea, shares in the religious root of the whole of temporal reality. In the direction of the meaning-synthesis to the selfhood, possible only in the transcendental direction of the cosmic temporal order, we discover the *transcendental* condition of the cognitive inter-modal meaning-synthesis. In the selfhood as the religious root of all cognitive activity, we find its *transcendent* condition. But while our theoretical reflection on the possibility of the synthesis of meaning chooses the transcendental direction, our attention is again drawn to the relation between the deepened theoretical analysis in which we have performed our analytical ἐποχή, and cosmic time, in whose con-

tinuity this ἐποχή is brought about. The theoretical concept of the analytical aspect proved to be a theoretical abstraction. That which is abstracted from in order to grasp the analytical modality itself in the theoretical synthesis, proved to be the cosmic continuity of time, in the meaning-systasis of temporal reality.

Actual analysis exceeds the modal limits of the analytical law-sphere.

If this is so, actual analysis must be something more than the modal analytical function which we can grasp as the product of a synthetic abstraction. The excess lies in that which cannot be theoretically isolated in the analytical modus. It is that temporal bottom layer of the latter by means of which our analytical function of thought is embedded in cosmic time itself. Through this bottom layer our thought is in continuous temporal contact with all the other modal functions which our selfhood can claim in time *as its own*. This temporal bottom layer of actual analysis is our *intuition*. Since PLATO every epistemology that wanted to reach greater depths has tried to shed light on this intuition. But its true character is bound to evade philosophy, as long as *a priori* the latter eliminates cosmic time from its epistemological reflection.

Our intuition cannot be theoretically isolated just because it has a continuous temporal character. The continuous meaning-coherence in the temporal refraction of meaning is immediately grasped by it behind all theoretical conceptual limits. Intuition is thus a cosmic intuition of time. Whoever thinks he can isolate it theoretically, turns it into a theoretical synthetical concept eliminating exactly that which is essential to intuition, viz. its being embedded in the temporal continuity of the cosmic meaning-coherence. In its temporal actuality, however, intuition is nothing without the selfhood transcending time.

In the transcendental temporal direction of theoretical intuition, our selfhood becomes *cosmologically conscious of itself* in the temporal coherence and diversity of all its modal functions.

It is human personality that operates in cognition; it is not one or more of its abstracted modal functions. In its religious root this personality transcends its temporal acts and modal functions. This holds good no matter whether the cosmological self-consciousness, in the cognitive activity, is directed in Christ to the true Origin of all things, to the sovereign Creator and

Heavenly Father, or, in sinful apostasy, seeks itself and the Origin *in the temporal.*

Self-reflection on the modal functions as being our own.

The modal aspects of temporal reality are not alien to us in the sense of transcending the human selfhood. They are cosmically our own. Apart from the religious root in which the creation finds its totality of meaning and in which our selfhood shares, they have no meaning. In the intuitive self-reflection on the modal functions, as *our own* in cosmic time, is revealed the possibility of our synthetic knowledge of the modal law-spheres. In our intuition, the analytical and non-analytical functions of experience come to an actual and conscious contact which does not affect their modal diversity. In this way our selfhood experiences the temporal coherence between the modal aspects of reality. In this experience the I-ness remains the central point of reference. Intuition, being bound to time, cannot *transcend* the modal diversity of meaning. So long as the analytical function has not been deepened in the transcendental direction of time, and remains inert in the foundational direction of the temporal order, our intuition does not arrive at a free synthesis of meaning. Then it remains at rest in the systasis of the *datum*. Or rather the other way round: it is by means of our intuition that the modal analytical function enters continuous cosmic time. So long as our intuition remains at rest in the foundational direction of the cosmic temporal order, the modal analytical function cannot unfold itself by deepening its meaning. Then we are not actually operating in the transcendental freedom of theoretical thought on the road to inter-modal meaning-synthesis.

The intuition which simply rests in the cosmic meaning-coherence, is typical of the attitude of thought in naïve experience. All of us, no matter whether we are men of science or not, adopt the naïve attitude as soon as we are not theoretically engaged. In the resting pre-theoretical intuition we have an enstatic conscious '*Erleben*' of the full temporal reality as it presents itself in the typical structures of individuality and their relations. This conscious '*Erleben*' or '*Hineinleben*' into reality primarily unfolds itself in the integral experience of temporal reality to which any kind of theoretical meaning-synthesis is still alien. This integral experience of reality must not in any way be mis-

interpreted theoretically in accordance with the functionalistic view-points of immanence-philosophy (e.g., as something of a purely sensory psychical nature, or as a synthetical logical arrangement of sensory impressions). The conscious enstatic '*Hineinleben*', as an entering into reality, although by no means detached from the analytical function of thought, lacks theoretical insight into the modal aspects of our experience. But theoretical insight, originating from antithetical disjunctive thought, and reading the disclosed and opened modal aspect as its "*Gegenstand*", cannot itself reveal this modality to us *as our own*. The true datum is never that which has been merely theoretically read.

Only as the disclosure, opening, and theoretical deepening of the real *datum* in pre-theoretical conscious '*Erleben*', is theoretical insight possible. Conscious '*Erleben*' is the temporal basic layer of all cognition.

The misconception with regard to the possibility of non-intuitive knowledge.
All theoretical knowledge rests on conscious insight.

It is a misconception to think that actual synthetical thought is possible without intuitive insight. The analytical law-conformity of thought must itself be known intuitively, if analysis is to be possible. And it is a fortiori an indispensable condition of *scientific* knowledge that we have an intuitive insight into the "*Gegenstand*".

As soon as my intuition is inoperative, I do not know anything. Neither the modal subjective psychical, nor the modal subjective logical function, without our theoretical intuition, can give us conscious insight into the sensory impressions or analytical coherences revealing themselves in it.

VOLKELT's incorrect contrast of logical necessity and intuitive certainty.

According to JOHANNES VOLKELT, the 'logical necessity of thought' does not refer to intuition as its source. He means to say that the *knowledge* of logical necessity is not objectively founded in intuition. For this statement he adduces the following reasons: "I am certain of logical necessity as of something purely objective, supra-personal, something that shows the inner coherence of ground and consequence; hence something

that forms a complete contrast with all intuitive necessity. When asked why I admit some logically necessary proposition, I do not answer: "Because I am intuitively certain of this statement", or "because I am quite certain of this proposition intuitively", but "because this proposition is objectively founded, because it follows from objective considerations, because it rests on proofs" [1].

Here VOLKELT shows that he has not grasped the transcendental meaning of intuition in logical thought. The same lack of insight is seen in a note saying that intuition in itself is capable of psychological analysis. Intuitive certainty, especially with regard to the logical aspect, is assumed to be the *"subjective form* in which the objective compulsion of the logical manifests itself to me." But how could objective logical states of affairs be known by us apart from subjective logical certainty, — which in the last instance is founded in the immediate in-sight of intuiton. Apparently VOLKELT has no insight into the logical subject-object relation.

His further argument, we are sorry to say, can hardly be taken seriously: "Intuitive certainty is, therefore, not the creator of logical truth, but only the way and character in which I become aware of the self-supporting truth. Consequently(!) we are not concerned here with a type of intuitive certainty that could be put on a level with moral, religious and aesthetical intuition" [1].

Of course it cannot be reasonably supposed that intuition *creates* truth. But does VOLKELT mean to say that the moral, aesthetical or religious intuition creates that into which it gains an insight? And has intuition suddenly changed into something different when, instead of being directed to the moral and

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[1] *Gewissheit und Wahrheit* (1918), p. 579, also p. 224: "Der logischen Notwendigkeit bin ich als einer rein sachlichen, überpersonlichen, nach Grund und Folge zusammenhängenden, also in völligem Gegensatze zu allem Intuitiven stehenden Notwendigkeit gewisz. Werde ich gefragt, warum ich mich zu irgend einem logisch-notwendigen Satze bekenne, so antworte ich nicht: "weil ich dieses Satzes intuitiv gewisz bin," sondern: "weil dieser Satz sachlich begründet ist, aus sachlichen Ueberlegungen folgt, auf Beweisen beruht."

[1] "Die intuitive Gewissheit ist also nicht die Erzeugerin der logischen Wahrheit, sondern nur die subjektive Art und Weise, wie mir die sich selbst tragende logische Wahrheit zu Bewusstsein kommt.

Es handelt sich hier also(!) keineswegs um einen Typus der intuitiven Gewissheit, welcher der moralischen, religiösen und ästhetischen Intuition an die Seite gestellt werden könnte."

aesthetical law-spheres or to that of faith, it focuses on the logical states of affairs?

Is it perhaps only in this case of a subjective character, whereas in the other case it has an infallible objectivity?

VOLKELT's meaning is clearer in an earlier context. There he contrasts two kinds of certainty, viz. the intuitive certainty originating from the "logical necessity of thought" and the certainty derived from the intelligible moral law. VOLKELT thinks he can characterize this contrast in such a way that the moral type has no other basis than our intuitive certainty, whereas logical truth is based on the "coherence of the understanding" which in our intuition can only be experienced *subjectively*.

> Even sensory impressions can only be related to myself and to things by conscious intuition.

What does VOLKELT really mean by intuition? His answer is: "the immediate certainty of something that transcends experience"! And what does he mean by "experience"? Only its sensory psychical aspect! This explains his statement: "When I am immediately certain of the sensation of sweetness, this is not an intuitive certainty; when, however, according to KANT, we are certain of the moral law that is alive in our intelligible I, we have to deal with intuitive certainty" [1].

With this VOLKELT has in principle accepted the sensualistic conception of experience, prevailing in the so-called empiricistic trend of immanence-philosophy. This conception is meaningless insofar as the sensory-psychical aspect of experience has no experiential sense apart from the inter-modal coherence of meaning.

Experience is related to the human I-ness. It is fundamentally different from the animal awareness of sensations.

Ultimately VOLKELT appears to start from the same cosmonomic Idea that forms the foundation of KANT's dualistic conception of the temporal world-coherence viz. that of the realm of sensory phenomena and that of the super-sensory noumena.

This in itself suffices to unmask VOLKELT's demand for "an absolutely unprejudiced" epistemology. His argument loses its

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[1] "Wenn ich der Empfindung des Süssen unmittelbar gewiss bin, so ist dies kein intuitives Gewiszsein; wenn wir dagegen nach KANT der in unserem intelligibelen Ich lebenden Sittengesetzes unmittelbar gewisz werden, so liegt intuitive Gewiszheit vor."

foundation when it is admitted that restricting experience to sensory impressions [1] is equal to cancelling the possibility of experience. For the psychical can only exist in the temporal coherence of experience together with all the other aspects. And on the other hand, we can not possibly have intuitive certainty about that which is fundamentally in-experienceable. How could *I* really be *aware* of a sweet taste, if I could not relate this sensory impression to *myself*, by means of my intuition entering into the cosmic stream of time?

I do not experience this sensory impression without some awareness of its objective or non-objective character. Only in intuition do I experience the coherence of a psychical impression with the pre-psychical aspects of empirical reality, in which the sensory subject-object relation is founded.

Only in this way am I quite sure that a so-called adequate sensory impression of sweetness is an intentional *objective* one, which every human being with a normally developed taste is bound to receive from the matter tasted, because in its psychical object-function sweetness belongs to the full reality of the matter tasted.

Man's experience of the sensory aspect of reality is never apart from his logical faculty of distinction, and only in our intuition is our logical subject-function in actual temporal contact with the other aspects of reality.

The supposed "pure sensation" [2] is a theoretical abstraction destroying itself in contradiction. It is the product of an analytical ἐποχή, and for this very reason it cannot be "purely sensory".

The inter-modal synthesis of meaning is only possible through the theoretical intuition of time.

The inter-modal synthesis of meaning appears thus to be possible only through the theoretical intuition. The latter is necessarily related to the transcendent *selfhood*. I cannot grasp the modal meaning of a law-sphere in a theoretical concept, if I lack temporal theoretical insight into the aspect opposed to the analysis. My intuition moves to and fro between my deepened analysis and its "*Gegenstand*" to bring them into actual contact in the inter-modal synthesis of meaning. In this process I become conscious of my theoretical freedom of thought. The actual syn-

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[1] "Empfindungen".

[2] "reine Empfindung".

thesis of meaning accomplished in it can never be explained by means of the isolated functions of consciousness. Theoretical intuition is operative in deepened analysis itself, and only by its intermediary is theoretical thought able to analyse the "*Gegenstand*" in the intermodal synthesis of meaning. In this intuition I implicitly relate the intermodal meaning-synthesis to the transcendent identity of the modal functions I experience in the religious root of my existence.

But it is only in a transcendental reflection, led by our transcendental basic Idea, that this implicit relation can be made explicit to theoretical thought.

In its subjective subordination to the cosmic order of time, theoretical intuition is an absolutely transcendental condition of the cognitive meaning-synthesis. As such it can never be conceived in a category or a concept, but can only be approached in the transcendental Idea of temporal consciousness.

Only by the latter can our selfhood become *cosmologically conscious* of itself in its intuitive reflection.

The relation between theoretical and pre-theoretical intuition. Cosmic and cosmological self-consciousness.

Theoretical intuition, actualized in synthetical thought, is no more detached from pre-theoretical intuition, operative in enstatic thought, than the transcendental direction in the cosmic order of time is detached from the foundational direction. In the inter-modal synthesis and analytical disjunction of the modal aspects of experience our theoretical intuition is actualized in synthetical thought as *insight*. It can only be understood as a deepening of pre-theoretical intuition, to which it must always refer in the foundational direction of time.

In the composure of my pre-theoretical intuition I have an immediate enstatic experience of temporal reality as *my own* in my thought. In pre-theoretical thought our I-ness enters enstatically by means of its naïve intuition into the cosmic temporal coherence of experience.

And thus we have conscious experience of the modal diversity of meaning but without distinct knowledge of the modal aspects. In contrast with theoretical self-consciousness we can speak here of a pre-theoretical cosmic self-consciousness. In this the theoretical self-consciousness remains founded, in accordance with the cosmic temporal order. All theoretical reflection on the modal aspects of reality, and all intuitive insight is

founded in experience in identity, only deepened, but never cancelled in theoretical intuitive insight. It is only man who can have cosmic and cosmological self-consciousness because only man's cosmic temporal structure is founded in an individual religious root transcending time, viz. his selfhood. Only his selfhood is able to enter into the temporal cosmos by means of his intuition of time and to set apart and combine the modal aspects in theoretical thought. In contrast with those creatures that have no self-consciousness and are *ex-statically* absorbed by their temporal existence, man's selfhood is able to *enter enstatically* into the coherence of cosmic time.

Rejection of a separation between intuition and analysis.

We have approached intuition as the temporal bottom layer of the analytical function which it exceeds. This implies that we must reject any attempt to detach intuition from the analytical aspect and to contrast it to analytical thought as a mysterious metaphysical faculty.

Because of their inherent depreciation of methodical theoretical conceptual thought, such efforts will always cause the one-sided reaction of those who think they have once for all banished intuitive insight as an "asylum ignorantiae" from epistemology. According to SCHELLING's romanticism there exists a method of speculative thought characteristic of men of genius. The latter rise above the primary logical principles, in their "intellectual intuition". The idea of such a *method* is not only internally contradictory, but SCHELLING's "intellectual intuition" has a perfectly theoretical character; it is connected with a theoretical abstraction which cannot exist without an analytical *ἐποχή*.

The metaphysical psychologizing of intuition in BERGSON.

In recent times BERGSON in particular has introduced intuition as a metaphysical cognitive organ diametrically opposed to theoretical-logical analysis. To analytical, disjunctive scientific thought with its conceptual delimitation, he ascribes the function of a mere biological adaptation to matter. Similar to the pragmatist view he attributes merely technical utility to science with regard to human conduct. On the other hand he considers intuition to be an immediate subjective psychical 'emphaty' penetrat-

ing with "intellectual sympathy" into the "*durée*", i.e. the creative qualitative vital stream of time. Intuition alone can give us "metaphysical knowledge of absolute reality". This irrationalistic psychologistic metaphysics lacks critical reflexion. It loses sight of the fact that the supposed isolation of an actual psychical "intuition" and "*durée*" can itself only be the product of an (erroneous) theoretical analysis and synthesis of meaning. For this intuition is supposed to be cleared of any connection with the other aspects of experience.

Every attempt to isolate intuition theoretically cancels itself. In spite of himself BERGSON feels obliged to connect intuition with concepts [1]. He does so in an internally contradictory way by depriving the intuitively founded concept of every analytical delimitation. He misinterprets this concept as the fluid expression of "psychical empathy" which is supposed to lack the analytical ἐποχή essential to theoretical thought.

There can be no question of genuine philosophy, according to him, "unless it surpasses the conceptual, or at least unless it *frees itself from rigid, ready-made concepts, and creates notions entirely different from those we habitually handle;* I would say supple, mobile, almost fluid concepts, always ready to mould themselves in accordance with the fugitive forms of intuition" [2] (italics are mine).

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[1] *Introduction à la Métaphysique* (now included in *La Pensée et le Mouvant*, 2ième edit. 1934, p. 213). "Certes, les concepts lui sont indispensables, car toutes les autres sciences travaillent le plus ordinairement sur des concepts, et la métaphysique ne saurait se passer des autres sciences." [Certainly, the concepts are indispensable to it, for all the other sciences mostly work with concepts, and metaphysics could not do without the other sciences].

Cf. also: *La Pensée et le Mouvant* (2ième edit. 1934) p. 39: "l'intuition, comme toute pensée, finit par se loger dans des concepts: durée, multiplicité qualitative ou hétérogène, inconscient-differentielle même, si l'on prend la notion telle qu'elle était au début." [Intuition, like every thought, at last gets deposited in concepts; duration, qualitative or heterogeneous multiplicity, unconscious-differential even, if the notion is taken such as it was at the beginning.]

[2] "Elle (i.e. "la philosophie") n'est proprement elle même que lorsqu'elle dépasse le concept ou du moins lorsqu'elle *s'affranchit des concepts raides tout faits pour créer des concepts bien différents de ceux que nous manions d'habitude*, je veux dire des représentations souples, mobiles, presque fluides, toujours prêtes à se mouler sur les formes fuyantes de l'intuition" (italics are mine). *Introduction à la Métaphysique*, op. cit., p. 213/214.

A little further on we read: "If metaphysics is possible, it can only be an awkward effort, even painful(!), immediately to place itself with a kind of intellectual dilation in the object that one studies, to pass from reality to the concepts and no longer from the concepts to reality" [1].

The facts are, however, as follows: If the analytical ἐποχή from the continuity of cosmic time — which BERGSON identifies functionalistically with the psychical duration of feeling! — is cancelled, we necessarily fall back in the merely enstatic intuitive attitude of the thought of naïve experience. It is exactly from this attitude that BERGSON wishes to withdraw in his attempt to isolate intuition theoretically from analysis. There is, however, no third possibility between theoretical synthesis and pre-theoretical naïve experience, as far as human knowledge is concerned.

In BERGSON's concept of "pure duration" we can clearly detect the theoretical synthesis of meaning with its analytical ἐποχή — although in an apert irrationalistic turn of thought. For this "duration" has been obtained by him from the full temporal experience in a process of theoretical abstraction; and this is done with the aid of an intuitively founded analysis! BERGSON does not see this, because he starts from the metaphysical prejudice that the absolute, full reality has been given us in the actual psychical stream of time.

In other words BERGSON starts from a metaphysical absolutization in which the primary analysis and inter-modal synthesis of meaning remain hidden from him. The lack of really critical transcendental self-reflection appears clearly in his optimistic belief that, if his intuitive metaphysical method were generally accepted, the strife between the different philosophic movements would cease. For he thinks he can chiefly explain this strife by the fact that the methods of technical scientific thought, serviceable to practical utility, were forced on the disinterested manner of knowing reality, proper to philosophy [2].

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[1] op. cit., pp. 21/2: "Si la métaphysique est possible, elle ne peut être qu'un effort pénible, douloureux même(!) pour se placer tout de suite, par une espèce de dilation intellectuelle, dans la chose qu'on étudie, enfin pour aller de la realité aux concepts et non plus des concepts à la realité."

[2] "Les difficultés inhérentes à la métaphysique, les antinomies qu'elle soulève, les contradictions où elle tombe, la division en écoles antagonistes et les oppositions irreductibles entre systèmes, viennent en grande partie de ce que nous appliquons à la connaissance désintéressée du réel les

Why theoretical intuition can never operate apart from the analytical function. Intuition and instinct.

Intuition cannot be isolated from analysis. Conversely, analysis can never function without intuitive insight. This has been convincingly proved by HENRI POINCARÉ, in his *La Valeur de la Science* and in his *Science et Hypothèse,* to refute the idea of a 'pure analysis' in the mathematical sciences.

But is it not a fact that sometimes theoretical states of affairs are grasped intuitively at one glance by a truly original thinker, before they are theoretically analysed in all their details? Is not there after all such a thing as an actual intuition that can do without the aid of the analytical function? Does not a kind of intuition exist in men of genius which intuits directly, apart from any logical activity of thought? There is nothing so easy as this interpretation of the above-mentioned fact; but there is also nothing that is more confusing. A simple consideration can convince us of its untenability.

This intuition of men of genius, which for the rest is by no means *infallible,* can provide them with a real theoretical insight only when it *distinguishes* and *identifies* logically. In case this subjective analytical function is absent, at most some *animal instinct* but not a theoretical intuition can be operative.

It is quite possible, however, for theoretical intuition to grasp certain modal law-conformities synthetically in the free direction of its attention [1] without a previous exhaustive analysis of the fundamental law-conformities in the modal field of research.

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procédés dont nous nous servons couramment dans un but d'utilité pratique. Elles viennent principalement de ce que nous nous installons dans l'immobile pour guetter le mouvant au passage, au lieu de nous replacer dans le mouvant pour traverser avec lui les positions immobiles..." [The difficulties inherent in metaphysics, the antinomies it evokes, the contradictions into which it gets involved, the division into antagonistic schools and the irreducible oppositions between the systems, are for a large part due to the circumstance that we apply to the disinterested knowledge of reality, the methods we usually employ for a practical purpose. They originate chiefly from our taking up a position in what is immobile in order to watch the moving in its passage, instead of placing ourselves in the moving in order to traverse the immobile positions with it.]

[1] The *free* direction of our attention to abstract modal states of affairs is typical for *theoretical* intuition in contradistinction to the pre-theoretical, which latter in directing our attention is rigidly bound to *psychical* factors. With respect to the latter point cf. AUGUST MESSER *Psychologie* (5th edit. 1934) p. 282 ff. For the rest his explanation is not free from

In this respect the so-called arithmeticizing of geometry is instructive. The general theory of functions, as it was founded arithmetically by WEIERSTRASZ, was by no means discovered in a 'purely analytical' way, but, as POINCARÉ has shown, by an intuitive insight into the arithmetical law-conformities. We may add to this statement that the discovery was made under the guidance of the intuitive ὑπόθεσις of the *a priori* modal aspect of movement, without which ὑπόθεσις the insight into the mathematical concept of function would not have been possible.

RIEMANN, the second founder of the general theory of the mathematical functions, directed his intuitive theoretical attention to the spatial aspect. He was geometrically rather than arithmetically minded.

If analysis is identified with arithmetical analysis, one might be inclined to call RIEMANN an "intuitive thinker", and WEIERSTRASZ an analytical one. In this way one would again introduce a *false* contrast between analysis and intuition. But then the true state of affairs has been misinterpreted.

> Even pre-theoretical intuition cannot function without logical distinction.

The attempt to relate only *theoretical* intuition (with the various directions of its theoretical attention) to the analytical function, is another cause of a great deal of confusion. In this case pre-theoretical intuition is supposed to be entirely detached from our logical function.

But even pre-theoretical intuition can only inform us of pre-

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confusion. We refer for instance to the following remark: "Natürlich entstehen für uns durch unsere Aufmerksamkeit nicht blosz die Objekte unseres theoretischen Denkens und Erkennens; dasselbe gilt für die Gegenstände unseres Fühlens, Wertschätzens, Strebens und Wollens. Ja, diese atheoretischen Kräfte in uns sind die wichtigsten Ursachen des Aufmerkens." [Of course it is not merely the objects of our theoretical thought and knowledge that originate for us from our attention; for the objects of our feeling, our sense of values, our striving and our volition, the same things hold good. These a-theoretical powers in us are even the most important causes of our attention.] This remark shows that the writer has not been properly alive to the characteristic difference between the *free* direction of theoretical (synthetical) attention and that of the pre-theoretical consciousness. Similarly his attempt to explain attention psychologically shows a lack of insight into its supra-functional intuitive depth. This defect affects all his interesting discussions of the connection between attention and theoretical analysis.

theoretical states of affairs with the help of analytical distinction. However, it lacks the actual inter-modal synthesis of meaning in which analysis is deepened to *scientific* analysis.

§ 4 - THE LIMITS OF A CONCEPT AND OF A DEFINITION, AND THE SO-CALLED PHENOMENOLOGICAL ATTITUDE OF MIND.

Our conception of the theoretical (inter-modal) synthesis of meaning implies the impossibility of logicizing the modal meaning of any of the law-spheres opposed to theoretical analysis. It is not even possible to logicize the logical law-sphere itself, i.e. to grasp its meaning in a "purely logical" way.

If it were possible to logicize the *"Gegenstand"*, there would not be any possibility of theoretical knowledge, no matter how paradoxical this thesis may appear to the logicist.

From this state of affairs we can infer the limits set to the formation of concepts and definitions about the modal structure of meaning. Once the modal meaning-nucleus, the modal retrocipations and anticipations of a law-sphere have been encompassed in the process of a correct theoretical synthesis of meaning, there is no longer any sense in asking a closer conceptual analysis of the nucleus of the meaning-modality analysed in this process. In the theoretical in-sight (actual in theoretical analysis) this nucleus is opened, laid bare. It is the task of theoretical thought to encompass the original modal meaning-nuclei in its concepts, deepened into Ideas, and not only the nuclei, but with them also their expression in the surrounding analogical meaning-moments. Only in the actual analysis founded in theoretical insight do they become capable of being read distinctly in the indissoluble correlation of the subject- and the law-side of the aspect concerned.

In this theoretical laying bare of the modal meaning we do not grasp a rigid εἶδος, an "absolute essential structure", a *"Sache an sich"*, as modern phenomenology in its rationalist trend supposes it can do. The theoretical Idea of the modal meaning-structure will never attain to *perfect* static visibility in our theoretical insight. It will never reach the full realization of what has been subjectively intended in it. This is precluded already by the temporal structure of the modal aspect itself. In the transcendental Idea of number, space, movement, energy, organic life, psychical feeling, retribution, love, etc., true theoretical in-

sight is carried along with the movement of the entire process of meaning-disclosure.

And in this process a truly Christian philosophy will realize, with ever increasing clarity, that the fulfilment of meaning refracted in cosmic time into the various modalities, is not given us in an eidetic intuition but in the religious self-reflection on our part with Christ [1]. The transcendental synthetical Idea of a modal aspect involves us in a gradual process of reading its meaning. It approaches the transcendental limits of a modality, but it cannot give us the fulfilment of meaning of the latter.

In the foundational direction of time the concept of a modal aspect may be *anterior to* the transcendental synthetical Idea of its meaning, but it depends on the latter for its own deepening. This deepened concept is a guarantee that the theoretical Idea cannot do away with the analytical ἐποχή from the continuity of cosmic time. In the Idea of a modal function we can do no more than grasp the specific character of the meaning-modus, analysed in the concept, in the anticipatory direction of cosmic time. In this way the modal concept is integrated in the dynamics of meaning.

So this Idea remains a *limiting concept,* although in a different sense from what KANT meant. It remains determined by the cosmonomic Idea as the ultimate ὑπόθεσις of philosophical thought.

The internal antinomy in the idea of an adequate '*Wesensschau*'.

Suppose the Idea phenomenologically conceived of as the εἶδος of a modal aspect could be *fully realized* in theoretical insight, as the result of an adequate intuition of its essence, then this insight would have to grasp the fulness and the totality of meaning adequately.

It should not only *intend* this fulness and totality in the transcendental direction of time; a mere referring to it as to the transcendent root of all temporal meaning, would not suffice. It should *possess* this fulness as an immanent datum of phenomenological consciousness. But as soon as this condition had been fulfilled, the modal meaning, as such, would have been *cancelled.* For this condition can only be realized in the *transcendent identity* of all temporal modal meaning.

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[1] St. John 13 : 8.

But the identity meant by phenomenology in its "adequate intuition of essence" remains enclosed in the horizon of a particular aspect, whose meaning-coherence is incapable of seclusion. As theoretical, philosophical identity it is necessarily an identity in the analytical ἐποχή, performed in the inter-modal synthesis of meaning [1].

For this reason also the theoretical insight into the transcendental meaning-coherence of a modal aspect, intended by us in the modal Idea, necessarily remains *intentional*. The modal "*Gegenstand*" as well as the analytical modus are themselves of an intending character because of their restless temporal mode of being which is *incapable of seclusion.*

I deem it of supreme importance for my readers to take account of this state of affairs in its deepest foundations.

> Phenomenology is a more dangerous adversary of a Christian philosophy than any other variety of immanence philosophy.

I frankly admit that modern phenomenology is a much more dangerous adversary of a Christian philosophy than classical Humanistic idealism or naturalism. And this is owing to the fact that in its problems it has indeed penetrated to an *a priori* level of philosophic thought which had never been seen so sharply in the earlier Humanistic views. This renders the semblance of its being unbiased all the stronger and all the more deceptive.

The scientialistic trend in phenomenology, founded by HUSSERL, unwilling to commit itself to any super-theoretical pre-supposition, will not leave the *religious* "facts of consciousness" alone. It only requires the philosophical investigator to attune himself to the acts of consciousness in the purely theoretical phenomenological attitude, to the adequate description of "the essence", the "pure datum" in all that is intended in them. It merely requires the philosophical investigator not to utilize a single "matter of

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[1] It has been proved by W. EHRLICH in his study *Kant und Husserl* (1923) p. 96 ff., that the phenomenological "*Wesensschau*", which according to HUSSERL (*Ideen* I, p. 144) always moves in acts of reflextion (durchaus in Akten der Reflexion bewegt) cannot adequately grasp the *essence* of the "immediately experienced" ("schlechthin erlebte"). HUSSERL himself speaks of: modifications of experience through reflexion ("Erlebnismodifikationen durch Reflexion"), p. 149.

fact", except in the phenomenological reduction[1], in order to gain a complete view of the εἶδος, the essence of this "fact", both as to its intentional noetic and its intended noematic sides.

That a concept and a definition are both restricted within certain limits will be readily assented to by the phenomenologist, although he means something quite different from what we have found. But he will stamp as an internal contradiction the statement that the "*Wesensschau*" cannot be an adequate representation of the "essence" of what is intended.

For what could remain in the "matter of fact" that is incapable of apprehension by our insight, once its "essence" has been envisaged?[2]

Immanent criticism of the "phenomenological attitude" is made extremely difficult because of the very different schools of thought into which the movement has split up, (compare only HUSSERL, PFÄNDER, SCHELER, N. HARTMANN, HEIDEGGER, HOFFMAN), which start each from a different type of cosmonomic Idea. That is why I must restrict myself to a general characterization of the "phenomenological attitude" as a definite type of the immanence-standpoint.

The phenomenological "*Wesensschau*" is really founded in a special conception of the mode of being of what has been

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[1] Phenomenological reduction is the theoretical elimination of (the relinquishment of) the entire natural "view of the world" (Weltansicht) and of all normative appreciations *as actual prejudices of the investigator,* in order to make them into the *'Gegenstand'* of disinterested phenomenological research.

[2] Cf. SCHELER in his *Phänomenologie und Erkenntnistheorie* (Schriften aus dem Nachlasz, Bnd. I, 1933) p. 288 (which treatise was written after his chief work on ethics), where he writes: "Absoluter Maszstab jeder "Erkenntnis" ist und bleibt die Selbstgegebenheit des Tatbestandes, gegeben in der evidenten Deckungseinheit des gemeinten und des genau so wie gemeint auch im Erleben (Erschauen) Gegebenen." [The absolute criterion of every cognition is and remains the state of affairs as it presents itself, given in the evident coalescence of what has been intended and of what has been given in immediate experience (contemplation) exactly as it has been intended.] The reader will no doubt notice the erroneous identification of *'Erleben'* and *'Erschauen'*. "Etwas das so gegeben ist, ist zugleich absolutes Sein, und der Gegenstand der nur Gegenstand eines solches Seins ist, eines solchen puren Wesens, ist in idealem Masze adäquat gegeben." [Something given like that is at the same time an absolute being, and the *Gegenstand* which is merely the *Gegenstand* of such a being, of such a pure essence, is given adequately to an ideal degree.]

created. This conception is no longer accounted for by phenomenology as such; it is rooted in a deeper level of the *a priori* than the merely immanent transcendental horizon of human consciousness [1].

