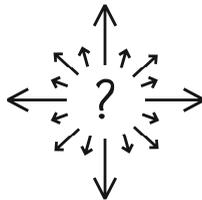


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I. BOOK REVIEWS

**Thora Ilin Bayer & Donald Phillip Verene,
Studies in Historical Philosophy, no. 4,
Stuttgart: *ibidem*-Verlag, *Philosophical Ideas: A
Historical Study*, 2021, 122 pp., € 24.90,
ISBN: 978-3-8382-1585-3**

Yuliy S. Yuliev (University of Sofia)

Abstract

“The life of ideas is their interpretation”¹ is a brilliant quote to start this review of the book *Philosophical Ideas: A Historical Study* by Thora Ilin Bayer and Donald Phillip Verene. The core statement that the authors make in the preface is that all philosophical ideas would benefit from the process of reexamination. Ideas are the medium of wisdom and we, as philosophical readers, have to find the ideas that are great and timeless. The book embarks on a quest to reexamine the most renowned philosophical ideas, from Plato’s poetics and Hegel’s dialectics, to less-known ideas such as Vico’s conception of science and Cassirer’s conception of the symbol. This review will proceed with a concise summary of each major part of the text, followed by a short critical view.

The introduction sets the stage for the upcoming chapters by giving readers operational definitions of the scope, scale, and purpose of philosophy. The authors tell the story of Pythagoras, arguably the first to call himself a “philosopher” when he was speaking with Leon, the tyrant of Phlius.² The state of being a philosopher has always been interwoven with ignorance. We seek wisdom but it is merely an ideal of the moral human, an ideal that is the starting point of philosophy. But to seek wis-

¹ Thora Ilin Bayer & Donald Phillip Verene, *Philosophical Ideas: A Historical Study* (Stuttgart: *ibidem*-Verlag, 2021), 7.

² *Ibid*, 12.

dom we require memory. Otherwise, learning would not only be impossible but meaningful speech would also be seriously obstructed. The best way to train our memory is to arrange the mental images that we are trying to preserve in an orderly manner. The authors also make the claim, using the story of Boethius and Aristotle's *Protrepticus*, that true philosophers achieve an internal peaceful state of mind (*ataraxia*). When a philosopher pursues the process of philosophizing to its limit, a sense of self-sufficiency and removal of fear is gained. The authors present these fundamental ideas by drawing on examples from ancient philosophy and adopting a narrative style, which makes this part of the book enjoyable to read and intriguing.

The first part of this book reexamines Platonic poetics. Bearing in mind that human beings make up the state, and that self-knowledge is the ultimate goal of the subjects within a state, the authors claim that, perhaps, the *Republic* might not first and foremost be a book of political philosophy, but instead an attempt to articulate the Socratic pursuit of self-knowledge. Verene and Bayer then revisit the ancient quarrel between philosophy and poetry. They explain it using Hegelian dialectics, arguing that the core of the quarrel lies in what they have in common: both try to describe objects using different methodologies. Poetry presents in language what the body sees and perceives, while philosophy tries to go beyond the senses to grasp the metaphysical aspect of the object, which is always out of reach. Thus, language is necessary for both. The central point that the authors make in this part of the book is that poetry has to be superseded by philosophy in order to go beyond its images. The quarrel is in this way resolved by the dialectic that occurs between the two. After all, no real dialectic could exist between two equal sides; one of them has to be superior.

The second part of this book is concerned with the ideas behind Hegel's dialectics. Hegel was a system builder; he believed that philosophical truth needs a system, not mere propositions, and to build that system Hegel utilized the dialectical method. What the authors here claim is that a paradox is inherent in our own essence as human beings. We not only animals or rational agents, but rather both, and this doubleness constitutes the core of our self-knowledge. We have to confront skepticism and transform it because it is unable to grasp and accept that this paradox is a necessary step to reach the final form of wisdom. The authors also point to ideas found in Hegel's *Science of Logic*, in which

being and nothingness are in dialectical opposition. As with poetry and philosophy, one side dominates the other and in this case it is being. Verene and Bayer remind us that philosophy preserves the memory of the past and through the process of recollection human culture is able to progress. They describe philosophy's normative role and why it is important in order to reach self-determination, a necessary condition for human freedom.

The next part of this book reexamines Vico's ideas on science, beginning with his method. The authors present the argument that Vico's method is genetic, that it seeks out "what is first, in the sense of the origin from which all else comes."³ The core of philosophical thought is metaphysics and the human mind is our instrument to examine the divine mind. From this, the authors then discuss Vico's notions about nations. All nations go through common stages: the age of the gods, the age of heroes, and the age of human beings. History, however, is cyclical and at no moment is this cyclic nature overcome. Just like individuals, nations have life cycles: from birth, through growth and maturity, to their decline. Nations all have different laws that govern their societies, but what they all share in common is their existence in this cyclical history. Verene and Bayer also make valuable remarks about the axioms that Vico presents in his work *La Scienza Nuova (The New Science)*. His genetic method, arguably misunderstood by the academic tradition, could serve as guidance on how to order the civil world of human society.

The final part of this book surveys Cassirer's philosophy and its theory of knowledge. Verene and Bayer provide a good account of the symbol and its dual nature, as both spiritual and sensible, occupying a position between universal meaning (as grasped by thought) and particular sensory signs (where meaning impinges). This part also explains why Cassirer believed that the task of philosophy was to comprehend the symbolic character of knowledge itself. The authors provide a brief account of why myth and philosophy allow us to grasp the whole of things through the principle of tonality, which is the unifying principle, a principle of inner form. Cassirer's philosophy was highly influenced by the works of Kant, Goethe, and Hegel. To showcase this, the authors dive into the concept of *Basisphaenomena*, the idea that the I (as a subject)

³ Ibid, 64.

exist in an external world. They also give a fresh account of self-knowledge, not merely as introspection, but rather as connected to the notion of work, attributing the formation of culture directly to it.

The conclusion of the book covers the notion of contemplation, as discussed by various philosophers, starting with Aristotle, who links the concept of contemplation, the act of grasping the nature of something, to the concept of happiness. The authors provide a good account of how contemplation is necessary for correct reasoning, which is itself necessary for correct action. This makes contemplation the basis of virtuous behavior, which is the basis of happiness itself. The authors then move on to a discussion of Cicero's art of oratory. Cicero believed that eloquent speech had its core in eloquent thoughts; if your thinking is good, good speech will follow. It is precisely our speech, the words that we use, that is the medium of the act of contemplation. Verene and Bayer reveal the bond between thought and language in Cicero's texts and claim that our ability to speak properly leads to proper actions. They make the point that contemplation exists parallel to the ordinary occupation of the thinker and is not only directed at metaphysics, but also to more pragmatic fields like history and politics. Finally, the authors dive into *The Republic of Letters* to reveal other means of contemplation that were used to enlighten the general public.

Overall, *Philosophical Ideas: A Historical Study* provides a unique perspective and interpretation of the central ideas found in Plato, Hegel, Vico, and Cassirer. It also discusses the problem of knowledge that each philosopher faced, and dealt with, in a different way, through poetics, dialectics, science, and the symbol, respectively. The one minor drawback of this book is that the reader must have at least partial knowledge of the works discussed in order to truly understand what Verene and Bayer are trying to present. However, since the book is targeted towards an academic audience this is not much of a concern. What is truly important is that ideas have no true and objective meaning and it is healthy for the development of philosophy to read and contemplate different interpretations. Or, as Verene and Bayer beautifully put it: "It is to philosophy and its ideas that we can turn to keep this sense of things ever before us."⁴

⁴ Ibid, 110.

Raymond C. Barfield, *The Practice of Medicine as Being in Time*, Studies in Medical Philosophy, no. 8, Stuttgart: *ibidem*-Verlag, 2020, 160 pp., ISBN 978-3-8382-1427-6

Kyrill Kazakevicius (University of Sofia)

Raymond Barfield is uniquely placed to examine medical practice through a philosophical lens. Integrating a deep philosophical understanding of Martin Heidegger's thought with extensive experience as an oncologist and palliative care physician, he successfully brings forth a series of fundamental philosophical questions and impressions regarding the current state of the medical field.

In this endeavor, Barfield discusses Heideggerian concepts such as "Dasein," "clearing," "falling," "thrownness," "average everydayness," among others. He uses these as a framework to analyze modern trends in the medical institution. From the language and terminology that is used in hospitals,⁵ to the place and role of death,⁶ all imaginable aspects of medical practice are addressed in this book. Barfield goes so far as to wonder why patients must wear gowns,⁷ what a medical practice ruled by algorithms, AI and machine learning would look like,⁸ and why it was once considered that newborns do not feel pain.⁹

Such an analysis is not an easy undertaking. This results in dense chapters, filled with insights and observations combining medicine and philosophy, which sometimes require prior knowledge in both fields. Luckily, Barfield cleverly applies the Latin maxim *bis repetita placent* and repeats some of the pillars of his analysis through the book, such as questions regarding language and the broader critique of modern medical education.

⁵ Raymond Barfield, *The Practice of Medicine as Being in Time* (Stuttgart: *Ibidem*-Verlag, 2020), 58.

⁶ *Ibid.*, 67.

⁷ *Ibid.*, 78.

⁸ *Ibid.*, 85.

⁹ *Ibid.*, 41.

Indeed, concern about the inappropriate training of future doctors is a recurring theme. Similarly, the prominent notion of language is presented several times from different angles.¹⁰ Doctors, says Barfield, are taught to speak in terms of biology, law, finance and risk management. Yet what the practice needs is storytelling.¹¹ By this he means being able to make sense of the experience of disease and death, instead of merely focusing on the technical elements and the cost-benefit calculation of medical intervention. Storytelling allows for a much deeper understanding of the experience of suffering by fully embracing the philosophical questions surrounding the practice of medicine. In fact, Barfield goes further and claims that the ignorance of philosophical questions in medicine amounts to a form of malpractice.¹²

There is a parallel between Barfield's insistence on storytelling and the style and form of this work. The author practices what he preaches. He generously uses pertinent analogies and metaphors, and is quick to capture the reader's attention with smart, to-the-point, and sometimes even shocking illustrations. To take just one example, when Barfield challenges modern-day gnostic medicine and suggests that it may be blind to perhaps crucial aspects of life, he explains that the medical field is prone to paradigm shifts.¹³ To demonstrate this, he recalls that until the late 1980s newborn infants were operated on without anesthesia as it was assumed that "they could feel no pain the way older children do."¹⁴ For the uninitiated reader, such disturbing passages strike a chord.

Perhaps one of the strongest and most vivid stories Barfield tells is of the (hopefully wrong) vision of a dystopian future of corporate medicine.¹⁵ A vision based on artificial intelligence and machine learning, rendering the field of medicine entirely focused on economic efficiency, and thereby leaving aside all human aspects. He describes a system that would sink into indiscriminate utilitarianism, under the yoke of what Heidegger would call the demands of modern technology. This draws upon another central theme of the book: the corporate transformation of

¹⁰ Ibid, 58.

¹¹ Ibid, 89.

¹² Ibid, 62.

¹³ Ibid, 103.

¹⁴ Ibid, 41.

¹⁵ Ibid, 87.

medical practice. A transformation which Barfield profoundly laments.

The title of the book, *The Practice of Medicine as Being in Time*, which Barfield himself admits is odd,¹⁶ sums up the two Heideggerian dimensions which serve as the background against which the entire framework of this book is set: Being as embodiment and Time as limitation. Barfield illustrates embodiment as the cornerstone of Being in medicine, visible in the way in which medical students are taught the technical and biological aspects of the human body. They are also, or at least should be, taught the experience of engaging with the body as part of their profession. This is a dimension which, according to the author, is sacred and must not be neglected in favor of some purely biological or anatomical understanding.¹⁷ As disease attacks the body, Barfield wonders why we become anxious about the disease, why we are not just annoyed by it¹⁸ (the reader will quickly get used to this dynamic pace of the book as it continually shifts between the perspectives of the doctor and the patient). This anxiety implies that our understanding of the embodied experience isn't merely mechanical, but rather relates to the realization of life as limited, as opposed to limitless (in Time). The illusion, if not deception, of modern medicine, is that it attempts to artificially dissolve this limitation of life by promising an escape from death and disease.¹⁹ Consequently, this also removes the element of anxiety which, according to Heidegger, is crucial to philosophical growth. Barfield makes the following analogy: as cartoons are to real life, modern medicine is to the reality of our limited life.²⁰

As an evaluation of the institution of medicine, the book's critical thesis is founded on a set of values: equity, honesty, racial justice.²¹ Although it is only explicitly mentioned once or twice, there is a strong undertone throughout the book which hints at a form of normative universality. Even though it is expected as an *a priori* starting position, perhaps an elaboration of this universalist approach would not have been redundant. It raises questions regarding the compatibility of the text with Heideggerian thought for,

¹⁶ Ibid, 11.

¹⁷ Ibid, 24.

¹⁸ Ibid.

¹⁹ Ibid, 28.

²⁰ Ibid, 30.

²¹ Ibid, 95-100

although not classified as a relativist, Heidegger does question the possibility of universal knowledge. In this well-written book, this is the sole point that leaves the reader with a thirst for more.

The Practice of Medicine as Being in Time is a refreshing look into the uber-rational world of medicine. It is addressed not only to doctors and healthcare professionals, although Barfield encourages them to undertake a thorough analysis of the philosophical understanding of their field of practice, but also to philosophers who, although not specifically involved in the medical field, may find interest in Barfield's application of philosophical ideas to new areas.

**Gerasim Petrinski, *The Image of the Demon in the Byzantine Hagiography* (VI-X c.)
(in Bulgarian), Sofia: St. Kliment Ohridski
University Press, 2018, 462 pp.,
ISBN 978-954-07-4599-2**

Snejanka Mihaylova (University of Sofia)

The figure of the demon is presented to the reader by Gerasim Petrinski as a rhetorical figure through the different phases of its historical and microhistorical development. *The Image of the Demon in Byzantine Hagiography* captures its porosity in the stratification of meanings and playfully displays elements of the genealogy of its meaning from classical literature into motifs of folklore and Byzantine hagiography, bringing to attention unfamiliar sources such as the *Apocalypse of the Theodokos* and the *Apocalypse of St. Anastasia* among many others. Through powerful images and stories of the lives of saints from 565 to 1000, rarely encountered elsewhere, Petrinski makes us aware that in Byzantine hagiography a multifaceted interest in demons and their role is articulated, in both literary constructs and in social and political manifestations. Indeed, this is a book of rare encounters, devilish in its vertiginous proliferation of information, and in its peculiar invitation to inhabit such a vast spectrum of references often associated with feelings of fear and ambiguity. This book can be seen as an academic thriller and it is a pleasurable experience for those interested, even outside of academic circles, in the complexity and genealogy of the representation of evil in its religious and secular contexts.

The incipit is the characterization of the hagiographic genre by typology, the role of Jean Bolland and the formation of the periodical *Analecta Bollandiana* (1882), an important collection that cannot itself be considered a typology because we still have to ask and answer the question “what is hagiography?”: a question that must be answered from the point of view of literary theory. There follows the classical division into basic types of texts of “martyrologies” and “lives of the saints,” known from the work of the German literary critic Karl Krum-

bacher, and a consideration of various subtypes. The latter include reworked pagan myths, rhetorical and vernacular or “folk” biographies, all subdivisions based mainly on an analysis of language and style. Petrinski, while framing the historical development of Byzantine hagiography from 565 to 1000, introduces a methodological turn in which Byzantine hagiography is read as an intermediate genre between rhetoric and literature. He dwells on a series of issues surrounding the definition of the genre, emphasizing that in the case of hagiography we meet texts possessing a complex function and transversality. These texts are meant as *officia oratoris*, *delectare*, *docere e movere* or as oratorical texts, to entertain, or touch emotionally. Even if such stories can today be seen as didactic and something obsolete, in their original context they are pregnant with actuality and urgency. Petrinski brings back that urgency both in the complexity of their composition and in their content. Hagiography becomes a stage on which the question of the demon will be displayed.

Before proceeding with detailed examples of the demonic in Byzantine hagiography, Petrinski introduces us to the meaning of the concept itself and the phases of its development. He unravels several phases, the first of which is the “Homeric” phase in which the demon is the idea of an unknown, indefinite and irrational force that affects human life in critical moments. The second phase is the work of Herodotus (c. 484-c. 425 BC) in which Petrinski shows the presence of a specific “demonology” that will later be used by the Pythagoreans. Demons, according to Herodotus, have a mortal origin and hence follow the ancient Greek literary hierarchy of the supernatural world, proceeding from mortals to blissful mortals and then heroes, demons and gods. In this hierarchy, the demonic manifests a certain ambivalence between the living and the dead; sometimes it is useful but at other times harmful to mortals.

An interesting detail in Petrinski's analysis is that, according to the Pythagoreans, dreams are not imaginary, but a different reality in which mortals visit the “other” world and where they can talk to the souls of the dead and demons. In that sense, the demonic occupies that liminal space associated with dreams. Here, we encounter a visible spatial division related to the demonic, between this world and the “other world,” which will persist in Christianity and will be transformed into various spatial locations: cemeteries, bridges, ladders, and many other spaces that we will meet later in Byzantine hagiography.

After presenting the demonological systems of the Neoplatonists, where we find articulated the ability of the demonic to take different forms, Petriniski shows that from the objectification in the second period we gradually witness a subjectivization of the demon. Our modern understanding is shaped by both this fundamental grammar formed in antiquity and the Christian subjectivization that locates the demon in the dualism of good and evil, turning it into a transcendental evil and identifying it with the Devil. Petriniski proceeds to study the genealogy of the understanding of evil in Christianity, where we see intertwined motifs from the Old and New Testaments, and where we observe the personification of evil in a particular Enemy. Pride will be the main motive in the depiction of the Devil as a fallen angel, and this will remain a key concept in the theological literature in both Basil the Great and Pseudo-Dionysius the Areopagite, for whom evil does not exist in nature but arises out of personal choice.

The question of personal choice and the identification of the Devil with the problem of the knowledge of good and evil has affected the sacred history of mankind since the Fall and the expulsion of Adam and Eve from Paradise. Evil will acquire very personal characteristics such as envy, enmity to humanity, lying, deception, manipulativeness, cunning and death. One of the main consequences of the entry of evil into human history is the loss of immortality. A turning point in the Christian understanding of evil is the Resurrection of Christ as a decisive event in the history of the salvation of mankind. This signifies both the victory over death and the defeat of the Devil. According to the Byzantine understanding, the only forces capable of performing miracles and acts of healing are the Divine Powers.

Although demons are often depicted as weak and trembling in the presence of Christ, their delusions allow them to succeed in conquering the world of sin-prone people. The demon and human weakness intertwine and the demonic acquires more and more psychic characteristics: anger, pride, envy, deception, enmity, disbelief. This individualization also begins to acquire more and more the character of physical stereotypes as elements of the demonic begin to be recognized in the specific height, age, or proportions of the body. According to the life of St. Theodore Sikeot, demonic forces can not only deform the body but also be transmitted from one body to another. The demonic takes the form of bodily suffering; it is contagious and can be encountered in various dis-

eases. Just as the demonic affects physical appearance, it is also revealed in language and speech. For example, speaking out loud is one such outward sign and Petrinski observes that demons usually speak the language of their area of origin, and often when they emerge from their host they speak out loud. Another expression of the demonic — alongside blasphemy, pleading and self-pity — is obscene speech. A special place in Petrinski's analysis is occupied by ventriloquism and false prophecies.

The visible manifestations of the demonic then multiply in animal forms, dragons, scorpions, birds, crows, bats, pigs, dogs and wolves, insects and plants — from zoomorphic to spatial and bodily forms like levitation, the habitation of the human soul after death, the sensible world. The book brings to the reader's attention both cultural and anthropological analyses of perceptions of alterity. One example of this can be found in the marginalized other (Ethiopians, women as destroyers or temptresses), which resonates with the contemporary critique of the domination of an implicitly intertwined rhetoric of patriarchal and cultural stereotypes in Byzantine culture, one that currently occupies a marginalized position compared to the Western tradition.

Petrinski observes that in the 1st and 3rd centuries, with the spread of Eastern cults everywhere in the Roman Empire, their processes began to acquire some political characteristics, even in the case of elitist Neoplatonism, which tried to objectify and build a philosophical idea of evil. However, they remained without much political influence. To some extent this gap between spiritual processes and political efficacy is occupied quite successfully by early Christianity, which managed to synthesize the various understandings of evil in a syncretic way. Petrinski emphasizes that while contemporary Christian demonologists, such as Richard Greenfield, use the term “standard Orthodox tradition,” it only has meaning for the period from the 11th to the 14th century. But, when we talk about the period from the 4th to the 9th century, things are much more complex. Here, the continuous struggle to define orthodoxy is in full swing and Orthodox doctrine is far from complete; key theological works of St. John Climacus, St. Maximus the Confessor, St. John of Damascus have yet to become the cornerstones of tradition; there are the heresies of iconoclasm, monothelism and many others. In that sense, the majority of motifs present in the lives of the saints and the meanings hidden behind them cannot be explained by any standard orthodox tradition.

The Image of the Demon in Byzantine Hagiography demarcates for itself an independent field of Byzantine esoteric scholarship and allows us to look at some of the questions of the marginalization of the other. In this book Gerasim Petrinski traces a parallel liturgy fluidly connecting high culture and popular belief, giving us the feeling that religious traditions survived in complex cultural contexts often intimately connected to our lives and emotions. Perhaps this is one of the reasons for transforming hagiography into a stage on which to better display that complexity.

Forms of marginalization extend to knowledge itself and, if in the Western tradition we have a separation of the categories of “knowledge” and “demon” immortalized in the figure of Goethe’s Faust, in the Byzantine tradition knowledge itself is charged with demonic semblances and transmission by the experience of faith. Concrete examples such as the lives of saints become a form of embodiment in which the personal choices of a way of living are emphasized. Petrinski makes us think about the role of storytelling, the stories we decide to hold onto and those we decide to forget. As we read the book, we witness the emergence of forgotten lives: St. Phantine the Younger, St. Paul of Latros, St. Basil the Younger (to mention some of the truly rich and invaluable testimony presented in the volume). We encounter St. Theodora only through the story St. Basil the Younger tells of her, but this is not a surprise. In fact women rarely wrote, their stories being instead narrated by men. In this case, as with St. Basil, we meet her only after her death. Now her soul and we as readers are migrants passing through otherworldly aerial toll houses, each tax collection point named after one of the deadly sins and surrounded by unfortunate “demons” impersonated by Ethiopians. Here, evil lies not only before our eyes but in some cases also in ourselves. Petrinski shows us that the perceptions of fear of the other are mirrored and survive in language and in society and that the hagiographic literature of the period 565-1000 is a cluster of plots we often see reflected around us. In the multitude of voices the *lives of saints* are the custodians of a new understanding of radicality, those stories insisting on questions regarding the demystification of forms of domination — through the fear that we as readers are invited to rethink as we read this book and through the stories and encounters of our own lives.

Kenneth A. Bryson, *What do we Know About God: Theological, Philosophical, and Existential Arguments Concerning the Nature of God*, ed. by John Carter, Hayesville, NC: The American Journal of Biblical Theology, 2020, Paperback, 235 pp., \$12.85, ISBN: 979-8665332376

Anthony McCool (University of Sofia)

God's nature goes beyond human understanding, and it is a matter of concern that people know more about the physical origins of the universe than they do about the existence of God. Kenneth Bryson's teleological argument for God's existence rests on evidence of intellectual coherence and design, including the purposiveness of nature. Bryson begins by citing instances in his life, as a philosophy student and teacher, in which he encountered atheist viewpoints before presenting a fascinating ontological argument resting on the notion of God as proof of His existence. In addition to this Bryson advances a cosmological argument that attempts to prove God's existence by the fact that things exist. If the universe has things that exist, there must be a supernatural power behind their existence. Aside from these classical philosophical topoi, Bryson includes personal stories that provide evidence of God's existence in human experience; the author states that "the experience of God is loud and clear in the trenches of war, the death of a child, the agony of divorce, unemployment, bankruptcy..."²⁰⁷.

Moses and Job represent different experiences of the divine. For Bryson, God's declaration "I am who am"⁹ indicates that Moses' personal experience of God is conceptual rather than real. In contrast, both Job's suffering and his repentance in dust and ashes after he meets God face to face, is more personal and existential indication that God exists. Bryson does not blame those who do not believe in God's existence but rather thinks critically about their background, culture, and formative politics.

Some weaknesses compromise the quality of Bryson's study. Although Bryson claims that "a second source of spiritual meaning and

deepened relationship with God comes from [his] cancer experience, biopsy, lobectomy, and recovery from cancer",⁵² he cannot account for the suffering and death of innocent beings. He presents the example of a young girl, believed to be innocent, who is struck and killed by a car. The question of God's omnipresence and power arises in such a scenario. For Bryson, the loss of innocent victims, animals, and plants results from separation from God, and the pain we undergo strengthens human beings' relationship with God. The author emphasizes that God is also hurt by the tragedies that human beings undergo in their lives.