Anyone who realizes the self-insufficiency of all meaning, and, in a Biblical sense, acknowledges that no meaning-modus is capable of seclusion, cannot adopt the phenomenological "attitude", because it is contrary to the truth.

The fundamental thesis of HUSSERL's phenomenology is that the transcendental ego as the ultimate subject of 'absolute phenomenology' or 'egology' has no horizon which could transcend its transcendental sphere of being and consequently render this ego relative [2]. This implies that the transcendental ego is elevated to the rank of a 'super-human being', and elevated above all *meaning* as the ultimate constitutive origin of the latter. It is this very primordial absolutization of the phenomenological attitude which determines HUSSERL's conception of the adequate intuition of essence. It is simply uncritical to suppose that this conception could be accepted apart from its pre-supposition which transcends the theoretical attitude of thought.

The phenomenological attitude in principle lacks a *radical* transcendental self-reflection. This appears already from its demand that the "phenomenological reduction" shall also include the investigator's *human selfhood.*

Anyone who has attained to real self-*knowledge* realizes the transcendental impossibility of the existence of "a pure essence" in the phenomenological sense. At the same time he will also see that it is impossible to arrive at a real equation between the fulness of meaning and the theoretical view which is only possible in the analytical ἐποχή.

As to the modal aspects, the synthesis of meaning, and the actual theoretical insight into them, their *essence* lies *open* in the absolute relativity of the temporal meaning-coherence. Also this meaning-coherence possesses no "absolute essence" but points

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[1] The different "levels of the *a priori*" will be discussed in Part. II ch. IV of this Volume.

[2] *Cartesianische Meditationen* (ed. by Prof. Dr S. STRASSER, publ. Martinus Nijhoff, the Hague 1950) p. 107: "die absolute Phänomenologie, die des transzendentalen ego, das eben keinen Horizont mehr hat, der es über seine transzendentale Seinssphäre hinausführen, es also relativieren könnte."

beyond and above itself to the fulness of meaning which transcends all transcendental boundaries of experience. In Christ alone the meaning of all that is finds its adequate fulfilment, because in Him it is directed to God in a perfect way, i.e. in the absolute self-insufficiency which is proper to meaning.

CHAPTER III

THE PROBLEM REGARDING THE POSSIBILITY OF THE SYNTHESIS OF MEANING IN THE SO-CALLED CRITICAL TRANSCENDENTAL PHILOSOPHY OF KANT.

§ 1 - THE DOGMATIC CHARACTER OF THE CRYPTO-RELIGIOUS ATTITUDE IN CRITICAL EPISTEMOLOGY.

It should now be clear that a truly critical epistemology is dependent on the self-reflection on the cosmonomic Idea from which the thinkers starts.

In the problem of the inter-modal synthesis of meaning the very possibility of theoretical thought is at issue. Every epistemology that supposes it can find its Archimedean point in transcendental thought and pose the epistemological problem apart from a transcendental cosmonomic Idea, is "dogmatism" in the objectionable sense of the word.

Such a theory may later on raise the problem of the possibility of the theoretical synthesis. But in its functionalistic attitude it takes no account of the possibility of the primary theoretic synthesis absolutized in its cosmonomic Idea, without which the isolation of the logical or the psychical functions would not be possible.

It is the dogmatic rejection of religious self-reflection that is typical of this doctrinair attitude of theoretical thought [1]. It refuses to carry thought in the transcendental direction to its utmost limits; not, because of purely theoretical motives, as it presumes, but precisely on account of its essentially religious postulate regarding the absolute self-sufficiency of the "*Ver-*

[1] We should bear in mind that the attitude of thought, necessarily determined by the religious attitude of the self-hood, transcends theoretical thought, whose direction it controls. The identification of the supra-theoretical with the theoretical attitude of thought should be scrupulously avoided.

nunft" which it wants to save at all costs. And this attitude of thought is forced on us, in the tyranny of every theoretical dogmatism, as the only *scientific* one.

No one should now attempt to maintain this dogmatism with the old argument that philosophy qua talis cannot exceed the theoretical field.

Already in the *Prolegomena* it has been sufficiently explained that we do not wish to contradict this thesis for a moment. In truly critical-transcendental thought, however, the philosopher should at least theoretically take account of the transcendent and the transcendental conditions without which philosophic thought is impossible. In this respect the cosmonomic Idea as a theoretical Idea in no way exceeds the limits of philosophy, though we know that this Idea itself is always religiously determined. It is much rather the postulate of the self-sufficiency of theoretical thought that cannot be epistemologically accounted for. It has not been theoretically thought out in the transcendental direction of time and it forces its religious *a priori* on us in the disguise of a "pure theory".

If with THEODOR LITT one speaks of a lack of "logical integrity" [1], this epithet would sooner fit such a crypto-religious attitude of thought than the philosophy of the cosmonomic Idea which tears off its mask.

> The reason why in this context we do not discuss the doctrine of the transcendental Ideas of the *Kritik der reinen Vernunft* and base our exposition for the present on the second edition only.

We shall demonstrate in some detail that epistemology could not but get involved in an impasse on the immanence-standpoint. As an example we take KANT's epistemology, on whose fundamental theses the so-called critical, transcendental-idealistic philosophy is still founded. For the present our exposition will be based only on the second edition of the *Kritik der reinen Vernunft*. By so doing I need not yet fear the contradiction which might be inspired by HEIDEGGER's interpretation of KANT's *Kritik der reinen Vernunft* in its first edition. In the present context our sole purpose is to characterize the 'critical method' as such in its failure with regard to the central problem of all epistemology.

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[1] By 'lack of logical integrety' is of course not meant an ethical, but only a theoretic-logical qualification.

HEIDEGGER is of opinion that KANT's *Kritik der reinen Vernunft* has got nothing to do with epistemology, at least in its original conception, as it is found in the first edition. Its subject is supposed to be the possibility of an ontology. I think this hypothesis untenable, and intend to submit it to a special investigation later on. For the present I leave this recent controversy alone. Even if HEIDEGGER's interpretation of KANT's original meaning should be correct, nobody can reasonably raise objections to my discussing the *second* edition as the basic work for the critical method in epistemology. This procedure is safeguarded by the fact that HEIDEGGER himself acknowledges his peculiar interpretation to be inapplicable to the second edition.

KANT's doctrine of Ideas, in which the transcendental direction in philosophic thought begins to manifest itself, is intentionally omitted here, since it has been discussed in an earlier context. This is no distortion of KANT's critique of knowledge.

In the first place, I have definitely shown that KANT's epistemology can be understood only on the basis of his Idea of human personality as the autonomous "homo noumenon". And secondly, I have demonstrated that his doctrine of Ideas is really determined by his practical *a priori* "faith in reason". These two points belong to the exposition of KANT's cosmonomic Idea, discussed in the second part of the first volume.

For the posing and the solution of the problem regarding the cognitive synthesis KANT cannot appeal to his doctrine of Ideas. This is caused by the very nature of his dualistic cosmonomic Idea.

In the transcendental dialectic the theoretical Ideas make their first appearance. And this dialectic is only considered after a complete discussion of the cognitive synthesis and of the cogito, the supposed Archimedean point of KANT's epistemology. Thus KANT himself suggests that his critique of knowledge has been composed apart from any religious attitude and is quite unprejudiced, as the product of "pure theoretical reflection" [1].

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[1] Cf. especially the "Vorrede" of the 1st edition of the *Kr. d. r. V.* Here, entirely in the spirit of the time of the Enlightenment, KANT says: "Unser Zeitalter ist das eigentliche Zeitalter der Kritik, der sich alles unterwerfen musz. *Religion* durch ihre *Heiligkeit* und *Gesetzgebung* durch ihre *Majestät* wollen sich gemeinlich derselben entziehen. Aber alsdann erregen sie gerechten Verdacht wider sich und können auf unverstellte Achtung nicht Anspruch machen, die die Vernunft nur demjenigen bewilligt, was ihre freie und öffentliche Prüfung hat aushalten können." [Our age is

And this suggestion was accepted by the whole of critical thought in the struggle against speculative metaphysics. It was raised as a bulwark to bar religious prejudices and *'Weltanschauung'* from the domain of epistemology.

KANT's theory will prove to result in a stalemate and involve itself in intrinsic self-contradiction.

§ 2 - KANT'S DOCTRINE OF THE SYNTHESIS AND OF THE UNITY OF OUR SELF-CONSCIOUSNESS.

In the first place it will be clear that the mere isolation of *the Transcendental Aesthetic* and *the Transcendental Logic* is based on a fundamental misconception of the epistemological problem.

KANT did not realize that the doctrine of the sensory material of experience, in its primitive reception in the "transcendental forms of intuition of space and time", pre-supposes the theoretical analysis and inter-modal synthesis of meaning.

His thesis is that the "datum" in the "*Gegenstand*" is nothing but the chaotic sensory "*Empfindungen*" [1].

He adopted this thesis from HUME's psychologism uncritically, without being aware of its self-refuting character. How can the *datum* be the result of an analytical *ἐποχή*, the product of theoretical isolation? KANT writes: "In the transcendental aesthetics accordingly, we shall first *isolate* sensibility, separating from it all that the understanding adds to it by means of its concepts so that nothing may be left but empirical intuition" [2].

Already at this point, and also in the "transcendental logic" KANT ought to have raised the problem regarding the possibility of the theoretical antithesis and the inter-modal synthesis of meaning.

It is typical of his dogmatic attitude with respect to theoretical

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the age of criticism, to which everything must be subjected. The sanctity of religion, and the majesty of legislation, may seek to exempt themselves from the examination of this tribunal.

But, if they are exempted, they awaken just suspicion, and cannot lay claim to the sincere respect which reason accords only to that which has stood the test of a free and open examination.]

[1] impressions.

[2] *Kr. d. r. V.* 2nd Edit. (Grosz. Wilh. Ernst Ausg.) p. 59. "In der transzendentalen Aesthetik also werden wir zuerst die Sinnlichkeit *isolieren*, dadurch dass wir alles absondern was der Verstand durch seine Begriffe dabei denkt, damit nichts als empirische Anschauung übrig bleibe."

thought as such that he did not sense an epistemological problem connected with the isolation of the sensory aspect of experience.

Instead he thinks that after the theoretical isolating process nothing remains but a given "non-conceptual" sensory intuition, apart from any connection with the logical aspect of thought. Consequently KANT is not aware of the antinomy implied in the attempt at the theoretical isolation of a "pure" sensibility. Not before his *Transcendental Doctrine of the Faculty of Judgment* does he raise the problem, as to how to apply the isolated "categories of thought" to the sensory "matter" of experience.

But the primordial epistemological problem regarding the antithetical *'Gegenstand-relation'* as such and the transcendental conditions of the possibility of a theoretic abstraction of the sensory and the logical aspects of experience, is not even taken into consideration. KANT was not aware of the cosmic temporal meaning-coherence between the modal aspects. If so, he would have seen that the theoretical abstraction of the sensory (psychical) function of experience remains bound to the modal structure of the latter. This structure expresses the inner meaning-coherence with the logical and all the other aspects. Therefore he would have realized that a *pure* sensibility is a contradiction in terminis, since its very nature is to imply the analogies of the other modalities of meaning.

The influence of the metaphysical substance-concept upon KANT's epistemology.

It deserves special attention that in his transcendental logic KANT *accepts an a priori reference of the categories to the sensory aspect of experience, whereas he does not acknowledge an a priori appeal of the latter to the categories.*

In § 13 of the second chapter of the *Transcendental Analytic*, entitled *Von den Prinzipien einer transszendentalen Deduktion überhaupt.* KANT emphatically remarks: "for phenomena can certainly be given in the sensory intuition independently of functions of the understanding" [1]. It is true that in § 16 (in which

[1] op. cit., p. 123: "Daher zeigt sich hier eine Schwierigkeit, die wir im Felde der Sinnlichkeit nicht antrafen, wie nämlich *subjektive Bedingungen des Denkens* sollten *objektive* Gültigkeit haben, d.i. Bedingungen der Möglichkeit aller Erkenntnis der Gegenstände abgeben: denn ohne Funktionen des Verstandes können allerdings Erscheinungen in der Anschauung gegeben werden."

the *Original Synthetic Unity of Apperception* is discussed) it is said that "all the manifold of the sensory intuition is necessarily related to the 'I think' in the same subject in which this manifold is found." But this reference does not include an appeal to the logical categories of thought as appears from the preceding quotation.

The reason is that KANT's epistemology is in many respects influenced by the metaphysical concept of the 'thing in itself' (substance).

We remember that in Aristotelian metaphysics the 'substance' (*οὐσία*) was supposed to be quite independent of human thought. The latter, on the contrary, was supposed to be intrinsically related to the substances. This conception has been accepted by critical realism in contemporary philosophy. Although KANT's critique of pure reason resulted in a transcendental idealism, he was of opinion that the 'sensory matter' of experience originates in a mysterious affection of our senses by the unknowable 'thing in itself'. So it is quite understandable that he did not accept an intrinsic relation of the sensory function of experience to the transcendental forms of logical thought, but only an a priori relation of the latter to the former, to "*Gegenstände der (sinnlichen) Anschauung*". This metaphysical view is bound up with his conception of the purely receptive rôle of the '*Sinnlichkeit*' and the active and free spontaneity of the understanding. In a deeper sense this conception was determined by the dialectical Humanistic basic motive of nature and freedom. KANT did not know the modal structure of the logical aspect and its temporal meaning-coherence with the other aspects of experience. Consequently his thesis about the *a priori* reference of the categories to objects of sensory intuition required another foundation. This foundation was supposed to be provided in the famous chapter of the *Transcendental Logic* concerning the *Transcendental Deduction of the Pure Concepts of the Understanding* (the categories). The demonstrative power of this chapter stands and falls with its presuppositions, which are not critical at all, but rather prescribed by the hidden starting-point of KANT's epistemology.

KANT's first discussion of the problem of synthesis. His lack of distinction between the logical synthesis and the inter-modal synthesis.

The basis of the whole argument is to be found in his conception of the synthesis as 'the combination of a manifold as

such' and its transcendental logical unity, guaranteed by the original synthetical unity of apperception. In advance of all investigation KANT proclaims that this synthesis is an actus of the spontaneity of the understanding (conceived of in the theoretical abstraction of a "pure" logical function). The only argument adduced for this thesis is that 'the synthesis of a manifold as such' cannot be ascribed to the senses. The latter are only receptive, and even the forms of sensory intuition are nothing but the way in which the subject is affected by the things in themselves.

In the preceding chapter (§ 10) containing an introductory discussion of the categories, KANT distinguishes synthesis as such from the function to conceive it in a conceptual form. The former is called the mere result of the power of imagination *(Einbildungskraft)*, "a blind, though indispensable function of the soul, without which we would have no knowledge at all, and of which we are nevertheless scarcely ever conscious". The function of conceiving the synthesis of imagination in a conceptual form is exclusively attributed to the understanding, which by this function provides us with knowledge properly so-called. This is indeed a dark point in KANT's argument which we shall discuss in detail later on. For the present we are entitled to eliminate it because it will appear from the sequel that it is of no consequence for KANT's epistemological conception of synthesis.

KANT himself emphatically states that *all combination, no matter whether we are aware of it or not,* is an act of the understanding [1].

This is to say that even the unconscious imagination can execute the synthesis only by means of the logical function of the understanding.

Since the theoretical abstraction of the sensory and the logical functions of experience does not imply an epistemological problem for KANT, this line of thought must result in the thesis that theoretical synthesis is the pre-requisite of all analysis:

"The reader will easily enough perceive that this act" (viz. the transcendental synthesis) "must be originally one and the same and of equal validity for every synthesis, and that its dissolution, viz. *analysis,* which appears to be its opposite, must, nevertheless, always pre-suppose it; for where the understanding has not previously combined, it cannot dissolve or analyse, since only as having been combined *by the understanding* can any-

[1] op. cit., p. 122.

thing that allows of analysis be given to the faculty of representation" [1].

KANT does not recognize the cosmic systasis of meaning as it is determined and arranged by the cosmic temporal order, and in which the analytical function itself can only function. Theoretical thought has to take over the task of the cosmic law-giver. And so KANT cannot understand that *logical* synthesis itself is under the law of the analytical meaning and can never be the pre-requisite of the analytical. The modal meaning of the law-spheres is erased by the absolutizing of the theoretical logical function. And this is another reason why the problem of the inter-modal synthesis of meaning in theoretical knowledge must remain hidden from KANT. He does not distinguish the latter from the functional logical synthesis. According to him all synthesis, no matter whether it is a combination of the manifold of sensory intuition or of a logical manifold of concepts, is a logical act of the understanding [2].

The lack of genuinely transcendental reflection culminates in KANT's "Transcendental Logic" in the logicizing of the cosmic and cosmological self-consciousness.

His argument starts from the *concept* of combination which in addition to those of the *manifold* and of *synthesis* also pre-supposes that of *unity*. KANT has penetrated to the insight that the categories of thought as conceptual forms of synthesis pre-suppose the *basic unity of self-consciousness:*

"We must, therefore, look still higher for this unity (as qualitative) [3] namely in that which contains the ground of the unity of diverse concepts in judgments; the ground, consequently, of the possibility of the understanding, *even in regard to its logical employment*" [4]. (Italics are mine).

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[1] *Kr. d. r. V.*, Transsz. Logik, ch. II § 15: "Man wird hier leicht gewahr, dasz diese Handlung" (viz. the synthesis) "ursprünglich einig und für alle Verbindung gleichgeltend sein müsse, und dass die Auflösung, *Analysis*, die ihr Gegenteil zu sein scheint, sie doch jederseit voraussetze; denn wo der Verstand vorher nichts verbunden hat, da kann er auch nichts auflösen, weil es nur *durch ihn als* verbunden der Vorstellungskraft hat gegeben werden können."

[2] ibid.: "alle Verbindung, wir mögen uns ihrer bewuszt werden oder nicht, es mag eine Verbindung des Mannigfaltigen der Anschauung oder mancherlei Begriffe, und an der ersteren der sinnlichen oder nichtsinnlichen Anschauung sein, [ist] eine Verstandeshandlung."

[3] i.e. higher than in the quantitative category of unity.

[4] op. cit., p. 123: "Also müssen wir diese Einheit noch höher suchen,

If KANT had not started from the dogma concerning the autonomy of theoretical thought, he might have acknowledged the necessary transcendence of self-consciousness (operating in theoretical thought) above the logical function. Now he has barred the way to this transcendental insight. The theoretically abstracted logical and sensory functions are assumed to be the only sources of our knowledge. The transcendental unity of self-consciousness cannot be found in sensibility: so it must be of a *logical* nature after all. KANT identifies it with the *cogito* as the *form* of the representation "I think". He explicitly calls the fundamental law of the necessary unity of apperception (i.e. the transcendental unity of self-consciousness) an "analytical proposition".

The transcendental unity of self-consciousness is the concept of the "cogito" that must be capable of accompanying all my different theoretical concepts, if they are to be *my own* concepts. It is thus made the mere transcendental logical pre-requisite for all theoretical categories of thought. In an epistemological sense, the selfhood is merged into the primary logical unity of thought:

> "for the sole reason that I can comprehend the manifold of the representations in one consciousness, do I call them *my* representations, for otherwise I should have as many-coloured and diverse a self as I have representations of which I am conscious.
>
> "Synthetical unity of the manifold in intuitions as given[1] *a priori*, is therefore the ground of the identity of apperception itself which is *a priori* antecendent to all my determinate thought. Combination, however, is not found in the objects themselves; it cannot be derived from them through perception and then taken up into the understanding. On the contrary, it is a function of the understanding alone, which itself is no more than the faculty of combining *a priori* and of bringing the manifold of given representations under the unity of apperception. This principle is the highest in all human knowledge"[2].

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nämlich in demjenigen was selbst den Grund der Einheit verschiedener Begriffe in Urteilen, mithin der Möglichkeit des Verstandes *sogar in seinem logischen Gebrauche* enthält." (Italics are mine).

[1] Read: *generated* (with VAIHINGER).

[2] Op. cit., p. 125: "nur dadurch, dass ich das Mannigfaltige" (i.e. der Vorstellungen) "in einem Bewusstsein begreifen kann, nenne ich dieselbe insgesamt *meine* Vorstellungen; denn sonst würde ich ein so vielfärbiges verschiedenes Selbst haben als ich Vorstellungen habe, deren ich mir bewusst bin. Synthetische Einheit des Mannigfaltigen der Anschauungen, als *a priori* gegeben, ist also der Grund der Identität der Apperzeption selbst, die *a priori* allem meinem bestimmten Denken vorhergeht. Verbin-

The internal antinomy in KANT's conception of the transcendental unity of self-consciousness.

The whole internal antinomy of the so-called critical transcendental epistemology is implied *in nuce* in this view of the cognitive selfhood as *merely* a logical form of the unity of consciousness. The deeper identity experienced in our self-consciousness is of a transfunctional and super-temporal character. It is *knowing oneself to be one and the same in and beyond all cosmic temporal functions* and *knowing one's functions as one's own.* If the thinking I-ness would be logical-functional, it would have to *resist* all non-logical aspects of reality, the psychical included, as *not my own,* not belonging to my selfhood. It would have to do so on the ground of the principium contradictionis. This would also cancel the possibility of a meaning-synthesis between the logical function of thought and KANT's sensory experiential material. In other words, KANT's critique of knowledge destroys itself by setting our cognitive functions apart and making them independent, and by identifying cognitive selfhood with the primary logical unity of the activity of thought [1]. It is true, KANT qualified the original unity of apperception in the "pure self-consciousness" explicitly as a *synthetical* unity (in the sense of a form or law-conformity determining all experience). He considered it as the original *a priori* relatedness of a multiplicity (in intuition) to the cogito, the "I think", in the same subject in which this multiplicity is found.

It is true also that KANT founds the purely *analytical* "unity of apperception" — of which he assumes that it coalesces with

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dung liegt aber nicht in den Gegenständen und kann von ihnen nicht etwa durch Wahrnemung entlehnt und in den Verstand dadurch allererst aufgenommen werden, sondern ist allein eine Verrichtung des Verstandes, der selbst nichts weiter ist als das Vermögen, *a priori* zu verbinden und das Mannigfaltige gegebener Vorstellungen unter Einheit der Apperzeption zu bringen, welcher Grundsatz der oberste im ganzen menschlichen Erkenntnis ist."

[1] RICHARD KRONER also realized this in his famous work: *Van Kant bis Hegel,* I (1921) p. 85. He defines this antinomy as follows: "Wird das Ich als Einheit lediglich im Gegensatze zum Mannigfaltigen (als Verstand im Gegensatze zur Anschauung, als Denken im Gegensatze zum Erkennen) begriffen, so kann es nie synthetisch erkennend werden, die Möglichkeit der Erfahrung ist dahin." [If the I is only conceived as a unity in contrast with the manifold — as understanding in contrast with intuition, as thought in contrast with cognition —, it cannot cognize synthetically, then the possibility of experience is gone.]

the representation (i.e. the concept) of the identity of consciousness in a multiplicity of given representations — in the *synthetical* unity of apperception [1]. But all this does not concern the possibility of *inter-modal meaning-synthesis* in the transcendental unity of self-consciousness. KANT writes: "the manifold representations given in an intuition would not all of them be *my* representations if they did not all belong to one self-consciousness" [2]. But if this self-consciousness is only the final *logical* unity of the activity of thought, it remains in an antithetical position towards sensibility, because of the theoretical isolation in which KANT conceives of it. Then the sensory representations cannot possibly be related to self-consciousness. In KANT's functionalistic critique of knowledge the religious transcendence of the selfhood, the cosmic interlacement of the modal functions in time, and the theoretical intuition cannot possibly play a part [3].

The transcendental unity of apperception in KANT remains essentially a supposed ultimate formal unity of the logical function of thought.

The following quotations may be additional evidence for this statement:

"in the transcendental synthesis of the manifold of representations in general, and also in the original synthetic unity of

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[1] op. cit., p. 124, j°, p. 125 note.

[2] "Die mannigfaltigen Vorstellungen, die in einer gewissen Anschauung gegeben werden, würden nicht insgesamt *meine* Vorstellungen sein, wenn sie nicht insgesamt zu einem Selbstbewusztsein gehörten."

[3] According to KANT intuitive and at the same time creative thought is only proper to God, as the (hypostatized) intellectus archetypus. Human knowledge is explicitly denied any intuitive character. This is seen in the following passage:

"Der Verstand wurde oben blosz negativ erklärt: durch ein nicht-sinnliches Erkenntnisvermögen. Nun können wir abhängig von der Sinnlichkeit keiner Anschauung teilhaftig werden. Also ist der Verstand kein Vermögen der Anschauung. Es gibt aber ausser der Anschauung kein andere Art zu erkennen, als durch Begriffe. Also ist die Erkenntnis eines jeden, wenigstens des menschlichen Verstandes, eine Erkenntnis durch Begriffe, *nicht intuitiv, sondern diskursiv.*" Op. cit., p. 96. [The understanding was defined negatively in the preceding section: as a non-sensory cognitive faculty. Now we cannot have any intuition apart from sensibility. So the understanding is not a faculty of intuition. Besides our intuition there is no other way to knowledge except by means of concepts. Therefore the knowledge yielded by understanding, at least by human understanding, must be by means of concepts — and so is *not intuitive but discursive.*]

apperception I am conscious of myself, not as I appear to myself, but only of the fact *that* I am. *This representation* is a *thought,* not an *intuition*" [1]. A little further on we read: "I exist as an intelligence which is conscious solely of its power of combination" [2] etc., and KANT explicitly calls the objective unity of apperception "the logical form of all judgments" [3], whereas repeatedly he emphasizes that thought in itself is nothing but "the logical function" [4].

Summary of our criticism of KANT's conception of the transcendental unity of self-consciousness.

We can sum up the internal contradiction in KANT's conception of "the transcendental unity of apperception" as follows:

The synthesis of meaning pre-supposes a temporal coherence of meaning *in* the modal diversity, as well as the transcendent unity *above* the modal diversity. KANT assumes a final *logical* unity of thinking *above logical* multiplicity [5]. To this unity all multiplicity both in thought and in intuition is supposedly *related.* Logical unity *above* logical multiplicity, however, cannot possibly exist, because the modal meaning of the logical only contains logical unity *in* logical multiplicity [6]. In KANT's epistemology the super-logical unity of self-consciousness is precluded *a priori* by his dualistic cosmonomic Idea in which this epistemology is founded. The result is that KANT's logicizing of the transcendental unity of self-consciousness cancels itself in internal antinomy.

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[1] op. cit., p. 140: "ich (bin) mir meiner selbst in der transszendentalen Synthesis des Mannigfaltigen der Vorstellungen überhaupt, mithin in der synthetischen ursprünglichen Einheit der Apperzeption bewuszt, nicht wie ich mir erscheine, noch wie ich an mir selbst bin, sondern nur *dasz* ich bin. Diese *Vorstellung* ist ein *Denken,* nicht ein *Anschauuen.*"

[2] op. cit., p. 141.

[3] op. cit., the title to § 19, p. 129.

[4] Compare for instance, p. 322: "Das Denken, für sich genommen, ist blosz die logische Funktion, mithin lauter Spontaneität der Verbindung des Mannigfaltigen einer blosz möglichen Anschauung" etc. [Thought, taken as such, is merely the logical function of synthesis of the manifold of a merely possible intuition etc.]

[5] "Denn durch das Ich als einfache Vorstellung (read: concept) ist nichts Mannigfaltiges gegeben." [For in the I as a simple representation (— i.e. concept) no manifold content is given.]

[6] In the first edition der *Kr. d. r. V.* (W.W. Gr. Wilh. Ernst Ausg. VI, 732) KANT even speaks of the "numerische Einheit dieser Apperzeption" [the numerical unity of this apperception], which is the *a priori* basis of all concepts.

The selfhood, as the unity above the diversity of meaning, can never be grasped in a concept, but only intended in a transcendental *Idea*. In KANT's transcendental logic the *I-ness* has become a *formal concept*, viz. the logical unity above logical multiplicity. This is nothing but a transposition of the metaphysical concept of the "soul" as a "simple substance" into the modal meaning of the logical aspect, where this concept is even more self-contradictory.

§ 3 - THE PROBLEM OF THE INTER-MODAL SYNTHESIS OF MEANING IN KANT'S SO-CALLED TRANSCENDENTAL LOGIC.

KANT speaks of the transcendental unity of self-consciousness in order to express that it is the pre-requisite of all *a priori* cognition. Self-consciousness is the Archimedean point in KANT's epistemology. He conceives it as the transcendental logical condition of knowledge determining everything else. But we saw that he had not even touched upon the primordial fundamental problems of epistemology in his doctrine of the transcendental unity of apperception (i.e. the logical form of self-consciousness).

This raises the inevitable question: What did he really mean by his distinction between transcendental and formal logic, fundamental to his entire critique of knowledge?

Although in critical philosophy this distinction is considered to be of extraordinary importance, it has not been very clearly defined [1]. All are agreed that "transcendental logic" is concerned with "synthetical" cognitive thought.

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[1] WINDELBAND, *Gesch. der neueren Phil.* II, S. 69 writes that it has been the greatest of KANT's discoveries, "dass es neben den logischen noch andere Formen der Verstandestätigkeit gibt, und dass in ihnen der Grund für alle notwendige und allgemeingültige Erkenntnis der Erfahrungswelt zu suchen ist. Diese Formen, welche im Gegensatz zu den reinlogischen die erkenntnistheoretischen genannt werden dürfen, bezeichnete KANT als Kategorien." [by the side of the logical forms of intellectual activity there are other forms; in the latter we must seek the foundation of all necessary and universally valid knowledge of the world of experience. We might call these forms epistemological in contradistinction to the purely logical forms. KANT designates them as categories.] But WINDELBAND has not seen that the inter-modal synthesis of meaning was the only thing by which the categories as such could have acquired a more than logical character in KANT's critique of knowledge. But in KANT's cadre of thought it was impossible to conceive this synthesis. There is nowhere any indication that in the categories *as such* he saw a real inter-modal synthesis of meaning. As we shall show they remain of

It is not possible to doubt that by "transcendental logic" KANT meant the doctrine of "pure understanding", in contradistinction to the so-called "formal logic" already discussed. By means of the "pure understanding" we think *"Gegenstände"* absolutely *a priori,* so that the *a priori* concepts of the "pure understanding" are related to *"Gegenstände"*. On the other hand general or formal logic is supposed to abstract from all relationships between thought and *"Gegenstände"* and only to concentrate on the "form of thought as such".

The question, however, as to what cosmological character is attached to the "synthesis" brought about in transcendental thought, and in what cosmological sense we have to take the *a priori* relatedness of the categories of thought to the *"Gegenstände"* of cognition, has never been investigated, as far as I know.

> In KANT's transcendental categories the problem of the inter-modal synthesis of meaning has not been seen.

A close study of KANT's exposition of the character of the transcendental logic with regard to the "pure categories of thought" will reveal that he especially thinks of the *logical function* as operative in the categories. In his 'Lecture on Logic' (Logikvorlesung) he calls the latter "Notionen" or *conceptus dati a priori* [1].

As sharply as possible he puts in the foreground that it is the same function which is active in formal analytical and in transcendental synthetical thought.

> "The same function," says KANT, "which gives unity to the various representations" (i.e. concepts) *"in a judgment,* also lends unity to the mere synthesis of the different representations in an intuition which is called a pure concept of the understanding.
>
> "The understanding produces the logical form of a jugdment in concepts by means of analytical unity. And it is the same understanding which by the same operations imparts a transcendental content to its representations by means of the synthetic unity of the manifold in intuition. For this reason they are called pure concepts of the understanding, applying *a priori* to objects. This is a synthetic function beyond the power of general logic" [2].

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a merely logical character. But then the distinction between "formal" and "transcendental" forms of thought does not carry us a step further.

[1] W.W. (Cass.) VIII, 4, p. 401.

[2] *Kr. d. r. V.* (Grossh. W. E. Ausg.) p. 104/5. "Dieselbe Funktion, welche den verschiedenen Vorstellungen *in einem Urteil* Einheit gibt, die gibt

> And in § 20 of the *Transcendental Logic* we read: "That operation of the understanding, however, by which the manifold of some given representations (be they intuitions or concepts) is brought under one apperception, is the *logical function of judgment.*" (Italics are mine). "Consequently all of the manifold, in so far as it is given in a single empirical intuition, is *determined* in relation to one of the logical functions of judgment, by which it is brought into union in one consciousness. Now the categories are *nothing else but these same functions*" (Italics are mine) "of judgment as far the manifold of a given intuition is determined in relation to them" [1].

In KANT's view "synthetical thought", with its categories applied *a priori* to "*Gegenstände*", is thus rooted in the same logical function as formal analytical thought. This is why he orientates the categories to the table of the formal logical judgments [2].

In KANT's line of argument this orientation is not arbitrary. It is justified in principle because the categories (as to their modal meaning, we would say) are indeed of a logical nature. Consequently, it is confusing to contrast them with the purely logical forms of the theoretical activity of the understanding, as is done by WINDELBAND and in the prevailing view. This would imply that with regard to their formal peculiar character they had a meaning different from the logical. Kant never meant this.

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auch der bloszen Synthesis verschiedener Vorstellungen *in einer Anschauung* Einheit, welche, allgemein ausgedrückt, der reine Verstandsbegriff heisst. Derselbe Verstand also und zwar durch eben dieselben Handlungen wodurch er in Begriffen, vermittelst der analytischen Einheit die logische Form eines Urteils zu stande brachte, bringt auch vermittelst der synthetischen Einheit des Mannigfaltigen in der Anschauung überhaupt in seine Vorstellungen einen transzendentalen Inhalt, weswegen sie reine Verstandesbegriffe heissen, die a priori auf Objekte gehen, welches die allgemeine Logik nicht leisten kann."

[1] "Diejenige Handlung des Verstandes (aber), durch die das Mannigfaltige gegebener Vorstellungen (sie mögen Anschauungen oder Begriffe sein) unter eine Apperzeption überhaupt gebracht wird, ist die logische Funktion der Urteile. Also ist alles Mannigfaltige, so fern es in einer empirischen Anschauung gegeben ist, in Ansehung einer der logischen Funktionen zu urteilen *bestimmt*, durch die es nämlich zu einem Bewusztsein überhaupt gebracht wird. Nun sind aber *die Kategorien* nichts andres als eben diese Funktionen zu urteilen, so fern das Mannigfaltige einer gegebenen Anschauung in Ansehung ihrer bestimmt ist."

[2] KANT cannot have meant a real deduction of the categories from the table of the judgments. On this point I agree with HEIDEGGER. KANT himself does not call the table of judgments the "origin of the categories", but only "the guide to the discovery of all the concepts of the understanding."

He only distinguished them from all others as synthetic logical concepts *a priori* applied to possible experience. The synthesis in which the categories themselves are founded was not considered by KANT as an *inter-modal* but as a *purely logical* synthesis. The neo-Kantians of the Marburg School who raise objections to KANT's supposed deduction of the categories of thought from the table of logical judgments, by no means wish to detract from the logical origin of the categories. Only those who abandon the elevation of the logos to the (pseudo) Archimedean point of philosophic thought can gain an insight into the real epistemological character of the inter-modal theoretical synthesis of meaning.

So long as the logical is taken to be the origin of all determinateness of meaning, the inter-modal synthesis of meaning as well as the modal meaning-structure drop out of the theoretical view. According to KANT the (theoretical) synthesis of a "multiplicity in sensory intuition" is of a logical functional character, though it doubtless implies a conjunction between two different modal functions of experience. It is even conceived apart from the theoretical intuition of time which only makes the inter-modal synthesis possible. It is "*a priori* related" to the sensory function of experience, but in KANT's line of thought this relation is completely problematical. Its problematical nature renders it insufficient to accord a more than logical meaning to the categories. And KANT did not intend to do so. In his *Kritik der praktischen Vernunft* he makes use of the table of the categories quite apart from any sensory experience; and in the first chapter of the *Transzendentale Doktrin der Urteilskraft* he emphatically states: "Indeed a meaning is left to the pure concepts of the understanding also *after every sensory condition has been abstracted.* But this is only a *logical meaning*" (Italics are mine) "of the mere unity of the representation to which no *"Gegenstand"* and consequently no meaning has been given that might produce a concept of the object. So, e.g., "substance", after all sensory determination of stability has been abstracted, can only mean something that can be thought of as a subject without being a predicate to anything else. I can infer nothing from this representation, because it tells me nothing at all about the determinations of a thing that should be accepted as such a first subject. Consequently, the categories without schemata are only functions of the understanding for concepts, but do not represent an object. They derive the latter sense from

sensibility which realizes the understanding by restricting it at the same time" [1].

And in the 22nd paragraph on *Transcendental Logic* KANT writes that "the categories have their origin in the understanding alone, *independently of sensibility*" [2, 3].

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[1] Op. cit., p. 159: "In der Tat bleibt den reinen Verstandesbegriffen allerdings auch nach Absonderung aller sinnlichen Bedingung eine, aber nur logische Bedeutung der bloszen Einheit der Vorstellungen, denen aber kein Gegenstand, mithin auch keine Bedeutung gegeben wird, die einen Begriff vom Objekt abgeben könnte. So würde z.B. Substanz wenn man die sinnliche Bestimmung der Beharrlichkeit wegliesse, nichts weiter als ein Etwas bedeuten, das als Subjekt (ohne ein Prädikat von etwas anderem zu sein) gedacht werden kann. Aus dieser Vorstellung kann ich nun nichts machen, indem sie mir gar nicht anzeigt, welche Bestimmungen das Ding hat, welches als ein solches erstes Subjekt gelten soll. Also sind die Kategorien ohne Schemata nur Funktionen des Verstandes zu Begriffen, stellen aber keinen Gegenstand vor. Diese Bedeutung kommt ihnen von der Sinnlichkeit, die den Verstand realisiert, indem sie ihn zugleich restringiert."

[2] Op. cit., p. 132: "da die Kategorien *unabhängig von Sinnlichkeit* blosz im Verstande entspringen" etc.

Cf. also § 24, p. 135/6: "Die reinen Verstandesbegriffe beziehen sich durch den bloszen Verstand auf Gegenstände der Anschauung überhaupt, unbestimmt ob sie die unsrige oder irgend eine andere doch sinnliche sei, sind aber eben darum blosze *Gedankenformen*... Die Synthesis oder Verbindung des Mannigfaltigen in denselben bezog sich blosz auf die Einheit der Apperzeption und war dadurch der Grund der Möglichkeit der Erkenntnis *a priori*, so fern sie auf dem Verstande beruht, und mithin nichts allein transszendental, sondern auch blosz rein intellectual." [The pure concepts of the understanding apply to objects of intuition in general, through the understanding alone, no matter whether the intuition is our own or any other, provided only it is sensory, therefore they are mere *forms of thought*... The synthesis or combination of the manifold in them merely relates to the unity of apperception and because of this it is the ground of the possibility of *a priori knowledge* in so far as the latter depends on the understanding, and consequently not only transcendental but also purely intellectual.]

[3] Cf. *Ueber die Fortschritte der Metaphysik seit Leibniz und Wolff* (W.W. Cass. VIII, 251): "Es ist aber wohl zu merken, dass diese Kategorien, oder wie sie sonst heissen, Prädikamente, keine bestimmte Art der Anschauung (wie etwa die uns Menschen allein mögliche) wie Raum und Zeit, welche sinnlich ist, voraussetzen, sondern nur Denkformen sind für den Begriff von einem Gegenstande der Anschauung überhaupt, welcher Art diese auch sei... Denn wir müssen uns immer einen Begriff von einem Gegenstande durch den reinen Verstand machen, von dem wir etwas *a priori* urteilen wollen, wenn wir auch nachher finden, dass es überschwenglich sei, und ihm keine objektive Realität verschafft werden könne, sodass die Kategorie für sich von den Formen der Sinnlichkeit, Raum und Zeit, nicht abhängig ist." [It should, however, be borne in

In this last pronouncement it is especially the part italicized by KANT himself that is important. For it states emphatically that in his own view the category itself implies no inter-modal synthesis of meaning. It is true he never tires of asserting that a category cannot be used for cognizing things in any other way than by applying it to the objects of experience [1]. Bu this confirms the statement that it is only the synthesis of the categories with the "transcendental form of sensory intuition" *time* that can have an inter-functional, inter-modal character in KANT's line of thought.

Criticism of KANT's table of categories.

At this very point, however, KANT's lack of a cosmological foundation for his epistemology is very evident. His prejudice that we can acquire knowledge from two "sources" only has no room for more than one kind of inter-functional synthesis *a priori* in cognition, viz. that between a logical category and a form of sensory intuition. In addition he could not call this a synthesis since he had bound himself to the prejudice that all synthesis is only a logical function of the understanding.

So KANT could not see that, if his categories were really to be transcendental conditions of mathematical natural scientific knowledge, they must already contain inter-modal syntheses of meaning.

The mathematical categories must combine original mathematical and logical meaning, the dynamical categories must contain original physical meaning in analytical abstraction [2], if they are to render mathematics and physics possible.

We have shown that unity, plurality and totality (KANT's categories of quantity) in the logical aspect are entirely distinct from the numerical unit, the numerical manifold, and numerical totality, as well as from the sensory analogies of the latter.

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mind that these categories, or "predicaments" as they are also called, do not pre-suppose any definite kind of intuition (as, e.g., that which is only possible in man) such as space and time, which is sensible. But they are mere forms of thought for the concept of an object of intuition as such of whatever nature it may be... For we must always form a concept of an object by means of the pure understanding if we want to predicate something about the object, though later on we find that it is extravagent, and cannot be accorded any objective reality, so that the category as such does not depend on the forms of sensibility, space and time.]

[1] "keinen andern Gebrauch zum Erkenntnisse der Dinge (hat), als ihre Anwendung auf Gegenstände der Erfahrung."

[2] Not some analogy of it in the psychical or in the logical modus.

KANT creates endless confusion when he ascribes the origin of number to a schematism of the categories of quantity by which the latter are supposed to assume an *a priori* sensible image in time as a form of sensory intuition. For lack of insight into the modal structures of meaning he was not aware of the analogical character of his supposed purely logical categories of quantity. His mathematical categories of "quality" (reality, negation, limitation) can have kinematical-mathematical modality only if (as categories of "intensive magnitude") they possess the complicated synthetical structure of meaning analysed in the general theory of the modal spheres.

The categories of quality must then comprise the logically disclosed modality of motion in a synthetical meaning-coherence with the logically disclosed arithmetical and spatial aspect. But KANT ascribes to these categories a logical meaning *a priori* related to sensory intuition.

He is not aware of the analogical character of the terms reality, negation and limitation in their logical use, and has not analysed their meaning as categories of intensive magnitude. In consequence the fundamental concepts of the kinematical branch of mathematics are misinterpreted as an *a priori* "synthesis of sensation (Empfindung) with the representation of time", in which sensation is conceived of as "content of time" [1]. KANT also says that they are *a priori* determinations of time after rules (viz. the categories of quality), with respect to the content of time [2].

Apart from their *a priori* reference to 'time' KANT's categories of quality, just as his categories of quantity, relation and modality, lose their supposed character as 'transcendental conditions of experience'. But his conception of time is the weakest point of his epistemology. We have seen that the origin of this conception is doubtless to be traced back to NEWTON's 'absolute time'. Apart from its metaphysical interpretation the latter was conceived in a kinematical-mathematical sense, this is to say in the modal meaning of pure uniform motion (tempus quod aequaliter fluit), in its abstraction from the energy-aspect. KANT has only substituted a transcendental-idealistic for a metaphysical interpretation by making time into a pure form of sensory

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[1] Op. cit., p. 158: "das Schema der Qualität" (enthaltet und macht vorstellig) "die Synthesis der Empfindung (Wahrnehmung) mit der Vorstellung der Zeit oder die Erfüllung der Zeit..."

[2] ibid.

intuition. He has neither abandoned the kinematical-mathematical sense of NEWTON's concept of time, nor the absolutization of the kinematical time-aspect. The conception of the latter as a pure form of sensory intuition, in which the subjective impressions of the 'inner sense' are supposed to be received, must result in a fundamental confusion. KANT's epistemology has neither room for the modal diversity of the different aspects of time nor for the distinction between its law-side as temporal order and its factual side as duration, nor for the subject-object relation in the experience of time.

The impossibility of a really critical epistemology apart from a cosmological foundation is nowhere more convincingly demonstrated than in KANT's discussion of this most fundamental problem of philosophy.

It is of no avail to say that KANT's conception of time was oriented only to NEWTON's physics and its mathematical foundations. Even in this restricted sense the problem of time cannot be critically discussed without an insight into its integral cosmological character [1] and the modal diversity of its different aspects. As soon as this state of affairs is lost sight of, every critique of human knowledge lands in a cosmological dogmatism.

KANT's mathematical categories of quantity and quality, as logical functions of the synthesis of a 'manifold in general', are related to the same confused idea of time, and by the intermediary of the latter to "*Gegenstände überhaupt*". It is impossible that these categories which in themselves are nothing but logical forms of judgments, could assume numerical and kinematical-mathematical sense as transcendental determinations of time if the latter is conceived as a pure form of sensory intuition.

The categories of quality correspond to the logical forms of affirmation, negation and limitation. The latter are nothing but analytical relations of identity, exclusion and limitation (S is P; S excludes Q, S excludes an infinitesemal series of non S). In an inter-modal theoretical synthesis with the kinematical aspect of experience these logical forms can have no other function than that of an analytical-synthetical determination of

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[1] The reader should remember that the term 'cosmic time' is not to be understood in a natural scientific sense, but is used in contrast to the specific scientific concepts of time which refer only to particular modal aspects of temporal experience.

the kinematical-mathematical meaning inherent in the aspect concerned. This is what KANT cannot accept because of his prejudice concerning the two exclusive sources of experience and his elimination of the cosmic order of time. So he ascribes a mathematical sense to the categories of quality themselves. The logical function of synthesis must fulfil the task of an inter-modal meaning-synthesis.

The same thing occurs in the case of KANT's categories of relation (inherence and subsistence, cause and effect, and interaction between the agens and that which undergoes the effect). But from the logical point of view the situation is more obscure here than in the case of the mathematical categories. The latter correspond indeed to different forms of analytical relations. As to the third class of KANT's categories this correspondence is doubtful. It is entirely lacking with regard to the first and the third categories. The category of inherence and subsistence is taken over from the traditional Aristotelian logic. It was closely bound to the metaphysical concept of substance and to the linguistic relation of subject and predicate. From the strictly logical viewpoint it must be seriously doubted whether it corresponds to a particular form of analytical relation. Apart from the metaphysical concept of substance it can hardly be different from the analytical relation of identity. KANT supposes that it is the logical form of the categorical judgment. But he fails to demonstrate this assertion.

The category of interaction between the agens and that which undergoes the effect (which is also taken over from ARISTOTLE) lacks any correspondence to an analytical form of relation. It can never have an analytical meaning since it implies the reference to energy and its effects. KANT pretends that it corresponds to the logical form of a disjunctive judgment. The ground of this assertion remains quite obscure [1].

So it is only the second category of the third class, viz. that of causality, which has undoubted correspondence with a genuine form of analytical relation. Our provisional analysis of the modal

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[1] KANT agrees that the correspondence of the third category of relation to the logical form of a disjunctive judgment is not evident at first sight. But he tries to indicate this correspondence by referring to the fact that the parts of a disjunctive judgment determine each other mutually (when a term of the division is assumed all the others are excluded; and conversely). But this analytical relation of reciprocal determination has nothing to do with interaction in its original physical sense.

structure of the logical aspect has shown that the analytical relation of causality has an analogical character: it is necessarily qualified by the analytical nucleus of the logical aspect. As an analytical law of every logical conclusion, it is nothing but the principium rationis sufficientis. KANT has rightly observed that it is the logical form of a hypothetical judgment. Even in an inter-modal synthesis with the energy-aspect of human experience the logical function of synthesis implied in the analytical relation of causality cannot give more than an analytical determination to the genuine causal relation of energy. KANT, however, ascribes the meaning of *physical* causality to the category of causality as a pure concept of the understanding. This appears from his statement that the concept of energy *(Kraft)* and that of action and undergoing an effect are to be derived from the category of causality and dependence, and that, as "Prädicabilien" of this original notion, they have the same character of pure concepts of the understanding [1].

Thus KANT turns the (logical) *principium rationis sufficientis* into the "ground of possible experience". The physical causal law is misinterpreted as the logical principle of the sufficient ground in its *a priori* relation to sensory phenomena in the succession of time [2].

The complex inter-modal synthetical structure of the fundamental physical concept of causality is not for a moment discussed. On KANT's authority we must believe that it is nothing but a purely logical function of synthesizing a manifold given in the temporal form of sensory perception.

In the same way the three categories of modality are deduced (possibility-impossibility; actuality and non-actuality; necessity-chance). The conception of this class of categories is extremely typical of KANT's epistemological standpoint. It has an interesting history in immanence-philosophy which cannot be examined here in detail.

ARISTOTLE's conception of the relations of possibility and actuality (*δυνάμει ὄν* and *ἐνεργεία*) had its foundation in the metaphysical form-matter schema. In LEIBNIZ possibility was identified with the *logically* possible, the logically non-contradictory. The actual is taken to be identical with a selection from the logically possible realized by the deity, the "intellectus arche-

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[1] Ibid., p. 107.

[2] Cf. the proof of the "second analogy of experience". Op. cit. p. 200.

typus". This selection is the "compossible", i.e. that which is compatible with all the rest and is the comparative best. In KANT, possibility, actuality and necessity become the logical categories of modality. As such they are alleged to be related *a priori* to sensory phenomena [1]. Within the cadre of human experience only the sensory is supposed to be actual, in its formal determination by the forms of intuition and thought; but actuality itself is a category of thought. The dogmatical character of this conception and its untenability can only appear from a structural analysis of the pre-theoretical experience of reality. But KANT's frame of mind causes him to ignore our pre-theoretical experience.

> The problem of the inter-modal synthesis in KANT's doctrine of the "transcendental imagination" (*'transszendentale Einbildungskraft'*) [2].

In his "transcendental logic" KANT introduced the famous, but extremely obscure notion of the "transcendental imagination". In the 24th section he discusses the application of the categories to "objects of sense in general".

The "transcendental imagination" also plays a central part in the chapter on the schematism. And it should consequently be supposed that we can understand the transcendental meaning of the category only from "the transcendental schema", which has its origin in this "productive faculty of the imagination". But it will appear that nothing is gained in this way.

In the opening passage of § 24 KANT has again explained the purely logical character of the synthesis in the categories with great emphasis [3].

He then continues as follows: "But as there is a certain form of *a priori* sensory intuition in the mind based on the recepti-

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[1] as *'Gegenstände'* of sensory intuition.

[2] *Translator's note:* The faculty of forming mental images; the word imagination is taken in its primitive sense here.

[3] "Die reinen Verstandesbegriffe beziehen sich durch den blossen Verstand auf Gegenstände der Anschauung überhaupt, unbestimmt ob sie die unsrige oder irgend eine andere, doch sinnliche sei, sind aber eben darum blosse *Gedankenformen* wodurch noch kein bestimmter Gegenstand erkannt wird." [The pure concepts of the understanding apply to objects of intuition exclusively through the understanding, and it is immaterial whether the intuition is our own or any other, so long as it is sensory; but they are for this very reason *mere forms of thought* by means of which no determinate object can be known.]

vity of the representative faculty (sensibility), the understanding, as spontaneity, can determine inner sense by means of the manifold of given representations in accordance with the synthetic unity of apperception. In this way it can think synthetic unity of the apperception of the manifold of sensory intuition *a priori* — that being the pre-requisite to which all objects of our (human) intuition are necessarily subjected. In this way the categories, in themselves mere forms of thought, obtain objective reality, i.e. application to objects that can be given us in intuition. These objects, however, are only phenomena, for only of the latter can we have an intuition *a priori*".

And now with great emphasis KANT distinguishes this a priori "synthesis of the manifold of sensory intuition" as a "synthesis speciosa" or "figurative synthesis" from the merely logical synthesis (synthesis intellectualis). The latter is thought in the mere category in respect of the manifold of an intuition in general, and is called *'Verstandesverbindung'* (combination through the understanding) [2].

The above mentioned figurative synthesis in its relation to the transcendental unity of apperception is called "transcendental synthesis of the imagination", in contradistinction to the merely logical synthesis.

What does KANT understand by "imagination"? [3].

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[1] op. cit., p. 136: "Weil in uns aber eine gewisse Form der sinnlichen Anschauung a priori zum Grunde liegt, welche auf der Rezeptivität der Vorstellungsfähigkeit (Sinnlichkeit) beruht, so kann der Verstand als Spontaneität den inneren Sinn durch das Mannigfaltige gegebener Vorstellungen der synthetischen Einheit der Apperzeption gemäss bestimmen und so synthetische Einheit der Apperzeption des Mannigfaltigen der sinnlichen Anschauung apriori denken, als die Bedingung, unter welcher alle Gegenstände unserer (der menschlichen) Anschauung notwendiger Weise stehen müssen, dadurch denn die Kategorien als blosse Gedankenformen objektive Realität, d.i. Anwendung auf Gegenstände, die uns in der Anschauung gegeben werden können, aber nur als Erscheinung bekommen; denn nur von diesen sind wir der Anschauung *apriori* fähig."

[2] op. cit., p. 136: "Diese *Synthesis* des Mannigfaltigen der sinnlichen Anschauung, die *apriori* möglich und notwendig ist, kann *figürlich (synthesis speciosa)* genannt werden, zum Unterschiede von derjenigen, welche in Ansehung des Mannigfaltigen einer Anschauung überhaupt in der blossen Kategorie gedacht würde, und Verstandesverbindung *(synthesis intellectualis)* heisst."

[3] The history of the theory of 'imagination' can be traced back to ancient and patristic philosophy. ST AUGUSTINE distinguished a 'productive', a 'reproductive' and a 'synthetic' imagination. In Scholasticism we

In HUME's psychologistic critique of knowledge the imagination was considered to be the faculty that enables us to picture something not actually given in our sensory impressions. This imagination was conceived as subjected to the psychical laws of association only. KANT starts from this "empiricistic" conception of the "imagination" but only in order to show that the sensory phantasy itself is made possible only by the transcendental, figurative "synthesis of imagination".

What place does KANT assign to the "imagination" in his "transcendental logic"? Can this imagination perhaps elucidate the fundamental problem of epistemology, viz. the possibility of the inter-modal theoretical synthesis of meaning? KANT starts with defining the imagination as "the faculty of representing an object that is not present in our intuition." And then he says that on account of the subjective condition under which alone it can give a corresponding intuition to the concepts of the understanding, it belongs to receptive *sensibility*.

And, on the other hand, in so far as its synthesis is an act of spontaneity, KANT characterizes the imagination as an operation of the understanding on sensibility. As such it is the first application of the understanding to the objects of possible intuition and at the same time the basis of the exercise of all the other applications of that faculty. This shows clearly that it is precisely the *synthetical activity* of the productive phantasy which is ascribed to *the logical function of thought*. This fact is also acknowledged by HEIDEGGER with regard to KANT'S conception of the 'imaginative faculty' in the second edition of the 'Critique of Pure Reason' [1].

In the "transcendental operation of the imagination" as a "figurative synthesis" KANT sees a synthetical influence of the understanding on the "inner sense" *(Kr. d. r. V.*, p. 138) and *the problem lies exactly in the possibility of this "influence"*. The "inner sense" is affected (affiziert) by the transcendental synthesis: "Now human understanding is not itself a faculty of intuitions, and cannot receive the latter, even if they are given in sensibility, into itself, in order to combine them as the manifold of *its own* intuition. Therefore its synthesis, considered in itself, is nothing but the unity of the act of which, as an act, it is aware even without the aid of sensibility. By means of the

find explicit mention made of a 'vis imaginativa', as a separate faculty of the soul. NICOLAUS CUSANUS speaks of 'imaginatio' or 'vis phantastica'.

[1] HEIDEGGER, op. cit., p. 155/156.

unity of this act, however, our understanding is capable of determining sensibility internally with regard to the manifold which may be given to it according to the form of sensory intuition. Thus, under the title of a *transcendental synthesis of imagination,* the understanding exercises this action on the passive subject, whose faculty it is; and we are therefore justified in saying that the inner sense is affected by this" [1].

In contradistinction to psychological "empiricism" KANT very carefully distinguishes the synthetical unity of "transcendental apperception" from sensory intuition. The figurative synthesis, *as a synthesis,* takes its origin only *in the understanding:* "the understanding, therefore, does not *find* in this (i.e. the inner sense) such a conjunction of the manifold, but *creates* it by *affecting* this sense" [2].

In his doctrine of the "synthesis speciosa" KANT does not offer a solution of the basic problem of the inter-modal synthesis of meaning. He leaves it unsolved. Even if in his "transcendental imagination" KANT had in mind an original *systasis* of logical and sensory functions — a possibility that we intend to discuss later on — the inter-functional *synthesis* would only have been ascribed to the isolated logical function of thought. KANT's conception of the synthesis, founded in the dogma concerning the formative autonomy of theoretical thought, left no room for any other solution.

So we may conclude that neither in his doctrine of the categories, nor in that of the "transcendental imagination" did KANT consider the real problem of the intermodal meaning-synthesis.

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[1] "Weil nun der Verstand in uns Menschen selbst kein Vermögen der Anschauungen ist und diese, wenn sie auch in der Sinnlichkeit gegeben wären, doch nicht *in sich* aufnehmen kann, um gleichsam das Mannigfaltige *seiner eigenen* Anschauung zu verbinden, so ist seine Synthesis, wenn er für sich allein betrachtet wird, nichts anders als die Einheit der Handlung der er sich als solchen auch ohne Sinnlichkeit bewusst ist, durch die er aber selbst die Sinnlichkeit innerlich in Ansehung des Mannigfaltigen, was der Form ihrer Anschauung nach ihm gegeben werden mag, zu bestimmen vermögend ist. Er also übt unter der Benennung einer *transszendentalen Synthesis der Einbildungskraft* diejenige Handlung aufs *passive* Subjekt, dessen *Vermögen* er ist, aus, wovon wir mit Recht sagen, dass der innere Sinn dadurch affiziert werde."

[2] "Der Verstand *findet* also in diesem (d.i. dem inneren Sinn) nicht etwa schon eine dergleichen Verbindung des Mannigfaltigen, sondern *bringt sie hervor,* indem er ihn *affiziert.*"

The doctrine of the categories does not belong to general epistemology but to the cosmological analysis of the modal meaning-structures.

To my criticism of KANT's doctrine of the categories I add a theoretical remark, the truth of which has already been established in the general theory of the modal spheres. That which the so-called critical epistemology treats in the chapter on the "categories of knowledge" really belongs to the cosmological analysis of the modal structures of the law-spheres. It cannot be discussed in the dogmatical way of KANT's transcendental idealism. It is not possible to carry out a structural analysis of the modal aspects of experience, unless the universality of cosmic time, overarching all the modal functions, has been discovered.

The theory of the modal spheres, which proposes to give this structural analysis, must not be deterred by KANT's dogmatic restriction of scientific knowledge to the sensory aspect of experience. It should proceed with the execution of its imperative task of applying the analysis of the modal structures of meaning to all the law-spheres in their mutual coherence in time.

The epistemological problem proper in its restricted sense is concerned only with the question of the possibility of the intermodal theoretical synthesis in which we grasp a modal aspect distinctly. And it is precisely this genuine epistemological problem which is constantly avoided by KANT.

§ 4 HOW THE PROBLEM OF THE INTER-MODAL SYNTHESIS OF MEANING HAS BEEN AVOIDED IN KANT'S "TRANSCENDENTAL DOCTRINE OF THE FACULTY OF JUDGMENT".

Not before his "Transcendental Doctrine of the Faculty of Judgment" does KANT seem to go into the problem of the interfunctional synthesis of meaning. The solution he offers is not really a *critical* solution, for he avoids the problem precisely at the crucial point. To demonstrate how "pure concepts of the understanding" can be applied to phenomena at all, KANT formulates his well-known theory concerning the transcendental schematism of the "pure concepts of the understanding": "It is now clear," he observes, "that there must be a third something of a *similar* nature to the category on the one hand, and to the phenomenon on the other, which makes it possible to apply the former to the latter. The mediating representation must be pure (i.e. void of anything empirical) and yet both intellectual and sensible. Such a representation is the *transcendental schema.*

The concept of the understanding contains the pure synthetical unity of the manifold in general. Time, as the formal condition of the manifold content of the inner sense, and consequently of the combination of all representations, contains an *a priori* manifold in pure intuition. Now a transcendental determination of time is in so far *of the same kind* as a category (which constitutes its unity) as it is *universal*, and is based on a rule *a priori*. On the other hand it is in so far homogeneous with a *phenomenon*, as *time* is contained in every empirical representation of the manifold. This makes the application of the category to phenomena possible by means of the transcendental determination of time which, as the schema of the concepts of the understanding, mediates the subsumption of the phenomena under the category" [1].

KANT's argument here simply contains a petitio principii. For the problem is: How is an inter-functional (inter-modal) synthesis between the logical categories and (psychical) sensory phenomena possible? The answer is: by means of the schema as the *a priori* (inter-functional) synthesis of a category and the psychical form of sensory intuition, *time*. But in this "schematizing of the categories of thought", the inter-modal synthesis has apparently already been accomplished, just as it was pre-supposed in the transcendental imagination. We do not get any answer at all to the question: How is *this* inter-functional synthesis possible? In other words the possibility of the inter-functional synthesis between the logical category and the sensory phenomenon is explained by the inter-functional synthesis in the

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[1] Op. cit., p. 153/154: "Nun ist es klar, dass es ein Drittes geben müsse, was einerseits mit der Kategorie, andererseits mit der Erscheinung in *Gleichartigkeit*" (Italics are mine) "stehen muss und die Anwendung der ersteren auf die letzte möglich macht. Die vermittelnde Vorstellung muss rein (ohne alles Empirische) und doch einerseits intellektuel, andererseits sinnlich sein. Eine solche ist das *transszendentale Schema*. Der Verstandesbegriff enthält reine synthetische Einheit des Mannigfaltigen überhaupt. Die Zeit als die formale Bedingung des Mannigfaltigen des inneren Sinnes, mithin der Verknüpfung der Vorstellungen, enthält ein Mannigfaltiges *a priori* in der reinen Anschauung. Nun ist eine transszendentale Zeitbestimmung mit der Kategorie (die die Einheit derselben ausmacht) sofern gleichartig, als sie *allgemein* ist und auf einer Regel *a priori* beruht. Sie ist aber andererseits mit der Erscheinung sofern gleichartig, als die Zeit in jeder empirischen Vorstellung des Mannifaltigen enthalten ist. Daher wird eine Anwendung der Kategorie auf Erscheinungen möglich sein vermittelst der transszendentalen Zeitbestimmung, welche als das Schema der Verstandesbegriffe die Subsumtion der letzteren unter die erste vermittelt."

a priori schematized category. But this constitutes the *petitio principii,* since, on KANT's standpoint, the fundamental problem is exactly the "transcendental determination of time".

The inter-functional synthesis pre-supposes a *temporal coherence* in the modal diversity of meaning, as well as a unity above the latter. KANT assumes an ultimate *logical* unity above a *logical* multiplicity in the "cogito".

From the chapter on the schematism it appears that KANT must have seen the insufficiency of his conception of the unity of self-consciousness to explain the inter-functional relatedness of "the categories of thought" to "sensory phenomena".

In his *Der Philosophische Kritizismus* I, 478 (3rd ed.) RIEHL observes: "The necessary combination of the pure concepts with the forms of intuition seems capable of demonstration without difficulty. Are not thought and intuition originally united in their common subject of consciousness?" [1]

Such an optimistic statement only proves that RIEHL, who with regard to the conception of the cognitive synthesis perfectly agrees with KANT, has not realized the *aporia* (impasse) in which KANT's view of the transcendental unity of self-consciousness is involved. Without any really critical investigation of the *possibility* of an inter-functional meaning-synthesis he takes it for granted that as a matter of course the "cogito" (in the Kantian sense of the transcendental logical subject) is the ground of the unity of thought and sensory intuition [2]. Yet RIEHL admits: "Between the cognitive concepts and those of a purely logical combination there is not any *essential* difference, only one of *application.* Their use in purely logical propositions is analytical, that in judgments of experience is synthetical. In the former it is without any relation to the universal form of intuition (viz. time), in the latter it is in relation to this form" [3].