Bryson relates such incidents to the story of Job. When God revealed Himself to Job, Job recognized himself as inferior. Bryson also cites the example of Jesus, who begged God to take away the cup of suffering. This implies that God exists, and He is actually the one who saves us from suffering. In addition to this scriptural evidence for God, Bryson also presents the ideas of great scientific thinkers. He asserts that intellect is spiritual, and, in the same way that scientists believe that matter exists, so does God.

Bryson emphasizes that he has felt God's presence in his personal experiences: "The fact that God exists permits me as Christian to find meaning in suffering".¹³⁹ His experiences, his fight with cancer, are a living testimony that God exists. Bryson's meditations on Jesus' sufferings, and his belief that God suffers for him, help him endure suffering and emerge triumphant. Bryson explains that hope in one's personal life is realized in God's presence. The discovery of the sacred in the universe, in one's fellow human beings, and, more particularly, in ourselves, is discovered because of God's presence in our daily lives.

Overall, Bryson presents a compelling argument for the existence of God. However, he also acknowledges that nonbelievers have their reasons, and does not condemn them. Although Bryson tries to provide an unbiased argument based on personal experience, and philosophical and biblical evidence, his argument tilts too much to biblical authority. Only a few contemporary arguments emerge. For this reason, the book offers critical insights that inform readers about God's existence and nature, but further reading is essential to evaluate atheist arguments. A more exhaustive argument would also require consideration of other religions' viewpoints.

**Dmitry A. Balalykin, *Galen on Apodictics*,
Studies in Medical Philosophy, no. 7. Stuttgart:
ibidem-Verlag, 2020, 340 pp., €39.90, ISBN 978-
3-8382-1406-1**

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Quod optimus medicus sit quoque philosophus.

If I were to express with a single sentence the merits and the moral of the book by Dmitry Alekseevich Balalykin, *Galen on Apodictics*, it would be this one: *The best doctor is also a philosopher*. This is the title of one of the most popular writings of the eminent Roman philosopher and physician Galen, the successful personal doctor of three emperors: Marcus Aurelius, Commodus and Caracalla. The book is the seventh volume in the series *Studies in Medical Philosophy* and includes an elucidating Foreword written by Alexander L. Gungov. The scope of the book is much larger than its title suggests. In fact, this is an excellent and comprehensive history of the philosophy of medicine in antiquity from the Hippocratic tradition to Galen, including a narrative of the main developments both in the theoretical field and the practical application of the art of healing.

In the introduction, Balalykin imparts to readers the meaning implied in a range of terms and concepts having a general epistemological character. For instance, his “simplified definition” of “science” is “an organised collection of verifiable paradoxes and corrected errors.”²² Another important clarification concerns the term “protoscience.” According to Balalykin, the latter embraces certain works by ancient scholars, whose ideas are ontologically very close to modern ideas and are partially commensurable with them. Ancient medicine is in a better position than many other branches of knowledge, having been engendered and fully elaborated in the Greek and Roman worlds. To begin with, the

²² Dmitry A. Balalykin, *Galen on Apodictics* (Stuttgart: *ibidem*-Verlag 2020), 14.

number of the texts in the *Hippocratic Corpus* is impressive, and Balalykin reminds us that nothing similar is at the disposal of researchers studying the birth of other disciplines. Galen was an astonishingly prolific author, leaving 500 writings of which 111 have reached us. Fewer than half of them have been translated into English, 30 into Russian, and an even smaller number into Bulgarian.

This paucity is a consequence of many ungrounded prejudices, unquestioned assumptions and bad educational practices, rooted in decades-old university curricula: students and academics, concerned with philosophy, should study *only* the ancient thinkers; students and academics, focused on history, should read the historiographers of the past, but not other prose texts; the departments of classics should concentrate on the great masterpieces of the literary heritage, but are free to ignore the sources of the exact sciences, etc. Such established routines distort the knowledge of the past. The most enjoyable part of the book was the historical outline: the views of Hippocrates, Empedocles, Democritus, Plato, Aristotle, the Epicureans, many of the Stoics, and above all Galen are analyzed. All of them were philosophers, and the greatest practitioners and scientists among them attained the peaks of the knowledge of their time because of the theoretical foundations of their endeavors. Concerning Galen, Balalykin's book is irrefutably convincing as he explains the phenomena of medical theory and practice in the language of philosophy.

What is health? disease? body? soul? What is the soul's connection to the body of man? How many parts and/or functions, or powers, does the human soul possess? What is a cause? an effect? a purpose? a sign? To these and many other important questions, Galen not only provides answers, but builds these answers into an imposing theoretical system, founded on the most powerful abstract philosophical concepts, and, at the same time, given successful expression in his own therapeutic practice. This is why Galenism remained dominant for more than a millennium. Balalykin stresses that it is a minor matter to debate whether it took 50 or 150 years for this philosophy-and-practice to triumph. What matters is that it dominated till the seventeenth century and was regarded as relevant until the early nineteenth century.

The first chapter of the book presents Galen as a historian of philosophy, of the theory and practice of the art of medicine. Indeed, everything starts with Hippocrates and his associates and co-authors, whose

writings are included in the *Corpus*. Some of these authors claimed that medicine should not be built on theoretical concepts about human nature, a view initially expressed by natural philosophers. Others believed that the human body consists of a single element. Galen holds the opposite view: the body is a mixture of the four elements (earth, air, fire and water) and the balance of the four liquids (blood, phlegm, yellow and black bile). The purpose of medicine, according to Hippocrates, is “to do away with the sufferings of the sick, to lessen the violence of their diseases, and to refuse to treat those who are overmastered by their diseases, realizing that in such cases medicine is powerless.”²³ Balalykin rightfully qualifies this goal and the definition of health, which follows from it, as apophatic: “health is the absence suffering.”²⁴ At the same time, from the Hippocratic tradition, Galen borrows one of his definitions of health, which is cataphatic: health is due to the good balance or the good mixture of the three tetrads. Balalykin highlights the most useful conceptual tool formulated by the authors of the Hippocratic circle and Alcmaeon of Croton:

Galen subsequently employs the concept of the “good mixture” to describe health. Consequently, “disease” is defined as the antithesis of health, i.e. as the suffering of the human body through the disruption of the dynamic equilibrium of the three tetrads (elements, liquids, essences). Here we see the continuity of Hippocrates’ idea and the preceding rationalistic theories about health and disease. According to Alcmaeon of Croton (the first in the history of medicine to attempt to construct a rational theory of general pathology), “isonomy” (ἰσότητα, i.e. “equilibrium” of the properties wet, dry, cold, hot, etc.) is indicative of “health”, whereas “monarchy” (μοναρχία, i.e. the “dominance” of one of these properties) shifts the equilibrium and, as a result, leads to disease.²⁵

Other key notions of the Hippocratic medical school to which Balalykin draws attention are: the opposite of balance, change, “transition” (μετάβαση); the influence of external factors such as climate, diet, etc.; timely detection of the first symptoms; the relativistic view of

²³ Ibid, 35.

²⁴ Ibid, 35.

²⁵ Ibid, 35.

health (“health can be more or less”²⁶); the proper start of treatment (“[i]f disease and treatment start together, the disease will not win the race”²⁷); the fundamental principle of curing the “opposite with the opposite”²⁸ – the elimination of the excess of one and deficiency of the other.

Balalykin also points to the humble Hippocratic recognition of the limits of medicine and the confession of the “relativity of recovery”.²⁹ Full recovery from sickness is *not always* possible. To summarize, this part of the book elucidates the theoretical framework of the Hippocratic art of healing and its empirical method. This stage led to two types of generalization: ideas about the anatomy, physiology and general pathology of the human being as a whole and, secondly, the understanding of the individual peculiarities in the progression of any disease.

The next section of the first chapter of the book discusses the impact of the doctrines of Plato and Aristotle. One of Galen’s principal treatises is entitled *On the Doctrines of Hippocrates and Plato*, in which he focuses upon the dialogue *Timaeus* – Plato’s encyclopedia of the philosophy of nature. Cosmogony, cosmology, the creation of the four elements out of perfect triangles, anthropogony, embryology, anatomy and physiology, all are covered in the speech of the Pythagorean of Locri. A certain part of this speech could be read as a lecture by Plato on the generalities of medicine. According to the summary given by Balalykin, Plato suggests that there are three types of diseases. The first group is defined by the disruption of the equilibrium of the four primary elements – earth, air, fire and water. The second group is associated with disturbances in the nourishment of some parts of the body. Diseases of the third group are due to the imbalance of humors and primarily arise from the disturbance of the breathing process.

Balalykin points out two significant components of Platonic physics and philosophy of nature: 1. the primary elements are transformable into each other; 2. the description of their properties is given in the language of mathematics, through geometry and stereometry. He also pays

²⁶ Ibid, 36.

²⁷ Hippocrates, “The Art” in *Hippocrates Volume II* (Massachusetts: Harvard University Press, 1923), 211.

²⁸ Ibid, 37.

²⁹ Ibid, 38.

attention to the influence of the Pythagoreans and Empedocles on the formation of Plato's cosmology, and the crucial role played by the Demiurge in the construction of the beautiful and eternal cosmos. He also stresses that Plato disagrees with Empedocles: the center of rational activity, the higher control of the functions of the body, according to *Timaeus*, lies in the brain. Balalykin notes the fundamental concept of the mutual influence of the spiritual and the corporeal. Nowadays this is called the psychosomatic integrity of the human body. He insists on the congruence between the views of Plato and the authors of the *Hippocratic Corpus* because, in his opinion, the right approach to the essence of medicine is its treatment as a theoretico-practical system that progresses on the path of the accumulation of knowledge and its generalization. Balalykin praises Galen for further developing Plato's fundamental ideas, especially the explanation of the process of breathing, the topography of the human body, and above all the idea of the tripartition of the human soul. Balalykin quotes Galen, who states in his *Commentary on the Timaeus*:

Reason resides in the brain, from which it controls the nerves and movements, as well as the five senses. The appetitive part of the soul is located in the liver and is responsible for the blood, veins, and also has the ability to differentiate substances necessary for the nourishment of the body. The spirited source, which is located in the heart, monitors the arteries, the natural temperature, pulsation of the blood, as well as the animal part of the soul.³⁰

Balalykin's next interpretive task is perhaps the most difficult, because when writing on Plato's natural philosophy, on his ideas of the body and soul of the cosmos, and their interrelations, imitated by every living creature, it is possible to concentrate on just one dialogue, the *Timaeus*. However, in the Aristotelian *Corpus*, one third of the treatises, or better, one third of the *notes for* and *from* his lectures in the Lyceum, are engaged with ontological and physical principles and causes, the structuring of the cosmos as a whole and of all the living organisms in it. It is almost impossible to decide what to select and what to skip. In the panoramic survey of the ideas of Galen's predecessors, inherited and en-

³⁰ Quoted in Balalykin, *Galen on Apodictics*, 52.

riched by him, Balalykin chooses several Aristotelian tenets: the four primary elements and their natural places in the eternal, imperishable and uncreated world, and the problem of coming-to-be and passing-away, treated differently in three texts. One solution to this problem is found in the two books bearing the same title (*On Coming to-Be and Passing-Away* and *Book Alpha and Beta*); a second is in his biological writings; and a third is in the *Physics*. Also important here is the reduction of the contrarities in his explanation of living creatures. This matters, because in the four cosmological books of *On the Heavens* there are three constitutive couples of contrarities (heavy and light; hot and cold; moist and dry). Balalykin stresses the fact that in the explanation of ensouled creatures, Aristotle excludes the couple heavy-and-light because they are neither active nor susceptible.³¹

The great difference between Plato and Aristotle concerning the identification of the most important organ in the human body preoccupied Galen. Is it the heart or the brain? Balalykin comments that Aristotle followed Empedocles and believed the most important to be the heart. This question provoked ardent debates through the centuries, and was recorded mostly in the text *On the Doctrines of Hippocrates and Plato*, which discussed the views of Hippocrates, Empedocles, Plato and Aristotle. Galen's criticism gradually increased and reached its utmost height in the polemic against the Stoic Chrysippus of Soli. Balalykin summarizes the result of Galen's survey of the Roman philosopher and physician: "Galen points to the extremely speculative nature of the ideas of the Stoics and Aristotle, attributing that to their 'ignorance of anatomy'. He proves that the centre of the motive power is in the brain and this energy is transmitted to the whole body through the spinal cord and nerves."³² Balalykin also emphasizes the difference between the Aristotelian *History of Animals* and the treatise *On Fleashes* by Galen concerning cardiac anatomy. At the same time, he correctly clarifies that, for Aristotle, there is a considerable difference between the cardiovascular system of mammals and the anatomy of the animal and human heart. This is evident in the Aristotelian texts *On the Parts of Animals* and *Historia Animalium*.

³¹ Ibid, 56.

³² Ibid, 60.

After this historical outline of the main conceptions of the greatest antecedent Greek philosophers and physicians from different schools of thought, Balalykin analyzes the doctrine of *homoiomereia* as the foundation of Galen's view of the microstructure of tissue. The term and the notion of *homoiomereia* were coined by Anaxagoras of Clazomenae (500-428 B. C.), and literally means "particles similar to other particles." These particles are ontologically responsible for the birth and evolution of the material cosmos and are ruled and governed by the immaterial divine *Nous*. Aristotle makes great use of the concept in his biological writings and Galen further implements it, enriching its compass. This part of the book is extremely dense, including the testimonies from various ancient thinkers alongside the work of many contemporary scholars. He sums up the main points of "The Art of Medicine" with the obvious positive conclusion that the human body consists of various organs and tissues, observed by the physician during surgical intervention. In the discourse on the pathological processes, which are the real challenge for the art of healing, Galen, according to Balalykin, insists mainly on the following: 1. The mechanisms of development of a disease may be realized at the level of *homoiomereia*; 2. It is particularly at the level of *homoiomereia* that pathological states associated with the imbalance of essences may manifest themselves; 3. The classification of the states of the human body along the scale of the "normal and pathological" begins at the level of the particles similar to others; 4. Galen defines specific tissues as a collection of homogenous *homoiomereia* and the spaces between them.

In brief, in the first chapter, the reader encounters Balalykin's interpretation of the critical reception in Galen's writings of the ideas expressed mainly by the famous pre-Socratics and the two giants of classical Greek thought: Plato and Aristotle. The second chapter turns to a discussion of Galen's clinical experience and apodeixis, starting with a theoretico-philosophical consideration of the semiotics of diseases. Several complex conceptual problems are debated here. Obviously, the first is the thematic circle around the questions: What is a sign? What is a signifier? What is a signified? What constitutes medical and pathological semiotics? The most intriguing answers to these questions were proposed in the logic of the Stoics and the writings of some of the later Skeptics, but there are few authentic fragments from the oldest Stoics or Skeptics prior to Sextus Empiricus. Moreover, Galen dislikes and criticizes the doctrines of the Stoics in almost all their ramifications, and also opposes the negative skeptical attitude.

Before properly dealing with the polemic between the representatives of the Hellenistic schools and Galen, Balalykin opens this chapter with Galen's contemplation of the education most necessary and required for any person who wishes to become a good physician. Geometry, as the highest branch of mathematics, astronomy, "and particularly logic, which have been created by human genius, help us to find sources of harmony and consistency in nature and to discover its ideal beauty."³³ Galen's fundamental educational and didactic credo is expressed by his high appraisal of the study of philosophy. Even the title of his writing-manifesto is telling: *The Best Doctor is also a Philosopher*.

With respect to the problematic circle of the nature of the sign, Balalykin demonstrates Galen's pragmatic approach:

Galen's teachings on "the external signs" combine philosophical investigations and practical observations. The very term "sign" in Galen is highly individualised. The symptoms (or signs) of a disease and features (or signs) of the patient's unhealthy condition and behaviour make it possible to draw a conclusion pointing to a particular diagnosis and methods of treatment.³⁴

At the same time, he again underlines the philosophical and logical dimensions of the concept of the sign in Galen's theory:

For Galen, the identification and analysis of the signs of an illness is a process of establishing a logical relationship or inference (the one follows from the other in line with a certain rational principle). Usually, there is a cause-and-effect relationship between the internal changes in the body and the external sign of the disease (the one is a prerequisite of the other). Galen looks for the causes of the disease using logical constructs, by analysing external signs. Only after doing this and determining the cause can one find the correct remedy.

A sign being observed exists in itself, without being studied, but needs to be studied when the relation between the evident and the non-evident can be established.³⁵

³³ Ibid, 85.

³⁴ Ibid, 90.

³⁵ Ibid, 91.

Balalykin's conclusions are grounded in his understanding of Galen's treatise *On the Sects for Beginners*.

Another key thematic field discussed in the book is Galen's etiology, i.e. his philosophical theory of causality, applied to the art of medicine. Balalykin notes that 'etiology' in Galen's system means teachings on disease in general. Today 'etiology' refers to a combination of ideas about specific conditions under which diseases arise in particular nosological forms."³⁶ Galen's reasoning in this aspect is far from the crude, hopeless and merciless Stoic determinism, and more akin to the teleology of Aristotle. Balalykin says that "cause" for him is rather a combination of external factors that are "healthy" or "unhealthy."³⁷ From this follows his definition of "disease:" some condition contrary to nature and harming function.³⁸ In turn, this leads to the concept of a "disease symptom" as an observable phenomenon.

Galen's ambition was to be the best possible doctor. To achieve this he attempted to construct a universal system, by considering the nature of functional impediments. The human body in its normal state performs the functions of the soul and the functions of nature. As Balalykin recalls, the most important ingredient, inherited from Plato, is the tripartite structure of the human soul. The functions of the soul, writes Galen, can be divided into the sensory, the motor and the authoritative. The sensory function of the soul is manifested through the five senses: sight, smell, taste, hearing and touch. The motor function has one instrument and one mode of movement, diversified in the various organs, a job performed by the muscles. The authoritative function is manifested through imagination, memory and reason.³⁹

All these considerations are included in "The Art of Medicine" but a new ingredient is added to them – a polemic against the Methodic doctors, who fancied that there are eternal chaotically moving indivisible particles, or atoms, existing in the form of a "healthy" essence. According to this curious theory, the status of the body is determined by the proportions and combination of "good" and "bad" atoms, "health-

³⁶ Ibid, 112.

³⁷ Ibid, 253.

³⁸ Ibid, 113.

³⁹ Galen, "On the Differentia of Diseases," in *On Diseases and Symptoms* (Cambridge: Cambridge University of Press, 2006), 131-156.

bearing” and “disease-bearing” atoms, and these are randomly connected. The atomistic substratum of this view is beyond doubt. Balalykin demonstrates Galen’s struggles against this physical theory as the basis for medicine in his treatise *On Hippocrates’ On the Nature of Man*. In the latter, he establishes three main states of the body: healthy, sick and neutral. In contrast to the atomistic theory, Galen holds that the material structure of a specific part of the body is a combination of homogenous *homoiomeres* and the space between them.

In this context, Galen defines medicine as the “knowledge of those things that are healthy, those that are diseased, and those that are neither.”⁴⁰ In the paragraphs of this excellent epitome of the synergy between philosophical theory and medical practice, a synergy for which every decent physician should strive, there is one more idea: the hierarchy of the parts of the body. According to Galen, there are four parts: 1. The principals (brain, heart, liver and testicles); 2. The parts that grow out of the principals (nerves, spinal cord, arteries, veins and spermatid ducts), but do not engender others; 3. The parts that do not grow out of others, but have functions inseparable from the other organs (cartilage, bones, ligaments, membranes, glands, fat and simple flesh); 4. Those that are both related to others and grow out of others (everything else). In a quick comment here, we may say that the influence of Aristotle’s philosophy is undeniable in this doctrine of the principals in the body and everything else is dependent on them. There is one huge difference: for Aristotle, the brain is a kind of a refrigerator (*sic*) and its task is to cool the excessive heat coming from the intense work of the heart. On the contrary, Galen states that the brain is the most important *arche* in the human body.

The final part of the second chapter raises again the issue of the unity of mind and body, this being substantial and essential according to Galen. In his reasoning on this eternal problem, he combines notions from Plato and Aristotle, and, exceptionally, the Stoic demand to lead a virtuous life. Balalykin clearly presents the Platonic ideas of the two spheres of being: the visible and the invisible, or the upper level of the unchangeable and eternal (essences and ideas), and the realm of change

⁴⁰ Galen, “The Art of Medicine,” in *On the Constitution of the Art of Medicine. The Art of Medicine. A Method of Medicine to Glaucón* (Massachusetts: Harvard University Press, 2016), 223.

and flux. It is clear to which the soul belongs and in which the body is destined to abide. Nevertheless, Galen is not a dualist. In his philosophy, the statements about harmony and interaction are much more numerous than those depicting an irreconcilable struggle between the two sides of human nature.

After this, Balalykin moves to the topic that stood at the head of all philosophical concern and inquiry for all Hellenistic schools and thinkers in late antiquity: ethical teaching about what is good and bad, which are the principal virtues and which are the worst vices. As in many other cases, Galen is much closer to Plato and Aristotle, and opposes the Stoics and the atomists. A curious note here, but not ungrounded, is the parallel which Balalykin draws between some of Galen's convictions and the pious exhortations of several early Christian apologists.

The third chapter is entitled "Anatomical dissections as evidence in a philosophical polemic" and begins with an analysis of Galen's method of investigation. This chapter deals with the same authors, philosophers and physicians, and often the same texts discussed in the first and the second chapters, but here the focus and the perspective are different. How do all previous questions look when they are posited in the realm of the history of medicine, in the context of the history and methodology of science? Balalykin's overall ambition is to defend the value of the ancient medical-and-philosophical authorities, and to oppose some contemporary derogations of ancient knowledge and protoscience.

In this chapter, the focus is on the intersection of three important writings by Galen: again *On the Doctrines of Hippocrates and Plato*, the self-reflective *On my own opinions*, and the polemical survey *On the Sects for Beginners*. Serious statements emerge from tackling the problem: were there real *scientific experiments* in medical practice from Hippocrates to Galen, or were there mainly pure and simple *descriptive observations*? Balalykin studies the history of the art of healing in these centuries, as perceived and assessed by Galen, through the lens of the logic and methodology of science. One example of Galen's implementation of his theory's logical toolkit will suffice, as it relates to his descriptive anatomy. In the meticulous reasoning on the obsessive problem about the priority of the heart or the brain as the most important organ in the human body, Galen does not reprimand, but understands and explains to readers whence comes the mistake made by Aristotle, whose other ideas he shares almost entirely:

In my opinion Aristotle here used two correct premises, the first, that some considerable strength is needed for voluntary actions, and the second, that the brain does not possess any such strength. But when he adds to these as a third, taken from sense-perception, the large number of nerve-like ligament in the heart, he no longer had the patience to concern himself with the particulars of anatomy and to inquire how a nerve proceeds from the heart to each part of the body; he asserts it as if it were directly entailed in the passage that I cited ... So I think that Aristotle was also misled when he posited two true premises and a third plausibly close to the truth.⁴¹

As stated before, Balalykin proves that Galen rightly considered himself to be a follower of Hippocrates, Plato and Aristotle, which made him a good example of the late antique heterogeneous eclectic in the best sense of the term "eclecticism." When he had to choose between two mutually exclusive solutions to a fundamental problem, he just skipped it. For example, he confesses that he will not state anywhere whether he believes the soul to be immortal or not. He reaches almost impossible levels in his mingling of Platonic and Aristotelian ideas, and critically approaches the views of the three major Hellenistic schools, especially their notions of nature and human cognition, which have laid the philosophical foundations of the other medical schools: the Empiricist physicians, the Methodic physicians and the Pneumatic physicians, to whom he was more lenient. Balalykin is convinced that, for anyone interested in the history of the methodological debates between the medical schools and their pertinent philosophical affiliations, Galen's *On the Sects for Beginners* is indispensable. Balalykin devotes a considerable part of his survey to the analysis of the Empirical school as an opponent of the Hippocratic tradition, mainly due to the fact that "the Empiricist doctors provided theoretical substantiation of the pointlessness of studying anatomy."⁴² Here, a controversial issue comes to the fore: were these physicians entirely Stoics or forerunners of the Skeptics? Balalykin's selection and interpretation of passages from Galen inclines more to the first option.

A key section of the book is the one that discusses apodictics. The history of the application of the method of dissection and vivisection begins

⁴¹ Quoted in Balalykin, *Galen on Apodictics*, 175.

⁴² *Ibid*, 188.

with the authors of the *Hippocratic Corpus*, more precisely with the treatise *The Sacred Disease*, in which the features of the pathologic damage in the brains of cattle and goats, suffering from epilepsy, are paralleled to the ones in human patients. From these remote times to the practice of Galen the method progressed gradually, facing resistance mainly from the doctors of the Empiricist creed. Balalykin substantiates the narrative with a profound analysis of Stoic tenets, responsible for their antipathy: the nature of *lekton* and *pneuma*, the *cataleptike phantasia*, the four ontological concepts, the hypothetical syllogism, their inclination to use emotive literary quotations rather than anatomical observations and research.

The last two sections of the book summarize the most valuable ideas expressed by Galen in his numerous writings and are supported by his experience of anatomical investigations and surgical practice. On many occasions, Balalykin stresses the teleological principle not only as the basis of Galen's apodictics, but as a holistic understanding of the organic body's vital functions, resulting in health or disease. Here, this conception is reinforced and exemplified by references to the embryology and gastroenterology of the great Roman physician, and by many respectful links to the champion of teleological reasoning in the philosophy of life, Aristotle. In the concluding part, focus turns to Galen's clinical work and physiological experiments. Noteworthy is the importance of Rufus of Ephesus, convincingly depicted by Balalykin as a leading figure in the diagnosis and treatment of diseases, traumas, animal bites, etc.

I have only one serious terminological disagreement with the author. In several places, when mentioning the three principal tetrads, whose balance results in a healthy condition, Balalykin labels the pairs cold-hot and moist-dry "essences" or "substances"; rather, they are *properties* or *contrariedades*. Some other hesitations arose concerning the predominance of the Stoics as tutors of the Empiricist doctors, but these became an occasion to look more attentively into the ancient sources and into the commentaries on them made in the last few decades.

The synoptic impression of the book is delightful: this is a precious study, which builds bridges over abysses. These abysses do not belong to the ancient world of knowledge and cognition. They were excavated and deepened in the last two centuries by the ever-increasing distance between the natural sciences and the humanities, and by the compartmentalization of academic education and research. Dmitry Balalykin's *Galen on Apodictics*, rewards the careful reader longing for real acquaintance with the history, philosophy and logic of medicine in the European past.

Donald Phillip Verene, *The Science of Cookery and the Art of Eating Well*, Studies in Medical Philosophy, no. 3, Stuttgart: *ibidem*-Verlag, 2018, eBook, 124 pp., € 14.99, ISBN: 978-3-8382-7198-9.

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In *The Science of Cookery and the Art of Eating Well*, Donald Phillip Verene has chosen several works on food, the art of cookery, and philosophy mainly, but not only, from Ancient Greek, Latin, and Tuscan culinary cultures. He specifies that the aim of the book is to underline the importance of “home cooking”⁴³ and maintain the tradition of the art of cooking. He thereby creates a connection between ancient and modern culinary traditions and philosophy. The book is divided into four chapters, with each chapter presenting various aspects of philosophy, cooking, and eating.

The first chapter is dedicated to ancient Greek and Roman cooking, dining, and entertainment experiences. Verene, as a Vichian scholar, provides several connections between Vico’s writings and those of other authors. These include, Cicero’s *Tusculan Disputations*, Plato’s *Protagoras* and *Republic*, and Homer’s *Iliad*. Directly related to cooking, we find examples such as the *Deipnosophistai* by Athenaeus of Naucratis and Plutarch’s *Septem Sapientium Convivium (Dinner of the Seven Wise Men)*. The latter appears extensively in the second chapter. In the first chapter, all these books serve as accounts to introduce the importance of dining as the point of contact between discourse and sociality. It is possible to mention the answer of Cleodorus to Solon reported by Verene that dining is “an altar of the gods of friendship and hospitality” (*Moralia* 158c).⁴⁴ Verene argues that humans have several connections with the gods in the act of dining and its sense of

⁴³ Donald Phillip Verene, *The Science of Cookery and the Art of Eating Well: Philosophical and Historical Reflections on Food and Dining in Culture* (Stuttgart: *ibidem*-Verlag, 2018), 11.

⁴⁴ *Ibid.*, 18.

sacrifice.⁴⁵ For example, Verene claims that it is possible to see such imitation of the gods by humans in the preparation of banquets and in the pleasure of eating. In the second part of the first chapter, we find Giambattista Vico's *Delle cene sontuose de' romani (On the Sumptuous Dinners of the Romans)*, where he describes the Roman meal in detail under the "four headings"⁴⁶ of time, place, means, and order of dining. Verene introduces Vico's book and the *four headings* with a correlation to the Florentine contemporary dining tradition. Furthermore, this chapter presents a description of Florentine home cooking mentioned in *La scienza in cucina e l'arte di mangiare bene (Science in the Kitchen and the Art of Eating Well)* by Pellegrino Artusi and in *The Fine Art of Italian Cooking* by Giuliano Bugialli.

In the second chapter, Verene maintains his focus on ancient tradition based on Plutarch's *Septem Sapientium Convivium*, as a means to interpret the habits and customs of that time in relation to the nature of the human soul. Verene analyzes different aspects of dining customs and the different positions taken regarding foods such as vegetarianism and the use of meat in ancient cooking. Moreover, he considers other aspects such as what is more important between food, diners, and guests in a *convivium*; the relation between food and being with the gods; and the relevance of what is eaten as medicine for the body or for the soul. In this chapter, Verene carefully analyzes the different aspects of the art of food and of living well in the speeches of the seven wise men, as philosophers and not as simple diners.

The third chapter is dedicated to Athenaeus' treatise *Learned Banqueters* with a brief presentation of the fifteen books. Each book is dedicated to a particular aspect of dining, and Verene presents the work as a "classic for thinking through the idea of dining."⁴⁷ It is a *classic for thinking* because we are introduced to different fields of knowledge by the guests at the banquet. In this way, Athenaeus introduces the art of cooking and eating in relation to different bodies of knowledge such as philosophy, literature, medicine, law, and others still. Furthermore, the fifteen books are also divided into different features of a banquet such as wine, water, appetizers, fish, meat, and the preparation of some courses for special occasions, such as a wedding dinner. Verene contributes to clarifying Athenaeus' books on

⁴⁵ Ibid, 16.

⁴⁶ Ibid, 20.

⁴⁷ Ibid, 61.

some subjects such as table talk and the characters around the dining table acting as *parasites*. Luxury, music, and lyric poetry are not forgotten, nor are love and sexual pleasure around the dining table. Over and above that, Verene's analysis of the fifteen books examines Athenaeus' philosophy.

In the last chapter, Verene treats many works by different authors, most of them contemporary, and devotes the first part to Florentine cuisine. Verene starts by distinguishing two "epistemologies of cookery"⁴⁸ connected with René Descartes and Giambattista Vico. The Cartesian is based on right reasoning, the light of reason. The Vichian is based on a historical approach to the development of the inner principle, on tradition as a production of human activity. Italian cooking is considered Vichian by Verene because it is presented in an "unpretentious manner"⁴⁹ and eaten in a *trattoria*, a traditional Italian eatery. In comparison, French cooking is Cartesian because of its sophistication and the tradition of eating it in restaurants. Verene remarks that real Italian dishes are eaten only at home, and this is the place where it is possible to taste authentic Italian cooking. He ends the work with several presentations of contemporary authors of Italian cuisine and the relation between contemporary cooking and Apicius's *Cookery and Dining in Imperial Rome*, a Roman collection of recipes.

In summary, Verene's work makes two kinds of contributions, highlighting the handing down of the uses and customs of the culinary tradition, from ancient times to today, and the importance of philosophy in cooking and eating. *The Science of Cooking and the Art of Eating Well* provides many connections between food and philosophical thought and clarifies various aspects of them. The valuable achievement of Verene's work is to present the "self-knowledge of the home-cooked meal,"⁵⁰ rather than the contemporary fast-food and weekend restaurant, combined with the pleasures of the "taste" of the courses and conversation at the table. As Verene shows us, speaking and eating are the basis of human nature, and both can influence it.

⁴⁸ Ibid, 85.

⁴⁹ Ibid, 86.

⁵⁰ Ibid, 106.

Raymond C. Barfield. *The Poetic Apriori: Philosophical Imagination in a Meaningful Universe*, Studies in Historical Philosophy, no. 2, Stuttgart: *ibidem*-Verlag, 2020, Paperback, 172 pp., €29.90, ISBN: 978-3-8382-1350-7

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In the field of Modern and Contemporary visual art, there is a technique called “mixed media” in which the artist utilizes any existing material or object most suitable for conveying the intended meaning of the artwork. Thus, a mixed media artwork can go beyond the typical bi-dimensional artistic language, extending the use and meaning of already available materials, giving them another purpose and the capacity to express something other than themselves. In this artistic style, the artist uses a practical, everyday object as the medium for the realization of a precise meaning. By using what is familiar and already there, but in a different context, the artist is able to reach another degree of reality, by transforming the known object into something that goes beyond its old, limited meaning and purpose. From this dissonance, which is created in the mind of the audience in the bewildering encounter with the artwork, another level of reality comes to the surface. The emergence of mixed media and multimedia art techniques suggests that earlier fine art techniques were no longer able to convey the meaning that this new segment of reality revealed.

If we believe that our language is always limited to what we can see on the surface, a couple of questions come to mind: How can we properly express what our imagination shows us of the world, if there are no words that can be filled with this dimension of meaning? How can we converse with others about that which cannot be named? Indeed, as Barfield’s *The Poetic Apriori: Philosophical Imagination in a Meaningful Universe* suggests, even by using and misusing the language available to us, we participate in the discovery of new degrees of reality in which we find our

place. Imagination objectifies our experience of reality with its “artifacts.” Through an act of imagination, we are clearly “naming what shows up in the world,”⁵¹ ordering the reality we experience. The doctrine of analogia entis, on which Barfield’s concept of the poetic apriori is based, is a theory, developed by Thomas Aquinas, for speaking correctly about the most ineffable of things, that is, our unknowable Creator. Availing ourselves of the analogy of being is the only way in which we can gain understanding of our connection with God. The mind experiences the analogia entis as the only relation we can build with the Creator, and thus the only thing we can know about God. Analogia entis is therefore the doctrine of a never completed encounter, and the poetic apriori is our instrument to bring about this encounter in-and-beyond ourselves. The poetic apriori is the theory of a special kind of wish for an encounter, made through the soul’s exploration of new realities, surpassing the limits of the familiar, in search of that which is ever-greater.

The concept of analogia entis, as refined by Erich Przywara, implies the attempt to encounter God as something greater than what we can conceive and exceeding the realization of any actual encounter.⁵² The element of the poetic apriori, introduced by Barfield, gives us the possibility to experience the continuity of this impossible encounter. The experience of the inexperience of knowing, pointing beyond itself in the necessity to preserve infinity. In this, imagination’s role is fundamental, as it helps us not only to have the experience of the universe as a whole, but also to have a whole universe of experiences.

Barfield does not give a precise definition of the poetic apriori as such, but creates a theory of the art of the poetic apriori, conveying its meaning through different analogies and examples. The poetic apriori becomes a sort of invocation and a wish directed towards that which is unknown, yet somehow familiar. We can thus give direction to our desire for completeness, by trying to return to the source of our own creation through creativity. In this sense, expression is the telos of every act of imagination that gives meaning to our existence, and meaning is the material that composes reality.

⁵¹ Raymond Barfield, *The Poetic Apriori: Philosophical Imagination in a Meaningful Universe* (Stuttgart: ibidem-Verlag, 2020), 139.

⁵² Erich Przywara, *Analogia Entis: Metaphysics: Original Structure and Universal Rhythm* (Grand Rapids, MI: Eerdmans, 2014).

Shadowing the subject and its role in finding the connection with its source are the previous theories of the *analogia entis*, which have focused on the impossibility of knowing what is greater than and beyond us, such as the Creator. However, with his theory of the poetic apriori, Barfield gives the subject the tools and the power, through the use of philosophical imagination, to keep the gate of mystery open for the new and the ever-greater to infinitely come. The poetic apriori is the theory of the subject's principal role in the continuous discovery of a never-ending connection, created in the process of conversation with the source of being. The poetic apriori thus empowers the subject and, through imagination, is always pushing to a new discovery about reality.

Although art presents itself as an analogy of reality, it does not actually fill the gap between reality and the other/outside, but is an imaginative way out to another world. As Barfield points out, such a tool, like analogy, entails a reciprocity between reason and imagination. We cannot actually measure the gap between what we know and what we do not know, but an act of imagination might help us to see.⁵³ The sense of strangeness is a feeling that “arises from the sense that there is something behind, within, beneath and above the universe as it shows up for us.”⁵⁴ Again, the gap separating us from the unknowable cannot be measured immediately with the certainty of the senses, but only by acts of imagination. Similarly, the unknown is not abstracted from the possibilities of reality, in the way that, for example, a photograph is defined by the selection of a segment of reality, one which necessarily excludes other segments of reality lying beyond the frame. Maybe this could be the unsayable, said in a low voice.

The artifacts of imagination, acts of creaturely creation, can go beyond the given, reaching the concept precisely by connecting to the known: to the forgotten and the new, the past and the present. An act of imagination is thus necessary for the development of consciousness, as it recovers all the elements for advancing towards a freedom from knowing with certainty, as certainties exclude possibilities.⁵⁵

As Barfield states, “there are two forces operating in this developed consciousness. One force splits meaning into separate, isolated

⁵³ *Ibid*, 103.

⁵⁴ *Ibid*, 139.

⁵⁵ *Ibid*, 114, 130.

concepts. The other perceives resemblances among things and strives to understand what they are."⁵⁶ The latter is what Barfield does with the concept of analogia entis, by discovering the poetic apriori in the functioning of imagination, through everything that is pointing in-and-beyond itself.

The Poetic Apriori: Philosophical Imagination in a Meaningful Universe invites, incites and inspires us to discover new ways of keeping our minds open for new and greater encounters in-and-beyond ourselves. By stepping beyond the conventional use of the language at our disposal, and by keeping our minds open to the truth of mistakes, of the silence before the ineffable, we can fill the discrepancies of the world with imagination.

As an element of the analogia entis, through imagination, the poetic apriori is able to enact an endless conversation with reality; a conversation that is always in the process of reaching the indescribable. If analogia entis is openness to the new, the poetic apriori is the tool that helps us keep our reality open, in order to let the possibility of the new come in. The master key to discovering what is greater than our comprehension lies within us. It is our task to conceive the object of revelation, by letting imagination lead us to an ever-stranger unfolding of our and others' minds and worlds.

⁵⁶ Ibid, 146.

Dustin Peone, *Memory as Philosophy: The Theory and Practice of Philosophical Recollection*, Studies in Historical Philosophy, no. 1. Stuttgart: ibidem Press, 2020, Paperback, 172 pp., €39.90, ISBN: 978-3-8382-1336-1

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As the title suggests, Dustin Peone's *Memory as Philosophy* is a call to revitalize the tradition of "memory as philosophy," which has been neglected in our contemporary, technological age. According to Peone, revisiting philosophical memory is necessary to hold back the tides of barbarism and allow philosophy to move forward into new domains, grapple with the dual questions of what reality is and how to live within it, and thrive over and against the technological world. This book demonstrates the central role that memory has played in the history, progress, and transformation of philosophy, concentrating upon figures such as Montaigne and Hegel and on the possibility of holding a philosophical doctrine of memory in our contemporary age. In the first section of the work, Peone presents a theory of memory as philosophy, clarifying the meaning of "philosophy," "memory," and "memory as philosophy." Influenced by the classical understanding, he presents philosophy as the contemplation of the wondrous. Likewise, he defines memory based on the rich ancient understanding, which involves human creativity and wisdom and includes the past, present, and future. Hesiod personifies this understanding of memory as Mnemosyne, the first principle of human invention, the mother of all arts, and of the Muses (the daughters of Memory or Mnemosyne), who simultaneously hold all that was, is and shall be in memory (i.e. complete knowledge of the whole, the True that philosophers seek). Peone argues that the contemporary one-sided view of memory has lost this rich ancient understanding of the memory faculty as capturing the whole.

Following Giambattista Vico, Peone distinguishes three aspects of memory, which align with the ancient understanding: *memoria* (memory), which remembers the past; *fantasia* (imagination), which alters or

imitates things remembered; and *ingegno* (invention), which puts things remembered into proper arrangement and relationships. *Ingegno* fabricates or discovers the necessary or inner order of things and so requires a view of the whole and its parts, a view of the object's history as though upon a stage, a theater of memory. Therefore, *ingegno* is rooted in *fantasia* and the fertile images of *memoria*. *Ingegno* is not a method because it does not have rules and procedures; rather, it is playful. For Peone, *ingegno* is properly the philosophical aspect of memory; it is the crown of memory. Peone also notes that *ingegno* is not a method, it is rather a doctrine of philosophical memory that belongs to the speculative tradition. Therefore, the idea of memory as philosophy rules out several conceptions that we hold of memory, of philosophy, and of memory as philosophy. For instance, the neurobiological, psychological (e.g. memory in psychoanalysis and pathologies of memory), and many past philosophical views of memory, including Nietzsche's understanding of memory as a harmful faculty that degrades the joyous state of forgetting that soothes all pains and attains *ataraxia*.

Following a Vichian understanding of memory as the instrument to repulse degradation, Peone counters Nietzsche's view and indicates several other philosophers who acknowledge the creative power of memory. On this note, Peone underlines that memory is Vico's answer to the barbarism of reflection central to modern philosophy, evident in the philosophy of Descartes, Kant, and Locke. In reflection, the human mind can never get behind the exterior of vacuous actuality or surmount the aggressiveness of various standpoints. Thus, reflective philosophy cannot get inside the object and apprehend its essence. In contrast, Peone argues that memory is a nexus between mind and matter; it is the arena in which an objective fact is transformed into a spiritual object for the thinking subject. In other words, memory allows us to contemplate the essence of an object, cancels otherness, and overcomes critical reflection. For Bergson, who inherits this tradition of reflective philosophy, memory is his solution for getting inside the object. Likewise, Jaspers sees memory as the only means to preserve mental substance in the process of reconstitution. Memory is also the key to Montaigne's creative reconstitution of impressions and the circular dialectic that yields meaningful philosophy and ethical living. For Hegel, memory is the answer to the question about reality. It is the key to attaining self-knowledge, which is the recollection of the whole inner movement of

the self and its necessity, including all its misadventures and errors in totality. Memory is the key to the Absolute Spirit because it is through recollection that the subject takes up the object, internalizes it (*Er-Innerung*), and transforms the object or substance into the subject.

Peone is convinced that memory is the solution to our misguided contemporary technological age, which comprises methods and techniques for maximum efficiency. Here, efficiency has replaced independent thinking, technology directs thoughts, techniques have leveled humanity, autonomy has been lost, more efficient techniques have overcome the past ones, the memory of the past has become useless, and the past has become altogether dead. Consequently, technology is on the verge of canceling the entire purpose of memory. In the technological world, information replaces *memoria*, techniques of artistic production and reproduction replace *fantasia*, and so *ingegno* becomes impossible since it is founded on *memoria* and *fantasia*. Because memory has been displaced, philosophy has turned its gaze to linguistics and semantics, hermeneutics and grammatology, and even political rhetoric to retain a place in the technological world. As a result, philosophy has become integrated into technological society, and no longer concerns itself with perennial questions about good or truth, and has lost every power to initiate a holistic critique of the technological world. By rekindling memory as philosophy, which stands over and against techniques and method, philosophy will have the power to make a claim for individual memory, defy the computer with its infinite capacity for information storage, reject the external view of things given by reflection, concern itself with the past, present, and future, seek the necessary order of things, and tell us what we ought to become. Therefore, Peone advises that we must relearn the pursuit of self-knowledge, possible through self-recollection, if we desire autonomy. Philosophy can only move forward by remembering the turn which resulted in our present technological confusion and not by adopting efficient techniques.

In section II, Peone clarifies two historical lines of memory: the technical and speculative traditions. The latter views memory as a philosophical art in its own right, with Peone offering Plato's doctrine of *anamnesis* as an example of this tradition. *Anamnesis* involves learning things we already know but of which we are not conscious. According to Plato, we already have knowledge of the whole within us, and the process of knowledge is simply recollecting what we have forgotten.

Learning is, therefore, not the acquisition of new material, as the contemporary technological age would define it, but simply the recollection of what we already know but have forgotten.

Peone also understands Aristotle's *De memoria et reminiscientia* as another example belonging to this speculative tradition. Aristotle describes memory as the spiritual starting point of the ascent to wisdom. Whereas memory is concerned with the past, wisdom is concerned with the past, present, and future. Memory stores the impressions of perceived immediate particular objects, and then repeated impressions combine to form experience, which is the grasp of universals. Based on a universal movement of inference, one is able to arrive at the general axioms of a *techne*, a more general science, and a complete field of knowledge. Therefore, according to Aristotle, memory grasps the causes of all things, but a different faculty projects knowledge into the future. However, Aristotle differentiates memory from recollection. Recollection involves reasoning but depends on memory; it is memory joined to thought. Peone believes that this view of recollection captures memory as philosophy because to recollect is to search for knowledge, investigate, and deliberate with oneself, which is a form of inference. Thus, recollection plays the role of *ingegno* in Aristotle, although Peone does not explicitly mention it. Other philosophical views on memory belonging to this tradition include Plutarch's conception of memory's creative power and St. Augustine's conception of memory as the key to the search for God.

However, Peone also notes that several of these philosophers' views on memory could also be aligned with the technical tradition. For instance, Aristotle advocates memory training, and Plutarch sees memory as a means of education. The technical line views memory as a means to an end, like oratory, rhetoric, and pedagogy. This tradition advocates mnemotechnics (the art of memory or mnemonic art), serving as a method and technique for memory training. Because it is a technique, mnemonic art is opposed to memory as philosophy. However, Peone notes that mnemotechnics can serve memory as philosophy at the level of training *memoria* but is not sufficient to ascend to *ingegno*. The technical tradition of memory begins with Simonides, but many other philosophers advocate such a view. As stated above, Aristotle and Plutarch were advocates of memory training; Augustine likely employed memory training in teaching and rhetorical skills; Cicero and Quintilian outlined

the principles of mnemotechnics. For Cicero, *memoria* is an essential part of *prudentia*, and therefore cultivating and perfecting memory through memory art is an ethical obligation. Thomas Aquinas and Albert the Great synthesize the Ciceronian memory art with Aristotle's and recommend mnemotechnics as a technique for learning Christian morality. In the last part of section II, Peone emphasizes that the writings and authority of Albert the Great and Aquinas theologically restrained memory in the ascent to philosophical speculation. This hindrance facilitated the embrace of other wisdom sources that opened memory art up to a magical and creative source of reality as European thought became increasingly syncretic during the Renaissance period. Thus, during this era, *Theatrum Mundi*, memory, and divine wisdom became identical. For instance, in Camillo's theater of memory, where the whole is held in a single view (*Theatrum Mundi*), the technical line meets the speculative line, especially as regards Plato's *anamnesis* and Augustine's search for God through memory.

In section III, the last section, Peone describes the status of memory in modern philosophy, in which reflection and method replace memory as the central faculty of philosophical contemplation. However, he praises the writings of Montaigne and Hegel for teaching us how memory as philosophy can still function in a modern world given over to method, reflection, and certainty. Peone first examines Montaigne's conception of memory as monstrous because it opposes customs, norms and deconstructs the idols of human reason through the creative reconstitution of earlier impressions. On this note, Montaigne's view of memory ultimately stands against modern philosophy's main currents: certainty, reflection, methods, and techniques. Montaigne's view of memory also opposes classical memory art. For him, mnemotechnics cannot yield meaningful philosophy and ethical living; it only serves as a pedagogical tool to memorize and acquire a vast amount of information without correct application or understanding. Therefore, it only leads to learning and not education. The correct application and understanding of acquired information lead to wisdom, goodness, and judgment, and these are the proper objects of education. On this note, Montaigne argues that memory art leads to blind education, encourages deception, and has no connection to ethics. In memorization, a student's internalization, open-mindedness, judgment, and creativity are compromised by others' authority and opinions. For instance, students can re-

cite verbatim stories about virtuous action while remaining vicious. According to Montaigne, memory is ethical and leads to education and meaningful philosophy.

Additionally, in the *Essays*, Montaigne argues for a reversal of the Aristotelian view of memory as the impressions of an external object that constitute the spiritual starting point of the ascent to universal concepts. For Montaigne, memory should not be discarded after being used to ascend because the world is in perpetual motion. Instead, we should always refer back to impressions and memories for constant revaluations based on our present understanding. In this way, thoughts return to their beginnings (impressions) and possess those beginnings in a new way. Thus, Montaigne's ethical conception of memory involves circular dialectics that begins and ends in memory. In other words, impressions begin with cognition or judgment, which then returns to these impressions, investing them with new meanings. It is not only impressions that give shape to thoughts (Aristotle's view); thoughts also give shape to impressions and continue doing so as the spirit develops (Montaigne's view). This is speculative philosophy. For Montaigne, there is a perpetual chain of this circular dialectic since life and experience are in constant motion. From this, Peone concludes that the habit of standing firm in self-certainty is not philosophically meaningful for Montaigne. He sees Montaigne's memory dialectic as playing the role of *ingegno* because it gives a new order to past experience (*memoria*), which is its foundation, and places things in new relationships. Since experience never terminates and is always subject to revision, the ethical form of memory is *prudentia*.

Similarly, Montaigne argues that, because the world is in constant flux, consciousness or thoughts cannot arise except out of the flux of being. There is no fixed human essence or nature because the individual changes along with the world. Humans are animals wearing thousands of masks as the world changes rapidly. Although the self is ever-changing, every human bears the form of the entire human estate. Therefore, self-knowledge is the knowledge of the human condition as a whole and includes our individual experience, of which memory is the storehouse. Materials in this storehouse are reworked into new orders through the work of *ingegno*. While Peone's use of Montaigne on the creative role of memory is appropriate, the latter's view of self-knowledge seems to limit this creative role because it denies the possi-

bility of self-mastery and self-knowledge, thus limiting the free, playful role *ingegno* enjoys in self-discovery.