Apparently RIEHL did not see that in KANT's line of thought the same thing holds for the transcendental-logical unity of self-consciousness, and that it is precisely the relatedness of the latter to

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[1] "Die notwendige Verbindung der reinen Begriffe mit den Formen des Anschauens scheint ohne Schwierigkeit bewiesen werden zu können. Sind nicht in dem gemeinsamen Träger des Bewusztseins Denken und Anschauen ursprünglich vereinigt?"

[2] Only the transcendental logical subject can function as the "common subject of consciousness" in RIEHL's Kantian cadre of thought; of course not the "empirical ego" which, according to KANT, is nothing but an individual phenomenon in time and space.

[3] *Der Phil. Krit.* I, 480: "Zwischen Erkenntnisbegriffen und den Begriffen einer reinlogischen Verknüpfung besteht keinerlei Unterschied des Wesens, sondern nur ein Unterschied der Anwendung. Ihr Gebrauch in rein logischen Sätzen ist analytisch, in Urteilen der Erfahrung synthetisch, in jenen ohne Beziehung auf die allgemeine Form der Anschauung, in diesen mit Beziehung auf diese Form."

sensory intuition which has been only *dogmatically posited* by KANT. RIEHL, too, fails to account for it in a truly critical consideration of the fundamental transcendental problem involved in the Kantian 'cogito'. Therefore, I believe RIEHL has not understood that in the chapter on the schematism KANT's critical conscience has been roused. This chapter must not be explained from the dependence of the great Königsberg thinker on the traditional view of the universality of the concepts [1].

§ 5 - THE PROBLEM OF THE INTER-MODAL SYNTHESIS OF MEANING IN THE FIRST EDITION OF THE "KRITIK DER REINEN VERNUNFT" ACCORDING TO HEIDEGGER'S INTERPRETATION.

Meanwhile MARTIN HEIDEGGER in his important work *Kant und das Problem der Metaphysik* (1929) has made a remarkable attempt to show that in the first edition of the *Kritik der reinen Vernunft* KANT indeed assumed a common root of thought and sensory intuition, in the "transcendental faculty of the imagination".

With this HEIDEGGER again tackles a problem that has been of central importance in the whole of post-Kantian idealism. HEIDEGGER calls this idealism rationalistic. To my mind, this is an error, and the reader may find the arguments for this opinion in the second part of Vol. I. HEIDEGGER holds that the "*productive imagination*" also functions as the root of *practial reason* in KANT's system. This view strongly reminds us of FICHTE's interpretation of KANT. But HEIDEGGER's interpretation did not take its origin in German idealism and has developed in a different direction, viz. in that of the modern "philosophy of existence".

In the first edition of the *Kr. d. r. V.* KANT twice speaks of *three* subjective "sources" as the activities of the soul's faculties.

From these the possibility of all experience is supposed to originate, viz. sense, imagination, and apperception (as "pure thought") [2].

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[1] Although in a quite different sense from what he intended I can agree with HEIDEGGER's pronouncement (op. cit., p. 106) that the chapter on the schematism is "the central part of the whole work". KANT himself writes in 1797: "I consider this chapter as one of the most important." Handschr. Nachlass W.W. Bnd. V no. 6359. ["Ich halte dieses Capittel für eines der wichtigsten."]

[2] *Kr. d. r. V.* 1st ed.: "Es sind aber drei ursprünglichen Quellen (Tätigkeiten der Vermögen der Seele), die die Bedingungen der Möglichkeit aller Erfahrung enthalten und selbst aus keinem anderen Vermögen des Gemüts abgeleitet werden können, nämlich *Sinn, Einbildungskraft* und *Apperzeption.*" [There are, however, three original sources (activities of the

To each of these faculties he ascribes a special kind of synthesis: the "synthesis of apprehension in intuition", the "synthesis of reproduction in imagination", and the "synthesis of recognition in concepts". This is seemingly a contradiction of the thesis already posited in the "Introduction" (and repeated in the same context in which he distinguishes three faculties), according to which there are only *two* sources of knowledge. Here it is stated that we possess no others, although KANT mentions the possibility of a common root which is unknown to us[1].

In the second edition this seeming anomaly has already disappeared, and throughout we hear only of two cognitive functions whose common root is unknown to us.

And HEIDEGGER admits that "KANT recoiled from this unknown root. In the second edition of the *Kritik d. r. V.* the transcendental faculty of the imagination, which appeared in the passionate impulse of the first plan of the book, was pushed back and re-interpreted — in favour of the understanding"[2].

HEIDEGGER is of the opinion that in the second edition the "transcendental faculty of the imagination" has been maintained only nominally: "The synthesis is merely called "imagination" in so far as it is related to intuition, but at bottom it is the understanding"[3].

This last assertion is indeed irrefutable. We have already

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faculties of the soul) that contain the conditions of the possibility of all experience and cannot be derived from any other faculty of the mind, namely *sense, imagination* and *apperception.*]

[1] op. cit. *Einleitung, Einteilung der Transszendentalphilosophie:* "Nur soviel scheint zur Einleitung und Vorerinnerung nötig zu sein, dass es zwei Stämme der menschlichen Erkenntnis gebe, die vielleicht aus einer gemeinschaftlicher *aber uns unbekannten*" (Italics are mine) "Wurzel entspringen, nämlich *Sinnlichkeit* und *Verstand,* durch deren ersteren uns Gegenstände gegeben, durch den zweiten aber gedacht werden." [Only so much seems to be necessary to say as an introduction and preface, that there are two stems of human knowledge which perhaps have one common root though unknown to us, viz. *sensibility* and *understanding.* Through the former, objects are given us; through the latter they are thought.]

[2] HEIDEGGER, op. cit., p. 153: "KANT ist vor dieser unbekannten Wurzel zurückgewichen. In der zweiten Auflage der *Kritik d. r. V.* wird die transzendentale Einbildungskraft, so wie sie im leidenschaftlichen Zuge des ersten Entwurfs ans Licht kam, abgedrängt und umgedeutet — zu Gunsten des Verstandes."

[3] "Die Synthesis heisst nur "Einbildungskraft" sofern sie sich auf Anschauung bezieht, ist aber im Grunde Verstand", op. cit. p. 156.

shown this clearly. I would draw attention to HEIDEGGER's admission: "If, as is done in the second edition, the transcendental imagination is cancelled as a special basic faculty; and if its function is transferred to the understanding as mere spontaneity, then there is no longer any possibility to understand pure sensibility and pure thought with regard to their u n i t y in one finite h u m a n reason, or even to make this unity a p r o b l e m"[1].

This last remark perfectly agrees with the whole of my previous argument. In advance, however, I must warn against HEIDEGGER's sharp (though *unwarranted*) distinction between the epistemological problem and that of the *'Sein des Seienden'*. I must do so on the grounds given in the third part of the first Volume of this work. If HEIDEGGER only meant to oppose the positivistic neo-Kantian tendency to deprive the transcendental motive in KANT's *Kritik der reinen Vernunft* of its depth, I might agree with HEIDEGGER to a certain extent. At least, if he meant to emphasize the fact that the *Kritik der reinen Vernunft* was really written for the sake of the metaphysics of practical reason. Any attempt, therefore, to lay the point of gravitation of KANT's critical philosophy in "theoretical reason" would be an intrinsical falsification of KANT's problems. Against such a background I am willing to agree that there is a kernel of truth in HEIDEGGER's thesis that the *Kritik* has nothing to do with a "theory of knowledge", in the sense of a pure theory concerning the possibility of mathematical natural science. That is to say, I could agree with *its basic intention,* and that in spite of its exaggeration. The *Critique of Pure Reason* has doubtless an epistemological character. But its ultimate aim is not a mere epistemological foundation of mathematics and natural science.

Ultimately KANT's critique of the theoretical cognitive faculty is orientated to his idealistic conception of the super-temporal *noumenon.*

This is a fundamental theme of the traditional *metaphysica generalis,* which found the ὄν ᾗ ὄν, as the transcendent, immanent in the theoretical νοῦς.. KANT was the first to orientate this theme to the religious root of the Humanistic ideal of personal-

[1] "Wird jedoch die transzendentale Einbildungskraft, wie das in der zweiten Auflage geschieht, als eigenes Grundvermögen gestrichen und ihre Funktion dem Verstand als der blossen Spontaneität übertragen, dann schwindet die Möglichkeit reine Sinnlichkeit und reines Denken hinsichtlich ihrer E i n h e i t, in einer endlichen m e n s c h l i c h e n Vernunft zu begreifen, ja auch nur zum P r o b l e m zu machen."

ity. In his critical philosophy it can only be interpreted according to the dualistic cosmonomic Idea in which it is founded. The sharp contrast between phenomena and noumena, which he scrupulously maintains in his *Kritik der reinen Vernunft,* is a proof that the great Königsberg thinker does not for a moment doubt the absolute transcendence of the practical Ideas above the temporal world. Accordingly as he rejects the claims of the speculative science-ideal to the province of metaphysics, he all the more clings to his unshakable rational faith in the *homo noumenon* elevated above all time. The decline of the Humanistic self-consciousness, manifest in the philosophy of existence, which originated from the problems of irrationalistic historism, is nowhere to be seen in KANT's philosophy.

How HEIDEGGER approaches KANT's critical transcendental philosophy.

HEIDEGGER wants to understand KANT from the very point of view of this modern state of decline. In this view the selfhood in our self-consciousness is interpreted with reference to its "innermost original essence" as "time itself". It is, however, hardly right to efface the whole (metaphysical) contrast between phenomena and noumena which is so fundamental in KANT's line of thought. HEIDEGGER's maxim for the interpretation of a philosophical system cannot make this eradication acceptable. He lays down as a rule that a correct interpretation should not merely stick to what a thinker has really *expressed* in *words,* but should penetrate to "that which is *implied* in the words" [1].

For although what HEIDEGGER remarks is true, namely, that "the power and light of a guiding Idea should impel and lead the interpretation" [2], this Idea should not be *imposed* on the system that is being investigated. It may only be the cosmonomic Idea which KANT himself has laid at the foundation of his Critiques, although he should not be aware of it. HEIDEGGER, however, bases KANT's philosophic thought in an entirely different cosmonomic Idea, viz. the irrationalistic and historicistic basic Idea of his own existentialism. Thus he falls into an arbitrary hermeneutic method that he himself has erroneously elevated to a maxim of correct interpretation, when he remarks: "However, in order to extort from what the words say that which they

[1] "das was sie als noch Ungesagtes durch das Gesagte vor Augen legt..."

[2] "die Kraft einer vorausleuchtenden Idee die Auslegung (musz) treiben und leiten."

are *intended* to say[1], every interpretation must necessarily have recourse to *violence*"[2].

The result is then that the interpretation of KANT's *Kritik der reinen Vernunft* becomes an introduction to HEIDEGGER's own philosophy of "*Sein und Zeit*", which no doubt is itself highly interesting.

According to HEIDEGGER's interpretation the "transcendental imagination", as the supposed *root* of the two Kantian "stems" of knowledge, must be identical with "pure reason", both in its "theoretical" and in its "practical operation". It is identical also with the "pure finite selfhood" whose "*Dasein*" (i.e. existence) is rooted in time itself. Pure reason must then be conceived as "pure *receptive* spontaneity", as "pure *sensory* reason". The synthesis considered by KANT as the central theme of the entire *Kritik der reinen Vernunft,* is reinterpreted by HEIDEGGER as an *ontological synthesis.* According to him it must not be conceived as the mere conjunction into a unity of an isolated sensory intuition and isolated "pure concepts of thought", but should be understood as an *a priori,* non-empirical disclosure of the ontological structure of what is[3].

The essential character of the finiteness of human knowledge, according to HEIDEGGER, is that human understanding does not *create* its "objects" but *receives* them. For human life (*das Dasein*) is at the mercy of "*das Vorhandene*" i.e. given nature; human life is dependent on it and only rises superior to the "*Vorhandene*" because of its capability to understand that which is. For this purpose human "*Dasein*" *a priori,* and previous to all experience, designs an *image* of the being of what is. "Thus the question about the possibility of an *a priori* synthesis more and more concentrates on the problem: how can a finite being, which, as such, is delivered to what is (at hand) and is dependent on the reception of what is given, know the latter *before* any reception of what is, i.e. intuit it without, however, being its 'creator'?[4].

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[1] viz. in the interpretation according to HEIDEGGER's idea of man's finite existence.

[2] "Um freilich dem, was die Worte sagen, dasjenige abzuringen, was sie sagen *wollen,* muss jede Interpretation notwendig *Gewalt* gebrauchen".

[3] HEIDEGGER op. cit. p. 35: "erfahrungsfreies Beibringen der Seinsverfassung des Seienden."

[4] Op. cit. p. 35: "So verschärft sich die Frage nach der Möglichkeit der apriorischen Synthesis dahin: wie kann ein endliches Wesen, das als solches an das Seiende ausgeliefert und auf die Hinnahme desselben an-

HEIDEGGER's conception of transcendence.

HEIDEGGER wants to read these problems also in KANT's *Kritik der reinen Vernunft.* The transcendence of the selfhood then remains of a *temporal character.* It is only the transcendence of the temporal finite human "*Dasein*" above the '*Vorhandene*' (the sensible things that are given), but it is not an ideal transcendence above time itself. Time as "pure intuition", as "pure self-affection" is the essence of the finite human selfhood. If the selfhood, the I-ness is found in the "transcendental imagination", it is identical with "time" as "pure intuition". In the "transcendental imagination" must be sought the original essential unity of the "stems" of knowledge that KANT isolated at first, but which, as such, could not be fully grasped. These "stems" of knowledge are sensory intuition and logical thought. The "transcendental imagination" must be understood as the "formative medium" *(bildende Mitte)* of the two "stems of knowledge from which they originate as from the primitive *original synthesis*". HEIDEGGER here shows a much deeper insight into the real problems of the cognitive synthesis than KANT's most articulate modern followers. The latter simply eulogize KANT's discovery of "the synthetical character of all objective knowledge" and his "Copernican deed", without penetrating to the crucial questions implied in his transcendental idealism. Perhaps HEIDEGGER's superiority in this respect is due to the fact that, however much he may start from the philosophical immanence-standpoint, he approaches KANT from the modern state of decline of the Humanistic ideals of personality and science. In KANT these two still function as the unshakable pillars of his cosmonomic Idea. His faith in the autonomy of theoretical reason caused him to overlook the most fundamental problems of a transcendental critique of human knowledge. HEIDEGGER, who is no longer biased by this dogmatic prejudice, was confronted with the real problem of the inter-functional synthesis and tries to solve it in his own way, though he ascribes this solution to KANT himself.

HEIDEGGER's interpretation of KANT changes that philosopher's thought considerably both as to its foundation and its essence. And yet HEIDEGGER's book is extremely valuable as an attempt to think out the problems of KANT's *Kritik der reinen Vernunft* with regard to the fundamental chapter on the "synthesis".

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gewiesen ist, vor aller Hinnahme das Seiende erkennen, d.h. anschauen, ohne doch dessen 'Schöpfer' zu sein?"

The problem of the primary (ontological) synthesis in HEIDEGGER.

The question is: to what extent does HEIDEGGER's interpretation approach the *fundamental problem* regarding the possibility of the inter-modal synthesis of meaning?

For the answer we must first recall what HEIDEGGER means by the fundamental synthesis. He seeks the primitive original synthesis in the transcendental imagination, i.e. in the formative medium between "pure thought" and "pure intuition".

This shows that HEIDEGGER is aware of the fact that every theoretical isolation of the "understanding" and "sensitivity" presupposes a primary inter-modal synthesis. We acknowledge this without implying that HEIDEGGER has really understood KANT's view. But has HEIDEGGER also seen that we can only isolate a modal function theoretically within *the fulness of the temporal meaning-systasis* and by *starting from it?*

Only against the background of the primary cosmic temporal coherence of meaning can the fundamental problem concerning the possibility of theoretical synthesis be conceived in its true sense. If this primary temporal coherence of the modal aspects of experience is to be acknowledged as a basic fact, a philosopher must break with the immanence-standpoint.

For this standpoint is based upon an overt or hidden hypostasis of theoretical thought. Such a break is not to be expected from HEIDEGGER who seeks the selfhood in the temporal (historically conceived) "*Dasein*". He writes:

"The ontical only becomes accessible to a finite being on the basis of a preliminary willingness to let something take up a position as an entity opposite to us. Thus the ontical possibly presenting itself to us is beforehand drawn within the unifying horizon of a possible belonging together. This *a priori* unifying unity must anticipate that which presents itself to us, at the same time opposing itself to the latter. That which presents itself, however, has already beforehand been encompassed by the temporal horizon held up to it in pure intuition. The anticipating unifying unity of the pure understanding must therefore also beforehand have united itself with pure intuition. This *a priori* united whole of pure intuition and pure understanding 'constitutes' the scope of our willingness to let an entity take up a position opposite to us. In this scope all the ontical will be able to present itself to us. In view of this totality of transcendence the point is to show *how* — and this means at the same time

"*that*" — pure understanding and pure intuition are *a priori* interdependent" [1].

What appears clearly from this quotation is that HEIDEGGER also thinks reality is only accessible to the selfhood in the theoretical abstraction of that which is *opposed* to the logical function as a phenomenon (the "*gegenständliche*"). The fact that *being* only manifests itself to us as a phenomenon — which is identical with the "object" ("Gegenstand") to HEIDEGGER — reveals the finiteness, the temporal character of human knowledge which has been delivered to what is given *(das Vorhandene)* in nature. The "phenomenon" (the empirical "*Vorhandene*") he considers as the Platonic *μὴ ὄν*, the relative nothing, which only receives its *ontological* (not *ontic*) being through the "pure synthesis" of the transcendental imagination.

With reference to the first edition of KANT's *Kritik d. r. V.* HEIDEGGER has raised the question: How is the primary *ontological* synthesis possible in which the image of the "*Sein des Seienden*" is planned? In his system of thought this question is as unanswerable as the fundamental problem regarding the *epistemological* synthesis was to KANT

For HEIDEGGER also eliminates the cosmic order of time and even merges the selfhood into time, to which, however, he does not ascribe its cosmic all-sided meaning. This distinguishes his view from KANT's practical (ethical) metaphysics which maintained the selfhood as the super-temporal, super-sensory *noumenon.*

Nevertheless, HEIDEGGER makes a serious attempt to explain the possibility of the primary (really theoretical) meaning-synthesis between "pure thought" and "pure sensibility". He does

[1] Op. cit. p. 71: "Seiendes wird für ein endliches Wesen nur zugänglich auf dem Grunde eines vorgängig sich zuwendenden Gegenstehen-lassen. Dieses nimmt in vorhinein das möglicherweise begegnende Seiende in den Einheitshorizont einer möglichen Zusammengehörigkeit. Diese a priori einigende Einheit musz dem Begegnenden e n t g e g e n v o r greifen. Das Begegnende selbst aber ist im vorhinein schon umgriffen durch den in der reinen Anschauung vorgehaltenen Horizont der Z e i t. Die vorgreifend einigende Einheit des reinen Verstandes musz sich daher zuvor auch schon mit der r e i n e n A n s c h a u u n g g e e i n i g t haben. Dieses a p r i o r i e i n i g e Ganze von reiner Anschauung und reinem Verstand "bildet" den Spielraum des Gegenstehenlassens, in den herein alles Seiende begegnen kann. I m B l i c k a u f d i e s e s G a n z e d e r T r a n s z e n d e n z gilt es zu zeigen, w i e, d.h. hier zugleich d a s z, reiner Verstand und reine Anschauung a priori auf einander angewiesen sind."

so by "interpreting" KANT's line of argument in the style of his own existentialistic philosophy. "Pure thought" and "pure sensibility" must be conceived as *modi* of the "transcendental imagination", which in essence is *time* and *selfhood.* The three *modi* that KANT distinguishes in the cognitive synthesis, in the first edition of his *Kritik der reinen Vernunft* [1], are essentially no more than the threefold unity of *time* as the *present,* the *past* and the *future.* Thus the problem regarding the primary meaning-synthesis seems to have been solved at one masterly stroke.

Time and the "cogito" (as the transcendental unity of self-consciousness) are no longer opposed to one another as irreconcilable contrasts: they are *identical:*

"In laying the foundations of his metaphysics, KANT was the first to explain both time as such and the 'I think' as such transcendentally. He did this in such a radical way that he brought them together in their original identity, however, without explicitly considering this identity as such" [2].

For sensibility means finite intuition with KANT. Its transcendental *form* ("time") is "pure receptivity". The "inner sense" receives nothing "from without", but everything *from its own self.* As time it is "pure self-affection" [3], as KANT qualifies it. But, according to HEIDEGGER, this "pure self-affection" is the transcendental basic structure of the *finite ego itself,* and the *finite ego* is nothing but the "pure understanding", the "transcendental unity of self-consciousness" which as such must be understood as "pure *sensuous* understanding", as "purely receptive spontaneity".

Is this explanation a true solution of the *central problem* of the intermodal synthesis of meaning? Certainly not. Neither in HEIDEGGER's reasoning nor in KANT's has the genuine *kernel* of the problem been conceived.

In KANT the real *problem* of the inter-functional meaning-synthesis only arises as an *after-thought,* after he had begun to

[1] Viz. the synthesis of apprehension in sensory intuition, the synthesis of reproduction in imagination, and the synthesis of recognition in concepts.

[2] op. cit., p. 183: "KANT hat durch den Radikalismus, mit dem er bei seiner Grundlegung der Metaphysik zum erstenmal sowohl die Z e i t je für sich als auch das "i c h d e n k e" je für sich transzendental auslegte, beide in ihre ursprüngliche Selbigkeit zusammengebracht — o h n e d i e s e f r e i l i c h a l s s o l c h e s e l b s t a u s d r ü c k l i c h z u s e h e n."

[3] "reine Selbstaffektion."

absolutize the primary meaning-synthesis which had been the pre-supposition of his analysis of the sources of knowledge. HEIDEGGER, whose penetration is deeper, acknowledges that in the isolation of the "sources" of knowledge, "pure synthesis" is already operative. But as soon as he is himself confronted with the problem, and has to account for the original meaning-synthesis, he makes both cognitive functions flow together into a supposed identity in time as "pure intuition".

If the two cognitive functions *in time* are one and the same, the possibility of a real synthesis has not been explained. It has even been *cancelled.* In the cognitive theoretical concept the inter-modal synthesis of meaning pre-supposes the analytical ἐποχή, the abstraction of the continuity of cosmic time. Even *cosmic* time guarantees only the *temporal coherence,* but never the *deeper identity* of the functions. How then can time as a 'pure form of sensibility' perform this task? Designating KANT's "pure understanding" as "pure sensory understanding" will result in a kind of dialectic that KANT would certainly have rejected as emphatically as he could. The real issue is the possibility of a synthesis between logical and sensory *modalities* and KANT did not for a moment contemplate letting sensibility and understanding flow together *dialectically.* It is true, he did not pay due regard to the modal aspects as such, and in the first edition KANT still works with the "genus proximum" of thought and sensory intuition, viz. "representation in general" [1]. But when HEIDEGGER looks upon this fact as an indication of the internal affinity of the two "cognitive stems" [2], he forgets that the genus-concept applied to the modal aspects is of a *logical* origin.

HEIDEGGER's conception of the "transcendental imagination" as the root of the two abstracted "stems of knowledge" obtained in a theoretical analysis and synthesis of meaning, results in an undeniable dialectic. The cause is that it seeks this common root *in time,* apparently conceived here in the Kantian sense. It tries to solve the problem of the primary synthesis between "pure thought" and "pure sensibility" (= time) by proclaiming "pure sensibility" to be the origin of "pure thought" [3].

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[1] "Vorstellung überhaupt".

[2] op. cit., p. 20.

[3] This way of "solving" the problem was already indicated by HEIDEGGER on page 21 of his book. Referring to KANT's statement: "Either of these two (intuition and thought), it is true, is representation, but not yet know-

I pass by the internal contradiction into which HEIDEGGER gets

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ledge," HEIDEGGER observes: "From this one may infer that between intuition and thought there exists a mutual relation of equal importance so that with the same justification one may say: knowledge is intuiting thought, hence at bottom judgment. But in contrast with this it is necessary to maintain that intuition is the real nature of knowledge and is really the important thing notwithstanding all mutuality in the relation between intuition and thought." ["Hieraus könnte man folgen dass zwischen Anschauen und Denken eine wechselseitige und zwar völlig gleich-gewichtige Bezogenheit bestehe, so dass man auch mit gleichem Recht sagen dürfte: Erkennen ist anschauendes Denken, also im Grunde doch Urteilen. Dem gegenüber muss aber festgehalten werden, dass die Anschauung das eigentliche Wesen der Erkenntnis ausmacht und bei aller Wechselseitigkeit des Bezuges zwischen Anschauen und Denken das eigentliche Gewicht besitzt."]

Unfortunately KANT's pronouncement quoted above has been taken from his treatise *Ueber die Fortschritte der Metaphysik seit Leibniz und Wolff* in an answer to the competition instituted by the Königliche Akademie der Wissenschaften of Berlin in 1791. In this Treatise, repeatedly quoted by HEIDEGGER, KANT so sharply opposes the central element of HEIDEGGER's interpretation (the identification of the transcendental self-consciousness with time "as pure sensibility") that I am astonished at HEIDEGGER not even mentioning it. The following quotation may suffice in this connection. (W.W. Cass., Bnd VIII, p. 148/9): "Wie es möglich sei, dass ich, der ich denke, mir selber ein Gegenstand (der Anschauung) sein, und so mich von mir selbst unterscheiden könne, ist slechterdings unmöglich zu erklären, obwohl es ein unbezweifeltes Faktum ist; *es zeigt aber ein über alle Sinnenanschauung so weit erhabenes Vermögen an,*" (Italics are mine), "dass es als der Grund der Möglichkeit eines Verstandes, die gänzliche Absonderung von allem Vieh, dem wir das Vermögen, zu sich selbst Ich zu sagen, nicht Ursache haben beizulegen, zur Folge hat, und in eine Unendlichkeit von selbstgemachten Vorstellungen und Begriffen hinaussieht." [How the I who thinks can be an object of intuition to myself and thus distinguish myself from myself, is simply impossible to explain, although it is an undoubted fact; it indicates, however, *a faculty which is so much elevated above all sensory intuition* (Italics are mine), that, as the basis of the possibility of an understanding, it entails our complete separation from the animals, and looks through an infinity of self-made representations and concepts. For we have no reason to ascribe to animals the power to say I to themselves.]

It is true KANT goes on to say: "Er wird dadurch aber nicht eine doppelte Persönlichkeit gemeint, sondern nur Ich, der ich denke und anschaue, ist die Person, das Ich aber des Objektes, was von mir angeschauet wird, ist, gleich andern Gegenständen ausser mir die Sache." [By this, however, we do not mean a double personality; but only, the I who thinks and intuits is the person, but the I of the object intuited by me, just like other objects outside of me, is the thing.]

But every attempt to infer an argument for HEIDEGGER's interpretation from this last statement is made impossible by KANT's whole subsequent

involved by first calling the selfhood the *origin* of time and then *identifying it with time* [1].

I want only to lay strong emphasis on the fact that HEIDEGGER after all makes one of the "stems of knowledge' in its supposed "purity' into the origin of the other. He does so notwithstanding his search after a deeper root of "pure sensibility" and "pure thought" which was to make the inter-modal meaning-synthesis possible. He overlooked the fact that "pure sensibility" is at best a theoretical abstraction originating solely from the analysis and inter-modal synthesis of meaning, and unable to account for this synthesis. Even HEIDEGGER's "existential time" is not *cosmic time* guaranteeing the continuous coherence between the modal aspects of experience. If he had had real insight into *cosmic time,* he would never have sought the transcendence of the selfhood in the inner experience of the 'ex-sistere', in the historical time-aspect with its anticipatory future. In time our selfhood only expresses itself in the refraction of meaning and the coherence

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reasoning. In this he explicitly identifies the "I" in the first sense with the "logical I" and at the end he writes:

"Das dieses so sei, davon kann uns jede innere, von uns angestellte psychologische Beobachtung zum Beleg und Beispiel dienen, denn es wird dazu erfordert, dass wir den inneren Sinn, zum Teil auch wohl bis zum Grade der Beschwerlichkeit, vermittelst der Aufmerksamkeit affizieren..., um ein Erkenntnis von dem, was uns der innere Sinn darlegt, zuvörderst in der Anschauung unserer Selbst zu haben, welche uns dann uns selbst nur vorstellig macht, wie wir uns erscheinen, indessen *dass das logische Ich das Subjekt zwar, wie es an sich ist, im reinen Bewusstsein, nicht als Rezeptivität, sondern reine Spontaneität anzeigt, weiter aber auch keiner Erkenntnis seiner Natur fähig ist.*" (Italics are mine.) [Every internal psychological observation we make, can serve as a proof and an example that things are like this. For this purpose it is required that we affect the inner sense by means of our attention, partly sometimes with great difficulty... in order to have knowledge of that which the inner sense reveals in the first place in the intuition of our own self. In this intuition we are shown as we appear to ourselves, whereas the logical "I" indicates the Subject as it is in itself in the pure consciousness, not as receptivity, but as pure spontaneity. But this logical I is not capable of any further knowledge of its own nature.]

[1] HEIDEGGER, op. cit., p. 178/9: "Wenn die transzendentale Einbildungskraft als das rein bildende Vermögen in sich die Zeit bildet, d.h. entspringen lässt, dann gibt es von der oben ausgesprochenen These: die transzendentale Einbildungskraft ist die ursprüngliche Zeit kein Ausweichen mehr." [If the transcendental imagination as the purely formative faculty creates time within itself, i.e. gives rise to time, then the thesis formulated above is inescapable, viz. the transcendental imagination is original time.]

of its modal functions. Time cannot be the deeper identity of the modal functions, not even in its cosmic continuity. It cannot contain the totality of meaning but refracts it in the modal and typical meaning-diversity.

Is there really a point of contact in the first edition of the *Kritik der reinen Vernunft* for HEIDEGGER's interpretation?

Is there really a basis to be found in the first edition of KANT's *Kr. d. r. V.* for HEIDEGGER's interpretation? I think we should view the facts like this: KANT actually started from a primary formal unity of logical thought and sensibility, not only in the first edition but also in the second. The transcendental imagination can indeed have no other function in KANT's argument than that of a connecting link between the two "stems of knowledge". The assertion that KANT considered the imagination as the "hidden root" of both "stems" is already refuted by KANT's critical starting-point. If it is a question of a *hidden* root, we can only formulate speculative *hypotheses* about it. And in the Preface to the first edition KANT rejects such hypotheses with great sharpness. I refer to the following utterance:

"And then *certitude* and *clearness* are the two indispensable requirements which the form of such an enquiry must answer, and which the author who risks such a ticklish job should try to fulfil. As regards *certitude* I have come to the conclusion that in this kind of studies it is in no way permissible to express a mere *opinion,* and that anything resembling an hypothesis is inadmissable... and should be removed as soon as it is discovered" [1].

In the same Preface KANT writes about the second chapter of the "Transcendental Analytics". This chapter contains the passage quoted above concerning "sense", "imagination" and "apperception" as the three original faculties of the soul. In the Preface KANT observes:

"The view taken here, which goes somewhat deeply into the sub-

[1] "Noch sind *Gewissheit* und *Deutlichkeit* zwei Stücke die die Form derselben (i.e. of KANT's investigation) betreffen, als wesentliche Forderungen anzusehen, die man an den Verfasser, der sich an eine so schlüpferige Unternehmung wagt, mit Recht tun kann. Was nun die *Gewissheit* betrifft, so habe ich mir selbst das Urteil gesprochen: dass es in dieser Art von Betrachtungen auf keine Weise erlaubt sei, zu *meinen* und dass alles, was darin einer Hypothese nur ähnlich sieht, verbotene Ware sei, die auch nicht für den geringsten Preis feil stehen darf, sondern, sobald sie entdeckt wird, beschlagen werden muss."

ject, has two aspects. The one is related to the objects of the pure understanding. It is intended to establish the objective validity of its a priori concepts and to render these intelligible, and for this reason it is an essential part of my work. The other aims at considering the pure understanding itself as regards its possibility and the cognitive faculties on which it rests, consequently from the subjective viewpoint.