In any case, Montaigne's dialectic of memory rejects every claim of certainty and opposes the scientific approach and other currents of thought in the modern era, including reflection and critical philosophy. Consequently, Peone examines the neglect of the classical memory tradition during the modern age and notes that critical and reflective philosophy was a product of socio-political factors which contributed to the decay of the classical view. One common characteristic of all these socio-political factors was the dethronement of authority, tradition and institutions, and the empowerment of individuals. In religion, the dogmas of Protestantism, which arose out of church reformation, did not encourage the cultivation of philosophical memory. For instance, Protestantism does not accept Augustine's conception of memory as the means for searching for God and rejects obedience to tradition, which relies upon memory. The scientific revolution was another factor that led to the abandonment of the classical view, for it emphasized mathematical concepts and techniques, paying little attention to the ideas and paradigms that preceded the present moment. In politics, the rise of democracy emphasized egalitarianism and the dethronement of past authority and tradition. Instead of the latter, the authority of the inner light of reason becomes the rule directing everyone on what to do, and each generation makes its own decision about the shape of its government. In the intellectual field, an epistemological turn emerged to tackle the weakness of the human mind and establish the limits of human knowledge in the absence of authority, tradition, and institutions. Epistemology does not rely on memory but sees memory as a part of human thought, which is an object of study and not a tool of investigation. Therefore, epistemology considers memory in its purely mechanical sense, with Descartes and Locke standing at the forefront of this movement. Descartes' philosophy is, in large part, a response to Montaigne as he considers memory a mechanical process of the body rather than a spiritual faculty. In contrast, Descartes replaces memory with method and reflection, resulting in his methodic doubt, which creates a duality of mind and body. Thereupon certainty becomes the object of philosophical inquiry, the *mathesis universalis*, and the ideal of modernity. Kant's critical philosophy perfects the Cartesian reflective philosophy and carries Cartesian dualism to its *terminus ad quem*, a point where the *noumenon* (the thing-

in-itself) and *phenomenon* (appearance) can never meet. Other philosophers, influenced by Descartes, also neglected the role of memory in the modern age. For instance, Thomas Hobbes described memory as a decaying, old and fading sense, while Spinoza saw memory as an association of ideas, a view shared by Malebranche.

However, other philosophers recognized memory as philosophy. For instance, in his *New Science*, Vico refutes the Cartesian project and proposes a threefold structure of memory: *memoria*, *fantasia*, and *ingegno*. *Ingegno* is the central organ of philosophy, although it is founded on *memoria* and *fantasia*. Another important philosopher along this line is Hegel. Peone considers Hegel's philosophy as "memory as philosophy" par excellence and focuses the last part of section III on Hegel's writings to emphasize how his philosophy relies heavily on memory and to demonstrate how memory as philosophy can still function in a modern world characterized by method, reflection, and certainty. Hegel's Absolute Knowing, Peone insists, is ultimately a rejection of critical and reflective thinking, especially that of Kant, and a return to the primacy of memory. Throughout his entire system, the Absolute is always identified with recollection (*Erinnerung*). Like Montaigne, Hegel dismisses memory art for its reduction of ideas to shallow picture-thinking, placing things in an artificial order, and neglecting what is truly philosophical about recollection. Mnemotechnics is *Erinnerung* (recollection) without *Innerung* (internalization) and so inadequate for *Bildung* (education). For Hegel, memory connects the inner with the outer.

Hegel emphasizes that philosophy is the practice of discovering the necessary, inner form of things, and memory is the key to the discovery of this permanent species of truth. Truth, or "Absolute Knowing," has already occurred because there is nothing new upon the earth, as Solomon acknowledges in Scripture. All we can do is recollect the truth. Therefore, according to Hegel, to realize the truth, we must recollect: Absolute Knowing is the recollection of what has already happened and needs to come forward in its true light. In other words, recollection is the only power to attain the Absolute Idea, which is the unity of the subject and object: Aristotle's thought thinking itself. Absolute Knowing is Spirit recollecting its own development. Peone notes that, in Hegel's *Phenomenology of Spirit*, the history of the individual spirit seeking Absolute Knowing (i.e. spirit knowing itself as spirit, or self-knowledge) relies on the gallery of personal images in the service of memory. Thus,

the *Phenomenology* is the autobiography of the history of individual spirit. The gallery of images (*Galerie von Bildern*) offers a complete view of the whole, and this aligns the *Phenomenology* with the Renaissance idea of the *Theatrum Mundi*. This absolute perspective requires that one advances to a higher position and preserves the earlier stages in recollection to constitute a concrete whole. It requires that the previous stages first existed as recollected being-in-itself and were then converted to being-for-itself, resulting in the unity of subject and object. Hegel uses the image of killing and preserving, death and resurrection to describe this conversion. Recollection gazes upon the dead, dwells among the dead, takes up the dead, and transforms the dead into the recollected in-itself. Thus, true philosophical thought gives life to what is dead.

Peone emphasizes four moments of recollection (*Erinnerung*) through which Spirit attains Absolute Knowing. In the first moment, the spirit, relinquishing its concrete existence, goes-into-itself, gives its shape over to recollection, and absorbs itself into the night of self-consciousness. The second moment is the internalization or inwardization of previous images in recollection. The third moment is recognizing that the power of the internalized images in recollection gives access to Absolute Knowing. The fourth moment is recognizing that recollection, in its power to call forth images and organize them into a totality, is conceptually grasped history. Therefore, Peone notes that recollection is the secret of Hegel's dialectical leap from one stage of the *Phenomenology* to the next, and the *ingegno* is the aspect of memory responsible for this leap. Since *ingegno* is playful and not methodical, he argues that Hegel may not be as systematic a thinker as he claims. In contrast, forgetting leaves us stranded at one stage or another so that we cannot justify any assertion we make about reality. Similarly, reflective philosophy, as practiced by Descartes and Kant, cannot attain Absolute Knowing because it always holds objects at a distance.

Unlike the *Phenomenology*, which is the history of individual spirit, Hegel's *Science of Logic* is the universal history of pure logical thought, and so its form of recollection is not imagistic thinking but recollection from its own determination. In the *Science of Logic*, recollection is the faculty by which the subject apprehends essence, the truth of being, and the possible object of cognition. Through recollection, the subject annuls the character of immediate being (e.g. time and space), revealing its essence, or what being has always been (its truth), inwardizes being and

makes it its own. Therefore, it is again recollection that leads to the unity of subject and object. For Hegel, essence *was* while being *is*. Essence is the opposite of immediate being. As recollection is required to advance from one stage to the next in the *Phenomenology*, the *Logic* likewise progresses from immediate or determinate being to essence through recollection. Peone notes that this progress is the work of *ingegno*. Recollection reveals the otherness of essence, while reflection forgets its source. Recollection inwardizes the other, whereas reflection externalizes the other. In his *Encyclopedia of the Philosophical Sciences*, Hegel announces at the beginning that the purpose of philosophy is to make explicit what consciousness already knows because philosophy advances nothing new. As a consequence, Hegel acknowledges that the work of philosophy is essentially *anamnesis*, connecting his philosophy to Plato. Additionally, Hegel argues that this recollection opens one to the possibility of self-knowledge, divine, and cosmic knowledge. For Hegel, the human being, in terms of knowledge, is a living image of God, and so human knowledge is potentially divine and infinite. Through the inward gaze of recollection, the individual cognizes divine necessity unfolding in the cosmos. Through recollection, the human mind rises above nature to grasp the eternal and inwardizes what is external.

In the *Philosophy of Right*, Hegel apprehends and portrays the state as something inherently rational, such that nobody ought to impose on this rationality, which Hegel believes to be divine will. Recollection is the only means to access this in-built rationality or divine will. Although the particulars of the future are veiled, the abstract ideas of inner development can be grasped through recollection. The task of the world, during the whole course of its history, is to recollect the abstract idea of inner development. However, history does not unfold in the same way for every nation. The development of any state depends on self-recollection, the memory of the stages along which it has progressed. Each state's development depends on how much it remembers its previous stages. The absence of historical memory leads to the absence of real political development because a state will mistake the position it has reached for the Absolute. Similarly, every individual has in-built universal reason or essence. The task of philosophy is now revealed as the recollection of reason in history: philosophy as memory.

Jennifer Lobo Meeks, *Allegory in Early Greek Philosophy, Studies in Historical Philosophy*, no. 3, Stuttgart: *ibidem*-Verlag, 2020, 150 pp., ISBN: 978-3-8382-1425-2

Janos Rosenberg (University of Sofia)

In *Allegory in Early Greek Philosophy* Jennifer Lobo Meeks traces the history and role of allegory from the Presocratics to Plato. Throughout her explorations, she considers the role that allegory played in early Greek thought while simultaneously aiming to explore how such a figure of speech – saying one thing but meaning another – could be seen as integral to philosophy *in toto*. Furthermore, Meeks illuminates allegory’s interpretive and compositional technique and traditions, arguing that it “allows philosophy to render myth self-conscious,”⁵⁷ thus fulfilling philosophy’s speculative task of depicting reality via both reason and imagination.

The first chapter is titled “Speaking Wisdom Otherwise” and provides the reader with an insightful and comprehensive overview of the historical and conceptual dimensions of allegory, myth and philosophy’s speculative task, as well as the shift from *muthos* to *logos*. In its structure, it could even be said to have a genealogical character as the chapter lays out the historical-conceptual dimension, before the subsequent chapters deal with the “giants of allegory,” for instance Homer and Plato, in more detail. Meeks initially defines allegory in classical thought, as signifying “what lies behind and beyond the language it employs.”⁵⁸ As allegory is at this point synonymous with *symbolon*, the concept of the symbol, its immediate and remote truth must be decoded for its “under-meaning” (*hyponoia*), so that its inherent enigma can be solved. This characteristic gives allegory a uniquely philoso-

⁵⁷ Jennifer Lobo Meeks, *Allegory in Early Greek Philosophy* (Stuttgart: *ibidem*-Verlag, 2020), 9.

⁵⁸ *Ibid*, 22.

phical dimension as a method of interpretation and means of composition.⁵⁹

In addition, Meeks draws from mythopoeic thought the insight that the wisdom of the myth lies “in its ability to recognize the unity that underlies the many guises in which phenomena present themselves.”⁶⁰ Here, empirical-scientific world views clash with mythical ones due to differences in modality (mode or manner) and quality (properties applying to things taken singly, rather than relatively) and this constitutes the distinction between these perspectives. Furthermore, speculative philosophy is described as identifying the True with the whole and attempting to both grasp it in thought and to narrate it in language. Generally, Meeks’ explorations of the conceptual dimensions of allegory, myth, and speculative philosophy lead her to the insight that both the allegorical traditions of interpretation and composition have a teleological nature. This is in contrast to the modern perspective which attempts to reconcile experience and understanding, through both reason and imagination. Primitive man’s pure experience of living has been replaced with an indirect, rationalized perspective, leading modern man to elucidate the collective representation of the mythical tradition.

To close this chapter, Meeks discusses the shift from *muthos* to *logos* with the aim of characterizing the process through which allegory emerged out of the mythic tradition, and how the first philosophers utilized it as a tool for rational speculation. This process began with the Presocratics, but evolved through Plato, the Hellenistic philosophers, and the Neoplatonists. *Muthos* means “word” or “speech” and also denotes the unspoken or thoughts. By the fifth century BC, *logos* had various meanings, ranging from “account” or “narrative” to “speech.” Interestingly, Meeks here argues that the distinction between the two notions derives from our need to differentiate between the roles of myth and reason,⁶¹ rather than from any semantic antagonism, as the words are only really opposed in their secondary senses. This leads her to state that “the earliest thinkers utilized both allegorical interpretation and composition to bridge any real or apparent gap between *muthos* and *logos*.”⁶² There-

⁵⁹ Ibid.

⁶⁰ Ibid, 29.

⁶¹ Ibid, 34.

⁶² Ibid, 38.

fore, allegory's attempt to render myth self-conscious is elevated to being an essential component "of philosophy, its history, and its speculative project."⁶³

The next chapter takes a more detailed look at the Presocratics' role in the beginnings of allegory. The main contention here is that the Presocratics' separation from the poetic world view of the mythical age, although undoubtedly true, has nevertheless been overstated. Meeks argues that the Presocratics' break with this tradition lay in their recovery of "the origins and nature of the world primarily through the lens of reason."⁶⁴ She states that this significant break in the birth of philosophy, from myth as being the only source of wisdom towards more naturalistic explanations and deductive reasoning, is nevertheless significant. Likewise, Meeks finds agreement with Henri Frankfort, who she quotes, as this break signals "a shift of the problems of man in nature from the realm of faith and poetic institution to the intellectual sphere."⁶⁵ Meeks recaps these considerations in a section on philosophical anticipations in ancient poetry before, in a subsequent one, on the three senses of Presocratic "poetics," turning to the different characteristics of poetics in Glenn Most's framework. According to Most, poetics can be explicit or conscious.

Firstly, both Meek and Most, following Karl Popper, crucially maintain a dedication to critical discussion as regards Presocratic reflections on poetics, except in the case of the Sophists. Here, allegorical interpretation was key, e.g. in Xenophanes' and Heraclitus' rejection of the poets and their spurious methods. The second aspect of Presocratic poetics is its implicit character, which means the unconscious influence of the poetry of Homer and Hesiod. Here, Meeks and Most identify five "poetic goals" that play a significant role: truthfulness, essentiality, comprehensiveness, narrative temporality, and macroscopic form. Meeks highlights the last pillar in Most's framework – immanence – and states crucially that its special significance stems from the possibility of expressing a philosophical myth via the language of allegory.

Closing this key second chapter, Meeks describes specific instances of allegorical interpretation and composition among early Greek

⁶³ Ibid.

⁶⁴ Ibid, 46.

⁶⁵ Ibid.

thinkers (or “Presocratic allegorical practices”⁶⁶) in four conceptual stages. In the first stage, Ionian thinkers such as Anaximander subtly reflect on the poets’ works. Then, in the second stage, there is an explicit rejection on the grounds of their irrational basis, e.g. Xenophanes and Heraclitus. The third stage describes the explicit introduction of allegories by “fringe” thinkers, such as Pherecydes of Syros. Finally, Parmenides’ and Empedocles’ employment of allegorical language – an early version of the philosophical myth – rounds off the Presocratic role in the beginnings of allegory.

The final chapter, titled “Plato on Poetry, Myth, and Allegory,” examines Plato’s writings and initially turns to the operation of philosophical myth that can be found in his Dialogues. Meeks highlights that the presence of *muthos* seems confusing as it can only produce opinion (*doxa*), rather than reason (*logos*) which leads to knowledge (*episteme*), but, at the same time, allegory can “supply the imaginative dimension that philosophical discourse, taken by itself, seems to lack.”⁶⁷ She points out that allegory always acts in a teleological manner in the sense that it points to something that lies beyond it. The tension that arises requires that speculative philosophy “must capture in language the dynamic of both the imaginary and the rational.”⁶⁸ Moving on to the “ancient quarrel with the poets,” Meeks turns to Aristotle’s *Poetics* and Plato’s *Republic*, the former depicting the poet as an imitator (1451a), and the latter characterizing poetry as both problematic in content and imitative in nature. The “quarrel” emerges in Book X of Plato’s *Republic*, as his conception of *poiesis* precludes it from having the universal character attributed to it in Aristotle’s account.⁶⁹ Moreover, mimetic poetry is problematic from both a Platonic metaphysical and epistemic perspective. The “quarrel” is arguably resolved by Plato’s conception of memory, and its relationship to the imagination, as memory “rescues poetry from being considered as a strictly mimetic, and thus inferior, kind of *poiesis*.”⁷⁰ These insights lead Meeks to summarize that, for Plato, philosophy includes a kind of higher form of *poiesis*, thus supplementing reason’s superior role in speculative

⁶⁶ Ibid, 68.

⁶⁷ Ibid, 80.

⁶⁸ Ibid, 84.

⁶⁹ Ibid, 90.

⁷⁰ Ibid, 100.

philosophy with the aid of the imagination. Following Meeks' line of thought, allegorical interpretation is problematic in Plato's thought due to his undermining of the notion of the mythical, yet allegory certainly had a place in his philosophy. This very distinction – not conflation – between allegory and myth is key.

To conclude, Meeks's *Allegory in Early Greek Philosophy* shows the important role that allegory played in the emergence and structure of early Greek philosophy, from the Presocratics to Plato, as well as its relation to myth, fulfilling philosophy's speculative task by utilizing both reason and imagination.

Dustin Peone, *Shame, Fame, and the Technological Mentality*, New York: Lexington Books, 2021, 194 pp., \$95.00, ISBN 978-1-7936-4222-6

John Bole (University of Sofia)

A key theme in Dustin Peone's work, *Shame, Fame and the Technological Mentality*, is that when human life is exposed to the world without the protection of privacy and security, its vital quality is destroyed. He raises the concern that today we see the world through the lens of materialism and techniques which undermine the realm of human behavior. The technologies of today, particularly computer technologies, are no longer mere supplements to human organs but their replacements. He argues that technology controls the direction of civilization today.

For Peone, the computer replaces the organic functions of the human brain and does so with much greater efficiency. Technology has leveled human talent and transformed the manner in which human beings interact with and relate to one another. While he notes the obvious increase in the material standard of life that technology has delivered, he presents the view that, as a consequence, our current technological mentality is replacing our social culture to such an extent that the contemporary world is one of post-culture.

Peone argues that the realm of human behavior, which is not governed directly by the legal system but by socially accepted norms, is the key constitutive element of society. The philosophy of the ancients placed great emphasis on the sense of real social utility and social virtue. Peone proposes that historical fame was an honor that extended beyond local boundaries and affirmed one in one's course of action. It reinforced one's sense of pride and encouraged further endeavor, feelings that socialize. The idea of immortal fame served as a positive modifier. From the dawn of civilization, the great heroes and famous humans were centers according to which a tribe or society could orient itself. Individuals filled these roles through their character and personal excellence.

Myth and storytelling supported the necessary culture for the continued advancement of societies. This historical realm was policed by shame and character. Shame acted as a negative modifier of social behavior and isolated one from society. Peone proposes that these traditional constitutive elements of social behavior have been abandoned, and shares Vico's concern that once this stage has been reached, the likely outcome is the dissolution of society.

The observation is made that many people today seem to view shame and fame as outworn ideas. Peone suggests that today we may be shameless people with no regard to the things that once mattered to Western societies: courage, honor, good form. Thus, the sense of shame has lost much of its power to modify behavior. Similarly, the connection between fame and virtue is severed and fame no longer results in real social benefit. Fame simply becomes an end in itself and is the reward for promoting not the ethos of the integrated community, but the ethos of the individual personality.

Communication technologies, particularly social networking, are exponentially increasing the subversion of shame and fame. For Peone, the hyperreality of social media is the height of shamelessness, as the Internet allows individuals to impose their own personas upon a community of uncritical, passive human beings. He questions the employment of technology to make it increasingly easy to attain fame without any basis in personal excellence. "The heroes manufactured by the culture industry, whether film stars, pop stars, political stars, or otherwise, personify the satisfaction of personal avarice and acquisitiveness and do nothing more."⁷¹ In the contemporary world, fame is a reinforcer only of asocial and anti-social individuality. People of great spirit are irrelevant antiquities. While this fame is an index of the group's approbation, it does not carry moral authority.

Peone briefly puts forward two important considerations which warrant far greater development within the text. Firstly, this is something we need to own. As human beings, we have designed, built, and continued to develop the Internet. The Internet meets our existential need for recognition – it allows us to be seen and this expands our being.

⁷¹ Dustin Peone, *Shame, Fame, and the Technological Mentality* (Minneapolis: Lexington Books, 2021), 81.

Unaddressed is the question whether the Internet is only the enabler: is this a latent demand or something totally new?

The second consideration is that we may not realize the personal cost of these developments. The rise of social media marks the acceleration of the utter breakdown between the public and private spheres. Private life, instead of standing on its own autonomous merits, is now subject to comparison. Peone suggests that the person whose life is entirely public cannot cultivate the inner life, as the anonymous gaze of the other becomes much more intense and omnipotent. The technological society we are constructing is conducive to the success of the sociopath. Pathological narcissism is the psychological explanation for the allure of fame today. It promotes self-absorption and perverts the nature of human relationships by becoming the medium of human interaction, the medium of interpersonal life.

Peone offers two reasons for the degradation of our acute sensitivity to shame and false claims to fame. The first is technological progress, which is covered in sufficient depth. The second is intellectual enlightenment, which receives only brief coverage. No other historical phenomena are discussed. Naturally, given the title of the book, the focus is on technological society. However, more than just this is likely to influence the impact of Peone's proposals for determining the way forward.

Peone argues that new forms of control are needed and seems to offer three options. Firstly, the role of the philosopher is to give direction to the sense of shame so that all good men and women today can undertake the difficult task to resuscitate the sense of shame. Secondly, we must strive to create a new situation in which technology is once more an extension of man rather than man an extension of technology. We must instead insist that there are other modes of thought, other systems of value and other logics than the technical one. If we wish to build a sanctuary for ourselves in technological society, we must cultivate the virtues of prudence and humor as both depend on memory, imagination, and invention. A tantalizing third option is the question: are there other ways of seeing the world which stand on their own ground? If the current form of society is changing, what is the next stage of the human condition in the modern world?

Elisabeth Paquette, *Universal Emancipation: Race Beyond Badiou*, Minneapolis: University of Minnesota Press, 2020, 212 pp., \$100, ISBN 978-1-5179-0943-7

Vincenzo Filetti (University of Sofia)

In *Universal Emancipation: Race Beyond Badiou*, Elisabeth Paquette proposes an articulate thesis against the French philosopher Alain Badiou's reasoning about emancipation and race. These two crucial words, "emancipation" and "race," are the leading concepts she uses to try to demonstrate that Badiou's theorization of emancipation and political theory is limited because it cannot account for race or racial emancipation.⁷²

Although Paquette's thesis is persuasive, we could say that Badiou's arguments, at least on a purely logical level, are equally convincing. However, when the fallout of the theories on a practical level is analyzed, it is Paquette who appears the more credible and convincing. She underlines how, according to Badiou, a change that brings justice cannot arise from within a specific cultural environment because such an environment is itself incorporated into the oppressive logic of the state. For Badiou, a "new" truth must transcend a given oppressive framework, that is, the oppressive state itself. Badiou believes that true politics is not located in the state⁷³ and explains his theory under an original heading: "a subtractive theory of politics."⁷⁴ Paquette clarifies Badiou's theory by pointing out that his concern is a conception of politics that exists independently of the logic that organizes how objects are represented within a given state.

For Badiou, politics must turn to something that exists outside of the current logic or law of the state.⁷⁵ This sounds logically persuasive

⁷² Elisabeth Paquette, *Universal Emancipation: Race Beyond Badiou* (Minneapolis: University of Minnesota Press 2020), 6.

⁷³ *Ibid.*, 22.

⁷⁴ *Ibid.*, 21.

⁷⁵ *Ibid.*, 21.

but I agree with Paquette's suggestion that such a conception of politics is not reflected in reality. To agree with Badiou risks diminishing the singularity of the concept of "Négritude" and the events connected to it. Many theoretical issues also arise from Badiou's conception of race. He asserts that race is an expression of a specific cultural environment and, being a particular and not a universal concept, should be overcome to attain universal emancipation (universal justice and equality).⁷⁶ Badiou conceives of race as a particular and concrete result of racism and it follows from this reasoning that race is irrelevant to emancipation, politics, or thought, for the simple reason that race cannot rise to universality. The conceptual goal Badiou wants to reach is to affirm that it is truth alone that is indifferent to differences and the same for all.⁷⁷ Here, Badiou proposes a truly interesting theory. In his book *Saint Paul: The Foundation of Universalism*, he provides an account of identity that is bound up with the capitalist system. Identity is functional for the capitalist system, and this allows us to understand Badiou's suspicion of identity, as the oppressive state itself is the power that legitimizes the identities created by capitalism. In a similar vein, Paquette mentions Madhavi Menon, a Badiou scholar, who defines identity as the demand made by power. According to Menon, power tells everybody who she/he is, so that power can then tell them what they can do.⁷⁸

From this, we can understand Badiou's rejection of the concept of race, whether as Négritude or any form of specific identity. It also allows us to understand even more clearly Badiou's linguistic and conceptual expression: indifference to difference. For Badiou, it is not possible to arrive at any form of true universal emancipation starting from the problems, or presumed problems, of a specific racial group or a group claiming an identity. Hence, he proposes a policy that is indifferent to the requests of a group that attributes a precise identity to itself, because it cannot represent the universal demands of an entire society in which many particularities coexist. Paquette disagrees with this view, arguing that Badiou adopts an inadequate and limited conception of race. In contrast, she argues that race is not a particularity that must be overcome to achieve universal emancipation. To defend this point of view, she ana-

⁷⁶ Ibid, 7.

⁷⁷ Ibid, 30.

⁷⁸ Ibid, 31.

lyzes arguments from various authors who have highlighted the importance of the concept of Négritude, a term coined by the Martinican poet and politician Aimé Césaire. The problem of the meaning of the term “Négritude” arises from the interpretation adopted. It can be explained, according to Césaire, from a socio-economic point of view, referring to the exploitation of black people sold as slaves in North America. According to another perspective, proposed by Léopold Sédar Senghor, a Senegalese poet, politician, and cultural theorist, there exists a kind of Black essentialism, a view which has received a good deal of criticism.⁷⁹

From Badiou’s perspective, race was an invention (socially constructed, according to Sartre) that benefited white European people for exclusively economic reasons. That most of the population in Africa was black has to be interpreted as pure coincidence. Therefore, for Badiou, there is no true or real “black” race. It follows that, if there is no black identity, no black revolution would make political sense.

Paquette offers a different perspective, suggesting that race should be considered important for an emancipatory politics, and therefore should not be excluded. To clarify this position, in opposition to Badiou, she cites the Haitian revolution as an example of a political movement of emancipation. Badiou’s thesis, according to Paquette, runs the risk of falling into the trap of Eurocentrism. In this way, the emancipation problem revolves around a conception of whiteness, and it is precisely this interpretive trap that prevents a serene reading of the specificity of Blackness.

According to Paquette, if we don’t understand the particularity of the Haitian revolution, if we interpret it according to the model of the French Revolution or later Marxist theories, we cannot understand the specificity of race. Indeed, it means denying the political value of the Haitian revolution concerning the problem of race. It is precisely this interpretive line of Badiou’s that Paquette criticizes. As is well-known, the Haitian revolution was led by a group of freed slaves against the French colonial government for the abolition of slavery. Badiou’s interpretation involves a failure to recognize that the Haitian revolution was political because he does not recognize the political value in a racial revolt. For Badiou, the Haitian revolution was a political revolt but there would be

⁷⁹ Ibid, 42.

no reference to the question of race, simply because race is a particular aspect that does not have the strength to foment universal emancipation.

In her book, Paquette mentions the famous debate concerning the role of race in political emancipation that took place between Sartre and Fanon, assigning divergent roles to race and race consciousness. She asserts, echoing Fanon, that Sartre's project is limited insofar as it fails to provide a positive conception of race. Sartre empties the concept of Négritude of its soul and specificity. Sartre absorbs it into the mass of the proletariat's problems, for the simple reason that the oppression suffered by people of color falls within the broader horizon of the exploitation of the proletariat. It follows that, for Sartre, there would not be a specific problem regarding people of color, but nowadays his thesis appears weak. Paquette adds that, for Césaire and Fanon, it is necessary to situate emancipation in the concrete and the particular, and to assert that Blackness ought not to be relegated to a secondary position. For support, Paquette refers to Charles Mills's *The Racial Contract*, in which the author states that racial categories should be understood as creating, not simply racial exploitation, but race itself as a group identity.⁸⁰ Indeed, one of Paquette's most important goals is the maintenance of a category of race so as to avoid patterns of Eurocentrism, thus supporting political resistance to conceptions of sameness by affirming both universality and equality, on the one hand, and difference on the other. She proposes that a positive conception of race/racial emancipation can be understood as maintaining (at least) the following three characteristics: (a) race is relevant in peoples' lived experiences and in family and cultural relationships, (b) race ought not to be reduced to racism, and (c) race and racial emancipation ought not to be construed as something politically deficient and therefore in need of being fulfilled by something other than themselves.⁸¹

In the final chapter of the book, Paquette describes how a new form of universalism becomes possible through the affirmation of particularities, thus preserving the importance of a positive conception of race.⁸² The risk, as she underlines, is that underestimating the specificity of the concept of race leads us to fall into Eurocentrism or, at the very

⁸⁰ Ibid, 75.

⁸¹ Ibid, 81.

⁸² Ibid, 125.

least, an interpretation that considers the white man the referent for understanding any historical-cultural phenomenon.

Without siding with Paquette or Badiou, it is interesting to recall what Zygmunt Bauman tells us about identity in his book *Community: Seeking Safety in an Insecure World*. He argues that identities are also a way to erect borders, despite the desired dialogue between cultures and the alleged defense of cultural specificities.⁸³ This is a reminder that the concept of identity must be treated with “delicacy” and should not be taken for granted. Elisabeth Paquette has rightly examined various conceptual positions, with which one may or may not agree, but this examination manifests the versatility to which the interpretation of a complex concept, such as that of identity, lends itself.

⁸³ Zygmunt Bauman, *Community: Seeking Safety in an Insecure World* (Cambridge: Polity Press 2001), 16.

**Anne Dufourmantelle, *In Praise of Risk*,
New York: Fordham University Press, 2019,
ISBN: 978-0-8232-8544-0, 240 pp., \$32.00.**

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Swimming conditions were not good on that Friday, July 21, 2017, at Pampelonne Beach, in the south of France, with strong winds and high waves. Anne Dufourmantelle, a 53-year-old prominent French academic and author, went into the water to rescue her friend's two children who were drowning. She went into cardiac arrest while trying to come to their aid and died. Her death made headlines for, while she often argued that living entails risk, the risk she took that day was fatal for her.

Her book, *In Praise of Risk*, defies classification. It is not an ordinary philosophical or psychoanalytic study but an extremely original mixture of the two. Dufourmantelle, who was both a psychoanalyst and a philosopher, calls up stories and insights, many of which are personal. It is not easy to read some of these as they are fragmented; sometimes vague, sometimes confused. But this is the way dialogue between a patient and psychoanalyst occurs and Dufourmantelle remains faithful to it. She speaks a language that interrupts itself. Turning to case histories, or fragments thereof, all cut short, she cuts herself off; she acts as an analyst in relation to her own philosophical discourse. She relies on the commitment of the reader to take up this task, which she has taken on herself: to question the basis of what it means to be human. Being a Levinasian, she is always in a relation to the Other. The Other that comes before Being, both in its absent and present form. She poses the question of the Other, which is also “the possibility of turning savagery into grace.”⁸⁴

The form and content of the book are unusual. Constructed of outlined universal themes, carefully presented, and supported by original psychoanalytic situations. She is not afraid to lay bare what

⁸⁴ Anne Dufourmantelle, *In Praise of Risk* (New York: Fordham University Press, 2019), 21.

it means to be human, or what it means to search for ultimate truth. “Prayer is a state of waiting for a word that you know will not come, but that, at the same time, is there inside you, deposited there from time immemorial.”⁸⁵ Each of Dufourmantelle’s case histories depicts a patient who risked their life in order to make space for never before acknowledged or articulated experiences, and fragments of life never lived before.

Throughout *In Praise of Risk*, Dufourmantelle asks difficult questions. Some of them the reader will have asked themselves before, some of them not. Can we risk forgetting the “I” when we turn everything into a universal, without in the process foreclosing the possibility of hospitality?⁸⁶ How do we not give up all hope, when all hope is defeated?⁸⁷ The shortness of the chapters affords a space that allows us to wander in and out of the text, to take a breath and contemplate the layer that was both added and dissected. It is impossible to know where you are going to end up. The more one advances, the more one realizes that the initial question was not really understood. But to ask about the risk, and to praise risk, should not be confused with the risk that Dufourmantelle took herself that day at the beach when she tried to save those children. *That* risk was to live. Risk itself is the start of life, the moment that it starts in obscurity. Risk is the only way to relate to any possible future. The author opens up the question of “taking the risk of not dying.”⁸⁸ She moves between Maurice Blanchot and Emmanuel Levinas, Søren Kierkegaard, Elie During and Henri Bergson, posing the question of the Other. In another reflection, Dufourmantelle arrives at the hypothesis that the unconscious itself is incompatible with consciousness, not because it bears unwanted knowledge, but rather because it is turned towards the future: “Why at certain moments of our lives are we in advance of ourselves? I would like to think of the psychic reserve in us whereby we gain access to the future beyond the narrow confines of our consciousness, our class, our education, our fears, and our inability to confront alterity.”⁸⁹

⁸⁵ Ibid, 40.

⁸⁶ Ibid, 164.

⁸⁷ Ibid, 104.

⁸⁸ Ibid, 4.

⁸⁹ Ibid, 122.

However, what is the risk, par excellence, for the author? It is not that of death or the loss of life. For Dufourmantelle, this risk is opening to something hidden, which she calls “intimate,” “intimate prophecy,” or “intimate time.” Guided by her experience as a psychoanalyst, she finds that “intimate time” unexpectedly comes at moments when the possibility of death is set aside. The photograph on the cover of the book shows Philippe Petit during his notorious high-wire walk on August 7, 1974, between the towers of the World Trade Center in New York City. The high-wire artist risks falling, most of all when he holds still, when he attempts to stand in place, almost without moving a muscle. He must restrain the very momentum that gives him stability. Suspension is not the arrest of time that comes before something else happens but the event itself, the passage into intimate time where, in reality, the decision has already been made although no one knows it yet.⁹⁰

Intimacy rather than death, for Dufourmantelle, is what defines risk. The word “intimate” in French, notes the translator of the book, Steven Miller, refers to a radical or hyperbolic interiority, more inward than the heart, the heart of hearts (or what in French is called the *for intérieur*).⁹¹ The author often relies on this sense of the word *intimate*. Dufourmantelle questions the reality, the truth of belief, something which can only be verified as lived. She sees this in her work as a psychoanalyst who does not expect that “the unforeseeable might appear, arise, manifest itself, and come to transform her life.”⁹² But, if we dare take the risk, we break apart every possible reality and something else is revealed.

We live in a strange time, when the words “safe” and “secure” run through our daily life. Dufourmantelle opens another door. She asks us to do better, to relate to the Good that was there before there was any Being. And life? “Life is a heedless risk taken by us, the living.”⁹³

⁹⁰ Ibid, 13.

⁹¹ Ibid, xxi.

⁹² Ibid, 112.

⁹³ Ibid, 1.

Alexander L. Gungov, *Patient Safety: The Relevance of Logic in Medical Care*, Studies in Medical Philosophy, no. 5. Stuttgart: *ibidem*-Verlag, 2018, 136 pp., € 24.90, ISBN 978-3-8382-1213-5

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The philosophy of medicine is a burgeoning subfield of the philosophy of science. As one definition goes, philosophy of medicine “seeks to explore fundamental issues in theory, research, and practice within the health sciences, particularly metaphysical and epistemological topics.”⁹⁴ If we accept this definition, then Alexander L. Gungov’s book titled *Patient Safety: The Relevance of Logic in Medical Care* not only falls squarely within this field, but also makes much-needed contributions to its practical as well as its epistemological and metaphysical aspects. In addition, it also tries to put the clinical practice in a wider context, always keeping in mind how patient safety can be better safeguarded. This context is made explicit in the introduction, where Gungov proposes a third approach to the practice of medicine, beyond evidence-based medicine and the patient-centered approach that are the two well-known ways of care, namely a person-centered approach.⁹⁵ In this contextual approach, he is clearly influenced by the hermeneutical philosophy of Hans-Georg Gadamer. However, the core theme of the book is “the relevance of logic to patient safety and to medical care in general,”⁹⁶ where logic is to be understood in the continental and pragmatic philosophical sense.

The structure of the book reflects the will of the writer not only to provide a philosophical perspective of medical practice but also offer a

⁹⁴ Reiss, Julian and Rachel A. Ankeny, "Philosophy of Medicine," *The Stanford Encyclopedia of Philosophy* (Summer 2016 Edition), Edward N. Zalta (ed.), (last accessed on October 3, 2020) URL = <<https://plato.stanford.edu/archives/sum2016/entries/medicine/>>.

⁹⁵ Alexander L. Gungov, *Patient Safety: The Relevance of Logic in Medical Care* (Stuttgart: *ibidem*-Verlag, 2018), 10.

⁹⁶ *Ibid.*, 11.

kind of logical textbook for practicing clinicians to help them avoid logical errors and thus further enhance patient safety. The first part is concerned with the concepts of etiology and pathogenesis. Etiology can be associated with John Stuart Mill's inductive logical method. This type of thinking is primarily concerned with the correlation of events and is thus deemed inadequate since "[i]nductive methods...lead only to probable but not necessary conclusions."⁹⁷ In order to reach closer to pathogenesis, in Giambattista Vico's sense of the term, we need to use the rules of *modus ponens* and *modus tollens* and reach the pathognomic⁹⁸ cause of a disease. The Vichian approach is based on the *verum-factum* principle — which states that to be able to grasp the truth of something you need to be able to reconstruct it⁹⁹ — and incorporates three levels of causation. Mill's inductive logic is allocated to the first level, whereas Vico's pathogenesis lies on the third, with the intermediate level being that of context.¹⁰⁰ The aim of pathogenesis is not only to fully reconstruct a disease, rather than simply indicate its etiology, but also to provide a better care plan for each patient. For that to happen, Gungov suggests that pairing the Vichian principle with the speculative thinking of Hegel is the best way forward.¹⁰¹

In the second part of the book, Gungov offers an alternative way of diagnosing a patient that is neither deductive nor inductive, but rather abductive. Based on the American pragmatist and logician Charles Sanders Peirce, abductive logic “refers to the reconstruction of the cause from the effect,”¹⁰² resonating with the *verum-factum* principle. In deductive logic a clinician would go from the universal, the nosological unit, to the individual, the specific patient, through particular cases, and in inductive logic he would follow the exact opposite route. However, in abductive reasoning, the clinician starts from the individual and through the universal draws conclusions about the particular.¹⁰³ Gungov goes on to examine the methods that clinicians use, pointing out their respective

⁹⁷ Ibid, 28.

⁹⁸ Ibid, 38.

⁹⁹ Ibid, 21.

¹⁰⁰ Ibid, 47.

¹⁰¹ Ibid, 52.

¹⁰² Ibid, 58.

¹⁰³ Ibid, 61.

shortcomings before moving to the question of the affirmative inference that is critical in clinical practice. The main characteristic of that inference is that it proceeds backward, from the effect towards the cause. One other characteristic of clinical reasoning, when engaged in the task of diagnosing, is the presence of heuristics. Both these features are best accommodated within the framework of abduction and not the hypothetico-deductive method.¹⁰⁴ Abduction, in its synthesis with speculative thinking as conceived by Gungov, has three characteristics: coherence, teleology (exemplified by homeostasis), and continuity.¹⁰⁵ The levels of individual, universal and particular are combined through abductive reasoning and thus form the concept of a disease in the Hegelian sense, which is not just a logical notion but also has ontological and epistemological implications. Hegelian dialectics are in play here and they form a kind of hermeneutical circle where the direction is not only from the universal to the particular and individual, but also vice versa.¹⁰⁶ Another advantage of abductive inference is that it involves a dual truth criterion, based not only on coherence but also on correspondence.

In the third part, Gungov is concerned with the specific errors that occur during the act of diagnosis, providing a useful guide for clinicians and logicians alike. Of course, not all errors in clinical practice are related to logical fallacies, and Gungov provides possible categorizations and definitions of error at the beginning of the chapter, before concentrating on the fundamental and more informal logical hindrances in diagnostics. Finally, he directs his attention to cognitive errors, which clinicians are liable to make when they are biased towards a specific diagnosis and are not able to grasp the whole picture. This part is more practical and succeeds in showing that diagnosis is a method of interpreting a given situation and not just of discovering facts.¹⁰⁷

For Gungov, clinical medicine is an ideographic and not a nomological science in the sense that “it is interested in linking general rules with individual cases ... Clinical medicine follows the heuristics of abductive reasoning guided by the principles of coherence, continuity, and teleology and the dual criterion of truthfulness drawing upon coher-

¹⁰⁴ Ibid, 77.

¹⁰⁵ Ibid, 85.

¹⁰⁶ Ibid, 88.

¹⁰⁷ Ibid, 121.

ence and correspondence.”¹⁰⁸ His book, *Patient Safety: The Relevance of Logic in Medical Care*, succeeds in elucidating a much-needed logical approach to clinical practice, one which is bound to help both clinicians and patients to achieve a greater degree of safety. He also succeeds in providing a fruitful synthesis of philosophical ideas — Vichian, Hegelian, and pragmatist — in relation to the practical sphere of clinical diagnosis. It also raises very important philosophical issues for the science of medicine that are worth attending for anyone with an interest in this specific field or the philosophy of science in general.

¹⁰⁸ Ibid, 124.

II. ASPIRATION CORNER

Modern Views on Virtue Ethics

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Abstract: This paper analyzes some influential ideas in virtue ethics. Alasdair MacIntyre, in his work *After Virtue*, and Elizabeth Anscombe, in his controversial essay “Modern Moral Philosophy”, brought fresh ideas into moral philosophy of their time changing views on contemporary morality. They strongly influenced moral philosophers who then followed their ideas. The two philosophers criticized contemporary moral philosophies such as emotivism, utilitarianism, deontology. Elizabeth Anscombe criticized also the use of the concepts of duty and moral obligation in the absence of God as the context God had no place. For solving the quests of modern morality, both MacIntyre and Anscombe proposed that the only solution was the returning to ancient Aristotelian virtues.

Key words: virtue ethics, moral philosophy, utilitarianism, moral obligation, Aristotelian virtues.

1. G.E.M. Anscombe and Modern Moral Philosophy

The British philosopher Elizabeth Anscombe is one of the most important philosophers of the twentieth century and the disciple of Ludwig Wittgenstein, both of them being known for their profound analytical knowledge. Her writings in ethics and moral philosophy were extremely influential, Elizabeth Anscombe being one of the first philosophers formulating the contemporary theory of action (subdomain of philosophy which analyzes the ultimate nature of reality). Her essay, “Modern Moral Philosophy”, had a lasting impact on ethics with a significant contribution to the revival of the school of philosophy called virtue ethics influencing also the philosophical thinking in the field of moral philosophy. Among the philosophers influenced by Anscombe’s ideas are the Scottish philosopher Alasdair MacIntyre, in his work, *After Virtue*, Philippa Foot, in her work, *Virtues and Vices*, and Rosalind Hursthouse,

in her work *About Virtue Ethics*, in which the philosopher contends that the virtue ethics can produce v-rules, that is rules centered on virtues and vices.¹

Writing after the World War II, Elizabeth Anscombe criticized the consequentialist morality prevailing at that time challenging the foundations of moral philosophy themselves and the research in the field of ethics of that time. The philosopher argues that there is no sense in moral philosophy as long as important concepts such as obligation, justice and virtue are not sufficiently analyzed and well understood pointing to the contemporary moral philosophy about which she claims that it uses these notions without a clear meaning. In her work, “Modern Moral Philosophy”, Elizabeth Anscombe approaches the importance of acting ethically, the value of ethics in philosophy and concepts such as the moral obligation (an imperative over the individual to do or to refrain from doing something) in a society becoming more and more secularized.

1.1. The Main Themes in Modern Moral Philosophy

In Elizabeth Anscombe’s essay, “Modern Moral Philosophy”, there are three main themes: concepts of moral obligation which became irrelevant in a secular society, the critics of the contemporary British philosophers, the majority of them being consequentialists (judged the moral value of an action according to its consequences and according to utilitarian principles) concluding that without a philosophy adequate to psychology, moral philosophy becomes a sterile study².

Elizabeth Anscombe invented the term “consequentialism” in order to describe a philosophical perspective according to which a moral judgment concerning an action can be done by its predictable consequences and objects regarding this perspective by Kant’s ethics according to which an action is moral if and only if it can be done in the frame of a universal law. Elizabeth Anscombe formulated new ideas which were to become a new branch in ethics: *virtue ethics*.

Getting a Catholic education, the British philosopher posed some

¹ Rosalind Hursthouse, *On Virtue Ethics*, (Oxford, Oxford University Press, 2001), pp.36-42

² G.E.M. Anscombe, “Modern Moral Philosophy,” in *Philosophy* 33, no.124, 1958, p.1.

ideas from the Christian tradition which could produce moral laws including the obligation and the duty, and the distinction between actions which are morally correct from those which are morally wrong. Having a firm faith in God, the British philosopher does not dispute the divine power but contends that a secular society cannot use the language of Christian ethics anymore. The word “ought to”, for example, or related notions such as “moral obligation” (things we are obliged to do on the basis of their morality) cannot be used anymore as the secular societies through their own nature are departed from God. “Ought to” denotes the command of a moral authority that used to be God, but in a secular society, God is not anymore the voice of the authority commanding how we should behave. Therefore, according to Elizabeth Anscombe, without any connection with God, such words lost their former meaning.

A second theme of the essay is that it is impossible to make difference between the British moral philosophers of the last 75 years, lacking any authentic debate in moral philosophy of the time, all of them being adepts of consequentialism in opposition to Christian morality which had dominated Europe for almost 2000 years and according to which certain actions were immoral regardless their consequences. The solution suggested by Elizabeth Anscombe was that moral philosophy needed an alternative model based on psychology, contending that excluding God, there cannot exist any interpretation of what is morally correct or wrong and ethics cannot be based on the divine commandments in this case. Instead of the divine commandments, the British philosopher proposed the return to the secular concepts of practical reason, virtue and justice derived from Aristotle’s works. This way, an action instead of being morally wrong could be seen as unjust.

1.2. The Critics of Contemporary Moral Philosophies

Virtue ethics is an approach to ethics which defines the good life in terms of acting and being obtained according to virtues like justice, wisdom, generosity. Consequentialism is a perspective according to which an action is morally relevant only in terms of its predictable consequences and, in certain situations, any rules of behavior can be broken. “Modern Moral Philosophy” is an attack on consequentialism which was derived from utilitarianism and on the ethics derived from the work of the German philosopher Immanuel Kant, which Elizabeth Anscombe describes as immoral or, simple, incoherent, considering that a wider

and universal morality would not depend on the fluctuation of the decisions of a majority. In the contemporary world, accustomed with the challenge of death of civilians in international open conflicts in the name of a higher good, the British philosopher offered a radical alternative putting the accent on justice, wisdom, and the temperance of actions rather than on their consequences.

The author of “Modern Moral Philosophy” took into account four approaches of the moral philosophy: consequentialism which focused on the consequences of an action only, Kant’s ethics focused on the individual determination concerning the moral norms and rules to adopt, duty being at the basis of any moral action, the ethics of the divine commandments focused on the submission to God’s Law representing an approach of the Christian morality, and virtue ethics, the moral perspective of the ancient Greece, focused on understanding and developing the virtues, considering that the target of ethics was the development and the practice of the virtues defined as dispositions of character expressed in human actions, such as wisdom, temperance, courage, justice, prudence. Elizabeth Anscombe analyzed and criticized the main philosophies of the ‘50s; she considered consequentialism to be profoundly morally problematic and she proposed its replacement with a return to the Aristotelian approach of ethics supported by psychology.

Consequentialism, usually known as utilitarianism, was developed by the British philosopher Jeremy Bentham who, in his work, *An Introduction to Moral Principles and Law* (1789), sustained that “pleasure and pain are the two masters of humanity/ mankind in competition who govern us in all that we do, in all that we say and in all that we think.”³ Bentham also suggested a way to calculate the morality of an action according to the pleasure produced by that action or to prevented or reduced pain. Bentham’s student, Stuart Mill, developed this theory even more in his influential book, *Utilitarianism* (1861).

According to Kant, the individual produces moral norms for himself based on that which any rational person would do in a given situation (the categorical imperative). For example, a rational person never chooses to lie, because if he lies in order to cheat somebody then implic-

³ Jeremy Bentham, *An Introduction to Moral Principles and Law*, (Oxford, Clarendon Press, 1907).

itly he supports others to lie to him when it is in their financial advantage. This way, the capacity to distinguish between truth and false would be lost and people would live in a world which no rational thinker would choose.

Aristotle sustained that a good life characterized by *eudaimonia* (happiness or blessing) is the supreme good for the human being and it can be obtained through cultivating the virtues such as courage, honesty, justice, prudence, wisdom, temperance, compassion. But virtue ethics was not conceived on being good as a mental state, but on doing the good (doing good actions), this being the key of Aristotle's belief in the virtuous activity.⁴

1.3. The Return to Aristotle's Ethics of Virtues

In her essay, "Modern Moral Philosophy", Elizabeth Anscombe contrasted all the forms of the moral philosophy with Aristotle's view and then she suggested giving coherence to moral philosophy by invigorating the notion of virtue, sustaining that "After all, it is possible to advance towards the consideration of a concept of virtue with which I suppose we should begin the study of ethics."⁵ The main research in "Modern Moral Philosophy" refers to the nature and meaning of the *moral obligation*. The author rose the question in a challenging and unique mode showing that moral obligation and moral necessity had no meaning in philosophical discourse of her time. She argued that the term of moral obligation was remnant from the Christian belief in which the divine authority was that who gave the laws; God being the supreme authority, power and wisdom, the Creator of the moral obligations, we should behave according to his commandments. Consequentialists did not believe in God, or, even if they believed, however, they did not believe that the divine authority created moral obligations, but they used the Christian concept of moral obligation without explaining its meaning. Elizabeth Anscombe suggested that the moral philosophers should have given up using the terms they took from Christian morality (a sys-

⁴ Aristotle, *Nicomachean Ethics*, (Cambridge, ed. Roger Crisp, Cambridge University Press, 2014).