"And although this latter orientation is very important with regard to my principal aim, *it does not form an essential element in it* (Italics are mine). For the principal question remains: what and how much can the understanding and reason know apart from any experience? and not: *how is the faculty of thought itself possible?* The latter question is as it were an inquiry into the cause of a given effect, and in so far resembles in some degree a hypothesis (although, as I shall show later on, it is not really so).

"Yet here I seem to permit myself the liberty to pronounce *a mere opinion,* and therefore the reader ought also to be free to hold a different *opinion.* In this connection I would remind the reader that in case my subjective deduction, contrary to my expectation, should not have fully convinced him, the objective deduction at which I chiefly aim in this work retains its full force" [1].

Consequently it is not in accordance with KANT's intention if the subjective way of deduction is played off against the objective method and is even made the centre of KANT's problem.

The thesis of the twofold origin of all cognition (viz. sensibility and understanding) was considered by KANT to be so little contradictory to the other thesis about the *three* original sources

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[1] "Diese Betrachtung, die etwas tief angelegt ist, hat aber zwei Seiten. Die eine bezieht sich auf die Gegenstände des reinen Verstandes und soll die objektive Gültigkeit seiner Begriffe apriori, dartun und begreiflich machen, eben darum ist sie auch wesentlich zu meinen Zwecken gehörig. Die andere geht darauf aus, den reinen Verstand selbst, nach seiner Möglichkeit und den Erkenntniskräften, auf denen er selbst beruht, mithin ihn in subjektiver Beziehung zu betrachten; und obgleich diese Erörterung in Ansehung meines Hauptzwecks von grosser Wichtigkeit ist, *so gehört sie doch nicht wesentlich zu demselben"* (Italics are mine); "weil die Hauptfrage immer bleibt: was und wie viel kann Verstand und Vernunft, frei von aller Erfahrung erkennen? und nicht: wie ist das *Vermögen zu denken* selbst möglich? Da das letztere gleichsam eine Aufsuchung der Ursache zu einer gegebenen Wirkung ist und in sofern etwas einer Hypothese Aehnliches an sich hat (ob es gleich, wie ich bei anderer Gelegenheit zeigen werde, sich in der Tat nicht so verhält), so scheint es, als sei hier der Fall, da ich mir die Erlaubnis nehme, zu *meinen,* und dem Leser also frei stehen müsse, anders zu *meinen.* In Betracht dessen muss ich dem Leser mit der Erinnerung zuvorkommen: dass, im Fall meine subjektive Deduktion nicht die ganze Ueberzeugung, die ich erwarte, bei ihm gewirkt hätte, doch die objektive, um die es mir vornehmlich zu tun ist, ihre Stärke bekomme."

(functions of the soul) containing the pre-requisites of the possibility of all experience, that he immediately coordinates the second thesis with the first in the section entitled: *Transition to the Transcendental Deduction of the Categories.* It is contrary to the fundamental principles of a correct interpretation if a fundamental contradiction is supposed to exist here. The "transcendental power of the imagination" is not a *third "stem of knowledge"* in the first edition. KANT much rather ascribes it to the "pure sensibility", which relates to the "transcendental unity of the apperception" (the logical form of self-consciousness), which only renders it *intellectual.* This is clearly seen in the "third section of the deduction of the pure concepts of the understanding" in which KANT tries to show the internal foundation of the *unity* of knowledge.

He had already discussed the three kinds of synthesis, and now he follows a line of reasoning that descends from the "transcendental unity of the apperception". Next he follows a course of argument in the opposite direction by starting from the empirical phenomenon in observation and perception. HEIDEGGER has investigated these two methods very minutely. Arriving at the end of the second method, KANT writes:

"For the constant and permanent 'I' (of pure apperception) forms the correlatum of all our representations in so far as it is at all possible to become conscious of them. The whole of consciousness belongs to an all-comprehensive pure apperception, just as all sensory intuition belongs to a pure inner intuition, viz. time. It is this apperception which must be added to pure imagination in order to render its function intellectual. For in itself the synthesis of imagination is at all times sensible though it is exercised *a priori,* because it connects the manifold only in the way it *appears* in intuition, e.g., the shape of a triangle" [1].

So, also in the first edition the "transcendental unity of self-

[1] "Denn das stehende und bleibende Ich (der reinen Apperzeption) macht das Korrelatum aller unserer Vorstellungen aus, sofern es bloss möglich ist, sich ihrer bewusst zu werden, und alles Bewusstsein gehört eben sowohl zu einer allbefassenden reinen Apperzeption, wie alle sinnliche Anschauung als Vorstellung zu einer reinen innern Anschauung, nämlich der Zeit. Diese Apperzeption ist es nun, welche zu der reinen Einbildungskraft hinzu kommen muss, um ihre Funktion intellektuell zu machen. Denn an sich selbst ist die Synthesis der Einbildungskraft, obgleich *a priori* ausgeübt, dennoch jederzeit sinnlich, weil sie das Mannigfaltige nur so verbindet, wie es in der Anschauung *erscheint,* z.B. die Gestallt eines Triangels."

consciousness" has decidedly not been conceived to be sensible.

And then follows KANT's definition of the "pure imagination" which is fundamentally identical with that of the second edition:

"So we have a faculty of pure imagination as the fundamental faculty of the human soul on which all knowledge is based. By its means we combine the manifold of intuition with the condition of the necessary unity of pure apperception. These two extremes, viz. sensibility and understanding, must necessarily hang together by means of this transcendental function of the imagination; ..." [1].

The question how the "transcendental imagination" was enabled to perform this mediating function was never answered by KANT, neither in the first edition, nor in the second. This leaves only one possible explanation of KANT's argument: KANT started from a necessary *systasis* viz. that of "pure sensibility" and "pure thought" (but not from the real meaning-systasis in cosmic time), and misinterpreted the primary meaning-*synthesis* from which he started as a *systatic datum* [2, 3].

This is the dogmatic standpoint which from the start I have tried to point out in KANT's epistemology.

So long as the prejudice of the self-sufficiency of theoretical thought is adhered to, the transcendental and the transcendent conditions of all theoretical knowledge must necessarily be eliminated the cosmic temporal order, as well as the insight into this order and the transcendence of the religious selfhood above cosmic time. The primary synthesis between the understanding and sensibility was not recognized by KANT as a real *problem* in the chapter on the schematism. He only thought problematic the possibility of subsuming the so-called "empirical" phenomena under the pure concepts of the understanding. But he *was unable* to raise the deeper problem behind

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[1] W.W. (Grossherzog Wilhelm Ernst Ausg. VI, p. 744.

[2] This is convincingly shown by our earlier quotation from KANT's: *Ueber die Fortschritte der Metaphysik:*

"Es wird dadurch nicht eine doppelte Persönlichkeit gemeint, sondern nur Ich der ich denke und anschaue, ist die Person." [No double personality is meant by this, but only the I who thinks and intuits is the person.]

[3] Cf. our earlier quotation: "Synthetische Einheit des Mannigfaltigen als a priori *gegeben*" (Italics are mine) "ist also der Grund der Identität der Apperzeption selbst." [Therefore the synthetic unity of the manifold as an *a priori datum* is the basis of the identity of the apperception itself.]

it, viz. about the *conditions* under which "pure thought" and "pure sensibility" can be synthetized. He could not ask this, because the mere *raising* of such a problem would have meant relinquishing the immanence-standpoint based on the faith in the self-sufficiency of "reason" in all theoretical epistemological questions.

In the supposedly "*given*" unity of pure thought and pure intuition the logical function remained the true *law-giver* and *determining factor* in KANT's view.

HEIDEGGER, approaching KANT from the modern state of decline of the Humanistic self-consciousness, saw the problem as an *abyss*. But he, too, was unable to pose it in a truly critical way. For he clung to the immanence-standpoint even more tightly than KANT had done. In proclaiming time to be "pure sensibility" and the very essence of the selfhood and hence the root of the Kantian "stems of knowledge", he is blind to the truth that this "pure time" is itself a theoretical abstraction. It pre-supposes the inter-modal meaning-synthesis of which it is intended to render an account. In the supposed unity of pure thought and pure intuition he ascribed only a *subservient* position to the former. But he did not realize that in the last instance he, too, sought his Archimedean point in a theoretical synthesis.

A modal function can never be the root of all the functions. And it is never possible to demonstrate the possibility of the primary synthesis by means of an original "pure synthesis".

§ 6 - THE FUNCTIONALISTIC "THESIS OF CONSCIOUSNESS" ("SATZ DES BEWUSZTSEINS") AND THE VIEW OF THE LIMITS OF EXPERIENCE IN THE LIGHT OF THE COSMONOMIC IDEA.

In the relentless struggle against speculative metaphysics the Kantian *conception of experience* has become the shibboleth between the supposedly "critical" and the "dogmatical" trends of thought. This conception was precipitated in the so-called "*Satz des Bewusztseins*" (the thesis of consciousness) or the "*Satz der Immanenz*" (the thesis of immanence).

According to the transcendental-idealistic view of this "*Satz*" there is no possibility of any experience outside the limits of the transcendental consciousness. All that we have knowledge of is necessarily immanent in the transcendental consciousness.

Is not this thesis really a truism whose validity is so universal and elevated above any prejudice that every intelligent mind

has to admit it, no matter on what cosmonomic Idea his philosophy is founded?

It would be so, if it were not necessary for us to give an account of the *meaning* of our words. For, if anywhere, the bitter wisdom of MEPHISTO holds good here: "Mit Worten lässt sich trefflich streiten." [Words are admirably suited to carry on a debate.]

The meaning of the '*Satz des Bewusztseins*' depends on the meaning which phenomenalistic and transcendental-idealistic immanence-philosophy ascribe to the words 'consciousness' and 'experience'. The philosophic sense of these words is determined by the starting-point of philosophical thought.

The influence of the Kantian conception of "empirical reality" in the normative special sciences.

The Kantian conception of consciousness has resulted in misinterpreting "empirical reality" in a functionalistic manner and in narrowing the limits of the possibility of experience in an unjustified (because sense-less) way. That is why MEPHISTO's scepsis is necessary with regard to the "*Satz des Bewusztseins*" just as much as with regard to every other "axiom" of immanence-philosophy.

Especially in the normative special sciences the functionalistic view of "empirical reality" as the synthetically arranged sensorily perceptible has become a deep-rooted pernicious prejudice. It is almost impossible to convey one's thoughts to one's colleagues in an intelligible way, if one has broken with this prejudice. Whatever does not belong to "empirical" reality in the sense mentioned is considered as a construction of thought. In such an "empirical" reality the "juridical person" has no place: it is therefore a construction of thought, a "form of thought". Only in this empirical "reality" does the law of causality hold. Causality is per se a "category of the experience of nature". In "empirical reality" the will is only a *psychical a-normative* factum. When jurisprudence can do nothing with the psychological concept of will, the juridical concept of volition is considered to be a technical construction of thought, or a "form of thought". The territory of the state is nothing but the sensorily perceptible land and water within its geographical boundaries. Anything that is not sensorily perceptible in it, does not belong to "empirical reality", but is a normative construction of thought, etc.

All the modal aspects of reality contained in the normative law-spheres are transformed into psycho-psychical phenomena in behalf of this functionalistic conception of experience. The normative principles of these law-spheres are hypostatized into super-temporal ideas according to their super-subjective meaning, insofar as under the tyranny of naturalism they do not share in the fate of the subject-side of the aspects concerned. Or they are deprived of their true meaning and proclaimed normative "forms of thought".

For the benefit of the "*Satz des Bewusztseins*" naïve experience is fundamentally and essentially misinterpreted. In truth the Humanistic conception of experiential reality tyrannizes science by means of the prejudice of the Humanistic immanence-standpoint.

The "*Satz des Bewusztseins*", of course, also allows of other interpretations than the critical-Kantian one. In a coarser, psychologized sense it is found in the so-called "empiricistic-positivistic" schools of thought. In HUSSERL's phenomenology, as we know it from his posthumous writings, the thesis assumes a new transcendental-idealistic meaning freed from the Kantian exclusively natural-scientific conception of experience.

But in whatever shade of meaning this thesis may be propounded from the immanence-standpoint, it is always oriented to a definite type of the cosmonomic Idea of immanence-philosophy. KANT's conception of empirical reality is entirely dominated by his dualistic Humanistic cosmonomic Idea. The normative aspects of reality fall outside of "experience", because the realm of experience is allotted to the mechanistic science-ideal, to which the autonomy of the free personality must not be sacrificed. For this reason it must be called a superficial procedure for Christian thought to assume that it can accept the "critical" conception of experience of KANT's *Kritik der reinen Vernunft* and at the same time reject his *Kritik der praktischen Vernunft*. For KANT's ethics and his theory of experience form an indissoluble whole so that the one stands or falls with the other. The functionalistic restriction of experience to the horizon of KANT's transcendental consciousness does not simply mean its restriction to the "phenomena", but the complete theoretical destruction of all possibility of experience.

This thesis may seem to be strange at first sight. But it will no longer be so to anyone who has assimilated our previous expositions of the meaning-character of created reality.

Why is it *meaning-less* to restrict the *datum* of experience to the sensory matter of sensory impressions? Because this thesis is self-destructive, insofar as KANT's conception of matter is the product of theoretical abstraction. What has been abstracted can never be the *datum*. The sensory function of intuition has a modal meaning by which it is integrated into the full temporal reality and which offers an insurmountable resistance to any attempt to make the sensory aspect of experience theoretically independant. Such an attempt cannot be supposed to leave at least the sensory aspect of experience intact, but it cancels this aspect and lands us in "pure nothingness" (das reine Nichts). If the human selfhood is capable of consciously experiencing the sensory aspect of reality in its subject-object relations, it necessarily experiences this sensory aspect in the cosmic temporal *meaning-coherence*.

This conscious experience is a quite different thing from the subjective *undergoing* of sense-impressions found in animals. And if the human selfhood transcends cosmic time, not a single aspect of temporal reality can transcend the self-consciousness operative in all human experience.

Speculative metaphysics has invented the splitting up of temporal reality into a noumenon and a phenomenon. The phenomenalistic conception of human experience remains tainted with the (fundamentally *religious*) prejudice of this metaphysics which is recognisable even in the disguise of a positivism claiming to be free of all manner of preoccupation.

There is nothing in experience that has been given us *without* the psychical function of consciousness. But if nothing *outside of* this function had been given us, we should *not* have been given *anything at all*, not even the sensible itself.

This thesis is merely the counterpart of the thesis we have formulated in the *Prolegomena:* We cannot know anything without logical thought, but if we were not were able to know anything *outside of* logical thought, we could *not* know *anything at all*. For not a single aspect of experience can exist outside of the *cosmic coherence of meaning*, and where *meaning* ceases, there is an end of *created reality* and *of all human experience*.

Let the attempt be made to take the phenomenalistic conception of experience seriously and then to abstract everything that is of a non-sensory and a non-logical character in our naïve experience of reality. The experiment will appear to be impossible without a complexity of shiftings of meaning. By means of these

all kinds of things are supposed to be implied in the sensible and the logical that were not to be found in them originally.

But anyone who in the future wants to defend the phenomenolist conception of experience in all seriousness will at least have to give an account of the *meaning* of the sensory and the logical aspect.

This is certainly not done by means of the neo-Kantian argument that it is transcendental logical thought which *determines* all sensory matter of experience and in this way *creates* the meaning of the latter.

The "critical method" will have to become more critical, if it wants to maintain its claim to the self-assumed honour of being "critical".

CONCLUSIONS

Our expositions justify the conclusion that the "conception of experience" adhered to on the standpoint of the functionalistic "*Satz des Bewusztseins*" (the thesis of consciousness) must be rejected if the insight into the possibility of cognizing the modal functions is not to be precluded *a priori*. The conception of experience mentioned above is based on a fundamental misinterpretation both of the cosmic and the cosmological self-consciousness, of which the latter is founded in the former. Besides, the data of experience are also misconstrued. They have been given to our self-consciousness to which all modal aspects of temporal reality are related. They have *not* been given to the *sensory function* of this self-consciousness, and they are never of a *functional* but of a cosmic-systatic character.

The cosmic and cosmological intuition of time can never be identified with a supposed "pure sensibility", or with "a form of sensory intuition".

Human experience of temporal reality in principle has no specific functional boundaries, because in the root of self-consciousness it transcends time itself. All the modal aspects of temporal reality are at least *in principle* immanent in possible experience, immanent in the cosmological self-consciousness. In the last instance it is not some abstract functions of consciousness but the fulness of self-consciousness which experiences the modal meaning-functions in cosmic time as its own. This insight means the final liberation of epistemology from the prejudices of immanence-philosophy.

The assertion that our experience is restricted to the sensory

and logical aspects of reality, in other words, that we can have no experience of the other meaning-functions in their original character, is absolutely contrary to the *datum* of our cosmic self-consciousness.

It would be a matter for surprise that epistemology could so long accept this thesis as an axiom, if behind this prejudice we had not discovered the dualistic-Humanistic cosmonomic Idea with its polar tension between the science-ideal and that of personality.

CHAPTER IV

THE STRUCTURAL HORIZON OF HUMAN EXPERIENCE AND OF CREATED 'EARTHLY' REALITY

§ 1 - THE A PRIORI MOMENTS IN HUMAN EXPERIENCE AND THE IDEA OF THE STRUCTURAL HORIZON OF EXPERIENCE.

Now that we have obtained a more detailed insight into the possibility of the inter-modal synthesis of meaning, it is reasonable to ask what is to be understood by the *a priori* moments in our experience and what they consist of.

Having given account of the distinction between theoretical and pre-theoretical knowledge, there is no longer any obstacle in our way to a more comprehensive formulation of this problem. Its restriction to the theoretical attitude may therefore be cancelled. For we are now safeguarded against the misconception that all cognitive activity is exclusively based on a theoretical synthesis of inter-modal character.

The meaning of the word "*a priori*" in immanence-philosophy.

What is to be understood by the *a priori*? As is generally known, the word *a priori*, in contradistinction to *a posteriori*, originally had a metaphysical-ontological sense.

ARISTOTLE considered "the universal" as the metaphysical "ground of being" of individual things. The universal, the metaphysical essential form in this sense is to him the πρότερον φύσει but at the same time the ὕστερον πρὸς ἡμᾶς, that which comes later in *cognition*. In scholasticism (ALBERT OF SAXONY, SUAREZ) mention is made of an "*a priori* demonstration", concluding from causes to effects, in contrast with the "demonstratio *a posteriori*" which proceeds from effect to causes [1].

Here, too, the *a priori* has a clearly metaphysical sense. Since

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[1] Cf. SUAREZ, *Disp. met.* XXX, 7, 3.

the rise of Humanistic philosophy the *a priori* has been preferably taken in an *epistemological* sense; in recent times also in a *phenomenological* signification. As such it is contrasted with the 'empirical'.

In the former sense those cognitive elements are referred to which do not stem from sensible "experience". In pre-Kantian rationalism the *a priori* in this sense was identical with the universally valid, and with logical necessity in thought. It was identified with that which exclusively derives from "pure mathematical (logical) thought".

In KANT's system the epistemological contrast between *a priori* and *a posteriori* or "*empirical*' coalesces with that between the universally valid transcendental forms (creating the possibility of experience) and the (sensory) *matter* of our knowledge. *A priori* in this sense are all synthetical judgments of universal validity which cannot be founded on (sensory) experience.

In HUSSERL's phenomenology the term *a priori* acquires an entirely new meaning. In the first Volume of his *Ideen zu einer reinen Phänomenologie und phänomenologischen Philosophie* (1913) he avoids the words *a priori* and *a posteriori* as much as possible because of their ambiguity and "their connection with ill-reputed philosophical doctrines" [1]. But in his later work *Cartesianische Meditationen* (1929) he calls his phenomenology emphatically 'the total science of the *a priori*'. By *a priori* he means the 'universal Logos of all thinkable being' which is immanent in the constitutive possibilities of the transcendental phenomenological subject (ego) and the transcendental intersubjectivity of the egos.

This total science of the *a priori* is the ultimate foundation of all genuine sciences of facts (Tatsachenwissenschaften) and of a genuine universal philosophy in its Cartesian sense: a universal science of the factual being *considered in its absolute foundation.* For all rationality of the factual is implied in the phenomenological *a priori* as the system of all ideal "*Wesensmöglichkeiten*".

Phenomenology has to construe *a priori* — but in strict intuitive '*Wesensnotwendigkeit*' and essential universality — the forms of all thinkable worlds, and the latter in the cadre of all thinkable forms of being as such and their systems of stages

[1] Op. cit., p. 6.

(*Stufen*). It has to do so in correlation with the constitutive *a priori*, i.e. the subjective *a priori* of the intentional phenomenological acts by which the transcendental consciousness constitutes these worlds as its '*Gegenstand*'. In this sense phenomenology, as the universal science of the *a priori*, is the ultimate critique of knowledge founded in a radical and universal self-reflection of the transcendental ego on its constitutive intentional acts and their constitutive essential possibilities. It has to describe these essential possibilities in the logical form of an intuitive eidetic system [1].

So HUSSERL appears to lay particular stress on the rational character of the phenomenological *a priori*. The "*Wesensanschauung*" (intuition of the essence) with him is an intuition of the logical *eidos* of the noetic and noematical [2] contents of the intentional acts of consciousness.

The Kantian categories must also be made into the object of this intellectual intuition in order to lay bare the whole of their intentional meaning and 'intentional horizon'.

Phenomenology does not permit itself to accept any realities and concepts of realities as given beforehand. It has to derive all its concepts from the original subjective phenomenological source and in this sense also to render completely clear and distinct all fundamental concepts of the positive sciences which are handled here in a naïve way without an insight into their real meaning. As a fundamental inquiry into the 'transcendental constitution of a world' phenomenology has to make clear in a radical way the *meaning* and *origin* of the concepts *world, nature, space, time, animal being, man, soul, body, social community, culture* etc. [3]. HUSSERL calls this universal *a priori* science a 'universal concrete ontology', a concrete '*Wissenschaftslehre*' or 'concrete logic of being' *(Konkrete Logik des Seins)*.

The metaphysical problems which HUSSERL identifies with the 'ethical religious' questions should also be treated in this way, i.e. on the phenomenological basis of an intuitive eidetical in-

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[1] Cf. *Cartesianische Meditationen und Pariser Vorträge* (ed. and introduced by Prof. Dr S. STRASSER, the Hague, Martinus Nijhoff, 1950), p. 178 fl.

[2] Translator's note: *noetic* is related to the subjective components of the mental processes. *Noematic* refers to the intended objects as intended.

[3] Op. cit., p. 180. Cf. also HUSSERL's last posthumous work *Die Krisis der Europäischen Wissenschaften und die transcendentale Phänomenologie* (1936—1937), ed. by Walter Biemel (Haag, 1954), p. 10 ff.

sight into their transcendental constitution by the transcendental inter-subjectivity of the egos or the phenomenological 'monads'. For, according to him, this is the absolute primary being which precedes all objectivity of the world and is the origin of its meaning.

A different view of the phenomenological *a priori* is defended by SCHELER. With him the rationalist conception of HUSSERL is for a great deal replaced by an irrationalist view, viz. with respect to the phenomenology of values. This is due to the influence of DILTHEY who attributed to feeling (empathy) a fundamental epistemological function with regard to the so-called *'Geisteswissenschaften'*, and whose irrationalistic historicism left no room for an eidetic logic of values. This is why SCHELER sharply distinguishes between the realm of 'pure logic' and that of 'pure axiology'.

As phenomenology of values the latter has to investigate the intentional contents of 'emotional acts of valuation' such as feeling, hating, loving etc.

With SCHELER *a priori* means the whole of all ideal *'Bedeutungseinheiten'* [1] and sentences which by means of the content of an immediate intuition of the essence, come to be 'given in themselves' *(zur Selbstgegebenheit kommen)*. In this sense the phenomenological *a priori* encompasses the whole realm of 'essences'. An 'essence' as such is neither universal nor individual. Only from the reference to the things in which the essence makes its appearance, does the difference result between its universal and individual meaning. An essence comes to be universal when it makes its appearance as the identical in a plurality of things which for the rest differ from one another. It may, however, also be the essence of an individual which is not to be found in other individuals [2].

Just like the whole of phenomenology, SCHELER emphatically rejects the Kantian identification of the *a priori* with the *formal*, as well as that of the *material* with the *sensory-empirical*. But he also rejects HUSSERL's identification of the *a priori* with the logical *eidos* or the rational.

According to him also feeling, preferring, loving and hating have their own *a priori content*, just as independent of "inductive

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[1] units of signification.

[2] *Der Formalismus in der Ethik und die materiale Wertethik* (3rd edition), p. 43.

experience" as the "pure laws of thought". And this *a priori* can be grasped — without the intermediary of the logical function — in a "pure intuition of the essence", applied to the "acts and their matter, their foundation and their coherence" [1].

In the last instance he considers the *a priori* in love and hatred as the *ultimate* common foundation both of the *a priori* knowledge of "being" and that of "*a priori* volition".

In the footsteps of HUSSERL, SCHELER no longer opposes the *a priori* in this wide sense to "empirical facts". The contrast between *a priori* and *a posteriori* is rather that between two kinds of experience: viz. pure and immediate experience, related to the pure "facts" of the intuition of the essence, and experience which is dependent on the sensory natural organism of the real "*Aktträger*" (bearer of the acts) [2].

Why the contrast between *a priori* and "empirical" is useless to us.

The contrast between "*a priori*" and "empirical" is also useless in the light of our cosmonomic Idea. For the conception of the "empirical" in pre-phenomenological immanence-philosophy is tainted with the metaphysical separation between noumena and phenomena. Our conception of human experience is radically different from that of this immanence-philosophy, which absolutizes the theoretical meaning-synthesis and consequently has to conceive of experience in a functionalistic sense. But also the phenomenological conception of pure or immediate experience and factual sensory experience does not agree with our view of the human experiential horizon which will be explained presently. In our opinion there does not exist a pure phenomenological experience of a 'super-human' nature. This whole conception is based upon a primary absolutization of the theoretic-phenomenological attitude of thought in an 'absolute transcendental subject (ego)'.

The reason why SCHELER's conception of experience is useless to us.

As to SCHELER's conception of experience in particular, we admit that in it, just as in HUSSERL's, there is a break with the identification of the empirical with the functional-sensory. But

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[1] "der Akte und ihrer Materien, ihrer Fundierung und ihrer Zusammenhänge," — cf. Op. cit., p. 61.

[2] Ibid., p. 47.

we have to raise the same fundamental objections to it — and, for that matter, also to HUSSERL's more intellectualistic conception, — that we have alleged against the phenomenological standpoint as such.

Another objection is concerned with the misinterpretation of the theoretical-analytical character of the ἐποχή in its phenomenological sense, giving rise to the error that in this "*epochè*" nothing of the true *datum* of experience gets lost.

It is supposed then that this *datum* can be grasped *adequately* in the "intuition of the essence", an opinion which has been criticized already earlier[1]. In SCHELER the 'cosmos' is exhausted in its pre-logical aspects. And in this abstraction he conceives of it as of a "natural world of things" related to our cognitive activity. In perfect agreement with the metaphysical-dualistic conception he thus opposes the 'cosmos' to the domain of the absolutized normative "mental functions". For this very reason SCHELER's conception of experience is totally different from ours. He cancels the whole of the linguistic aspect of the cosmos in the *datum* of the meaning-coherence. He even commits the error of presuming that ethics is capable of grasping the originally *a priori* content of the "emotional mental acts" entirely independent of logic[2]. He maintains "pure logic" as well as "pure axiology", both of which are incompatible with the Idea of the all-sided cosmic meaning-coherence.

The structural and the subjective *a priori* in human experience.

Yet there must be some truth in the old *ontological* view as well as in the modern *epistemological* conception of the *a priori*, in spite of the fact that both of them are inacceptable to Christian philosophy, both as regards their exclusiveness of each other and their own foundation and elaboration. To account for this element of truth, we shall have to introduce a distinction in our epistemology which will prove to be of essential importance, but which in this sense is unknown in immanence-philosophy.

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[1] Cf. Part. II, Ch. II, § 4 of this Volume.

[2] Op. cit., p. 59: "Auch das Emotionale des Geistes, das Fühlen, Vorziehen, Lieben, Hassen, Wollen, hat einen ursprünglichen apriorischen Gehalt, den es nicht vom "Denken" erborgt, und den die Ethik ganz unabhängig von der Logik aufzuweisen hat. Es gibt eine a priorische "ordre du coeur" oder "logique du coeur", wie BLAISE PASCAL treffend sagt."

There is an *a priori* complex in the *cosmological* sense of the *structural horizon of human experience.* This *a priori* as such has the character of a *law.* And there is also a *merely subjective a priori complex* in the *epistemological sense of the subjective a priori insight into that horizon.* We can distinguish the two a priori complexes simply as the *structural* and the *subjective a priori.* Only the subjective *a priori* can be *true* or *false* in an epistemological sense. As it is *subjective insight* expressing itself in judgments, it necessarily remains enclosed within the cosmological *a priori* horizon of human experience. In other words, the subjective *a priori* always remains determined and delimitated by the *a priori structure* of all human experience. It can never be the self-sufficient foundation of truth which critical epistemology considers it to be. The structural and the subjective *a priori* principles are related as the law-side and the subject-side of *a priori* human knowledge.

The horizon of human experience.

In the light of our cosmonomic Idea there can be no doubt that all human experience is bound to some horizon which makes this experience possible. We repeatedly mentioned the transcendent and the transcendental conditions of our knowledge.

This horizon of experience is not a subjective cadre within which reality appears to us only in a phenomenal shape (determined by a supposedly creative synthesis) and behind which the fundamentally inexperienceable dimensions of some "thing in itself" *("Ding an sich")* are situated.

It is rather the *a priori meaning-structure of our cosmos itself* in its dependence on the central religious sphere of the creation, and in subjection to the Divine Origin of all things. The horizon of human experience is that of our 'earthly' cosmos as it is given in the Divine order of the creation.

This is a truly super-individual and law-conformable cadre which is constant, in contrast with all change in actual subjective experience.

The identity of the horizon of human experience and that of our 'earthly' cosmos is not to be interpreted in the sense of a transcendental idealism.

We must emphatically warn against every transcendental idealistic interpretation of our thesis concerning the identity of the horizon of human experience and that of our 'earthly'

cosmos[1]. Transcendental idealism stands and falls with the acceptance of a transcendental-theoretical consciousness which 'constitutes' the world as its *'Gegenstand'*, and eventually constitutes itself.

This is why it is bound to the immanence-standpoint with its primary absolutization of the theoretical synthesis. Our thesis, on the contrary, is founded in the Divine Revelation concerning the creation of man in the image of God. Since God has created the 'earthly' world in a concentric relation to the religious root of human existence, there cannot exist an 'earthly' 'world in itself' apart from the structural horizon of human experience. But it is excluded on this standpoint to accept the Husserlian opinion that the "world" is the result of a constitutive process of synthesis originating in the transcendental ego and the transcendental inter-subjectivity of the egos, conceived of as mental monads. Nor is it possible to accept HUSSERL's (Fichtean) conception of the self-constitution of the transcendental ego. It is this idealistic opinion which lacks a radical critical self-reflection; and so does HUSSERL's opinion that the phenomenological reduction and the eidetical intuition guarantee an absolute freedom from prejudices.

The obfuscation of the horizon of human experience by sin. The necessity of the light of Divine Revelation.

The fall into sin has obfuscated our experiential horizon by closing it to the light of Divine Truth. In the light of Divine Revelation the horizon of human experience is opened again and extricated from the prejudices of our obfuscated understanding. The depth of its religious dimension becomes transparent. This horizon is not *a priori* in the Kantian sense of *non-empirical.*

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[1] According to HUSSERL *(Cartesianische Meditationen,* p. 118), phenomenology is *eo ipso* transcendental idealism. Not in the sense of the Kantian idealism, which at least as a limiting concept leaves room for a world of 'things in themselves'. But in the sense of an idealism that is nothing but the "self-interpretation of my ego as the subject of every possible knowledge with respect to every possible meaning of being." This categorical statement should be a warning against any neo-scholastic attempt to accommodate HUSSERL's phenomenological method to the Christian standpoint in philosophy. For HUSSERL emphatically establishes that this transcendental idealism also should control the ultimate questions of religion. This is to say that it is incompatible with the Christian transcendence-standpoint and with the Christian basic motive of philosophical thought.