⁵ G.E.M. Anscombe, "Modern Moral Philosophy", in *Philosophy*33, no.124,195, 1958, pp.12-13.

tem based on the divine authority in which people ceased to believe) using instead the concepts of *virtues*.

Anscombe's revolutionary idea was that the current moral sense of terms such as "necessity", "obligation", "correct", "wrong" or "duty" was incoherent and unnecessary. This moral sense did not exist at all in Aristotle's work focused on the nature of virtues and on their role in a flourishing human life. The absence of moral obligation in Aristotle's works shows that a coherent theory of ethics does not need such a concept. This concept appeared as a product of Christianity, 2000 years ago, and its meaning depends on the belief in a divine legislator, God, because the existence of a superior power and authority is necessary to create a law as well as to impose an obligation. This way, the philosophers were given the possibility to choose to return to religious belief regarding ethics or to abandon obligation and necessity in the favor of more complex concepts such as virtues, vices and others, which was unprecedented at that time.

The main purposes of the essay "Modern Moral Philosophy" are philosophical and public; from the philosophical point of view, the work presents an analytical approach, with accent on language and definitions having a historical approach as well. The British philosopher was interested in the challenge of the words such as "ought to", but she was also interested in the clarification of certain concepts. She used the moral philosophy of Aristotle as a protection and as an argument against the modern moral philosophers: "Anybody who knows Aristotle's ethics and read works in modern philosophy must be surprised by the strong contrast between them."⁶ Elizabeth Anscombe contends that the ethics of the divine commandments as well as the ethics of Aristotle claim that it is bad to be unjust, while the consequentialists always allow circumstances in which doing unjust acts is correct: "A man is responsible for the bad consequences of his evil deeds, but he does not get any credit for the good ones; and, in contrast, he is not responsible for the bad consequences of his good actions."⁷

An action which is not sufficiently described or explained can be morally misunderstood. In terms of morality, the way in which we look

⁶ G.E.M. Anscombe, "Modern Moral Philosophy", in *Philosophy*33, no.124,195,1958.

⁷ Ibidem, p.10

at the same action is different in different circumstances. For example, the destruction of one's house is usually considered a bad thing; however, if this is done in order to prevent the extending of the fire from a house to another in a village, the circumstances change and the way we look at the same action in moral terms also changes. The consequentialists would state that the predictable consequences (the salvation of other houses in the village) makes the unjust action correct from the moral point of view, but for Anscombe, that which makes a crucial difference is *the intention*. The British philosopher claims that the nuanced description of the action would mean that it is incorrect for an unjust action to be presented as being moral through its predictable consequences, as the consequentialists would claim.⁸ All that Elizabeth Anscombe saw as a general moral decline in the civil society, she considered as derived from consequentialism which gave permission for any kind of action, even seeming immoral, on the basis of its predictable consequences. Her worry regarding the consequentialism reached beyond philosophy entering the problematic arena of the public morality.

1.4. The Significance of Anscombe's Philosophical Ideas in Moral Philosophy

Anscombe's innovation in moral philosophy was the application of Aristotle's thinking to our contemporary problems. She analyzed Aristotle's virtue ethics which constitutes an approach based on the observation of the important values and concepts like wisdom, justice, courage, temperance, honesty which do not require either the concept of obligation or a divine legislator. The British philosopher considered that the moral philosophers were dealing with a dilemma: to return to a form of faith in a divine legislator or to follow a version of Aristotelian ethics of virtues.

Elizabeth Anscombe was the first philosopher suggesting that the moral philosophy have to return to the ethics of virtues. She was able to reconcile the rigid Roman-Catholicism with the teachings of Frege, Wittgenstein and Aristotle. Due to the fact that her thinking was so different from other moral philosophers of that time her ideas had the status of novelty and they gradually gained support. In her essay, "Modern

⁸ Ibidem, p.13

Moral Philosophy”, the British philosopher identified two elements with universal application: the first was a general analysis of the concept of morality and of the relation between the moral obligation and a supposed divine legislator; the second element was the contrast between the consequentialist approach of ethics and the approach based on virtues. The moral obligation had been deprived of its original meaning through the rejection of Christianity. Elizabeth Anscombe initiated the movement for virtue ethics in moral philosophy and she supported the return to the ethics of virtues as a logic conclusion of the contemporary quests in clarification and substantiation of central concepts in ethics.⁹

“Modern Moral Philosophy” is a key point for the beginning of the studies in virtue ethics and moral philosophy; it contributed to the transformation of moral philosophy in the 20th and 21st centuries, the essay having a great capacity to inspire the philosophers to initiate research in virtue ethics which continues to grow in popularity and academic rigor. The virtue ethics is the beginning point in fields such as political philosophy and applied ethics, a subdomain of moral philosophy centered on the application of moral principles to concrete situations containing subdivisions such as bioethics and ethics of technology investigating problems in the field of medical ethics and environmental ethics.

2. Alasdair MacIntyre and the Return to the Classical Values

The Scottish philosopher, Alasdair MacIntyre is a supporter of small communities having as a purpose a good life in a social community with the others, an idea which is contrary to the endemic individualism of liberal thinking. His work, *After Virtue*, is addressed to the fail of capitalism to offer a structure for a good moral life for the individual and community. *After Virtue* is considered the most important and the most influential work by MacIntyre offering a revolutionary perspective in the field of moral philosophy, attacking all the important thinking schools in the field of moral philosophy: liberalism (founded on rights, freedom, equality for each individual), utilitarianism (based on the idea that the best action offers the best benefit for the most of the people) and deontology (an approach of moral philosophy with accent on duty and

⁹ Daniel C. Russel, *The Cambridge Companion to Virtue Ethics*, (Cambridge, Cambridge University Press, 2013).

moral obligation). MacIntyre not only analyzed these schools of thinking of moral philosophy, but he also scrutinized the religious aspect, especially Christianity, and political ideologies such as Marxism, which he approached from historical and multidisciplinary perspectives, from the Ancient Greece to Shakespeare and from Jane Austin to global financial markets and contemporary political maneuvers.

MacIntyre adopts an innovative method called *historicism* in which the philosopher studies the history of moral traditions by investigating rival moral traditions. MacIntyre's historicism was developed for two major motifs: the first consists in explaining the way in which a moral system, like other human phenomena, is a part of social life, "the moral concepts are embodied and partially constitutive to the forms of social life. A way to identify a form of social life as distinguished from other is the identification of the differences between the moral concepts of the two societies".¹⁰ In other words, ethical theories cannot be separated from historical, political and social facts. The second motif for using the historicism was the necessity to avoid the universalism in ethics (the supposition that one's morality is absolute and relevant for anybody) and the relativism in ethics (the belief that no morality is better than other), as well. The historical study helps us to understand the strong parts and the weak parts of moral systems which appeared along the history and to compare them.

According to Alasdair MacIntyre, in the circumstances of non-existence of a generally accepted standard, moral judgments can be done only taking into account the ancient role of virtue. *After Virtue*, his controversial work regarding the theory of moral thinking and moral behavior, constitutes a diagnosis of the moral philosophy of the 20th century. His controversial ideas opposed the liberal philosophy in modern politics approaching moral philosophy from historical perspective that emphasized the *historic context* in which the philosophic argument appeared.

MacIntyre started from the fact that modern moral philosophy failed in its trying to explain what the human being must do in order to live a better life. He exposes two main arguments. The first is that the moral philosophy became a subject of relativism and, despite the fact

¹⁰ Alasdair MacIntyre, *Short History of Ethics*, (New York, MacMillan Publishing. Co. Inc., 1966).

that there is no moral foundation, the politicians and philosophers continue to formulate statements and decisions about which they claim that are based on moral authority. Due to the fact that there is no agreement regarding what represents the basis of this moral authority, there is *no coherence* between the different perspectives in this sense, moral judgment being reduced to something a little more than an empty language based on manipulation. The Scottish philosopher calls “culture of emotivism” the belief that the moral statements can be reduced to emotional responses of approval or disapproval.

The second argument is MacIntyre’s opinion that the affirmation that a universal approach of moral philosophy could exist is false, arguing that it is not possible to find an approach of the questions regarding morality which can give a definition of a concept like justice, for example, which can be applied to all societies. Contrary to this idea, John Rawls considered that a universal approach of moral philosophy can be acquired through the method of “*ignorance veil*”, people forgetting any personal interest, taking into consideration justice without prejudices. MacIntyre considers impossible the obtaining of such a “veil” offering as an original solution the returning to Aristotle’s concepts regarding the practice of virtues, morality and politics in order to replace what is considered as dysfunctional system of moral philosophy with Aristotelian ethics of virtues which emphasizes the importance of virtues like prudence, justice, temperance, courage, compassion in the life of those able to act morally.

MacIntyre specified that the ethical system known as virtue ethics is not only older than ethical systems dominating modern thinking, but it is also the most capable to solve the moral disputes which characterize the modern world. His main purpose was to promote an understanding of morality for the individual and for the western culture, as well. Aristotle supported a moral system based on the life of a small community called *polis* (the Greek word for “citadel”) and this must have resonated with the small scale culture of MacIntyre’s ancestors. His work represents his abstract philosophical education and also his Scottish community descent, as the author argues abstractly in the favor of the philosophical superiority of Aristotle’s ethics and for the fact that Aristotle’s philosophy must be applied to small societies.

MacIntyre’s analysis of moral and political philosophy brought the virtue ethics formulated by Aristotle to the center of attention restoring

its relevance in the 20th century; he followed the view of Elizabeth Anscombe, developing the concept of virtue and explaining why the virtue was necessary for a moral accord. His arguments regarding the nature of virtues, the description of virtues place in the social life and in politics, as well as his critiques of modern moral philosophy constitute a coherent moral system which must be taken into account by any philosopher studying virtue ethics.

2.1. MacIntyre and the Main Theories of Contemporary Moral Philosophy

After Virtue tries, first of all, to answer the question "What is a good life?" in the context of the crisis of modern morality and of the disagreement between the main theories of the moral philosophy (deontology, utilitarianism and virtue ethics). The deontology, developed by Kant in the 18th century, emphasizes the duties; in the 20th century, Kant's view was reaffirmed by John Rawls in his work, *A Theory of Justice*, in which he argued that the justice is essentially linked to equality, supporting a concept of justice that was supposed to transcend all the cultures and times. John Locke's view reappeared in Robert Nozick's work, *Anarchy, State and Utopia*, in which he argued that justice was linked to the right. The British philosopher Elizabeth Anscombe showed that justice was a virtue: "In order to prove that an unjust man is bad it is necessary a presentation of justice as a virtue...and how it is linked to the actions in which is considered".¹¹ Utilitarianism, conceived by the British philosopher Jeremy Bentham and by his student, John Stuart Mill, was based on the opinion that only the consequences of an action decide if it is right or wrong.

Virtue ethics, dating from ancient times, affirmed that ethics acts firstly according to virtues that are moral qualities leading to right actions. In the 4th century BC, the Greek philosopher Aristotle of Stagira argued in favor of a moral philosophy based on virtues, this being linked to the teleological concept regarding the human nature supposing that the virtues exist for a purpose or goal; they help people to realize the behavior characteristic to human beings. For example, the virtue of cour-

¹¹ Gertrude Elizabeth Margret Anscombe, "Modern Moral Philosophy", in *Philosophy* 33, no.124, 1958

age helps people to protect themselves and their beloved and the virtue of justice helps them to solve disputes. Aristotle's list of the most important virtues includes temperance, prudence, courage and justice constituting profound aspects of the character of a person having a right behavior. According to this system, the reason or the goal of moral life is not only to do correct deeds, but also to become the type of person for whom the right actions are natural and they are done for their sake only. For Aristotle, politics was tightly linked to a moral search as virtues were necessary not only for the individual flourishing but also for a useful participation to the life of society. MacIntyre argued that only understanding *how* the moral concepts were lost, could they be restored; a moral philosophy could be reestablished only recovering certain concepts from the history of thinking.

2.2. The Moral Debate and MacIntyre's Historical Approach

MacIntyre's historical approach was connected with several philosophical debates seeking to expand the goal of moral philosophy and establish the superiority of a view over another. The philosopher regarded the moral debate as one that cannot be solved both from an academic point of view and from an ordinary point of view. For example, he discussed the fact that there were incompatible moral positions regarding topics like abortion, redistribution of value and ethics of the war.¹² The author argued that it was difficult to solve anything as long as a common system of appreciation did not exist; the purpose of his quest was to find a generally accepted agreement. What happened to moral philosophy was a total fragmentation of language and of moral practice in the modern world:" the language and the appearance of morality persists even if the integral substance of morality was fragmented to a great extent and partially destroyed."¹³

MacIntyre was convinced that, even if our culture made affirmations and moral judgments, the systems that supported morality together sometime, now were separated. The result of this fragmentation which became a key problem of the modern world was the intrusion of *emotivism* in our culture. According to emotivism, moral affirmations

¹² Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.6-7

¹³ *Ibidem*, p.5

can be reduced to emotional responses of approval or disapproval. Despite the fact that he did not believe that everybody accepted emotivism consciously, the fact that he called “incommensurability” the debate in modern morality which has no rational means of resolution suggests that, in fact, our culture is emotivist in practice.

In *After Virtue*, the philosopher argued first that modern moral philosophy was characterized by two factors: incommensurability (impossibility to solve the differences in the most simple moral formulations) and emotivism (moral judgment is nothing more than a statement of agreement or disagreement).¹⁴ The second theme was addressed to the enlightenment project of justification of morality begun in the 18th century inside the enlightenment characterized by the *return to reason*. The philosophers were looking for a rational basis for morality in order not to depend on theological perspectives, that is they did not wish to suppose that there was an inherent goal, a destiny or a role for humanity. The third theme was the return to Aristotelian ethics of virtue in order to solve the disagreements of morality.

MacIntyre presented the modern moral philosophy as being almost in total disorder.¹⁵ The moral statements, the motifs and our daily moral life were stripped of their previous clarity and understanding by the domination of emotivism.¹⁶ The philosopher admitted that many people made statements which cannot be justified rationally. Emotivism was the cause of disagreements and of the lack of a rational agreement. After addressing moral incoherence, the author focused his attention on its historical causes identified in the failure of the enlightenment project to explain the traditional morality and he quoted three thinkers who approached this project: David Hume, who thought that the *human feelings* were the basis of the moral philosophy, Kant, who sought to ground the morality on *reason* only, while the Danish Soren Kierkegaard stated that morality can be grounded on the *individual will*.¹⁷ These three philosophers denied the teleological conception of human nature, according to which this is decided and defined by certain goals or functions in our behavior. The last main theme was that the Aristotelian ethics of virtues

¹⁴ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.11

¹⁵ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.2

¹⁶ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.22

¹⁷ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.36-50

could give the necessary background and rational foundation for the moral statements. For MacIntyre, the virtues were necessary for fulfilling the social roles in community.¹⁸

2.3. The Significance of MacIntyre's Philosophical Ideas

MacIntyre affirmed that there was no morality as such.¹⁹ Thinking in terms of traditions, the grouping of some sets of moral statements is possible and considering them from sociological point of view, as well. Among the ideas supporting this argument is that of practice which is defined in part by its social teleological nature referring to a coherent and complex form of cooperative human activity socially established with its own set of “*internal goods*”²⁰ forming an intrinsic part from what makes the practice worthy, being realized during the trying to acquire those standards of excellence specific to that activity. For example, tennis and architecture are practices as they imply a set of internal goods, but not the driving or the profit increasing. In contrast, the “*external goods*” can be obtained without commitment in that specific practice. Linked to MacIntyre's concept of practice is his understanding regarding virtue, a developed characteristic that enables the human being to obtain those goods which are internal for practice and their absence prevents him to obtain such goods.²¹ For example, courage for a soldier or compassion for a nurse are vital for their practice to be successful. Therefore, virtues are crucial to reaching success in various practices or activities.

Another idea is the philosopher's concept of tradition in moral research which is important for his argumentation. MacIntyre thinks that moral statements and the arguments are intrinsic linked to certain historical, social and political conditions. In other words, in order to understand and analyze moral statements, first, we need to understand *the context* in which they appeared. According to MacIntyre, the final purpose of the philosopher should be to contribute to the moral and social life of community.

In *After Virtue*, MacIntyre criticized the evils of the modern world

¹⁸ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.196-97

¹⁹ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.266

²⁰ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.187

²¹ Alasdair MacIntyre, *After Virtue*, (London, Duckworth, 2007), p.191

offering controversial solutions as a remedy.²² He was convinced that the Aristotelian Thomas Aquinas, the 13th century Italian theologian, was even more consistent than Aristotle in exposing the virtues: "I became a Thomist after writing *After Virtue*, in part due to the fact that I convinced myself that Thomas Aquinas was, in certain aspects, an Aristotelian better than Aristotle, Thomas Aquinas being not only an excellent interpreter of the Aristotelian texts, but he was capable to expand and deepen Aristotle's *Metaphysics* and the moral quest, as well."²³ Another change in MacIntyre thinking caused by Aquinas' writings was the conviction that the virtues can be explained according to the principles of teleology, that is the removing from the idea that the virtues are necessary and can make possible a certain social finality. Aquinas' writings led MacIntyre to investigate how our animal nature makes us dependent on the others. The idea of *dependence* completed the explanation regarding the way people develop their virtues.

After Virtue is one of the key texts in the revival of virtue ethics in moral philosophy. MacIntyre overturned the role of relativism in society and he contended that small communities are less predisposed to oppression than the modern bureaucratic state. His work also helped a certain revival in Christian theology and in the movement of the monastic life revival (as the monastery is also a small community). He considered that history was essential for the moral philosophy, all moral concepts and arguments springing from their social and historical context. His methodology, known as historicist, had a major impact on many influential thinkers in the field of political philosophy.

²² John Horton, Susan Mendus, *Alasdair MacIntyre, After Virtue and After*, (University of Notre Dame Press, Indiana, 1994).

²³ Alasdair MacIntyre, Prologue to the third edition, *After Virtue*, (University of Notre Dame Press, Indiana, 2006), x.

Language and Legal Interpretation: How Flexible the Law Can Be

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Abstract

What is the relationship between language and interpretation of the law? How can the law be affected by different cognitions and understandings? The concept of linguistic relativity suggests that a particular speaker's language influences their cognition or their worldview. While this concept has been adopted and widely applied in other domains, relativism in law has never been adequately outlined and described, even though this hypothesis is more applicable in the legal profession than in any other field. This paper uses the concept of linguistic relativity and sees legal language as a special language game in order to demonstrate that the law is an interpretative discipline.

The theory of language game—including Wittgenstein's notion that words can take various interpretations and meanings in different languages—will be taken into account. In practice, particular laws can be interpreted differently in different jurisdictions. This paper discusses cases that support the validity of this perspective. In the conclusion, the lessons learned from the cases will be presented. It is clear that both linguistic relativity and theory of language games influence interpretation of the law in some ways.

Keywords: linguistic relativity, theory of language games, law, legal interpretation.

1. Introduction

The influence of language on cognition or the world view of humans can be traced back to the beginning of thinking. Because language and

thought are intimately related, some close connection has been suggested.¹ This concept inspired many thinkers to consider whether manipulating language could influence thought. Does language have its own meaning, or is it just a tool? While the concept of linguistic relativity has been adopted and widely applied in other domains, relativism in law has never been adequately outlined and described, even though this hypothesis is more apt in the legal profession than in any other field. This omission is regrettable because the rules concerning legal interpretation are an assorted mixture of authority principles, maxims and conventions, creating sets of complex dilemmas.² Therefore, it is intriguing to explore the relationship between language and interpretation of the law.

Here are some points presented on the relationship between language and interpretation of the law:

- Poscher asserted that ambiguity and vagueness are the major challenges of legal interpretation.³
- Holmes wrote that a word or a phrase contains several meanings, as evident in dictionaries. He notes that one has to consider the sentence in which the word or phrase stands to determine which meanings can be applied to a given situation.⁴
- Smits claimed that the law, just like religion and literature, is an interpretative discipline; for example, written contracts, treaties, and legislative statutes can be ambiguous or vague so that room for interpretation is guaranteed. Furthermore, interpretation usually occurs implicitly in contract laws, even without the associated parties to the contract realizing it. Parties to a contract may differ explicitly on what they agreed on.⁵

¹ Jordan Zlatev and Johan Blomberg, "Language may indeed influence thought," *Frontiers in psychology*, 6, 1631 (2015), 1.

² Christopher Hutton, *Language, meaning and the law*, (Edinburgh University Press, 2009), 1-81.

³ Ralf Poscher, "Ambiguity and Vagueness in Legal Interpretation," *Oxford Handbook on Language and Law*, eds. Lawrence Solan and Peter Tiersma (Oxford University Press, 2011).

⁴ Oliver Wendell Holmes, "Theory of Legal Interpretation," *Harvard Law Review*, 12 (1899), 417.

⁵ Jan M. Smits, "The Law of Contract," *Introduction to law*, eds. Jaap Hage and Bram Akkermans (Springer, 2014), 62.

- Vermeule argued that in institutional legal interpretation, the question should never be: how should a word or a phrase be interpreted? Instead, the question should be: what procedures could an institution use to interpret the text?⁶

In the following sections, the concept of linguistic relativity will be introduced first, and then the meaning of language in law will be explored. Also, the idea of legal language as a special language game will be discussed. Lastly, as evidence, several cases will be brought up for the analysis.

2. Concept of Linguistic Relativity

The concept that language influences how people perceive the world has historically been referred to as the theory of linguistic relativity, the Whorfian's or the Sapir-Whorf hypothesis.⁷ According to Everett, the linguistic relativity hypothesis refers to a principle suggesting that a particular language a speaker uses influences their cognition or their worldview.⁸ In other words, patterns of thought or people's views vary and are relative to the language they use. For instance, Whorf claimed that the Hopi language has no words that describe time (such as months or days), and thus the natives perceive the concept of time differently from English-language speakers. Similarly, the English language uses a similar term for wind-driven snow, slushy snow, on-the-ground snow, melting snow, and snow that resembles ice. In contrast, the Eskimos have different words for all the many forms of snow, suggesting that their perspective of snow is different from English speakers.⁹

Duranti writes that linguistic relativity began as a concern for proper grammatical system representation that could not be described

⁶ Adrian Vermeule, *Judging under Uncertainty an Institutional Theory of Legal Interpretation* (Harvard University Press, 2006), 1.

⁷ John A. Lucy, "Sapir-Whorf Hypothesis," *International Encyclopedia of the Social & Behavioral Sciences* (Second Edition), ed. James D. Wright (Oxford: Elsevier, 2015), 903-906.

⁸ Caleb Everett, *Linguistic Relativity Evidence Across Languages and Cognitive Domains* (Walter de Gruyter, 2013), 1-8.

⁹ Benjamin Lee Whorf, *Language, Thought and Reality: collected papers of Benjamin Lee Whorf*, eds. John B. Carroll, Stephen C. Levinson and Penny Lee (The MIT Press, 2012), 14.

using various European languages.¹⁰ From his point of view, linguistic rules and guidelines are often unconscious, and it can be a challenge to exploit the logic of linguistic frameworks and change it to one's liking.¹¹ In this regard, linguistic relativity can be viewed as a way of evaluating the power that words have over people or groups. People rely largely on public code to express their unique experiences that they have zero or little control of. This view is shared by Everett. He first asserts that it is often challenging to transfer a thought or a concept between languages even if a person can speak all languages fluently; one or two concepts will be missed even if the translation is carefully deliberated.¹² Also, he noted that even a single phrase might be a daunting task to translate into many languages, as certain dialects tend to lack certain words.¹³ The notion that language influences thought is evident in attempts to translate a joke. Attempting to translate a joke is a near-impossible task, as it is difficult to capture the foundational concept of humor interaction in a target language; a joke ceases to be funny if it must be explained. This alone implies that the satirical facets of each interaction's context cannot be fully interpreted since translation usually involves explaining a set of lexical elements in relation to other sets.

According to Boroditsky, humans interact using an immense variety of languages. Each dialect varies from the others in countless ways (from apparent variations in vocabulary, semantics, and pronunciation to more nuanced variances in grammar and syntax).¹⁴ For instance, to assert in English the sentence, "The goat ate the banana leaves," would require the speaker to include tense in constructing the sentence to provide the concept of time. In Indonesian and Mandarin, providing the concept of time is often optional. Conversely, in the Russian language, the speaker must include the tense, the gender of banana-leaves-eater, and the size of the banana leaves eaten. On the other hand, in the Turkish

¹⁰ Alessandro Duranti, *Linguistic Anthropology (Cambridge Textbooks in Linguistics)* (Cambridge University Press, 1997), 51-64.

¹¹ *Ibid.*, 30-33.

¹² See note 8, Everett, *Linguistic Relativity Evidence Across Languages and Cognitive Domains*.

¹³ *Ibid.*

¹⁴ Lera Boroditsky, "Does language shape thought? Mandarin and English speakers' conceptions of time," *Cognitive psychology*, 43(1) (2001), 1-22.

language, the speaker would have to indicate whether eating banana leaves was hearsay or witnessed.¹⁵ In the examples Boroditsky presented, it is evident that every language is guided by specific rules that the speaker must abide by, subsequently influencing thought. In other words, these quirks of language influence cognition.

Furthermore, Bowerman argues that languages vary greatly in their description of spatial relations. Such differences have been observed in Spanish, Korean, Finnish, and English. In English, there is a difference between placing objects into vessels (“putting a cup inside the closet” and “placing a lid on the pot”) and placing items on surfaces (“putting a cup on the floor” and “placing a magnet on the ground”). Additionally, the Korean language distinguishes between attachment, loose and tight.¹⁶ A study explored whether such linguistic relativity is reflected in the way Korean and English speakers describe spatial relation by showing scenes involving loose or tight containment to English- and Korean-speaking adults.¹⁷ After examining few examples of both loose fit and tight fit, the participants were provided with an example of loose fit on a screen and tight fit on another. The English-speaking participants could not distinguish between loose- and tight-fit scenes, while their Korean counterparts easily identified the differences.¹⁸ This study demonstrates that language influenced how the participants perceived spatial relations.

Everette also states that linguistic relativity could be observed in the way languages describe time.¹⁹ Boroditsky holds the same view in this aspect. She asserts that while languages employ spatial terms to describe time (“completed ahead of schedule,” “fall behind schedule,” “looking forward to the meeting”), different dialects employ different

¹⁵ Ibid.

¹⁶ Melissa Bowerman, “Learning how to structure space for language: A crosslinguistic perspective,” *Language, speech, and communication. Language and space*, eds. Paul Bloom, Merrill F. Garrett, Lynn Nadel and Mary A. Peterson, (The MIT Press, 1996), 385-436.

¹⁷ Laraine McDonough, Soonja Choi and Jean M. Mandler, “Understanding spatial relations: flexible infants, lexical adults,” *Cognitive Psychology* 2003 May 46(3), 229-259.

¹⁸ Ibid.

¹⁹ See note 8, Everette, *Linguistic Relativity Evidence Across Languages and Cognitive Domains*, at 16, 109-139.

spatial terms. For instance, English-speakers mostly use “back/front” terms to describe time. English speakers can talk about the difficult times “behind” them to the challenging times “ahead” of them. They can also push deadlines “forward” and move meetings “back,” and eat breakfast “before” their morning run.²⁰ Similarly, back/front spatial terms for defining time are often used in Mandarin. For example, morphemes like ho`u (back) and qia`n (front) are used to describe time. Mandarin speakers also employ vertical terms to describe time. The spatial morphemes xia` (down) and sha`ng (up) (loosely translated into English as “next” and “last”) are often used to describe the order of events.

In addition, there are linguistic differences in the degree to which language differentiates substances and objects. For instance, substances and objects are distinguished in the English language in counting. While an English-speaker can say “one chair, two chairs, three chairs,” and so forth, counting substances is more challenging. Rather than say one wax, two waxes, speakers are required to indicate the unit of measurement (for example, one ounce of wax).²¹ Other languages lack grammatical boundaries between substances and objects.²² In Yucatec, for instance, nouns function as if they refer to substances. When counting, such nouns require unitizers to specify form or shape and do not need to take plural and singular forms (e.g., one short, thin unit). In other words, three candle waxes in English may sound more like “three short units of candle wax” in Yucatec.²³

3. Language in Law

The meaning of language in law can be seen as the accepted language employed by attorneys in a particular law jurisdiction. Legal language may be in English and include distinctive terms, modes of expression,

²⁰ Lera Boroditsky, “Linguistic relativity,” *Encyclopedia of cognitive science*, ed. Lynn Nadel (Wiley, 2006).

²¹ See note 8, Everett, *Linguistic Relativity Evidence Across Languages and Cognitive Domains*, 200-206.

²² John A. Lucy and Suzanne Gaskins, “Grammatical categories and the development of classification preferences: A comparative approach,” *Language Acquisition and Conceptual Development*, eds. Melissa Bowerman and Stephen Levinson (Cambridge University Press, 2001), 257-283.

²³ Ibid.

phrases, and meanings.²⁴ Another view, however, describes language of the law as a formalized language that differs from ordinary English in semantics, syntax, morphology, vocabulary, and other linguistic features. This implies that lawyers do not often use plain English; they use dull, pompous, unclear, and wordy sentences.²⁵ Additionally, the language in law often encompasses certain compositional mannerisms which are not unique to the legal profession but are sufficiently prevalent to establish a defined affiliation.²⁶

A notable characteristic of legal language is the prevalent utilization of common words that often mean something normal to a non-lawyer, but refer to something else to a lawyer.²⁷ According to Tiersma, the language of the law contains a syntactic structure creating ambiguity and differentiates it from ordinary usage.²⁸ Also, Charrow, Crandall, and Charrow suggest that some ambiguity and vagueness in legal language is intentional. From their point of view, statutes are often passed as a result of compromise and discussion. Lawmaking is not always a process of reconciling and integrating divergent ideas; instead, it is usually a process of choosing language carefully to find the best balance.²⁹

Another notable characteristic is lexical borrowing. According to Richard, legal English has mainly been borrowed from “old Norse” (Middle and Old English, mainly spoken by Vikings), Latin, and French.³⁰ Haspelmath called this process “loanword adaptation.”³¹ In

²⁴ David Mellinkoff, *The language of the law* (Wipf and Stock Publishers, 2004), 4-7.

²⁵ Richard C. Wydick, *Plain English for lawyers: Teacher's manual* (5th Ed.) (Carolina Academic Press, 2005), 10.

²⁶ John Peter Gibbons, *Language and the Law* (Routledge, 1994).

²⁷ See note 24, Mellinkoff, *The language of the law*, 11-12.

²⁸ Peter M. Tiersma, “Some Myths About Legal Language,” *Law, Culture and the Humanities* 2(1) (2006), 29–50.

²⁹ Veda R. Charrow, Jo Ann Crandall and Robert P. Charrow, “Chapter 6. Characteristics and Functions of Legal Language,” *Sublanguage*, eds. Richard Kittredge and John Lehrberger (De Gruyter, 2015), 175-190.

³⁰ Isabelle Richard, “Is legal lexis a characteristic of legal language?,” *Lexis – Journal in English Lexicology*, (11) (2018), 2-6.

³¹ Martin Haspelmath, “Lexical borrowing: Concepts and issues,” *Loanwords in the world's languages: A Comparative Handbook*, eds. Martin Haspelmath and Uri Tadmor (De Gruyter Mouton, 2009), 42-43.

other words, legal English is known for its mass borrowing of words and phrases from other languages such as French and Latin.³² Today, Latin words crowd many law vocabularies.³³ Additionally, Charrow, Crandall, and Charrow point out that the legal language largely relies on precedent in the common law. They claim that in legal language, words, phrases, and a whole discussion often mean what the judges decide.³⁴ For instance, the legal definition of the term “heir” differs significantly from meaning in ordinary language. An “heir” is an individual entitled by the law to the property of a person who dies without a will—intestate. This implies that an individual who receives property as stipulated in a will is not defined as an “heir” under the law.³⁵ Moreover, an individual who receives property under the intestate succession law is not defined as an “heir” if the deceased has drafted a will; instead, such a person is referred to as a “next-of-kin” or a “distributee.”³⁶ Another example of a legal language defined by the court is when a layman drafts his own will, using the term “bequeath”: “I, John Doe, bequeath everything to my mother.” In this statement, if the judges stick to the strict legal definition of the term “bequeath,” the mother will only receive her son’s personal property, because in law, real property cannot be “bequeathed.”³⁷ This example illustrates the difference between legal and ordinary language.

Solan holds that the most basic principle of interpretation of the law’s language is based on the “ordinary meaning” of a word in question, assuming that such basic interpretation has a good chance of falling

³² See note 28, Tiersma, “Some Myths About Legal Language”.

³³ John Hudson, *The formation of English Common Law: Law and society in England from the Norman conquest to Magna Carta* (Routledge, 2018), 2-5. The examples of often-used Latin words are: “quasi, quorum, bona fide, alias, ad hoc, and affidavit”.

³⁴ See note 29, Charrow et al., “Chapter 6. Characteristics and Functions of Legal Language”.

³⁵ Charles P. Kindregan Jr, “Dead dads: thawing an heir from the freezer,” *William Mitchell Law Review* 35(2) (2008), 433-447.

³⁶ See note 29, Charrow et al., “Chapter 6. Characteristics and Functions of Legal Language”.

³⁷ Robert Lamb, “The power to bequeath,” *Law and Philosophy* 33(5) (2014), 629-654.

within the intended meaning of the law's drafters. However, even this basis is controversial and has been refuted by scholars who believe that moral reasons determine the law in regard to what liabilities, power, duties, and rights people in society have given the legal history and practice.³⁸ An example of controversy over the use of language is evident in *Garner v Burr* (1951).³⁹ The law made it illegal to drive a "vehicle" without pneumatic tires. In this case, Lawrence Burr, who pulled a chicken coop fitted with iron wheels down the road with his tractor, was prosecuted under the law. The question in the case is whether a chicken coop using an iron wheel is indeed a "vehicle." The courts ruled in favor of Burr, as a chicken coop did not fit the definition of "vehicle" under the law.⁴⁰ In line with this perspective, Marmor notes that in most cases, the meaning of a statute is literally the same as the meaning communicated by a legal authority. Besides, philosophers and linguists believe that the meaning of sentences and words does not determine the content of the law completely. He further mentions that semantics and syntax are essential elements for delivering communication contents; however, such content is usually enriched pragmatically by other factors like context and implied and implicated content. Such factors influence the interpretation of words and phrases.⁴¹

4. Legal Language as a Special Language Game

As discussed above, language is a crucial element that enables effective communication amongst human beings. Individuals affiliated with specific sectors have developed specific languages that suit their operations and are exclusive to their field.

Ludwig Wittgenstein, an Austrian-British philosopher, developed a theory about using language as a tool for communication between people. He alleged that humans use words as tools and equipment to engage

³⁸ Lawrence M. Solan, "The Interpretation of Legal Language," *Annual Review of Linguistics* 4 (2018), 337-355.

³⁹ *Garner v Burr* [1951] 1 KB 31.

⁴⁰ Timothy Endicott, "Interpretation and Indeterminacy: Comments on Andrei Marmor's Philosophy of Law," *Jerusalem Review of Legal Studies* 10(1) (2014), 46-56.

⁴¹ Andrei Marmor, "The pragmatics of legal language," *Ratio Juris* 21(4) (2008), 423-452.

in different games compelled by diverse patterns of intention.⁴² The philosophy of language has been influential in guiding the evolution among populations in various sectors due to the notion that words can be used as measures to comprehend the private lives of individuals. The legal sector has developed a complex language used in the effective implementation of the law. Judges and lawyers have mastered the legal language they use to understand the texts presented in their line of duty and argue their cases based on their interpretation of the law. Can legal language be a special form of language game based on the theory of language developed by Wittgenstein?

Law and language have an interdependent and complex relationship.⁴³ Legal language plays a crucial role in driving the course of proceedings in a legal platform since it is the primary element used in interpreting the law by the parties involved in the process. The legal language contains a unique set of words sharpened to enhance the awareness of certain elements and broaden the scope of interpretation of diverse laws pertinent to the case presented. Wittgenstein maintained that ordinary language involves the expert use of words to present a personal understanding regarding an issue.⁴⁴ Based on this theory, a language game involves the diversity of various instruments of language, where they can be used as the primary objects or channels of representing other elements.⁴⁵ Moreover, an instrument of language will only be used to represent another if it in fact exists. This illustrates how legal language presents a unique language game. In the legal field, litigating parties use legal language to influence the decisions made by judges. An argument can only be effective in influencing the course of activities in court if the judges determine that it has the logical ability to exist validly. The choice of words used by lawyers aims to prove the possibility of a legal victory for their representees based on existing data and develop diverse scenarios explaining the nature of the actual events involved in the case. Wittgenstein also stated that ordinary language aims at developing mental images of how

⁴² Ludwig Wittgenstein, *Philosophical Investigations*, 4th edition, eds. Peter Michael Stephan Hacker and Joachim Schulte (Wiley-Blackwell, 2009), 29.

⁴³ Michael Freeman and Fiona Smith (eds.), *Law and Language: Current Legal Issues Volume 15* (Oxford University Press, 2013), 2.

⁴⁴ See note 42, Wittgenstein, *Philosophical Investigations*, 28.

⁴⁵ *Ibid.*, 29.

diverse events took place in the world.⁴⁶ Litigating parties maximize this feature in arguing their cases in court, where they aim to establish images of the contentious events in the minds of judges in their attempt to influence the judgments to favor their representees. This means that legal language is a unique type of language game where the litigating parties use words to execute their desired patterns of intention.

Legal interpretation can be defined as the means used to develop the meaning of a text, statute, will, policy, or law that identifies with the intentions of the legislature.⁴⁷ This definition reveals that language in the legal context is an essential factor used to define the specific meanings of diverse elements of the law. According to Wittgenstein, since words are used to play different language games, effective communication will be achieved if the involved parties can define the individual language games played by each party involved in the communication process.⁴⁸ Based on the theory, litigating parties use the unique words present in the legal language to engage their audience in their intended language games. For instance, the prosecution relies on legal language aiming to prove the defendant is guilty. On the other hand, the defense also creates its “language game” to exonerate their clients and prove their innocence. This factor highlights both how Wittgenstein’s language theory applies in the legal sector and the conflicts in the implementation of the law.⁴⁹ The verdict developed by the judges will depend on the ability of each party to influence the legal interpretation of the jury and engage them in their developed language games. This shows that legal structures mainly operate under the language games established by the parties involved in diverse processes. Litigating parties rely on their proficiency in the legal language to affect the judgements made by the jury. In the legal sector, the interpretation of the law by all parties involved is based on the words used by others, which illustrates how the legal language is a special language game.

⁴⁶ Ibid, 31.

⁴⁷ Aharon Barak, *Purposive Interpretation in Law* (Princeton University Press, 2005), 4.

⁴⁸ See note 42, Wittgenstein, *Philosophical Investigations*, 31.

⁴⁹ Ailan T. Arulanantham, “Breaking the Rules?: Wittgenstein and Legal Realism,” *The Yale Law Journal* 107 (1998), 1854.

According to Markell, legal language has evolved to become one of the dialects relying on jargon to influence proceedings in legal corridors.⁵⁰ Participants in legal proceedings rely on the effective understanding of legal policies, laws, and statutes to argue their cases and influence the decisions made to favor them. This is the main reason why many people often seek the services of competent professionals in various fields who have a proper understanding of the policies and language used in the legal sector. Lawyers compensate for the litigants' lack of knowledge of jargon in the field and use their proficiency in legal language to represent their clients. Individuals seeking to specialize in the legal sector need to gain knowledge of legal jargon to be competent in developing effective language games that influence the interpretation of laws. This can be explained by the theory of language games—that is, the legal language is a unique language game in legal interpretation.

To sum up, Wittgenstein's language theory has been crucial in shaping the evolution and use of language in diverse fields. For him, the use of words in communication results in the development of mental images regarding occurrences in the world. Ordinary language leads to the development of language games, where effective communication is achieved if all parties determine the intended games played by the user. Legal language contains a unique use of specific words and jargon affiliated with the legal profession, and legal language is a special form of language game.

5. The Application: Case Study

In practice, both the concept of linguistic relativity and theory of language games can be seen in the interpretation of the law and, more specifically, in the difference in the interpretation of a particular concept or term of the law.

The first example is different interpretations of punitive damage in US and European tort law. Magnus maintains that US tort law differs significantly from the EU equivalent in many aspects.⁵¹ One of the most dis-

⁵⁰ Bruce A. Markell, "Bewitched by Language: Wittgenstein and Practice of the Law," *Pepperdine Law Review* 32(4) (2005), 803.

⁵¹ Ulrich Magnus, "Why is US tort law so different?," *Journal of European Tort Law* 1(1) (2010), 102.

tinctive US tort law features is the courts' ability to award punitive damages.⁵² Koziol asserts that Europeans are astonished that US tort law allows plaintiffs with dubious petitions to blackmail corporations with lawsuits and allow the claimants (victims) to receive insufficient justice because they are required to pay large sums to their attorneys and the court.⁵³ Behr argues that there is a huge gap between the approach of Germany and the US toward the concept of punitive damages. In US tort law, recoverable damages for losses incurred include punishment of the wrongdoer and loss of profit.⁵⁴ This allows the claimant to recover exemplary (punitive) damages as well as compensatory damages if the accused has damaged the claimant "oppressively," "wantonly," "willfully," "consciously," "maliciously," or "intentionally."⁵⁵ This is evident in *BMW v. Gore* (1996).⁵⁶ In this case, the claimant, Dr. Ira Gore, discovered that the new BMW he bought had been repainted to cover a scratch before acquiring it. Dr. Gore brought a lawsuit for fraud against BMW of North America and received \$4,000 in compensation for the vehicle's lost value and an additional \$4 million in exemplary damages.⁵⁷

By contrast, in Germany, damages are restricted to compensation (compensatory, not punitive, damages).⁵⁸ This is evident in a 1992 German case where the German Federal Supreme Court (BGH) had to rule on whether a US court's decision can be enforced in Germany. In the case, a US court awarded a juvenile \$750,260 for damages (sexual

⁵² *Ibid.*, 104-107.

⁵³ Helmut Koziol, "Punitive Damages-A European Perspective," *Louisiana Law Review* 68 (2007), 741-764.

⁵⁴ Volker Behr, "Punitive Damages in America and German Law-Tendencies towards Approximation of Apparently Irreconcilable Concepts," *Chicago-Kent Law Review* 78(1) (2003), 105.

⁵⁵ Klaus J. Beucher and John Byron Sandage, "United States Punitive Damage Awards in German Courts: The Evolving German Position on Service and Enforcement," *Vanderbilt Journal of Transnational Law* 23 (1990), 967-971.

⁵⁶ *BMW of North America, Inc. v. Gore*, 517 U.S. 559 (1996). <https://supreme.justia.com/cases/federal/us/517/559/>

⁵⁷ Douglas G. Harkin, "BMW of North American, Inc. v. Gore: A Trial Judge's Guide to Jury Instructions and Judicial Review of Punitive Damage Awards," *Montana Law Review* 60(2) (1999), 367-414.

⁵⁸ Markus A. Petsche, "Punitive Damages in International Commercial Arbitration: Much Ado about Nothing?," *Arbitration International* 29(1) (2013), 89-104.

abuse), of which \$400,000 was punitive damages. The BGH stated that the courts could not enforce the punitive damage compensation in the country because it would be against "public policy" (*ordre public*).⁵⁹ Looking at the two cases, it would be reasonable to believe the EU and the US laws are contradictory. In the *BMW v. Gore* (1996) case, the Alabama Supreme Court disagreed with the jury and decreased the amount awarded in punitive damages to \$2 million.⁶⁰ The opinion of United States Supreme Court stated that the amount awarded to Dr. Gore was unreasonable because there should be a balance between the compensatory damages and punitive damages. In the end, the Alabama Supreme Court decreased the amount to \$50,000.⁶¹ Indeed, the two cases evidently demonstrate that the two jurisdictions take different approaches to punitive damages. The difference lies in the cultural differences between common law, civil law, and national traditions. Legal practitioners who have undergone civil law training learn that one fundamental function of civil law is to uphold the formal distance between public and private realms for reasons of public policy. On the other hand, the tradition of common law is one of constant invention and incorporation of modern concepts and does not draw a clear line between public and private realms.⁶² In civil law, there is no punishment in cases between private parties because, in European traditions, punishments are used to convey the public's disdain of certain behav-

⁵⁹ California Superior Court (County of San Joaquin) 24 April 1985, *John Doe v. Eckhard Schmitz*, no.

168-588, unpublished.; Bundesgerichtshof [BGH] [Federal Court of Justice] June 4, 1992, 118 *Entscheidungen des Bundesgerichtshofes in Zivilsachen* [BGHZ] 312 (F.R.G.); See also Cedric Vanleenhove, "A Normative Framework for the Enforcement of U.S. Punitive Damages in the European Union: Transforming the Traditional '¡No Pasarán!,'" *Vermont Law Review* 41 (2016), 347-403.

⁶⁰ See note 57, Harkin, "BMW of North American, Inc. v. Gore: A Trial Judge's Guide to Jury Instructions and Judicial Review of Punitive Damage Awards," 379-384.

⁶¹ *BMW of N. Am. v. Gore* - 701 So. 2d 507 (Ala. 1997).

⁶² Michael L. Wells, "A Common Lawyer's Perspective on the European Perspective on Punitive Damages," *Louisiana Law Review* 70(2) (2009), 557-577, at 560.

iors.⁶³ This suggests that cultural values influence the interpretation of the law.

Another example is how the good faith doctrine in UK and US contract law is implemented. The acceptance of the doctrine of good faith as a central principle of English private law has been consistently omitted by UK contract law.⁶⁴ Markovits notes that, in the US, the Uniform Commercial Code (UCC) enforces a mandatory obligation of good faith in all contract negotiation and performance under its scope.⁶⁵ Dubroff also mentions that the implied covenant of fair dealing and good faith is especially fundamental in US contract law, as it was included in the UCC and was also codified in the Restatements of Law.⁶⁶

Mid Essex v Compass Group (2013) is a case that demonstrates English law's reluctance to adopt the good faith doctrine in both negotiation and performance of contracts.⁶⁷ Clause 3.5 of the agreement between Mid Essex and Compass Group (a cleaning service company) required both entities to cooperate in good faith to allow any beneficiary or the trust to obtain the full benefits at issue in the case. The trial judge opined that Clause 3.5 carried an objective meaning and that the conduct of Mid Essex amounted to breach of contractual duty (to cooperate in good faith with each other). The Court of Appeal, however, ruled that the obligation of good faith was not an objective requirement and that English contract law lacks a clear concept of good faith.⁶⁸ Similarly, in *Hamsard v. Boots UK (2013)*, the court argued that the duty of good faith could not be implied in the relational contract.⁶⁹

⁶³ See note 53, Koziol, "Punitive Damages-A European Perspective," 748-758.

⁶⁴ Christina Perry, "Good Faith in English and US Contract Law: Divergent Theories, Practical Similarities," *Business Law International* 17 (2016), 27.

⁶⁵ Daniel Markovits, "Good faith as contract's core value," *Philosophical Foundations of Contract Law*, eds. Gregory Klass, George Letsas and Prince Saprai (Oxford University Press, 2014), 272.

⁶⁶ Harold Dubroff, "The implied covenant of good faith in contract interpretation and gap-filling: Reviving a revered relic," *St. John's Law Review* 80(2) (2006), 559.

⁶⁷ *Compass Group UK and Ireland Ltd (t/a Medirest) v Mid Essex Hospital Services NHS Trust* [2012] EWHC 781 (QB) 23.

⁶⁸ See note 64, Perry, "Good Faith in English and US Contract Law: Divergent Theories, Practical Similarities," 34.

⁶⁹ David Foxton, "A Good Faith goodbye?: Good Faith Obligations and Con-

The *Yam Seng v. International Trade Corporation* (2013) is an example of a UK court case implying the duty of good faith into a contract. In this case, Justice Leggatt stated that the English law's animosity toward the idea of good faith arose from a concern that recognizing this term in contract execution and negotiation would result in uncertainties.⁷⁰ This perspective indicates that interpretation of the law is largely influenced by a country's values.

The following situation of Singapore, which adopted the English common law, does not imply the doctrine of good faith. In *Ng Giap v Westcomb Securities* (2009),⁷¹ the Singapore Court of Appeal (SGCA) refused to sanction an alleged good faith doctrine into a deal between a stockbroking firm (the defendant) and a dealer agent (the plaintiff). Ng Giap Hon, the plaintiff, alleged that Westcomb Securities' director intercepted the account-opening documents he sent to two of his clients. Without interception, the client would have opened an account with the plaintiff rather than Westcomb Securities. The plaintiff claimed compensation from the defendant for the lost commission, arguing that the contract between them included an obligation of good faith. The plaintiff indicated that the contract included a clause that stated that Westcomb Securities would not do anything to prevent him from receiving his commission. The sitting SGCA judge, Andrew Phang, opined that it was important for the courts to be careful implying a term in Singapore contract law because it would entail broader policy, which would create precedent. The SGCA preferred to avoid discussing the function, purpose and duty of good faith in the execution and negotiation of contracts.⁷²

The *HSBC Institutional Trust Service v. Toshin Development* (2008) also demonstrates an important difference in the interpretation

tractual Termination Rights," *Lloyd's Maritime and Commercial Law Quarterly* (2017), 360-384.

⁷⁰ Andrew Taylor, "A Comparative Analysis of US and English Contract Law- Interpretation and Implied terms," *International In-house Counsel Journal* 9(33) (2015), 1-12, at 9.