It belongs implicitly to human experience in so far as it constitutes its *a priori* determining element. This implicit experience is only made explicit in the transcendental and in the radical religious self-reflection, of which the former is based upon the intuitive insight into the cosmic order of time.

If we had no experience of this horizon, how should we ever be able to *know* of it, and how could we give account of it philosophically? It can only be called an *a priori* structure insofar as it is the constant meaning-structure of all human experience and of all temporal reality.

KANT's so-called categories of modality.

In this connection we must return to the Kantian "categories of modality": possibility, actuality, and necessity. These categories are supposed to have the peculiarity of not adding anything whatever to the concept (whose "predicate" they are), as "determination" of the object. They only express the relation of the object (intended by the concept) to our cognitive faculty. KANT formulates their function as follows: "If my concept of a thing is complete, I can still ask whether this object is merely possible or also actual; or, if the latter, whether it is not also necessary. By this the object itself is not more definitely determined in thought. The only question is in what relation this thing (together with all its determinations) stands to the understanding and its use in experience, to empirical judgment, and to reason (in its application to experience)" [1].

If we compare these so-called "categories" with each other, we are struck by the fact that "possibility" and "necessity" in their very application to "*Gegenstände*" (i.e. in theoretical, synthetical usage) can be conceived of in every abstracted meaning-modus. On the other hand actual (cosmic) reality can never be enclosed in an abstract modal meaning.

A state of affairs may be *possible* and even *necessary* in a

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[1] *Kr. d. r. V.* (WW. Grossherzog Wilh. Ernst ed., Vol. III, p. 213/4: "Wenn der Begriff eines Dinges schon ganz vollständig ist, so kann ich doch noch von diesem Gegenstande fragen, ob er bloss möglich oder auch wirklich, oder, wenn er das letztere ist, ob er gar auch notwendig sei? Hierdurch werden keine Bestimmungen mehr im Objekte selbst gedacht, sondern es fragt sich nur, wie es sich (samt allen seinen Bestimmungen) zum Verstande und dessen empirischen Gebrauche, zur empirischen Urteilskraft und zur Vernunft (in ihrer Anwendung auf Erfahrung) verhalte?"

mathematical, a psychological, a physical, a biological, a linguistic, an aesthetic, a juridical sense. But it can never be *actual* in its theoretical abstraction. There is a logical, a psychical, a biotic, a juridical, etc., *possibility* and *necessity*; there is no abstract logical, psychical, biotic, juridical, etc., *actual reality*. Functionally speaking, the aspects here intended are only *meaning-modi* of the full temporal reality. Every law-sphere has its modal horizon, its necessary law-conformable structure, constituting the boundaries of possibility within the aspect of reality concerned.

> The truly transcendental Idea of possibility and necessity is related to the horizon of the full actual reality.

The horizon of the full actual reality overarches every modal horizon. For this very reason actual reality cannot be a synthetical category. It cannot be grasped in a concept at all, it can only be approached in an Idea. The horizon of human experience and of empirical reality contains the entire constant structural law-conformity given in the Divine order of the creation of our 'earthly' cosmos.

Naturally, possibility and necessity can also be conceived in the *transcendental meaning* of the *horizon of reality*. Then they are conceived in the *cosmonomic Idea,* and *not* in the modal speciality of an abstract aspect. Insofar as possibility and necessity are used as theoretical-synthetical categories, they must be delimitated in their *specific 'gegenständliche' modal meaning*. But insofar as in epistemology they are related to the horizon of the fulness of reality and experience, they can only function as limiting concepts, i.e. as transcendental *Ideas*.

These Ideas become speculative-metaphysical as soon as they absolutize the horizon of human experience into an eternal rational order founded in the Divine Essence, and to which the sovereign God is supposed to be bound.

As transcendental Ideas, possibility and necessity are related to the horizon of the fulness of human experience, and as such they belong to the *creaturely meaning,* and not to the *Divine Being*. Necessity then is related to the horizon of both reality and experience according to its structural law-conformity. Possibility refers to the free scope left to concrete, subjective individuality in its structural determination by this horizon.

§ 2 - THE STRUCTURE OF THE HORIZON OF HUMAN EXPERIENCE AND THE LEVELS OF THE *A PRIORI*.

The transcendent dimension of the horizon of experience. The religious *a priori*.

In a transcendent sense the horizon enclosing all human experience is formed by the communal structure of the religious root of human existence. Our selfhood which experiences, is *under* the law, is a *subject, limited* and *determined* by the law in its central religious sense. This very creaturely character of our selfhood makes it impossible for human experience to be detached from the *religious attitude* of the I-ness.

According to the cosmic order of the creation all human experience is at bottom religiously determined, either in its direction to God or in an apostate direction. In this sense we can speak of the necessary religious *a priori* of all human experience both in its structural and its subjective sense. This transcendent dimension of the horizon of experience is of course not recognized on the immanence-standpoint: it does not play a recognized rôle here as a necessary pre-supposition of cosmology and epistemology.

The transcendental dimensions of the horizon of experience. The *a priori* of the temporal meaning-coherence.

When descending to the transcendental dimensions of the horizon of human experience, we first come upon *cosmic time*. According to the Divine order of the creation all our experience of reality in its modal and typical diversity is cosmically bound to time. Not to time in a specific (theoretically isolated) aspect, but to time in its cosmic all-sidedness: to the time which is the foundation of all the modal law-spheres, and which maintains them in their continuous meaning-coherence.

Time in this cosmological sense is the absolutely *transcendental a priori* of all human experience.

It stands to reason that also this dimension of the horizon of human experience cannot be recognized on the immanence-standpoint, because on this standpoint the universal temporal meaning-coherence of the cosmos is bound to be misinterpreted.

Consequently we have to descend to a lower level of the structure of human experience if, at least to a certain extent, we want to establish contact with that which is called the *a priori* by immanence-philosophy. In the first place we shall then have to consider the functional structure of the modal aspects. For it may

be that on the immanence-standpoint it is not possible to understand the modal meaning-structures as such in their unbreakable coherence founded in the cosmic order of time; but it has appeared that the functionalistic view of empirical reality and the absolutization of the experiential aspects pre-suppose the structures concerned which are only misinterpreted in this view.

The horizon of the *a priori* modal structures of human experience.

The meaning-modalities guaranteeing the specific sovereignty of the law-spheres within their own limits, actually *determine* all *individuality of meaning* within the law-spheres.

An original individual spatial figure is only possible within the structural horizon of the spatial modality. An objective individual sensible picture of perception, e.g., that of an apple-tree in blossom in my garden here, is only possible within the structural horizon of the psychical meaning-modus. A servitude of prospect vested in an individual building can only exist within the structural horizon of the juridical aspect, etc.

The modal aspects in their functional structure are consequently the determining, necessary conditions of all modal individuality in which temporal reality reveals itself within the law-spheres concerned.

For this reason they can be called the *modal a priori* conditions of all individuality of meaning. This cosmic state of affairs is founded in the temporal world-order, which also *determines the possibility of our experience.*

We can *experience* the modal aspects both in the pre-theoretical and in the theoretical attitude only in their temporal coherence, according to the foundational and the transcendental direction of time. But within this cosmic coherence the modal aspects (according to their structure) are the *a priori* conditions of all experience of individual reality. And this is true independently of the question whether we have become distinctly aware of these aspects in the transcendental reflection on the intuitive theoretical synthesis of meaning, or whether they are experienced indistinctly in the pre-theoretical consciousness. The cosmological *a priori* character of the modal aspects, in contradistinction to all modal individuality of meaning, is manifest in its structural stability in contrast with all that is variable in temporal reality. As these aspects, in their temporal meaning-coherence, constitute

he functional structure of our cosmos, they cannot be transitory *n time.*

The individual sensory impression of a sunset that I experience at this moment, may pass away *in time,* but the *psychical modus* in which this impression is objectified cannot be transitory in this sense.

For this modality belongs to the functional structure of reality, and, as such, also to the *a priori horizon* of all human experience. When we discussed the problem of the modal meaning-disclosure we have shown that the stability of the modal horizon is not identical with *rigidity.* It is, however, a fundamental error to restrict the modal *a priori* in human experience to the psychical and the logical aspects. The modal horizon is founded in the horizon of cosmic time, which embraces all the law-spheres without any exception.

The synthetical *a priori* of theoretical experience.

The structure of the inter-modal meaning-synthesis is the cosmological *a priori* of theoretical knowledge as to its law-side. This structure forms the horizon of all true theoretical knowledge. It remains enclosed by the cosmic horizon of time and by the religious horizon of the self-hood. We only gain *access to* it in a subjective-theoretical way in the actual transcendental self-reflection.

The *insight* into this horizon is the *subjective-fallible apriori* of all epistemology. Again there is no reason to reserve the subjective *a priori* character for some specific theoretical meaning-syntheses and to deny the *a priori* character of all other possible syntheses.

And the subjective synthetical *a priori* in our theoretical knowledge, as far as the law-spheres are concerned, does not reach further than the theoretical insight into the structure of the modal aspects according to their law- and their subject-side under the hypothesis of the cosmonomic Idea. In this Idea theoretical thought is directed both to the religious dimension and the temporal dimension of human knowledge. Of course the insight into the law-conformable coherence of all types of individuality within each separate theoretically embraced law-sphere, is also of a subjective *a priori* character. The reader was already confronted with this state of affairs in the third part of Vol. I.

Thus e.g., physics tries to reduce all individual functional effects within the physical field to one and the same modal deno-

minator (viz. energy) in order to find the functional coherence between these effects.

In the same way legal theory investigates the functional juridical coherence between the typical legal spheres of constitutional law, civil law, non-civil industrial law, ecclesiastical law, international law, etc., which differ so widely from each other in their typical structures of individuality. In both cases this systematic tendency can find its epistemological justification only in the *a priori* insight into the modal structure of the law-sphere concerned, which keeps all the types of individuality presenting themselves within its cadre, in the functional coherence of the modal aspect.

Usually mathematics and so-called formal logic are mentioned as entirely *a priori* sciences. The latter has been sufficiently discussed by us, and we have seen that it always pre-supposes the theoretical synthesis of meaning. Its *a priori* character only concerns the modal horizon of the logical law-sphere in its synthetical coherence with the modal horizon of the other law-spheres. The mathematical sciences can be of a subjective *a priori* character only in the theoretical embracement of the modal horizon of the numerical, the spatial and the kinematical law-spheres with the functional law-conformities founded in them.

As soon as the determination of the *typical* functions of number, or those of the spatial or kinematical relations of reality (say e.g., PLANCK's quantum h) is involved, we find ourselves in the domain of the structures of individuality of natural things and events. The former can never be established in a subjective *a priori* way only oriented to the functional structures of the aspects concerned. They can only be discovered by means of a factual research of empirical reality in its typical structural functions, within the specific scientific field of investigation.

> The synthetic *a priori,* too, is not to be understood as a constructive creation of the human mind.

The word *a priori* stands in bad repute in special science (with the exception of logic and mathematics). And rightly so. For the word is badly tainted with the rationalistic prejudices of the Humanistic science-ideal, which ascribed a *creative logical* function to human consciousness. It was supposed that the structure of given reality should be first methodically eliminated, after which the *a priori* constructive order of "creative" thought had to be imposed on it.

Even KANT's so-called *formal "Grundsätze des reinen Verstandes"* (the principles of the pure understanding) had been inspired by this science-ideal. They proved incapable of standing the test of the progressive development of natural-scientific thought. The constructive view of the subjective *a priori* elements of our knowledge, based as it is on the Humanistic cosmonomic Idea, is in reality a consequence of the ὕβρις, of the pride of man, who in his supposed self-sufficiency of thought refuses to submit to the Divine world-order. From the outset we have rejected this view, as we have broken with the cosmonomic Idea in which it is founded. The cognitive subject does not create the horizon of his experience himself. The law-conformable structure of his experience does not originate from a sovereign "transcendental subject". The modal structure of the law-spheres abstracted in the theoretical synthesis of meaning must be carefully read from the horizon of the full temporal reality created by God. And in the carrying out of this task of the modal analysis of meaning a philosophy which orients itself to the Christian cosmonomic Idea, is by no means infallible.

The system of the law-spheres is an open one.

In fact the system of the law-spheres designed by us can never lay claim to material completion. A more penetrating examination may at any time bring new modal aspects of reality to the light not yet perceived before. And the discovery of new law-spheres will always require a revision and further development of our modal analyses. Theoretical thought has never finished its task. Any one who thinks he has devised a philosophical system that can be adopted unchanged by all later generations, shows his absolute lack of insight into the dependence of all theoretical thought on historical development. All this, however, does not detract anything from the truth that theoretical thought remains bound to a modal horizon which has a constant determining character as to all the changing concrete facts. Nor does it derogate anything from the necessity of a subjective *a priori insight* into this horizon as a pre-supposition of special science.

If an arbitrary construction is to be avoided, the function-concept of special science must be oriented to this modal horizon, which is *necessarily a priori,* for the very reason that it determines the functional structure of all individuality of meaning within the law-spheres. The analysis of the modal meaning

being a philosophical task that cannot be accomplished without the *hypothesis* of a cosmonomic Idea, all special scientific thought necessarily has a philosophical foundation, even though the special science-theorist does not take account of this fact.

The horizon of the structural principles of individuality.

Besides those mentioned above, the horizon of human experience has another dimension which is of essential importance. It plays a dominating rôle in naïve, pre-theoretical experience, but it also has an important rôle in theoretical knowledge. We mean the dimension of the structures of individuality. It manifests itself in concrete things and events, and also in the typical structural relations of human society in their inner irreducible nature and their mutual interlacements, as they are created by God and realized in changeable forms by man.

It has appeared that these typical total structures of individuality in principle function at the same time in all the modal lawspheres. And it is really a question of structural *principles,* not one of the factual individuality of the things that are *determined* by these principles. We are here confronted with structural *types of laws,* which, just as the structural *modi of laws,* are founded in the cosmic temporal order. As such they are not changeable in time, since they determine the inner nature of perishable factual things, events and social relationships functioning within their transcendental cadre. Here we come upon a new level in the structural *a priori,* which forms a component part of the horizon of human experience. Although the systematical discussion of these structures of individuality is reserved to the third volume, we cannot omit making mention of them in the present context.

In comparison with the levels of the *a priori* discussed previously this new level shows several peculiarities. In the first place the typical structures of individuality pre-suppose all the dimensions of the horizon of human experience mentioned above except that of theoretical synthesis.

The plastic character of the horizon of the structures of individuality.

In the second place these structural principles are strongly plastic in character because of their more concrete nature. This lends an extremely rich and varied aspect to this dimension of the experiential horizon. The modal dimension encompassed by the cosmic temporal horizon is the same for all things. But the

plastic horizon of structural individuality is varied according to *types* which are different for each of the various groups of things, and in which things in turn appear, change their forms, or are changed in form, and vanish.

Ancient and medieval metaphysics tried to approach this plastic dimension of the horizon of experience with the doctrine of the substantial *essential* forms of things. ARISTOTLE elaborated this theory in great detail and tried to adapt the rigid metaphysical form-matter-schema to the plasticity of the structures of individuality. He conceived of form as a dynamic principle of development which is immanently operative in the 'matter' of natural substances. And he conceived of the *lower* essential forms as 'matter' with respect to a possible *higher* formation.

This plastic motive was again lost in modern times. It was replaced by the rigid-static conception of the "world of pure essences" *(die Welt der reinen Wesen)* in HUSSERL's eidetic logic, though in his later phenomenology this conception was relativized by the motif of the active and passive constitutive genesis of the intentional contents of the acts. But the Aristotelian theory, rooted in the metaphysical immanence-standpoint, is also unable to do justice to the structural individuality of temporal reality. This level of the horizon of human experience can no more be grasped on the immanence-standpoint than the others can, because it pre-supposes the latter.

The complex interlacements of these typical structural principles.

The plastic character of the structural principles of individuality is especially evident in their typical interlacements and coherences capable of formation. In these they realize themselves in variable, individual things (events and social relationships). Owing to this the dimension of our experiential horizon that is turned to the inexhaustible wealth of individuality does not show a rigid, atomistic character, but presents itself in a continuous dynamic-structural coherence. The plastic dimension of the horizon of experience and of reality is of a very special *a priori* character.

The fact that the typical structures of individuality can be in no way *construed a priori* by human thought is nothing specific in comparison with the modal horizon of our experience. But what is indeed remarkable in the plastic horizon is that the structural principles themselves show different types of indivi-

dual meaning. Moreover, they only reveal themselves to theoretical insight in the structural analysis of the variable reality of things, events and relationships of human society that change their forms continually in time. Without the structural principles of individuality there could not be any real experience of concrete things, facts and social relations. A functionalistic Kantian or neo-Kantian epistemology with its abstract constructive *form-matter-schema* can never really give account of the possibility of concrete experience, because it must eliminate the structural character of individuality. The latter pre-eminently belongs to our experiential horizon and the horizon of the full 'earthly' reality in accordance with the Divine order of the creation. The things of concrete experience are not the products of the synthetic formation of a chaotic sensory matter by means of abstract forms of thought and intuition. The wisdom of God as the Creator has adapted the horizon of human experience to the individuality of things, and this structural plastic side of our experiential horizon belongs to the horizon of 'earthly' reality itself. It is *a priori* in the sense that it *determines* the experience of the variable individuality of things and alone *makes it possible.*

Remark on the so-called "universalia ante rem" in God's Mind.

The *a priori* horizon of human experience is thus the Divine order of the 'earthly' creation itself, in which man and all things have been given their structure and order in the cosmos.

Before the foundation of the world this order of the creation was present in God's plan [1]. The Christian synthesis-philosophy [2] in patristic and scholastic thought has adapted this truth of revelation (which is beyond all human understanding) to Greek philosophy and changed it into the speculative ideas of a realistic metaphysics.

This turned the order of the creation into a *lex aeterna* founded in Divine *reason.* And the Divine principles of the creation became the *universalia ante rem* (in Divine reason) and *in re* (in temporal things). After all that we have had to say about this, it will be clear that we unconditionally reject such a metaphysics, because *fundamentally* it sets the Divine order of the creation aside to replace it by an absolutized *reason.*

[1] Acts 2 : 23 according to The Twentieth Century New Testament (published by Horace Marshall & Son, London, and The Fleming H. Revell Company, New York, 1904). The Auth. Version has: determinate *counsel.*

[2] *Translator's note:* The author applies this term to a philosophy which tries to combine and reconcile non-Christian and Christian motives of thought.

The perspective structure of the horizon of experience. The dependence of our knowledge about the cosmos on our self-knowledge and on our knowledge of God.

The different levels of the *a priori* we have discovered in the structure of the horizon of human experience as the horizon of 'earthly' reality are not placed side by side in an arbitrary way.

They are integrated into a perspective coherence in accordance with the Divine order of the creation. In the order among them, and in their coherence, they form the perspective in which we experience the cosmos.

All human experience, both in the pre-theoretical and in the theoretical attitudes, is rooted in the structure of the transcendent unity of self-consciousness. The latter partakes in the religious root of the creation directed to God, or, in the case of apostasy, directed away from God. This *religious horizon* is the transcendent horizon of the selfhood, and encompasses the *cosmic temporal horizon* in which we experience the insoluble coherence and the modal and typical refraction of meaning. The *temporal horizon* encompasses and determines the modal horizon both in its theoretical (analytical and synthetical) distinction and in its pre-theoretical systasis.

The temporal horizon encompasses and determines also the *plastic horizon* of the structures of individuality, which in its turn implies the modal horizon.

From this it follows that all temporal knowledge rests on a religious or pseudo-religious foundation, and is restricted and made relative by the temporal dimensions of the horizon of experience and of reality. For this reason we are the victims of an *illusion*, if we hypostatize the structure of human knowledge, or proclaim the human cognitive apparatus self-sufficient. For the transcendent horizon of the selfhood, radiating through all human experience perspectively, has no rest in itself, but only exists in the creaturely mode of *meaning, which is nothing in itself*, i.e. nothing apart from its reference to the Origin.

The religious meaning of the created world binds the true knowledge of the cosmos to true self-knowledge, and the latter to the true knowledge of God [1]. This view has been explained in an unsurpassable and pregnant way in the first chapter of the

[1] This is the radical difference between the Christian view of self-knowledge as the condition of a radical critical knowledge of the world and HUSSERL's transcendental phenomenological egology. The latter makes

first book of CALVIN's *Institutio*. It is the only purely Biblical view and the alpha and omega of any truly Christian epistemology. Theoretical truth, limited and relativized by the temporal horizon, is in every respect dependent on the full super-temporal Truth. If we hypostatize theoretical truth, it is turned into a lie. For there does not exist a self-sufficient partial truth. We *cannot* truthfully know the cosmos outside of the true knowledge of God. But like all human experience in this earthly dispensation, our knowledge of God, although directed to the absolute Truth, is also restricted and relativized *by* (but not at all *to*) our temporal cosmic existence.

> The restriction of our human experience of the religious fulness of meaning *by* time is no restriction *to* time.

This means that in the Christian experience the religious fulness of meaning remains bound up with temporal reality. Every spiritualistic view which wants to separate self-knowledge and the knowledge of God from all that is temporal, runs counter to the Divine order of the creation. Such spiritualism inevitably leads to an internally empty idealism, or to a confused kind of mysticism, in spite of its own will or intentions.

In the order of this life — that of the life beyond is still hidden from us as to its positive nature — all human experience remains bound to a perspective horizon in which the transcendent light of eternity must force its way through time. In this horizon we become aware of the transcendent fulness of the meaning of this life only in the light of the Divine revelation refracted through the prism of time. For this reason Christ, as the fulness of God's Revelation, *came into the flesh;* and for this reason also the Divine Word-revelation came to us in the temporal garb of human language.

But if our experience were limited *to* our temporal functions of consciousness, or rather to an *abstractum* taken from our temporal complex of experiential functions, as is taught by the critical and the positivistic epistemologies, it would be impossible to have true knowledge of God, or of ourselves, or of the cosmos. And in the apostasy in which falsehood (and not truth) rules, we have no such knowledge. This also applies to the πρῶτον ψεῦδος

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the knowledge of God dependent on the phenomenological self-interpretation of the transcendental ego.

in which the entire epistemology of immanence-philosophy is founded. For it is based on the self-destructive hypostatizing of the theoretical synthesis of meaning, and on a fundamental misconception of the structure of human experience. In the transcendent religious subjective *a priori* of the cosmic self-consciousness the whole of human cognition is directed either to the absolute Truth, or to the spirit of falsehood. In this cosmic self-consciousness we are aware of temporal cosmic reality being related to the structure of the human selfhood qua talis.

In its universally valid law-conformity this structure is essentially the structure of a religious community into which the individual ego has been integrated. Any theoretical displacement of the human selfhood from this central position in experience is due to the lack of a radical philosophical self-reflexion.

But man cannot attain to true self-knowledge without true knowledge of God, which cannot be gained outside of the Divine Revelation in Christ.

At this point, many a reader who has taken the trouble to follow our argument will perhaps turn away annoyed. He will ask: Must epistemology end in a Christian sermon or in a dogmatic statement? I can only answer by means of the question as to whether the dogmatic statement with which the supposed autonomous epistemology opens, viz. the proclamation of the self-sufficiency of the human cognitive functions, has a better claim to our confidence as far as epistemology is concerned.

Our philosophy makes bold to accept the "stumbling block of the cross of Christ" as the corner stone of epistemology [1]. And thus it also accepts the cross of scandal, neglect and dogmatic *rejection*. In the limitation and weakness of the flesh, we grasp the absolute truth in our knowledge of God derived from His revelation, in prayer and worship. This knowledge in the full sense of the word contains the religious principle and foundation of all true knowledge, and primarily has a religious *enstatic* character. It no more rests primarily on a theoretical meaning-synthesis than does the cosmic self-consciousness.

The knowledge about God in which religious self-knowledge is implied, is not primarily gained in a so-called theological way. That which is very inadequately called "theology", is a theoretical knowledge obtained in a synthesis of the logical function of thought and the temporal function of faith. It is a knowledge

[1] Cf. 1 Corinthians 1—23. The twentieth Century New Test. has: obstacle.

which itself is entirely dependent on the cosmonomic Idea from which the thinker starts. The true knowledge of God and of ourselves is concerned with the horizon of human experience and therefore also with that of theoretical knowledge. It rests on our trustful acceptance of Divine revelation in the indissoluble unity of both its cosmic-immanent sense and its transcendent-religious meaning; an acceptance with our full personality and with all our heart. It means a turning of the personality, a giving of life in the full sense of the word, a restoring of *the subjective perspective of our experience,* enabling us to grasp reality again perspectively in the light of Truth. This does not mean a kind of mystical supernatural cognitive function, but it refers to the horizon that God made for human experience in the cosmic order created by Him. The subjective perspective has been obfuscated by sin and distorted and closed to the light of the Divine Revelation.

True self-knowledge opens our eyes to the radical corruption of fallen man, to the radical lie which has caused his spiritual death. It therefore leads to a complete surrender to Him Who is the new root of mankind, and Who overcame death through his sufferings and death on the cross. In Christ's human nature our heavenly Father has revealed the fulness of meaning of all creation [1], and through Him according to His Divine nature, God created all things as through the Word of his power [2].

The primary lie obfuscating the horizon of human experience is the rebellious thought that man could do without this knowledge of God and of himself in any field of knowledge, and could find the ultimate criterion of truth in 'autonomous', i.e. absolutized theoretical thought.

> The law-conformable structure of human experience in the transcendent horizon is originally a law of freedom.

The law-conformity of the structure of the horizon of human experience was maintained after the fall into sin, but the rebellious selfhood can no longer of itself acquire an insight into this structure. It supposes it can create the horizon of its experience from its own resources and has abused its religious *freedom* and delivered itself up to the bondage of darkness.

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[1] Ephes. 1 : 10.
[2] Hebr. 1 : 2, 3.

For the law-conformable structure of human experience, according to its transcendent dimension, is a law of freedom, which in its fulness of meaning determines all temporal dimensions of the horizon of experience.

When this fulness of human freedom was lost subjectively, through the fall into sin, the human selfhood fell away into the temporal horizon.

In sofar as it still sought for a fixed point of support, the human selfhood tried to hypostatize an abstract part of the temporal horizon to a transcendence that lacks the character of *meaning*. This is also the apostasy from the fulness of meaning of the Truth that alone makes all temporal truth possible.

The standing in the Truth as freedom in the transcendent horizon of experience.

Christ as the fulness of God's Revelation is the Truth. Standing in the Truth, as the sharing in the fulness of meaning of the cosmos in Christ, is the indispensable pre-requisite for the insight into the full horizon of our experience.

This means that we have once and for all given up the illusion of possessing the norm of truth in our own fallen selfhood. We have arrived at the self-knowledge that outside of the light of Divine Revelation we stand in falsehood.

Any one who grasps this Divine Revelation with all his heart abides in the Truth. Abiding in the Truth frees our insight into the horizon of human experience from the prejudices of immanence-philosophy, and it also enables theoretical knowledge to be directed to the Truth. At the same time it cuts off at the root the overestimation of synthetic scientific knowledge, which remains bound within the temporal horizon.

The problem concerning the relation between reason and faith.

The knowledge about God, which transcends the temporal horizon in our selfhood, nevertheless remains bound to our temporal function of faith according to the Divine order of the creation.

The function of faith, as the leading terminal function in the entire process of disclosure within the temporal meaning-coherence, leads theoretical thought. For the concrete act of theoretical thinking necessarily includes its faith-aspect. The nominalistic separation between faith and reason is a patent

impossibility in the light of a Christian cosmonomic Idea, and always testifies to a lack of radical critical self-reflection in philosophic thought. Insofar as it is determined by the immanence-standpoint, it is to be understood as a hidden or an avowed hypostatizing of synthetical thought.

Of course the function of faith can no more than any other non-logical function *be substituted for* the logical aspect, which gives the act of theoretical thinking its typical qualification.

The modal meaning of the temporal function of faith is *different* from that of the logical function of thought. For this very reason the former can "lead" theoretical thought, and at the same time leave the sphere-sovereignty of the modal aspects intact.

§ 3 - THE PERSPECTIVE STRUCTURE OF TRUTH

The decisive battle against the idea of the religious neutrality of philosophy will have to be fought in the field of the problem of truth. This was already made clear in the Prolegomena to the philosophy of the Cosmonomic Idea.

The neutrality postulate stands or falls with an Idea of truth which considers theoretical verity to be self-sufficient. But at all times the very problem of truth has proved to be the Achilles' heel of immanence-philosophy. As long as the only issue was the *logical aspect* of truth, with the formal criterion of the principium contradictionis, it seemed an easy task to refute relativism and scepticism. This logical self-refutation of every denial of an absolute truth has been sufficiently discussed in the Prolegomena.

But it is evident that nothing has been gained by this argument for the idea of a universally valid neutral philosophy. Even the question: 'What is to be understood by universally valid truth?' cannot be answered by logic alone. More than that: the logical criterion of truth owes its *logical meaning* exactly to the structure of the entire horizon of human experience in all its different levels. And this structure cannot possibly be grasped independently of a cosmonomic Idea. Up to now Christian philosophical thought which followed the paths of scholasticism has failed to produce a *Christian Idea of truth of its own*; — of course, I mean that the philosophical Idea of truth of this Christian thought has not really been fed by its Christian religious root. The synthesis with immanence-philosophy ultimately maintained the deep cleft between the revelation concerning the 'super-natural truth', on the one hand, and the theoretical criterion of 'natural'

truth, on the other. For scientific thought the latter was simply taken over from immanence-philosophy.

The synthesis in question could consequently not produce a truly Christian Idea of truth. Its highest aim was the accommodation of theoretical thought, as it was rooted in the immanence-standpoint, to the Scriptural revelation. But this accommodation was bound to detract from both. The true relation between Christian religion and Christian philosophy can only be an inner penetration of the latter by the former. The same relation must exist between the revealed fulness of Truth and the theoretical Idea of Truth.

Truth as the agreement between thought and being in realistic metaphysics.

As is generally known, the traditional realistic answer to the question "What is truth?", was: the agreement between thought and being, the "adaequatio intellectus et rei", as THOMAS AQUINAS formulated it.

In its scholastic formula this view goes back to ARISTOTLE and is based on the confusion of the *"Gegenstand"* (*ἀντικείμενον*) with a *real 'thing in itself'* (substance). According to it, true knowledge is the pure conceptual form of the material substance which is primarily given to sensory perception and whose essential form is to be abstracted by the intellectus agens; in all *true knowledge* there exists a relation of *adequacy* between the conceptual form and the essential form of the *οὐσία*. True knowledge consists in an assimilation, an *ὁμοίωσις*, an adaptation of the active intellect to the real being on the basis of the innate faculty of the soul to receive a material image of the material substance through the senses. Actual knowledge is identical with the *νοητά*[2]. The Aristotelian *homoioosis*, or the assimilation of realistic Scholastics, is the foundation of the adaequatio, i.e. the agreement between thought and being, as the essence of truth. By means of the *vis cognitiva* (the cognitive faculty) and the *vis appetitiva* (the faculty of desiring) the human soul can adapt itself to the 'essence of things'.

This is why THOMAS AQUINAS calls *the true* and *the good* as transcendentalia: convenientia entis ad animam. He writes:

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[1] ARISTOTLE: *De Anima*, 418,3: *τὸ δ' αἰσθητικὸν δυνάμει ἐστὶν οἷον τὸ αἰσθητὸν ἤδη ἐντελεἰχεία, καθάπερ εἴρηται. πάσχει μὲν οὖν οὐχ ὅμοιον ὄν, πεπονθὸς δ' ὡμοίωται ἐκεῖνο.*

[2] Ibid. III, 430 a 19: *Τὸ δ' αὐτό ἐστιν ἡ κατ' ἐνέργειαν ἐπιστήμη τῷ πράγματι.*

"Convenientiam vero entis ad intellectum exprimit hoc nomen verum. Omnis autem cognitio perficitur per assimiliationem cognoscentis ad rem cognitam... quae quidem correspondentio adaequatio rei et intellectus dicitur" [1].

It is not difficult to find the reason why ARISTOTLE and THOMAS AQUINAS accepted a "convenientia entis ad intellectum". That reason lay in their *cosmonomic Idea,* in their Idea of the world-order as a metaphysical-teleological rational order founded in the divine Nous. In this system truth is one of the primary "transcendental determinations" of that metaphysical being which is assumed to be of a "noumenal" character.

This traditional Idea of truth was called a mere "explanation of a name" by KANT. This is quite understandable. For him, just as for the whole of Humanistic philosophy, the teleological cosmonomic Idea of Aristotelian-Thomistic Scholastics had lost its meaning. That is why he observes:

"We are not concerned here in the explanation of the word truth according to which it is the agreement between knowledge and its object; this nominal definition is assumed as granted. But we want to know what is the universal and sure criterion of the truth of any and every knowledge" [2].

Has KANT's criterion of the transcendental truth really been brought to light by a *religiously unprejudiced critique* of *knowledge*? We know that it is not so. It is really KANT's typically dualistic-Humanistic cosmonomic Idea which is the basis of his critique of knowledge, and of his *Kritik der praktischen Vernunft,* as well as of his *Kritik der teleologischen Urteilskraft.*

The criterion of truth in KANT.

From his Humanistic cosmonomic Idea KANT puts the question how the adaequatio of thought and reality (as an "object", i.e. in KANT as a "*Gegenstand*") is possible.

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[1] *Quaestiones de Veritate.* Qu. 1. art. 1c. [This word true expresses the agreement between the being and the intellect. Now all cognition arises from the assimiliation of that which knows to the thing known... which correspondence is called an adequate correspondence between a thing and the intellect.]

[2] *Kr. d. r. V.* (ed. cit.), p. 89: "Die Namenerklärung der Wahrheit, dasz sie nämlich die Übereinstimmung der Erkenntnis mit ihrem Gegenstande sei, wird hier geschenkt und vorausgesetzt; man verlangt aber zu wissen, welches das allgemeine und sichere Kriterium der Wahrheit einer jeden Erkenntnis sei."

In a typically nominalistic way he seeks the epistemological criterion of truth in the *a priori* synthetical activity of the transcendental-logical ego with respect to the sensory matter of experience as it is received in the pure forms of sensibility. Thus he not only restricts the meaning of truth to the *a priori* theoretical horizon, but also to the sensory *phenomena*.

What is, according to KANT, the guarantee of the correspondence between *a priori* human knowledge and "*Gegenstände überhaupt*"? This guarantee consists in the constitutive rôle of the *a priori* synthetical judgments with respect to objective experience. This *a priori* knowledge is the very transcendental condition of this experience, since it "contains nothing but that which is indispensable to the synthetical unity of experience in general" [1]. In this sense the synthetical judgments *a priori* are *true a priori*, i.e. *strictly universally valid and necessary*. Therefore KANT calls them the "Quell aller Wahrheit" (the source of all truth) *before* experience, although they are not themselves founded *in* experience.

"Empirical" truths, on the other hand, he calls *relative*. They are always involved in the process of theoretical cognition (i.e. "experience" in KANT) within the horizon of transcendental truth. This "experiential process", however, is directed towards an absolute ideal, an ultimate end which natural science will never attain, it is true, but from which the latter derives its real and final meaning. This ideal is the perfect "correspondence between the representations in the object" [2]. KANT has tried to define the horizon of theoretical truth on the basis of his cosmonomic Idea. He rightly rejected the supposedly transcendent, speculative metaphysical Idea of truth. It considered the adaequatio between thought and being as a metaphysical agreement between the conceptions of thought and the "things in themselves". From his critical immanence-standpoint KANT had, however, no insight into the true structure of the horizon of human experience; so the transcendental structure of theoretical truth was bound to remain hidden from him. His constructive nominalist criterion of truth founded in a Humanistic cosmonomic Idea was bound to lead to the denial of the possibility of other theoretical knowledge than that which is the aim of mathe-

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[1] "nichts weiter enthält, als was zur synthetischen Einheit der Erfahrung überhaupt notwendig ist."

[2] "Übereinstimmung der Vorstellungen im Gegenstand".

matics and mathematical natural science. But especially by hypostatizing that which he called "transcendental truth" he undermined every trans-subjective ground of the validity of theoretical verity.

The phenomenological conception of the transcendental horizon of *a priori* theoretical truth.

In KANT the "transcendental subject" itself is the indubitable immanent seat of transcendental truth.

But his view of the empirical 'world', as the objective correlate of the 'transcendental-logical ego', was determined by the classical Humanistic science-ideal, which in its mechanistic determinism doubtless aimed at the elimination of human subjectivity. This caused an inner antinomy in KANT's conception of the horizon of theoretical truth. His epistemology works with unclarified presuppositions which do not agree with his transcendental subjectivism. And the practical metaphysics of his critique of practical reason caused him to restrict the horizon of theoretical truth to an 'empirical-sensible world', which in principle was conceived in an objectivistic manner, notwithstanding his conception of its transcendental constitution by the thinking ego.

His faith in the self-sufficiency of a non-intuitive transcendental analysis of the 'sources of human knowledge' was the reason why he supposed that the *a priori* forms of sensibility and understanding, and the original synthesis of the 'cogito' were immediately accessible to transcendental thought.

In modern phenomenology the situation is fundamentally different. In his last unfinished work *Die Crisis der Europäischen Wissenschaften und die transcendentale Phänomenologie,* published after his death in 1954, HUSSERL charges KANT's transcendental subjectivism with a lack of radicalism. According to him genuine transcendentalism is the radical opposite of 'objectivism' as the general meaning of the scientific ideal that all pre-phenomenological thinkers strove for [1]. KANT failed to make the hidden transcendental dimension of consciousness accessible to immediate experience, to grasp it in the view of eidetic intuition.

This is why HUSSERL calls the Kantian *a priori* forms of sensi-

[1] Op. cit., p. 103 ff.

bility and understanding 'mythical constructions'[1]. That which KANT still considered to be unproblematical, viz. the accessibility of transcendental truth to the cognitive selfhood in its transcendental reflection, has become the very basic problem of HUSSERL's phenomenology.

In radical transcendental subjectivism all constitutive forms of possible being must be made into 'phenomena', into the immanent intentional contents of the constitutive acts of the transcendental ego, conceived of in the phenomenological reduction, and made accessible to pure experience through an eidetic intuition. So the transcendental horizon of *a priori* theoretical verity becomes in truth 'universal', encompassing the universe of essential truths valid as to the essential correlation between the transcendental ego and all its possible 'worlds'. HUSSERL emphatically remarks that the universal transcendental synthesis of the ego, as a hidden or 'anonymous' *a priori* act of consciousness made immediately visible by phenomenological analysis, also constitutes the whole world of pre-theoretical experience[2]. This is to say that the theoretical phenomenological horizon of *a priori* truth encompasses all dimensions of human experience. Consequently it also embraces the religious dimension which in this way loses its transcendent character and is denatured into an immanent horizon of intentional phenomena, constituted by a synthesis of the transcendental ego.

Transcendental truth is now conceived as the adaequatio (in the sense of "coalescence") of the *intended* in the phenomenologically reduced act, with that which has been immediately *given* in the *a priori* intuition of the essence[3]. The hypostatizing of the horizon of the transcendental theoretical truth occurs in even a sharper form in HUSSERL than in KANT, because of the all-

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[1] Cf. *Die Crisis der Europäischen Wissenschaften*, § 30: *"Der Mangel einer anschaulich-aufweisenden Methode als Grund für die mythischen Konstruktionen Kants."* [The lack of an intuitively detective method as a foundation for the mythical constructions of KANT.]

[2] Op. cit., p. 114 (§ 29): "Die Lebenswelt ist erschliessbar als ein Reich "anonym" gebliebener subjektiver Phänomene." [The world of daily life can be disclosed as a realm of subjective phenomena that have remained 'anonym'.]

[3] Cf. SCHELER, *Der Formalismus in der Ethik* (3rd edition), p. 46: "In der Deckung von "Gemeintem" und "Gegebenem" wird uns der Gehalt der phänomenologischen Erfährung allein *kund*." [Only in the coalescence of the intended and the given, can we become aware of the content of phenomenological experience.]

embracing character of the phenomenological horizon, according to HUSSERL's conception.

The perspective structure of truth.

The definition of truth as "adaequatio intellectus et rei" was not taken exception to by KANT. But it was oriented to the hypostasis of theoretical thought, characteristic of all varieties of immanence-philosophy, no matter whether they are of a speculative-metaphysical, a critical, or a phenomenological nature.

In the light of the Christian cosmonomic Idea it is not meaningless to inquire into the *a priori* structure of truth in connection with the horizon of human experience. But then this structure must be conceived in its full richness, which is only possible theoretically in the Christian *Idea of verity*. This Idea is directed to the fulness of the meaning of *Truth*. In the meaning-structure of the horizon of human experience truth will prove to have the same perspective character as this horizon. The *a priori* structure of truth cannot be understood from the absolutized (and therefore misinterpreted) theoretical-synthetical horizon. It can only be approached from the transcendent horizon made transparent by the religious fulness of meaning of the Divine Revelation.

From this Revelation the light of truth shines forth through the temporal horizon into human experience, and into human theoretical knowledge. The religious fulness of Truth also *liberates* the horizon of human experience: "The truth shall make you free" [1]. The transcendent, religious fulness of Truth, which alone makes all truth within the temporal horizon possible, does not concern an abstract theoretical function of thought. It is concerned with our full *selfhood*, with the *heart* of the whole of human existence, consequently also the centre of our theoretical thought.

The meaning of the word truth in Holy Scripture.

My colleague Prof. VOLLENHOVEN has informed me that he has instituted an investigation into the meaning of the word "Truth" in Holy Scripture and has come to the surprising conclusion that, in the majority of cases, it means *steadfastness, certainty, reliability.*

In my opinion this gives the expression "stand in the truth"

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[1] St. John 8, 32.

i.s full, pregnant meaning. The truthful *a priori* attitude of thought has for its primary pre-requisite the standing of the thinking selfhood in the Truth, because of our heart's accepting Divine Revelation.

The latter enters our temporal horizon only through our function of faith, our full confidence in the reliability of God's Word. God is the origin and source of all truth. Christ, as the perfect Revelation of God, is the fulness of the meaning of Truth. Apart from this transcendent fulness of Truth, the *a priori* temporal dimensions of truth have no meaning, no validity. Only its transcendent religious dimension, which touches the *heart,* lends to all temporal truth its stability, and certitude. The "standing in the Truth" directs our subjective insight into the temporal horizon. I do not deny at all that sin again and again obfuscates the Christian's insight. Nor do I deny that many thinkers who start from a non-Christian attitude have discovered *relatively true states of affairs* within the temporal horizon. But there is one thing that a truly Christian philosophy should never doubt, viz. that all relative truths, within the temporal horizon, are only true in the *fulness* of Verity, revealed by God in Christ. Any hypostatizing, i.e. any absolutizing of that which is relative, turns truth into falsehood.

Even the judgment: $2 \times 2 = 4$ becomes an untruth, if the law-conformable state of affairs, expressed in it, is detached from the temporal world-order and from the sovereignty of God as the Creator. It becomes an untruth, if it is absolutized into a "truth in itself" ("*Wahrheit an sich*"). Creaturely reality itself has a perspective horizon which mocks at any absolutizing of its temporal structure. A superficial *(essentially apostate)* resting in a temporal horizon of experience that is supposed to be *firm* in itself, is contrary to truth, contrary to the structure of our selfhood. Any one in the apostate attitude who clings to the temporal horizon in the supposition that it is self-sufficient, clings to a Fata Morgana.

The whole of my book is intended to illustrate my fundamental thesis that the Christian Idea of truth *can* and *should* permeate scientific thought from root to crown. The idea of a Christian pursuit of science is something quite different from an edifying confession of faith which leaves the immanent course of scientific investigation untouched.

The *a priori* temporal dimensions of truth.

Descending to the temporal horizon of truth we find its essentially transcendental *a priori* structural dimension, to which the theoretical Idea of truth also belongs. The question arises: Cannot we at least say that transcendental verity consists in an "adaequatio intellectus et rei"? In the light of our cosmonomic Idea we must answer: No, we cannot. For the definition intended by this traditional formula, viz. the accordance of thought with reality, remains founded in a false Idea. It implies that thought, in its transcendental *a priori* function, transcends the reality enclosed within the temporal horizon. But from the truly transcendent horizon of truth we know that our logical function of thought can only have meaning and existence in the temporal meaning-coherence.

It appears that the logical law-sphere has its *a priori* modal horizon, just like all other law-spheres: They are all interrelated and interwoven in the temporal horizon. Therefore I will give another description of the transcendental *a priori* structural level of truth, which is oriented to the Christian cosmonomic Idea:

According to its transcendental *a priori* dimension truth is: *the accordance between the subjective a priori knowledge enclosed by the temporal horizon, as expressed in a priori judgments, and the a priori structural laws of human experience within this temporal horizon. The latter is open (as to its law- and subject-sides) to the light of the transcendent Truth in Christ.*

In this description, comprising both the pre-theoretical and the theoretical dimensions of transcendental truth, two things are of primary importance.

In the first place the insight that within the transcendental temporal horizon truth (according to its *a priori* structure) is always dependent on a normative relation between our subjective cognition and its *a priori* structural laws. Not a single subjective, transcendental *a priori* in itself can be a guarantee of truth and universal validity.

In the second place the transcendental structure of truth is *not self-sufficient* and only finds its pure expression in the openness of the temporal horizon to the transcendent light of the Divine revelation. In contrast to KANT's transcendental-idealist view, we now see that universally-valid, transcendental truth is not guaranteed by subjective synthetical judgments *a priori*.

The "transcendental subject" is not the "law-giver" of experience, nor the origin of the transcendental dimension of truth.

It is true that the transcendental *structure* of human self-consciousness has a super-arbitrary law-conformable character. But within this temporal structure is maintained the transcendental subjective freedom of human self-consciousness. And hence it remains possible for the latter to misinterpret the *a priori* horizon of experience. In other words, the law-conformable structure is no guarantee for the correctness of our *a priori* subjective insight. A false *a priori* insight also remains within the transcendental structure of human experience and is only *possible in this structure.* The entire Kantian view of transcendental truth as the universally valid, necessary *a priori* in human experience, labours under a basic epistemological defect. It dogmatically ignores the problem of the subjective access to the transcendental *a priori* of human experience.

The *a priori* structure of experience is then confounded with a specific subjective *a priori* synthesis. No further account is given of the *meaning-structure* of the latter.

Since the fundamental fallibility of our subjective epistemological insight is not taken into account, the subjective, constructive-idealist insight into the transcendental horizon of experience is forced on us as the universally valid criterion of truth.

But we have shown that philosophical insight into the transcendental, temporal horizon (and therefore into the transcendental *a priori* dimension of truth) is absolutely dependent on the investigator's Archimedean point. In order to gain a true insight into this horizon, it is necessary for us to give up the apostate immanence-standpoint altogether. A philosopher is unable to relinquish this standpoint, however, so long as his heart has not been conquered by the Divine Truth revealed to us in Christ. Then the transcendental horizon of his experience is *opened* and *liberated* from the prejudices of immanence-philosophy. No compromise with this fundamental truth is possible in Christian philosophical thought. Too often such a compromise has been attempted, but this basic truth must be accepted in full. The same thing applies to the immanence-standpoint. This does not bear a compromise either. It must be rejected or accepted in its entirety. Any demand for logical, incontrovertible proof of this thesis would only show that the nature of truth, or the meaning of logical demonstration, is not clear to the questioner.

Immanence-philosophy insofar as it maintained its scientific character has up to now assumed that a philosophical thought which appeals to Revelation, can be safely laid aside as unscien-

tific. The dogmatic argument was that philosophy is not a question of faith, but a strictly scientific affair.

The philosophy of the cosmonomic Idea, however, makes it impossible to maintain the self-sufficiency of philosophic thought as a *scientific* postulate. In the future immanence-philosophy will have to become aware of the subjective character of its own cosmonomic Idea. The new problems raised by our philosophy will have to be seriously considered on the immanence-standpoint. If this should be thought unnecessary, there would be no possibility for immanence-philosophy to answer the charge of dogmatism made against it on account of its neutrality-postulate.

It would be a dogmatism in the sense of a philosophical attitude which refuses to reflect on its deepest foundations.

The Idea of transcendental-theoretical truth.

The transcendental structure of truth is not identical with that of theoretical truth. The latter may be defined, in relation to the modal horizon, as: the *correspondence of the subjective a priori meaning-synthesis as to its intentional meaning with the modal structure of the "Gegenstand" of theoretical thought. This synthesis is actual in our a priori theoretical insight, and is expressed in theoretical a priori judgments. The modal "Gegenstand" is included in its all-sided inter-modal coherence within the temporal horizon. This coherence exists both in the foundational and in the transcendental direction of time and is dependent on the transcendent fulness of the meaning of Truth.*

This somewhat lengthy description is indispensable, if we do not wish to omit a single moment in the transcendental structure of theoretical truth. In our definition the theoretical Idea of truth finds real expression in relation to the modal horizon of our experience.

KANT's *"Grundsätze des reinen Verstandes"* (principles of pure understanding) cannot hit off the truly *transcendental* structure of theoretical truth. This is already impossible because they are not oriented to the transcendental direction of time. In a functionalistic way they isolate two aspects of the theoretical horizon of experience in rigid forms which, in their absolutization, have been abstracted from the transcendental meaning-coherence of our temporal horizon.

The criterion of transcendental theoretical truth in this Idea of verity.

It is now necessary to enter into details about the importance of this transcendental Idea of truth (as related to the modal horizon of our experience), and trace its bearing on scientific thought. This Idea has been made use of in all that has up to now been said in the theory of the modal law-spheres. We have seen that it must result in a fundamentally new method of forming modally defined basic concepts, which has also to lay the foundation for special scientific thought.

We shall now give a special account of the *a priori criterion of theoretical truth,* indicated by this Idea.

In special science the problem of the criterion of scientific truth has been obscured by the contrast between "*a priori*" and "empirical" sciences. This makes the impression that the different special sciences handle entirely different criteria of truth. The mathematician supposes he can be an intuitionist, a conventionalist or a logicist as to theoretical truth; the positivist historian, or the empirical psychologist hold to "empiricism"; physical scientists put their faith either in a pragmatical or in a 'realist' conception of truth; logic may handle a formalistic or an intuitionist view of verity, etc. With regard to aesthetics, ethics and theology (in so far as these are not merged into "empirical sciences" like sociology, psychology or history) the situation is hopeless from a positivist viewpoint, since positivism denies in principle that it is meaningful to speak of truth with respect to 'normative judgments', or even denies the possibility of real judgments implying 'values'. It must be stated that there is a general lack of a transcendental criterion in these conceptions of verity.

We have seen that no single special science is possible without an *a priori* theoretical synthesis of meaning, in which the modal horizon of the law-sphere forming the "*Gegenstand*" has been intended theoretically. Even if a special scientist does not critically take account of this subjective *a priori* synthesis, he must handle it implicitly. Otherwise he is unable to conduct investigations in the domain of his special science. Mathematics in itself cannot fix the modal horizon of the physical law-sphere theoretically. Neither can ethics define the horizon of the juridical aspect, or psychology that of the aesthetic sphere. As to the *a priori* theoretical foundations of all special sciences whose field of research is delimited by a particular aspect of experience, one and the same criterion of theoretical truth is valid: the accor-

dance between our subjective *a priori* meaning-synthesis and the modal structure of the "*Gegenstand*", in the all-sided coherence of the temporal horizon of our experience, and in relation to the religious fulness of Truth.

> The demand that the *a priori* theoretical insight shall be justifiable in the forum of the Divine world-order.

Any theoretical judgment which ignores the modal horizon of its "*Gegenstand*" and denies the specific modal sphere-sovereignty of the aspects within the temporal horizon, is false *a priori*. Any theoretical judgment is false *a priori* if in principle it denies the all-sided temporal meaning-coherence of the "*Gegenstand*" in the specific synthesis of meaning. Any theoretical judgment in which a relative *a priori* theoretical truth is absolutized to "Truth in itself" ("*Wahrheit an sich*"), is *false*. Any theoretical judgment in which the process of disclosure in our modal horizon of experience is implicitly or explicitly denied, and in which theoretical thought is assumed to be independent of the transcendent fulness of Truth, is *false*.

Not only the so-called *a posteriori* theoretical insights must be justified, viz. in a process of *factual theoretical* experience. But the transcendental insights must also vindicate their claim to relative truth, viz. in a process of *transcendental experience* in the forum of the Divine world-order. For in the latter are founded the structural states of affairs which are undeniable when they have been laid bare to theoretical insight. It may be that no true philosophical insight can be gained into the Divine world-order, if our cognitive self-hood does not abide in the full religious Truth of Divine Word-Revelation. But the structural states of affairs founded in this order urge themselves upon everyone who is seriously confronted with them.

This does not, however, detract from the fact that our theoretical Idea of truth is dependent on our Christian cosmonomic Idea, just as the conception of theoretical truth in immanence-philosophy is based on an other cosmonomic Idea.

> Only the acceptance of the perspective structure of truth can break the spell of subjectivism in philosophic insight.

But it will be objected that the structure of theoretical truth cannot be dependent on our subjective insight. My answer is that it is not *dependent* on this insight in the sense of being *deter-*

mined by it or *subjected* to it. But without my subjective insight into theoretical truth, its structure will remain hidden from my cognitive selfhood. No philosophy can do without a subjective Idea of truth. Our subjective insight itself functions in the full structure of our horizon of experience and theoretical truth is meaningless without its relation to our cosmological self-consciousness. As soon as we touch this very point, the perspective structure of truth shows its full pregnancy. At the same time it becomes clear that the Idea of truth of immanence-philosophy nowhere rises above subjectivism.

It is according to the Divine order of the creation that the structure of verity is of a perspective character. In its transcendent fulness of meaning it seizes our selfhood, or it is rejected by the latter. Only in our religious standing in the Truth is the spell of apostate subjectivism broken. From the transcendent horizon, liberated by Christ, the light of Truth can shine through our temporal horizon, and reveal the transcendental theoretical verity to our subjective insight.

Immanence philosophy, however, remains under the spell cast by apostate theoretical thought. It lacks *the firm ground of truth,* because it does not come from *the* Verity, it does not stand in *the* Truth. Its Idea of truth in its subjectivity is not rooted in the fulness of Verity. Nowhere is immanence-philosophy more subjectivistic than in the hypostatizing of its Idea of verity to the absolute super-temporal Truth. This hypostatization acquires its most fascinating and deceitful form when, as a 'super-temporal value' or Idea, it is considered to be even absolutely independent of subjective theoretical thought.

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In the light of the full revealed Truth the Idea of the transcendental theoretical truth confronts our cognitive process with an enormous task. In the temporal horizon this task can never be completed. It does not permit theoretical thought to become rigid; it does not allow us to rest in temporal meaning, in a supposedly absolute theoretical "form of truth".

The transcendental horizon of theoretical truth itself is by no means rigid, but exists in the restless mode of *meaning.* This meaning can nowhere be shut off from its Origin and made into something firm and self-sufficient in itself.

The Idea of the modal universality of the aspects of experience

within their own spheres is conceived in the perspective nature of the transcendental structure of truth.

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The accordance with the principium exclusae antinomiae as the primary criterion of transcendental theoretical truth.

Our *a priori* theoretical insight must be justified in the *process* of the modal analysis and synthesis of meaning in the forum of the Divine world-order. This order passes judgment on theoretical thought by entangling it in internal antinomies at every infringement on the modal sphere-sovereignty of the aspects within the transcendental temporal horizon. The conformance of the results of our transcendental inquiry to the principium exclusae antinomiae proved to be an eminently suitable criterion of transcendental theoretical truth. The *logical* test of the principium contradictionis appeared to be only a dependent *aspect* of the *cosmological* criterion. The truly synthetical antinomy is always the result of a theoretical misconception of the modal horizon of our experience, and of the misinterpretation of the cosmic coherence of the modal aspects within the temporal horizon. It reveals a deviation from the transcendental truth in our theoretical insight.

Antinomy appeared to vitiate immanence-philosophy to its very root, it vitiates semi-Christian synthesis-philosophy to a still higher degree. This is a criterion of the transcendental untruth of both of them.

The second criterion of transcendental theoretical truth.

The transcendental theoretical dimension of verity has a second criterion: Philosophic theory must enable us to give an *account* of the structure of temporal reality *given* in naïve experience. This cannot be done by any philosophy that absolutizes the theoretical meaning-synthesis and functionalistically spirits away the plastic structure of reality in the continuous, uninterrupted meaning-coherence of the temporal horizon. The transcendental *theoretical* dimension of truth remains bound to its pre-theoretical transcendental dimension in the temporal horizon, and to the modal horizon and the plastic horizon encompassed by the latter.

Theoretical thought should not explain away the pre-theoretical *datum* in the meaning-systasis of the horizon of expe-

rience. If it does so, it contradicts transcendental theoretical truth, which, as we know, does not exist in itself ("*an sich*"). It is contrary to transcendental theoretical truth, e.g., if the internal individuality-structure of the state, as an organized community of a typical character, is identified with the theoretical functional system of the legal norms (cf. KELSEN's pure theory of law).

The current epistemological conception of naïve experience as a naïve-realist copy-theory is also in conflict with transcendental theoretical verity. Any metaphysical tearing asunder of the temporal horizon of reality into the realm of phenomena and that of noumena, contradicts transcendental theoretical truth. For all these *a priori* theoretical views start from a fundamental denial of the plastic horizon of human experience without which no human experience of concrete reality is possible. So it appears that every description of the transcendental truth as the universally valid, the necessary, and that which alone makes experience possible, is no better than a nominal definition of this dimension of verity. Critical epistemology lays great emphasis on the words "universal *a priori* validity and necessity". Thus it wants to bring home to us the absoluteness of its view of theoretical truth. But any one who has assimilated the critical attitude of thought required by the philosophy of the cosmonomic Idea, can no longer be blindfolded by these words. The subjectivist *a priorism* of critical transcendental-idealist and phenomenological immanence-philosophy is based on a primary hypostasis of the subjective theoretical meaning-synthesis. It is incompatible with the truly *critical* demand to subject the *a priori subjective insight* into the transcendental theoretical horizon to the *process of justification* in the court of the Divine world-order. Its self-sufficient 'transcendental ego', with its supposed constitutive original *a priori* synthesis, is nothing but a 'mythological construction', a critical disguise of the dogma concerning the autonomy of theoretical reason. It is to be made *visible* as a disguise by means of a truly radical transcendental critique of its dogmatic presuppositions.

> The dynamical character of so-called experimental truth in the theoretical process of the disclosure of temporal reality.

The transcendental structure of truth has a dynamic meaning-character which restlessly refers outside itself to the transcendent dimension of human experience. Its theoretical transcendental

dimension can only be approached in an Idea, and not in a rigid system of conceptual forms. But the Idea of an *absolute theoretical* truth has proved to be self-contradictory.

This statement holds for the whole of the transcendental temporal horizon of verity, which encompasses all factual truths as their condition.

Consequently it is a fortiori applicable to the concrete relative truths within the temporal horizon that are determined by the transcendental dimension of verity.

As to so-called *a posteriori* factual theoretical verity, we should bear in mind that relatively *true* knowledge is at the same time a theoretical disclosure of temporal reality. In this process of disclosure the pre-logical aspects follow the *guidance* of the theoretical-logical in its opened dynamical structure. Since the transcendental horizon of our experience is also the transcendental horizon of temporal reality, the same dynamics of meaning is proper to both.

The experiments of natural science should also be looked upon in this light. In the last section of the first Volume we have already made some observations on this subject in an anticipatory manner. In the present context the meaning of these observations may become clearer in the light of our theory of the modal structures of meaning and our epistemological explanations. A natural scientific theory, it is said, must demonstrate its truth by means of experiments. Now it is undeniable that an experiment appeals to the sensory aspect of our experience. Can we therefore say that the experimental criterion of truth, in mathematical-natural science is to be found in the correspondence of our theoretical concepts with some concrete natural reality in itself ("an sich"), as it is *depicted* in the sensory impressions? Certainly not. There is no such thing as a "natural reality in itself". And the pre-psychical aspects of reality cannot be depicted in the sensory image of perception. This has been proved in our discussion of the modal subject-object relation. What then? Should one interpret an experiment, in KANT's 'critical' way, as a purely sensory datum received in the forms of space and time, and apperceived in the synthetical unity of apperception by means of a schematism of the categories of understanding?

This interpretation of the meaning of an experiment is contrary to transcendental truth, as has been explained in great detail in an earlier context. There is nothing that can be called a

"purely sensory" *datum*. But what I wish to emphasize is this: the objective sensory aspect of our experience to which an experiment in its theoretical intention makes appeal, must itself first be disclosed by theoretical thought.

Its meaning must be *deepened*, if it is to be called in as a *witness* in the process of justification of a scientific hypothesis. In this theoretical disclosure the sensory object-side of empirical reality itself is deepened. Or does not naïve pre-theoretical experience have a sensory object-side? Why then cannot a scientific experiment simply appeal to *this* sensory object-side of experience which has *not* been theoretically opened? Because the sensory aspect as long as it has not been disclosed theoretically does not yet have anything *to say* to theory. We measure temperatures and gas-pressure; we investigate theoretically abstracted physical and biological micro-events[1] with the aid of scientifically constructed instruments. In this way we make objectively visible that which was not yet objectively visible in pre-theoretical experience. Thus we theoretically open the sensory aspect of the full temporal reality by means of its modal *deepening of meaning*.

And in this process we at the same time open naïve experience theoretically, and we do not *demolish* it. The theoretical disclosure of the objective sensory aspect of reality pre-supposes the theoretical disclosure of the pre-psychical aspects. The latter objectify themselves in the theoretically deepened perceptive picture (analogically). The process of theoretical disclosure of temporal reality is only possible in the cadre of the Divine world-order. This order mocks at the Humanistic postulate of the self-sufficiency and sovereignty of theoretical thought. An apostate former of history can really *form* the development of civilization only insofar as in actual practice he capitulates to this world-order, which he does not recognize subjectively. An apostate scientist can only disclose reality theoretically, and discover relative theoretical truths, insofar as he again and again capitulates to the temporal Divine order. This is true, although the apostate scientist supposes he can exclude this Divine order from his vision.

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[1] I deliberately say: "theoretically abstracted physical and biological events" to express that in this case the theoretically opened physical and biotic aspects of reality are concerned.

§ 4 - THE INDIVIDUALITY OF HUMAN EXPERIENCE IN SCHELER'S PHENOMENOLOGY.

When we examined the perspective structure of the horizon of human experience, we referred to the plastic horizon of structural individuality. The *structure* of individuality, of course, is not individuality itself. In epistemology it is necessary also to discuss the individuality of human experience. We put in the foreground that Kantian and neo-Kantian epistemology have fundamentally failed in their discussion of this side of the epistemological problem. For they have dogmatically qualified the individuality of experiential activity as a psychological matter which did not concern epistemology as such. This prejudice must be traced to its religious root.

In the first place transcendental theoretical truth was emancipated from the religious horizon of experience. This supposed emancipation resulted in the hypostasis of the so-called transcendental consciousness to the (super-individual) subject proper of theoretical knowledge. Together with the really cosmic self-consciousness, the *actual* cognitive activity was eliminated from epistemology, and with the actual cognitive activity also the individuality, inherent in the subject-side of all our experience, as well as in the subjectivity of our theoretical knowledge. The *factual* subjectivity of the actual *insight* into the transcendental horizon of our experience had to be camouflaged. For it implied fallibility, and was, consequently, an obstacle to transcendental idealism, which proclaimed the "universal validity", necessity and self-sufficiency of its subjectivistic construction of the transcendental horizon of experience. Then psychology was entrusted with the task of examining the subjectivity of actual insight. As an "empirical science" psychology was not able to endanger the "*a priori* epistemology" of transcendental idealism. Suppose, this psychology should make bold to raise a doubt of the 'critical' construction of the "transcendental consciousness"! Then it could be put in its place with the 'critical' statement that this doubt was a betrayal of its own "transcendental foundations". On the immanence-standpoint the subjectivistic *a priorism* of the rationalist Kantian epistemology had to be outbid by an irrationalist *a priori* view of the experiential horizon, if subjective actuality in *a priori* experience was to be accorded a place worthy of its importance.

HUSSERL's phenomenology with its "adequate intuition of essences" proclaimed itself the philosophical basic science which

was also to *found* epistemology. It placed the "acts of consciousness" ("*Bewusztseinsakte*"), with their intentional content, in the centre of investigation. And in advance it guarded itself from every psychologist misinterpretation of its method of inquiry on the part of Kantian epistemology. But, after all, HUSSERL only substituted the Kantian construction of the "transcendental logical ego" by the phenomenological construction of the "pure actual I" ("*reines aktuelles Ich*") with its intentional acts of consciousness. This "pure I" was a residue of the methodical "destruction of the world" ("*Weltvernichtung*"). And in this phenomenologically conceived "transcendental consciousness" there was no room left for true individuality either.

It is true that in his *Cartesianische Meditationen* HUSSERL accepts a monadic conception of the transcendental ego which in its pure intentional acts has to constitute the 'world' as well as its 'alter-egos' and their 'worlds'. This is to say that he follows DESCARTES in his initial solipsistic self-reflection. But this by no means implies an abandonment of the rationalist conception of phenomenology, no more than the Cartesian solipsisl self-reflection turns into an irrationalist hypostatizing of subjective individuality. HUSSERL's monadic conception of the ego and its alter-egos is taken from LEIBNIZ, whose monadology was of a strongly rationalist character. In Cartesianism the solipsist isolation of the monadic ego is broken through by the 'universally valid' character of the innate ideas. In an analogous way it is broken through in HUSSERL's phenomenology by the 'universally valid' character of the constitutive syntheses of the transcendental ego which is abstracted from any individuality by means of the phenomenological reductions.

SCHELER's theory concerning the individuality of absolute truth as "truth of personal validity" ("*personalgültige Wahrheit*").

In the phenomenological circle SCHELER was the first to break radically with the hypostatizing of the "transcendental universally valid consciousness" to the absolute experiential subject, the "unconditional" ("*unbedingte*") subject of knowledge [1].

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[1] OSWALD SPENGLER, also influenced by DILTHEY, breaks much more radically with the construction of the universally valid epistemological subject from his irrationalistic-historical standpoint. This is nothing remarkable in itself, since SPENGLER has nothing to do with transcendental

His thesis was that every individual person has his own individual cosmos in which he has conscious experience of himself[1]. The absolute truth about the cosmos necessarily bears an individual, personal character, so that it must have a different content to each separate personality. These thoughts made an almost revolutionary impression. SCHELER rejected the neo-Kantian criticism beforehand, which objected that with this personalistic view of the actual self-consciousness and of absolute truth, he was moving in subjectivistic and sceptical paths. He reproaches inversely the critical transcendental philosophy with a subjectivistic falsification of truth, reality and the *"Gegenstand"*. For it is bound to sublimate the totality of the cosmos to a subjective *Idea of reason*[2], and it denatures the *"Gegenstand"* to a necessary and universally valid synthesis of representations, whose determining *form* has been created by the subject itself.

SCHELER himself holds to the phenomenological view of a transcendental intentional consciousness, but he is aware that the cognitive personality is not contained in it. This merely *intentional* transcendental consciousness only gives us the *"Gegenstand"* as a *supposed* or *intentional* one. Here the cosmos itself has not been actually given us. A purely intentional world lacks *"Selbstgegebenheit"*.

The full "essence" of *personality,* experiencing itself consciously only in *"spiritual acts"*, is sharply to be distinguished from the merely "psychical I". It comprises the full spiritual *individuality.*

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philosophy. Cf. his *Der Untergang des Abendlandes* (15—22 Aufl. 1920) Vol. I, p. 88.

In his philosophy of historical life he lapses into a perfect relativism, and epistemological scepticism. For, unlike SCHELER, he does not believe in the constancy of the *"a priori* essential structures adequately given in the intuition of their essence".

Cf. op. cit., p. 227: "Und deshalb gibt es so viele Welte als es Menschen und Kulturen gibt, und im Dasein jedes einzelnen ist die vermeintlich selbständige und ewige Welt — die jeder mit dem andern gemein zu haben glaubt — ein immer neues, einmaliges, wie sich wiederholendes Erlebnis." [And, therefore there are as many worlds as there are men and cultures. In the life of each individual the supposedly single, independent and eternal world — which every one of them thinks he shares with the others — is an experience that is always new and unique, as if it were repeating itself for ever.]

[1] *Der Formalismus in der Ethik,* etc., p. 408 ff.

[2] According to KANT the cosmos as 'universe' has not been given to the transcendental consciousness; it is only an Idea, a theoretical limiting concept.

I subjoin an extensive quotation from SCHELER:

"As an example I will take only one of any person's concrete acts. In this act are implied all possible act-essentials and in its objective correlate are implied all the essential world-factors. So, e.g.: I-ness, individual I, all the essential constitutive elements of psychical life; equally extra-mental being, spatiality, temporality, the bodily phenomenon, thing-ness, working, etc. All these components together show a law-conformable structure which is valid for all possible persons and all possible acts of every person without any exception, and not only for the actual world but for all possible worlds. In addition, however, the above-mentioned act implies a final peculiarity inconceivable by means of essential concepts referring to universal truths. It is an original essential trait, only characteristic of the 'world' of this particular individual, and of no other. But the fact of its existence is not empirically met with. Nor is it this a priori individual essence itself. Rather it is still a universal essential characteristic of all p o s s i b l e w o r l d s. Let us therefore reduce all that a concrete person has been 'given' to the essential phenomena that have actually been given him in pure *self-evidence*, i.e. to facts that are purely what they are. "In this reduction all still abstract qualities, forms, intentional directions and all that is in any way separable in the acts enter into the phenomenological *datum*-sphere in respect to the pure and formless act of the person. Then here alone we retain an a b s o l u t e l y existing world, and we find ourselves in the sphere of the "*Sache an sich*".

And conversely, so long as there exists one s i n g l e world for different individual persons which nevertheless is considered to be both actually given in "self-evidence" and "absolute", the uniqueness and sameness of this world is necessarily an i l l u s i o n.

In fact, only the objective spheres are given whose existence is related to some kind of bearer of a concrete personality (e.g., a living being, a human being, a race).

Or, we had rather say "the world", i.e. the o n e concrete world, has been given, comprising all concrete worlds — however, it is not given as actual but merely as "intended". This means that in this case "the world" becomes a mere "Idea" in the Kantian sense (but not with his reality sign before it). For KANT supposed he could reduce the essence of "the world" itself to an "Idea". But t h e w o r l d is not an "Idea" at all. It is an absolute being, everywhere concrete and individual. The intention directed to this world becomes an Idea that is in principle incapable of fulfilment, only insofar as we want it to be "given" to any *plurality* of individual persons and moreover to be given as "actual". It also becomes only an Idea, so long as we suppose we can make the "universal validity" of the establishing and determining of its being and content by means of general concepts and sentences, the pre-requisite of its existence and of that of any kind of existence. For *such* a determination of the world is essentially never possible [1].

[1] SCHELER, *Der Formalismus in der Ethik*, etc., pp. 408/9: "Nehme ich

In this view of SCHELER's we are struck by the remarkable individualization and personalization of the Husserlian transcendental (phenomenological) consciousness [1]. Great emphasis is

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von einer beliebigen Person nur einen ihrer konkreten Akte, so enthält dieser Aktus nicht nur alle möglichen Aktwesen in sich, sondern sein gegenständliches Korrelat enthält auch alle wesenhaften Weltfaktoren in sich, z.B. Ichkeit, individuelles Ich, alle wesenhaften Konstituenten des Psychischen, desgleichen Auszerweltlichkeit, Räumlichkeit, Zeitlichkeit, Leibphänomen, Dinglichkeit, Wirken usw. usw. Und dies nach einem a priorisch gesetzmäszigen Aufbau, der ohne Ansehung des besonderen Falles für alle möglichen Personen und alle möglichen Akte jeder Person gilt und nicht nur für die wirkliche Welt, sondern für alle möglichen Welten. Auszerdem aber enthält er auch noch ein letztes Eigenartiges, in Wesensbegriffe die auf allgemeine Wahrheiten gehen, nie Faszbares, einen originalen Wesenszug, der nur und nur der "Welt" dieser Person und keiner anderen eignet. Der Tatbestand aber, dass dies sei, ist nicht ein empirisch vorgefundener, und ebensowenig ist er dieses individuelle apriorische Wesen selbst; er ist vielmehr selbst noch ein allgemeiner Wesenszug aller nur möglichen Welten. Reduzieren wir also alles, was einer konkreten Person überhaupt "gegeben ist, auf die phänomenalen Wesenheiten, die ihr rein *selbst* gegeben sind, d.h. auf Tatsachen, die vollkommen sind, was sie sind — so dass alle noch abstrakten Aktqualitäten, Formen, Richtungen und alles nur an Akten Scheidbare in die G e g e b e n h e i t s sphäre für den reinen und formlosen Akt der Person eingeht — so haben wir hier allein eine daseins — a b s o l u t e Welt, und wir befinden uns im Reiche der Sache an sich. Und umgekehrt gilt: So lange noch für verschiedene individuelle Personen eine e i n z i g e Welt besteht, die gleichwohl als "selbstgegeben" und als "absolut" angesehen wird, ist diese Einzigkeit und Dieselbigkeit jener Welt notwendig S c h e i n und es sind faktisch nur Gegenstandsbereiche, die daseinsrelativ zu irgendeiner Trägerart der konkreten Personalität (z.B. zu Lebewesen, Mensch, Rasse usw.) sind, gegeben; oder es ist zwar "die Welt", d.h. die e i n e, alle konkreten Welten umfassende, konkrete Welt "gegeben" — aber sie ist nicht "selbstgegeben", sondern nur gemeint: d.h. "die Welt wird in diesem Falle zu einer bloszen "Idee" im Sinne (aber nicht mit dem Realitäts-vorzeichen") KANT's, der ja das Wesen "der Welt" selbst zu einer "Idee" herabsetzen zu dürfen glaubte.

"D i e W e l t" ist aber durchaus keine "Idee", sondern ein absolutseiendes, überall konkretes, individuelles Sein, und die Intention auf sie wird nur zu einer prinzipiell unerfüllbaren Idee, zu einem blosz gemeinten, sofern wir fordern dass sie einer beliebigen *Mehrheit* von individuellen Personen "gegeben" und dabei "selbstgegeben" sei; oder auch so lange wir eine "Allgemeingültigkeit" der Feststellung und Bestimmung ihres Seins und Inhalts durch allgemeine Begriffe und Sätze zur Bedingung ihrer und jeder Art von Existenz machen zu dürfen meinen. Denn eine *solche* Bestimmung ist wesenhaft nie über die Welt möglich."

[1] SCHELER himself prefers to speak about "consciousness" only in a psychological sense.

laid on the *individual-personal essential* character of experiential activity. Truth is held to be of an individual nature. If we speak of *concrete* thought, or *concrete* volition, we simply take the whole individual personality (as the "totality" of the mental activity) for granted. Without this individual personal only an *abstract* essence of the act *(Aktwesen)* is meant: "Concreteness, however, itself belongs to the essence — not only to the positing of reality" [1].

SCHELER conceives of *cosmic reality* in a naturalistic sense, isolating it in its psycho-physical aspects. Consequently he is obliged to hypostatize the theoretical cognitive activity contained in the temporal horizon to a personal "mental (spiritual, not psychical) activity", independent of all cosmic reality. Therefore the actual theoretical meaning-synthesis in the intuition of the essence must be denied its cosmic character.

What place does SCHELER assign to individuality in our experience of the cosmos? Every individual person has his absolutely individual cosmos, his "personal world".

This "personal world", as the correlate of the individual personality (only living in mental "acts"), is conceived by SCHELER as a *microcosm*. And now he asks whether "the idea of a s i n g l e i d e n t i c a l r e a l w o r l d — transcending the *a priori* essential structure which binds "all possible worlds" — has its phenomenal realization, or if there are no other worlds than the plurality of the personal ones" [2].

If there is such a *macrocosm,* our microcosm must be a part of it,while retaining its "cosmic totality". One thing is not strange to us in the Idea of a macrocosm, according to SCHELER, namely its *a priori* essential structure which is fixed by phenomenology. For this "essential structure" holds for all possible worlds, because it holds for the "universal essence", *world.* The personal correlate to this macrocosm would then be the Idea of an infinite and perfect spiritual person whose "acts" are given us according to the "law-conformity of its essence" in the "phenomenology of the acts" which examines the actual structures *of all possible* persons.

But this personal correlate of the macrocosm would have to

[1] p. 412.

[2] Op. cit., p. 411: "Ob die Idee eines e i n z i g e n i d e n t i s c h e n w i r k l i c h e n W e l t — hinausgehend über das apriorische Wesensgefüge, das "alle mögliche Welten" bindt — noch eine phänomenale Erfüllung hat, oder ob es bei der Vielheit der Personalwelten zu bleiben hat."

be *concrete* in order to answer merely the essential requirement of its reality. Thus the Idea of a God has been *given together with* the unity, identity, and uniqueness of the cosmos in consequence of a phenomenological coherence of essences.

SCHELER's conclusion is: "Every unity of the world" (and so all varieties of monism and pantheism) "without an essential regression to a personal God, and also every kind of "substitution" ("*Ersatz*") of the personal God (by a "universal World-reason", by a "transcendental rational I", by a "moral regulator of the world" (KANT), by an "ordo ordinans" (FICHTE in his first period), by an infinite logical "Subject" (HEGEL), by an impersonal or a would-be "super-personal unconsciousness", etc.) — is a contradictory hypothesis, also in a philosophical sense. For they contradict evident essential coherences that can be laid bare" [1].

And from this he infers: "All 'amare, contemplare, cogitare, velle' is therefore intentionally bound up with the one concrete world, the macrocosm, as primarily an 'amare, contemplare, cogitare and velle' in Deo" [2].

Thus SCHELER's Idea of individual-personal consciousness culminates in his Idea of God. He observes, however, that this Idea can only be experienced as real in *a concrete revelation of God to a person.* From this he finds his way to an inter-individual *essential community (Wesensgemeinschaft)* among individual persons which is founded in their communion with God as the correlate to the macrocosm. All "other communities of a moral or a juridical character" have this possible communion with the personal God for their *foundation.*

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[1] "Jede "Einheit der Welt" (und damit alle Spielarten des Monismus und Pantheismus) ohne einen Wesensregresz auf einen persönlichen Gott, desgleichen jede Art von "Ersatz" des persönlichen Gottes, sei es durch eine "allgemeine Weltvernunft", durch ein "transszendentales Vernunft-ich", durch einen "sittlichen Weltordner" (KANT), durch eine "ordo ordinans" (FICHTE in seiner ersten Periode), durch ein unendliches logisches "Subjekt" (HEGEL), durch ein unpersönliches oder soidisant "überpersönliches Unbewusstes" usw. sind auch philosophisch "widersinnige Annahmen". Denn sie wiederstreiten evidenten Wesenszusammenhängen, die aufweisbar sind."

[2] "Alles amare, contemplare, cogitare, velle is (mithin) mit der einen konkreten Welt, dem Makroskosmos, erst als ein amare, contemplare, cogitare und velle "in Deo" intentional verknüpft." This conclusion proves that in this period of his phenomenological philosophy SCHELER was strongly influenced by the French thinker MALEBRANCHE.

SCHELER's Idea of "God" and that of "person" bear the stamp of a neo-scholastic speculative metaphysics. He combines with them the possibility of a "macrocosm" and that of common human experience.

The speculative character of these ideas is intensified in the thesis that the "actual personality of God", as the "Person of all persons", is subject to the same "essential phenomenological law-conformities" (*Wesensgesetzmäszigkeiten*) as human personality.

The essential individuality of the latter must be distinguished from the individual -I- so that a moment later the final hypostasis to a divine person may be possible. For the human selfhood as an individual "I-ness", pre-supposes the "essential necessity" of the existence of a "thou", a "body" and an "outer world". "They are exactly those things which it is *a priori* self-contradictory to predicate about God." In other words, because the "Idea" of a personal God does not allow of any bond with a cosmic reality and with a community of "I's", human personality must also be hypostatized above its "individual -I-ness". The latter is conceived of as an 'object of inner perception', whereas the 'spiritual person' and its acts are never to be made into an objecct (SCHELER identifies 'object' and *'Gegenstand')*.

All these ideas are mere speculations. They are the natural results of theoretical thought trying to overstep the critical boundary-line of the temporal order of the creation, which sets an insurmountable limit between the absolute Being of God and His creation, whose meaning is absolutely dependent on Him.

Criticism of SCHELER's conception of the individuality of personal experience and of absolute truth.

What can be said about SCHELER's conception of the individuality of personal experience and that of absolute truth? Christian thought should be very much on its guard against such a thinker as SCHELER.

At the time when he wrote his principal ethical work his thought was penetrated by the spirit of a new scholasticism which aimed at a synthesis between Augustinism and the recent trends of thought in phenomenology and irrationalist philosophy of life. Insofar he can be compared with the Roman Catholic French philosopher MAURICE BLONDEL. But the method and contents of his philosophy are very different from those of the

famous thinker of Aix en Provence (who was not a phenomenologist), and the Christian impulse of BLONDEL's thought was, in my opinion, much stronger than that of SCHELER's. In addition, SCHELER's indubitable genius and prophetic personality could not fail to make a deep impression upon those who sought for a philosophy combinable with Christian belief.

This is why in the Roman-Catholic period of SCHELER's life the pitfalls of his immanence-standpoint in philosophy were easily overlooked. His appeal to a concrete Revelation of the personal God at the critical point of the realization of his Idea of the Origin in human experience seemed to break through this immanence-standpoint[1]. This makes a radical transcendental criticism of his course of thought all the more necessary. Such a critique resulting in laying bare the scholastic religious pre-suppositions of SCHELER's ethics may be left to the reader who has become familiar with the method explained in the Prolegomena. In the present context we must restrict our criticism to the inner conflict between SCHELER's irrationalist personalism and the Husserlian traits in his phenomenology.

If we understand SCHELER aright, he conceives of individuality itself as the absolute pre-requisite *(Bedingung)* in the "concrete essential structure" of human experience, or, to express it in accordance with our own standpoint: in the transcendental horizon of experience, in which SCHELER also seeks the transcendent religious horizon in his speculative way. This is characteristic of the irrationalistic standpoint, because in this manner individuality is ultimately elevated *above* the *law*. Then, of course, the fulness of the meaning of truth must be also something that is not placed under a law.

Law-conformity becomes some *abstract 'Wesensgesetzmäszigkeit'*[2]. The individual person, on the other hand, is isolated in his absolutely individual microcosm and the metaphysical Idea of God must be introduced in order to avoid the consequences of solipsism. In this entire view SCHELER's conception of individual personality (first person singular) is the real issue.

The Idea of God depends on the concrete phenomenological insight of the individual mental person, which as such remains

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[1] In the final stage of his thought, for which his little book *Die Stellung des Menschen im Kosmos* is representative, SCHELER has abandoned the Christian religion.

[2] i.e. essential law-conformity.

bound to his closed microcosm. But this Idea cannot be resorted to as a "deus ex machina" to pave the way again to a macrocosmic experience. The walls of the absolutization of personal individuality have no windows.

This spiritualist metaphysics sprang from an irrationalistic root. With this metaphysics the Husserlian view of the transcendental possibilities and essential necessities (which SCHELER has not abandoned) is in remarkably strained relations. For this view is as *rationalistic* as possible, and has an inner affinity with LEIBNIZ's Idea of the "*vérités éternelles*" (eternal truths); in fact, it is a phenomenological transformation of the latter.

Speaking of *all possible worlds* and *all possible personalities* (outside of human beings) is an indication of the attempt to hypostatize in a speculative metaphysical way the theoretical transcendental horizon of our human experience of reality. This Idea of the *possible* is meaningless, because we cannot speak of the *cosmos* except *in* its temporal horizon, fixed in the Divine order of the creation. And for the same reason there is no sense in speaking of all *possible* personalities outside of humanity. The personality of God and that of the angels is not a question of 'transcendental possibility and essential necessity'.

The Christian speaks with awe about the living personal God, Who in His mercy and grace has revealed Himself to fallen man. But also in the communion with this God in Christ, the Christian remains within the human creaturely limits of the possibility of experience. Then every theoretical Idea of a "phenomenological possibility of being" of God as the "person of all persons" becomes a manifestation of human ὕβρις. This pride wants to bind God to the creaturely boundaries of the human horizon of experience, after having hypostatized the transcendental dimension of the latter.

§ 5 - THE INDIVIDUALITY OF HUMAN EXPERIENCE WITHIN THE STRUCTURAL HORIZON OF EXPERIENCE AND THE VIEW OF MAN AS A MICROCOSM.

The view of man as a microcosm is unserviceable.

The contrast between a microcosm and a macrocosm, handled by SCHELER, is in principle unserviceable in Christian philosophy. The origin of this contrast can be traced back to the pre-Socratic philosophy of nature. From Greek philosophy (PLATO, the Stoa, PHILO, neo-Platonism) it passed into medieval Scholasticism.

Pervaded by the new Humanistic personality-ideal the idea of

man as a microcosm (monad, mirror of the macrocosm) penetrated into the philosophy of the Renaissance and into the mature philosophy of Humanism. Then it assumed all the nuances of the Humanistic cosmonomic Idea (from BRUNO, via LEIBNIZ, to HERDER, GOETHE, SCHOPENHAUER, SCHELLING and LOTZE). The Idea of a cosmos from which immanence-philosophy starts in all its nuances, also in its medieval synthesis with Christian faith, is incompatible with the Biblical revelation concerning creation, and so is its Idea of man as a microcosm.

Man, in his *full selfhood,* transcends the temporal 'earthly' cosmos in all its aspects, and partakes in the transcendent root of this cosmos. He cannot be a self-contained and isolated microcosm, a mirror of a so-called macrocosm. Nor can he be what SCHELER calls the 'personal correlate of an absolutely individual cosmos'. This idea of a microcosm is dominated by the radically irrationalistic personalistic view of the transcendental horizon of human experience. The subjective individuality determines this horizon, making it both *individual* and *cosmic,* and "essentially and necessarily" different in each person. Even absolute truth becomes absolutely different for each individual person. SCHELER's "Idea of God", is only "realisable" by an individual revelation. This Idea remains a merely intentional, theoretical hypostasis for any one who has not received this individual, most personal revelation. From this hypostasis the possibility of a *real experience* of the "macrocosm" can never be understood.

Our first objection to this Idea of a microcosm is that subjective individuality can never *determine* the structural horizon of human experience and of the cosmos.

This horizon is a structural order, the Divine order of the creation itself. It comprises in its *determining and limiting structure* the individuality of human personality, its religious root as well as its temporal existence. Creaturely subjective individuality cannot determine and limit itself, but is *a priori* determined and limited by the Divine order.

By this we do not rationalistically proclaim this structure to be a so-called "transcendental subject" of human experience. The subject of the full human experience, i.e. human selfhood, remains individual and this individuality remains inherent in the experiencing subjectivity *within the temporal horizon.* But the transcendent and transcendental *structure* of this subjectivity cannot be *subjectively* individual itself. But for its super-indi-

vidual law-conformity, individual subjectivity would be an ἄπειρον, a meaningless *indeterminateness.*

The possibility of subjective experience would be *cancelled,* if the *horizon* of human experience were subjectively individual. The cosmic self-consciousness in which all *cosmological* knowledge remains founded, is not an experiential entrance into the absolutely individual horizon of some "personal world", of a "microcosm". It enters into the full, unique *cosmos* created by God within the temporal horizon, in the full meaning-coherence of all its modal and plastic structures. Naïve experience, the great primary datum of all epistemology, does not know anything of a cosmos as a "personal world" supposed to be identical with countless other "personal worlds" in an abstract, universal, merely intended essential structure alone. This is already precluded by the subject-object relation in the modal horizon, and by the same relation in the plastic horizon of human experience. Man experiences his individual existence within the temporal horizon exclusively in the one and only *cosmos* into which he has been integrated together with all creatures. He also experiences his individuality in the various structures of the temporal societal relationships.

And within the temporal horizon man's self-consciousness does not from the outset have a static individuality. Rather it *becomes* more and more individual. This takes place in a process of development which is also historically determined. The cosmos itself cannot be called individual. It is not an actual being. Its only temporal meaning-coherence is rather the structural frame-work within which the individuality of temporal things, events and societal relationships are only possible.

The societal structure of human knowledge within the temporal horizon.

The individuality of human experience within the temporal horizon has a *societal structure* excluding any possibility of a hermetically closed "microcosm". This societal structure is in no way founded in SCHELER's speculative Idea of God.

My individual cognitive activity, both in a theoretical and in a pre-theoretical sense, is borne by an immensely more comprehensive and specialized subjective knowledge on the part of human society. This knowledge has been acquired by the successive generations of mankind.

It is in the possession of human society and is not equal to the

sum of actual knowledge of all individuals together in the present and the past. Nor does it cancel all personal individuality and genius in cognitive activity.

The theoretical knowledge of mankind has for the greater part been objectified in a structure that makes it independent of the momentary actual individual insight of individual human beings.

But it remains fitted into the temporal horizon of human experience, as an *objective* structure in a necessary relation to a *possible subjective* cognitive activity. It has received a symbolically determined objective societal structure, which we can only analyze with the aid of the thing-concept in our third volume.

One thing is certain, the knowledge of mankind, objectified in a symbolical structure of individuality, can never be contained in its totality in the actual knowledge of the individual human beings.

SCHELER thinks that the "intuition of the essence" gives us the *essence* in an *a-symbolical* way. From his standpoint the symbolical structure of the theoretical knowledge of mankind must be a sure sign that it cannot belong to the concrete cosmos of "absolute existence" [1]. But this view deprives the cosmos of an essential aspect of its full temporal meaning. It is therefore in conflict with transcendental truth, which is bound to the modal horizon of our experience.

Without this symbolical aspect human experience would in principle be *impossible*. We know that the sphere of social intercourse, the economic, the aesthetic, the jural, the moral spheres, and that of faith, have their *symbolical* foundation in the Divine world-order. In the transcendental direction of time all the earlier law-spheres have their modal anticipations of the symbolical sphere of language. The inter-individual *societal* experience of mankind, showing its extremely dynamic, mobile, procedural character, is doubtless *not* of a microcosmic nature. Within this societal structure of human experience the individual insight of genius plays a leading part in the theoretical opening-process. In the acquisition of theoretical knowledge by far the greater part of scientific workers have to be content with *assimilating* and elaborating the discoveries made by the leading personalities in the scientific world. KANT could only assign a place to individual genius in the field of artistic creation. But

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[1] "daseins-absoluten Kosmos".

we acknowledge God's sovereignty in the distribution of talent and disposition, also in the domain of science.

We do not mean to say that these special gifts are merely functional psychical facts which do not concern epistemology. They are a cosmic datum, founded in the religious individuality of personalities. Epistemology cannot ignore them with impunity. For the subject of human experience, which cannot be made a "*Gegenstand*", may not be functionalistically sublimated to an abstract form of universal validity. It is, and remains, the full individual selfhood in the societal structure of its cosmic and cosmological self-consciousness.

Again about the criterion of Truth.

An epistemology that empties this full subject rationalistically until it has become a formal 'transcendental consciousness' necessarily falls into the trap of overlooking the rôle played by subjective insight into epistemological questions. The lack of critical transcendental *self-reflection,* revealed by such a "critical" epistemology, leads to the tyrannical elevation of one's private subjective insight to universally valid absolute truth. Such an insight refuses to submit to the test of the Divine world-order. Our transcendental *a priori* knowledge remains *subjective* and must always be put to the test of the Truth. Within the transcendent horizon of experience we must trace its deepest root. The philosophy of the cosmonomic Idea demands that the whole of transcendental philosophic thought re-consider the problem of the criterion of truth with respect to subjective transcendental knowledge. This demand is scientifically imperative, no matter from what standpoint the thinker starts. We have clearly shown the subjectivism of the immanence-standpoint. The perspective structure of truth has been revealed. It has appeared that the transcendent, and the transcendental structure of human experience is a law of freedom [1]. This law makes subjective error *possible* (also in a transcendental respect) and even *inescapable* on the immanence-standpoint. No epistemology is possible without the ὑπόθεσις of a cosmonomic Idea which attains the full clarity of self-reflection only in the religious horizon of our experience.

But the cosmonomic Idea itself also demands a criterion of

[1] Of course not a law of freedom in the sense of the possibility for the cognizing subject to act *outside of* the structure of its subjectivity.

its truth. Modern phenomenology has realized the lack of a *laying bare*, a *making visible* of transcendental theoretical truth in the so-called critical as well as in the psychological epistemologies. The transcendental *a priori* structure of the horizon of our experience became the ideal "*Gegenstand*" of subjective *a priori* intuiting insight. In this way "epistemology" in its usual Humanistic sense was given a phenomenological *foundation*. But this view remains caught in subjectivism to such a degree that infallibility is ascribed to the subjective *a priori* "intuition of the essence" which clearly bears the stamp of the immanence-standpoint.

We are thus left without a genuine criterion of transcendental theoretical truth. The demand for such a criterion is even called un-phenomenological in principle. The "intuition of the essence" implies the absolute evidence of truth. Phenomenology haughtily rejects the action about the justification of its "essential insights" in the forum of the Divine world-order in the light of the fulness of truth [1].

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[1] SCHELER's statement in his *Phänomenologie und Erkenntnistheorie* (Schriften aus dem Nachlass, Bnd. I, 1933), pp. 268/9 is characteristic: "Nur etwas vom gleichen Sinn des Wortes "wahr" gibt es noch, das über den Gegensatz wahr-falsch, der allein der Satzsphäre angehört, noch erhaben ist: das ist die Selbstgegebenheit eines Gemeinten in unmittelbarer Anschauungsevidenz. Das allein ist jene Wahrheit, von der SPINOZA das grosse und tiefe Wort spricht: "Die Wahrheit ist Kriterium ihrer selbst und des Falschen, und die er seiner Erkenntnis durch Intuition vorbehält"... Selbstgegebenheit und Evidenz (Einsicht) sind also Erkenntnisideale, die der Wahrheit und Falschheit *vorhergehen*. Natürlich fragt der Mensch des Kriteriumstypus wieder: "Welches Kriterium besteht denn für Selbstgegebenheit?"... Aber schon die Idee eines "Kriterium der Selbstgegebenheit" ist widersinnig, da alle Frage nach Kriterien ihren Sinn erst da gewinnt, wo die Sache nicht "selbst", sondern nur ein "Symbol" für sie gegeben ist." [There is still something of the same meaning as the word "true", which is elevated above the contrast true-false which only belongs to the sphere of a (linguistic) sentence. We mean the actual datum of what is intended in the immediate evidence of intuition. This only is the truth to which SPINOZA refers in his great and profound utterance. "Truth is its own criterion *and* that of falsehood", and which he reserves for his cognition by means of intuition... Actual datum and evidence (insight) are thus epistemological ideals which *are anterior* to truth and falsehood. Of course the man of the criterion-type will ask again: What is then the criterion of the actual datum?... But already the idea of a criterion of the "actual datum" is self-contradictory, because any inquiry after a criterion is only meaningful if the matter has not been given "itself", but only its "symbol".]

This is a very clear statement. The phenomenologist's subjective in-

For this reason we have laid such a great emphasis on the demand to make the subjectivity of our cognitive insight the centre of the epistemological problems. Never must the (subjectively constructed) law-conformable structure of the cognitive subject itself be made the subject in an epistemological sense. This substitution of their respective rôles is the πρῶτον ψεῦδος of dogmatic subjectivism in epistemology. It leads to a dogmatic rejection of any criterion of transcendental theoretical truth which really submits subjective insight to the test of verity.

Epistemology should disclose the transcendental temporal horizon of our experience to us *theoretically.* In this opening process the experiential horizon is deepened from a pre-theoretical to a theoretical horizon (founded in the pre-theoretical one). And we should reflect philosophically on the pre-requisites of this opening-process given in the Divine order of the creation.

Then we shall be freed from the rationalistic illusion that epistemology has been drawn up in a theoretical horizon which is rigid and self-contained. The transcendental horizon is never at rest and irrepressibly points above itself to the transcendent religious horizon of our selfhood, and there is no stability of Truth to be found but in the Divine Revelation.

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sight into what is the εἶδος, the essence and its structural coherence, is the end of all dispute.

There is indeed an end of our inquiry concerning the criterion of truth. It is when we are *seized hold* of in our *hearts* by Truth itself.

But this end does not lie within the transcendental theoretical horizon of human experience, nor in a subjective theoretical "intuition of the essence", rooted in the immanence-standpoint which has fallen away from the Fulness of Truth.