⁷¹ *Ng Giap Hon v Westcomb Securities Pte Ltd and Others* [2009] SGCA 19. <https://www.supremecourt.gov.sg/docs/default-source/module-document/judgement/2009-sgca-19.pdf>

⁷² Colin Liew, "A leap of good faith in Singapore contract law," *Singapore Journal of Legal Studies* (2012), 416-440.

of the law.⁷³ The question at issue was whether a provision that required both sides to endeavor to agree in good faith could be implied.⁷⁴ The case involved a dispute between the plaintiff, a landlord, and the respondent, the tenant, over the contractual mechanism of rent review. The contract required review of rental terms to be determined by agreement between both parties. In this case, the SGCA ruled that the doctrine of good faith could be implied. The SGCA held that while the doctrine is not supported in Singapore's contract law, it is consistent with the cultural values of the Asian community (the value of promoting discourse and consensus as much as possible).⁷⁵ This perspective is consistent with McConnaughay's observations. He noted that the key term of commercial contracts in Asia ("confer in good faith" or "friendly negotiations") demonstrates the significance of contractual obligations in their traditions. Such provisions explicitly state that if conflicts or differences occur over the duration of a mutual relationship, the parties can address their differences amicably.⁷⁶ This perspective is also shared by Derk Bodde, who argued that Asian communities prefer traditional values over law to a significant extent, and regard the involvement of the law in private affairs with "overt hostility."⁷⁷ In summary, Asian traditional values play an important role in the subordination of contract laws.

⁷³ HSBC Institutional Trust Services (Singapore) Ltd (trustee of Starhill Global Real Estate Investment Trust) v Toshin Development Singapore Pte Ltd [2012] SGCA 48. <https://www.supremecourt.gov.sg/docs/default-source/module-document/judgement/2012-sgca-48.pdf>

⁷⁴ Joel Lee, "Agreements to negotiate in good faith: HSBC Institutional Trust Services (Singapore) Ltd v. Toshin Development Singapore Pte Ltd," *Singapore Journal of Legal Studies* (2013), 212–222.

⁷⁵ *Ibid.*

⁷⁶ Philip J. McConnaughay, "Rethinking the role of law and contracts in East-West commercial relationships," *Virginia Journal of International Law* 41 (2000), 427–479.

⁷⁷ Derk Bodde, "Basic Concepts of Chinese Law: The Genesis and Evolution of Legal Thought in Traditional China," *Proceedings of the American Philosophical Society* 107(5) (1963), 375–398.

5. Conclusion

This paper explored the relationship between language and interpretation of the law. The concept of linguistic relativity refers to the notion that language influences how people perceive the world. In other words, people's perspectives or patterns of thought are relative to their language. If a word can have multiple meanings in different languages, a certain law can be interpreted individually in different jurisdictions.

The language game theory of Wittgenstein holds that ordinary language leads to the development of language games, where effective communication is achieved if all parties determine the intended games played by the user. The legal language contains a unique use of specific words and jargon affiliated with the legal profession, and a legal language is a special form of language game based on the stipulations of the theory established by Wittgenstein.

The US tort law differs significantly from the EU equivalent in its approach to the concept of punitive damage. The US tort law includes them, while Germany excludes them. There is also a difference in interpretation of the good faith doctrine in English contract law and US contract law. More specifically, US contract law allows the doctrine of good faith to be implied in contracts while English contract law does not. This paper presents cases that outline the different interpretations of the good faith doctrine between Singapore and UK contract law. Even though Singapore adopted English contract law, the doctrine of good faith is not required to be explicitly stated because of cultural values.

What can be observed from these cases? The first point is that civil law, unlike common law, draws a clear line between private and public law. This takes interpretation of the law in completely different directions. The second point is that cultural values play an important role in the interpretation of the law (good faith doctrine), which could mean Asia's cultural values influence the courts' interpretation of the law. This is not entirely distinct from, and is related to, the concept of linguistic relativity. Legal interpretation is never an easy task, and the theories of language games and linguistic relativity are certainly applicable to legal interpretation.

The Ground of the Self-Movedness and Appearance of Physis

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Abstract

The paper argues that Heidegger, in his textual practice, violates the paradoxical two-foldedness that is central to his reflections on physis. In his text “On the Essence and Concept of Physis in Aristotle’s *Physics* B,1”, Heidegger develops and defends the paradoxical interconnections between the appearance and the self-movedness of physis. This two-foldedness must be grounded paradoxically. Seeing physis must mean both a deferential acquiescence and a thoughtful new beginning. Nevertheless, through Heidegger’s hermeneutical suggestions and historical comments, seeing physis becomes largely indistinguishable from pure stillness and deference. This opposes new beginnings and threatens the central structures of Heidegger’s reflections on physis.

Keywords: Heidegger, Two-Foldedness, Paradox, Aristotle, Nature, Hermeneutics, New Beginning

1. Introduction and Methodology

In his text “On the Essence and Concept of Physis in Aristotle’s *Physics* B,1”, Heidegger emphasizes the central importance of Aristotle’s *Physics* for the history of thought. In the *Physics*, Heidegger notes, “Greek philosophy reached its fulfillment.”¹ As such, according to Heidegger, it is the “foundational book of Western philosophy.”² Understanding Heidegger’s interpretation of Aristotle’s *Physics* could, thus,

¹ Martin Heidegger, “On the Essence and Concept of Physis in Aristotle’s *Physics* B,1” in *Pathmarks*. ed. William McNeill, trans. Thomas Sheehan, Cambridge: Cambridge University Press, 1998, p. 185.

² Heidegger, “On the Essence and Concept of Physis in Aristotle’s *Physics* B,1”, p. 185.

help us to illuminate central elements of Heidegger's view of philosophy and of the history of philosophy.

The overall relationship between Heidegger and Aristotle has received, and continues to receive, widespread attention in secondary texts.³ The text "On the Essence and Concept of Physis in Aristotle's *Physics* B,1" is taken into account by many commentators. However, the Heideggerian text is rarely interpreted as a whole *and* on its own, which is the central aim of this essay.⁴ I hope to supplement and criticize Heidegger's reflections on physis on the basis of the presuppositions that Heidegger makes central to his own text. That is, I will not comment on the accuracy of Heidegger's interpretation of Aristotle's *Physics*. When I use the Greek terms that Heidegger frequently employs throughout his interpretation, I understand thereby Heidegger's usage of these terms in his text.⁵ In line with Heidegger's methodology, I will not translate these terms immediately but, rather, attempt to clarify them as much as possible in and through the following reflections.

³ For recent examples, see Michael J. Bowler, *Heidegger and Aristotle: Philosophy as Praxis*, New York: Continuum, 2008; Walter Brogan, *Heidegger and Aristotle: The Twofoldedness of Being*, Albany: SUNY Press, 2005; Ted Sadler, *Heidegger and Aristotle: The Question of Being*, London: Continuum, 2000.

⁴ The most relevant readings that interpret the Heideggerian text as a whole and on its own are: Brogan, *Heidegger and Aristotle: The Twofoldedness of Being*, pp. 21-56; William J. Richardson, "Heidegger and Aristotle." *The Heythrop Journal*, vol. 5, no. 1, 1964, pp.58-64. For readings that examine the Heideggerian text as *one part* of Heidegger's overall assessment of either Aristotle or nature, see: Fred Dallmayr, "Nature and Being: Heidegger" in *Return to Nature?*, Lexington: University Press of Kentucky, 2011, pp. 117-39; Trish Glazebrook, "From physis to Nature, techne to Technology: Heidegger on Aristotle, Galileo, and Newton", *The Southern Journal of Philosophy*, vol. 38, no. 1, 2000, pp. 95-118; David Storey, "Heidegger and the Question Concerning Biology: Life, Soul, and Nature in the Early Aristotle Lecture Courses", *Epoché*, vol. 18, no. 1, 2013, pp. 161-86.

⁵ For better legibility, I will transliterate the Greek terms.

2. Physis: Arche as Morphe and Morphe as Arche

For Heidegger, physis has a two-fold essence. The two central determinations of physis – physis as arche and physis as morphe – are essentially interconnected. Physis as arche highlights self-movedness, while physis as morphe highlights appearance. Nevertheless, since each determination properly reflects the two-fold essence of physis, each includes the other side.

Physis is initially introduced as a type of ousia, a type of beingness.⁶ Over the course of his essay, Heidegger reveals that physis is not merely one type of beingness among others but, rather, the essential manner of being.⁷ Being is, thus, essentially marked by physis. Physis, in turn, is essentially marked by movedness. There is a specific type of movedness that belongs to physis. In the conclusion to his essay, Heidegger notes that “if we keep the whole in mind, then we [...] have two conceptual determinations of the essence of physis.”⁸ The first determination is physis as arche. It focuses on the “origin and ordering of the movedness of something that moves of itself.”⁹ The second perspective is physis as morphe. It highlights the “self-placing into the appearance.”¹⁰ Heidegger is clear that the two determinations must be read within their essential unity. “Morphe is the essence of physis as arche and arche is the essence of physis as morphe [...]”¹¹ Thus, the specific movedness that essentially distinguishes physis combines going back into itself and going forth into appearance.¹² As such, Heidegger notes, the “merely spatial image of a circle is essentially inadequate.”¹³ The

⁶ See *ibid.*, pp. 199, 211.

⁷ See *ibid.*, pp. 229-230. “But this *same* treatise of the *Metaphysics*, in its first chapter, says exactly the opposite: ousia (the being of beings as such in totality) is physis tis, something like physis. [...]” In this sense, Heidegger notes, Heraclitus is “one who speaks *directly* of physis and who means by it (cf. Fragment 1) the being of beings as such as a whole.” All emphases are in the original unless otherwise indicated.

⁸ *Ibid.*, p. 228.

⁹ *Ibid.*, p. 203.

¹⁰ *Ibid.*, p. 228.

¹¹ *Ibid.*, p. 228.

¹² See *ibid.*, p. 227.

¹³ *Ibid.*, p. 224.

movedness of physis must combine, at one and the same time, the incessant circular motion of going-back-into-itself and the transition into something other that is stable, stands there, present and visible for another.¹⁴ Thus, the movedness of physis must combine four aspects: a physei-being must be in constant movedness, stay within itself, change into another, and stand stably in appearance. Physis as arche initially introduces the constant movedness within itself – self-movedness. Physis as morphe initially introduces the change into something other and stable – appearance. However, physis is *both* physis as arche and physis as morphe. Thus, it must be both self-movedness and appearance. How does Heidegger combine the multitudinous aspects of physis? How does he combine self-movedness and appearance?

3. The Paradoxical Interconnections Between Self-Movedness and Appearance

The essential unity between self-movedness and appearance is paradoxical. Appearance must be present in the self-driven change of self-movedness, and self-movedness must be preserved in the standing otherness of appearance. Therefore, both self-movedness and appearance must be irreducible to immediate notions of movement and perception.

According to physis as arche, physei-beings are moved in such a way that “[...] the arche, the origin and ordering of their movedness, rules from within those beings themselves.”¹⁵ Thereby, physei-beings are distinguished from artifacts. For artifacts, “the arche of their movedness [...] is not in the artifacts themselves but in something else [...]”¹⁶ The self-movedness of physis as arche is tied to appearance. The eidos, the antecedently envisioned appearance, serves as the decisive impulse for movedness.¹⁷ For physis, the impulse to move must come from within the being itself. Thus, the antecedently envisioned appearance must essentially belong to physis itself. A physei-being “in itself and from itself and toward itself orders its own movedness.”¹⁸ Self-

¹⁴ See *ibid.*, p. 188.

¹⁵ *Ibid.*, p. 190.

¹⁶ *Ibid.*, p. 193.

¹⁷ See *ibid.*, p. 192.

¹⁸ *Ibid.*, p. 195.

movedness ensures that a physei-being has a constant impulse to move, and that it stays within itself in its movedness. In order to do so, self-movedness requires inspiration from the stable end of appearance. Yet, is the stable end of appearance that inspires self-movedness ever fully visible outside the physei-being? If a physei-being moves constantly from itself and toward itself, how can another being recognize its proper appearance? How exactly is appearance tied to self-movedness?

Heidegger is adamant about the essential connection between movedness and visible appearance in Greek thought. He notes that modern thinkers must “learn to see how, for the Greeks, movement as a mode of being, has the character of emerging into presencing.”¹⁹ Movedness is not merely change of place. Rather, movedness includes growth and diminution, alterations, and generation. Heidegger, thus, explicitly ties movedness to visible appearance: “every instance of movedness is a change from *something into something*.”²⁰ Furthermore, Heidegger affirms that “what is generated never places itself back into what it comes from.” Therefore,

“if such placing lets the self-placing appearance be present, and if the appearance is, in each case, present only in an individual this which has such and such an appearance, then to this extent, that into which the generation places the appearance surely must in each instance be something other than that from which it is generated.”²¹

Since movedness is defined by a change in appearances – change of place, growth/diminution, alteration, generation –, it becomes visible as a palpable change from a ‘this’ to a ‘that’. Self-movedness must come into visible appearance. Yet, what are the criteria for the visible appearance of self-movedness? How can one recognize that a change is the change of a self-moving physei-being? Is the appearance of self-movedness merely a visible change without any apparent interference from something other (like the hand of a maker)?

The self-movedness that distinguishes physis cannot be immediately *apparent*. The appearance of self-movedness cannot be reduced to

¹⁹ Ibid., p. 181.

²⁰ Ibid., p. 191. Emphasis added.

²¹ Ibid., p. 223. Heidegger earlier identified generation as the central form of self-movedness of physis. See *ibid.*, p. 220.

the lack of visible interference from something other. There is an additional criterion: physei-beings move themselves “specifically inasmuch as they are themselves and are in and with (bei) themselves.”²² Heidegger interprets Aristotle’s example of a convalescing doctor. A doctor has the medical know-how in her brain, that is, within the visible confines of her own body. The doctor regains her health without any visible outside help. Regaining one’s health, according to Heidegger, is a process of self-movedness. Nevertheless, Heidegger is adamant that the doctor’s medical knowledge cannot belong to this self-movedness. Know-how must remain outside of the self-movedness of physis even if the visible location of the know-how is within the perceptible limits of the physei-being.²³ Heidegger insists on this even as advancements in medical know-how lead to measurable, perceptible differences in results. Even if it *looks* as if a difference in medical know-how was the only reason why one doctor survived and the other died, self-movedness cannot include medical know-how. That is, self-movedness cannot be directly measured or observed. Heidegger adamantly defends the paradoxicality of self-movedness. Self-movedness appears but it cannot be reduced to immediate perception. Self-movedness could appear even if it cannot be perceived, and self-movedness could not appear even if it looks to be present. Self-movedness must be both the constant impulse to move itself and the change into something other that stands visibly and stably as appearance. Self-movedness must appear *and* it can never fully appear. Self-movedness requires appearance but it cannot be reduced to immediate perceptions.

Morphe highlights the side of appearance. Morphe is appearance in the sense of “the act of standing in and placing itself into the appearance.”²⁴ Appearance is thus aligned with activity – putting and placing

²² Ibid., p. 198.

²³ The argument could be made that the medical know-how did not originate from within the doctor herself and, therefore, does not belong to *self*-movedness. The doctor was not born with the knowledge of medicine but, rather, acquired it later, presumably from somebody else. Nevertheless, the questions remain: what are the criteria for deciding what belongs to the self-movedness of physei-beings? Can these criteria be directly measured or observed? What are the principles for deciding what is natural for human beings?

²⁴ Ibid., p. 211.

into the appearance. There is a form of movedness in the appearance. For physis, the movedness of appearance must come from the physei-being itself. For a physei-being, the “appearance places itself forth.”²⁵ There is, thus, a certain form of self-movedness in the appearance of physis. At the same time, standing forth in visible stability is essential for appearance. An individual thing remains for a while and, “by preserving the appearance, stands forth in it and out of it [...]”²⁶ In this way, one addresses a “this and a that as this and that, i.e., as having such and such an appearance.”²⁷ There is stability, clarity, and rest in appearance. This is further emphasized by the concept of entelecheia. Heidegger notes that “we speak of something as properly in being only when it is in the mode of entelecheia.” Entelecheia, for Heidegger, means having-itself-in-its-end. Thus, a physei-being stands visibly in appearance, truly as itself, only when it has itself in its end. Is appearance then a break from, or the end of, movedness? Heidegger refutes such a view. Rather, he notes, “[...] having-itself-in-its-end (Entelecheia) is the essence of movedness [...]”²⁸ “What is decisive”, he says, is “that the Greeks conceive of movedness in terms of rest.”²⁹ What, then, are the criteria to determine that a stable being, nevertheless, is in movedness? How is self-movedness tied to appearance?

Genesis is the central type of movedness of physis. Genesis is an act of generation that “is entirely the presencing of the appearance itself without the importation of outside help.”³⁰ Genesis is the self-movedness of the appearance. The path according to which a physei-being moves in genesis is termed being-on-the-way. In being-on-the-way, “the self-placing is itself wholly of a kind with the self-placing thing to be produced.”³¹ In other words, the self-placing, the self-movedness of the appearance, is not to be separated from the being that stands visibly in appearance. Thus, *both* the movedness and the stable

²⁵ Ibid., p. 221.

²⁶ Ibid., p. 211. “[...] as individual thing, it stays for a while in its appearance and preserves the while [...]”

²⁷ Ibid., p. 210.

²⁸ Ibid., p. 218.

²⁹ Ibid., p. 216.

³⁰ Ibid., p. 222.

³¹ Ibid., p. 223.

appearance are essentially defined as ‘on the way’. A physei-being moves – it is on the way – even when it stands there, rests, remains for a while as “an individual this which has such and such an appearance.”³² The *act of self-placing* – the self-movedness – and the appearance from which and into which it is placed are essentially inseparable. A physei-being is fully on the way even when it stands still, and it stands in appearance even when it changes. The appearance of physis requires self-movedness. Yet, self-movedness cannot be reduced to immediate movements.

For physis, self-movedness requires appearance and appearance requires self-movedness. Self-movedness requires an appearance that is irreducible to immediate perception, and appearance requires a self-movedness that is irreducible to immediate movement. Self-movedness and appearance are maintained in a paradoxical unity. The self-movedness of physis requires a paradoxical appearance, and the appearance of physis requires a paradoxical self-movedness. One side cannot be true unless both are true in their paradoxical unity.³³ If one side is not maintained in its paradoxical structure, both sides are falsified. Yet, how does one reach these insights about physis? In order to acknowledge the paradoxical appearance and self-movedness of physis, one must already recognize both appearance and self-movedness in their paradoxical interconnections. How does Heidegger ground the paradoxical structures of physis?

4. Epagoge: The Paradoxical Ground of the Appearance and Self-Movedness of Physis

Epagoge is the ground of physis. As such, it grounds the paradoxical interconnections between appearance and self-movedness. Epagoge is a manner of seeing that must combine deferential acquiescence and thoughtful constitution.

Epagoge is the central concept with which Heidegger grounds his reflections on physis. Through epagoge, “[it is evident] that all beings from physis are in motion or at rest [...]”³⁴ Epagoge applies to physis as

³² See *ibid.*, pp. 211, 223.

³³ I owe this profound formulation to the teachings and texts by Avron Kulak.

³⁴ *Ibid.*, p. 187.

a whole, that is, it applies both to physis as arche and to physis as morphe.³⁵ Therefore, epagoge grounds the paradoxical interconnections between self-movedness and appearance. Epagoge is connected to vision – it relates to seeing, making visible, coming into view.³⁶ Grounding physis is seeing physis in a particular manner. Since epagoge grounds the paradoxical two-foldedness of physis, the manner of seeing that is proper to epagoge must be two-fold. Heidegger notes that epagoge means “constituting in the double sense of, first, bringing something up into view and then likewise establishing what has been seen.”³⁷ Epagoge is both “seeing and making visible what already stands in view” and “the offensive that first breaks open the territory within whose borders a science can first settle down.”³⁸ When seeing physis, one must see both what is *always already* present and what is *not yet* constituted. What is meant by this two-fold requirement?

Heidegger refers to epagoge in his argument that it is impossible to ground physis by a proof. Physis cannot be grounded by a proof because the very thing that is to be grounded will have already grounded itself by coming into view. “[...] Physis does not need a proof, for whenever a phyei-being stands in the open, physis has already shown itself, and stands in view.”³⁹ Furthermore, “those who demand and attempt such a proof [...] do not see the very thing that they already see, [...] they have no eye for what already stands in view for them.”⁴⁰ Seeing what is always already present includes an element of acquiescence. Seeing must acquiesce in, or defer to, the self-movedness of physis because it always already includes appearance. However, both the self-movedness and the appearance of physis are irreducible to immediate movements and perceptions. That is, the acquiescent manner of seeing that belongs to epagoge and grounds physis cannot correspond to an appearance that is immediately apparent. Thus, acquiescence cannot refer to a complete cessation of movement for the seer. Epagoge must see both self-movedness and appearance in their paradoxical interconnections. That

³⁵ See *ibid.*, pp. 187, 202, 207.

³⁶ See *ibid.*, p. 187.

³⁷ *Ibid.*, p. 187.

³⁸ *Ibid.*, p. 187.

³⁹ *Ibid.*, p. 201.

⁴⁰ *Ibid.*, p. 201.

is, seeing must acquiesce in the self-movedness that always already includes appearance, but it must also constitute the appearance that continuously eludes in self-movedness. Heidegger notes that “the way to what is already seen but *not yet understood, much less conceptualized* is the leading toward that we already mentioned, epagoge.”⁴¹ Due to the paradoxical two-foldedness of physis, physis cannot be seen unless it is properly understood and conceptualized. As Heidegger notes, “if we directly experience and intend physei-beings, we already have in view both the moved and its movedness. But what stands in view here is not yet constituted as what it is and how it is present.”⁴² Seeing physis means “differentiating what appears of and by itself from what does not.”⁴³ It means identifying a properly paradoxical relationship between self-movedness and appearance. This differentiation must be critical. Heidegger notes:

“Through this critical ability for differentiating, which is always decision, the human being is lifted out of mere captivation by what presses upon him and preoccupies him or her and is placed out beyond it, into the relation to being.”⁴⁴

That means, “we must stand above the obvious and factual [...]”⁴⁵ Seeing must be critical, conceptual, and thoughtful. As much as seeing must defer to the self-movedness of physis, which always already includes appearance, it must also actively grasp the appearance of physis, which always eludes in self-movedness. The acquiescence that belongs to epagoge can refer neither to a cessation of movement nor to an immediately perceptible appearance, just as the thoughtful constituting can refer to neither incessant movement nor perpetually inadequate perceptions. Seeing physis must include both acquiescence and thoughtful constituting. In this sense, seeing physis requires never seeing anything new and always seeing anew. One must *see that* which can never come fully into view – constitute the ‘not yet’. At the same time, one must *see so that* physis never comes fully into view – acquiesce in the ‘always al-

⁴¹ Ibid., p. 202. Emphasis added.

⁴² Ibid., p. 187.

⁴³ Ibid., p. 202.

⁴⁴ Ibid., p. 201.

⁴⁵ Ibid., p. 202.

ready'. Seeing physis can be neither purely acquiescing and deferential nor purely active and creative. Yet, does Heidegger truly respect the paradoxical ground of physis? Does he actually break open the territory and ground physis?

5. Heidegger's Practice and the Ground of Physis

Heidegger fails to practice the structures that he makes central to the grounding of physis, and fails to affirm the active side of physis. Seeing physis is frequently misunderstood as pure stillness and acquiescence, which threatens the content of Heidegger's reflections.

For Heidegger, the paradoxical relationships of physis are grounded through the paradoxical relationships of physis. However, Heidegger notes, "[...] the physis that Aristotle conceptualized can be only a late derivative of the original physis."⁴⁶ Heidegger calls this original view of physis the "echo of the great beginning of Greek philosophy, the first beginning of Western philosophy."⁴⁷ Heidegger claims that Aristotle's *Physics* was:

"[the] first thoughtful and unified conceptualization of physis [which] is already the last echo of the original (and thus supreme) thoughtful projection of the essence of physis that we still have preserved for us in the fragments of Anaximander, Heraclitus, and Parmenides."⁴⁸

What is the thoughtfulness that Heidegger attributes to Anaximander, Heraclitus, and Parmenides if Aristotle develops the *first* conceptualization of physis? Heraclitus is described as "one who speaks *directly* of physis."⁴⁹ For Heidegger, Heraclitus' approach is "allowing to physis, in all the purity of its essence, the [hiddenness] that belongs to it."⁵⁰ As such, Heidegger asserts, truth is "[...] essentially *not* a characteristic of human knowing and asserting."⁵¹ Thus, if Aristotle offers the first con-

⁴⁶ Ibid., p. 229.

⁴⁷ Ibid., p. 229.

⁴⁸ Ibid., p. 186.

⁴⁹ Ibid., p. 229.

⁵⁰ I am not here referring to the actual claims by Heraclitus himself. Rather, I am referring only to Heidegger's reading of these thinkers.

⁵¹ Ibid., p. 230. Emphasis added.

ceptualization of physis, and if the first conceptualization of physis is already indirect and less original, then the original thoughtfulness that belongs to physis excludes any form of conceptualization. It does not need to be conceptualized or lifted up into view. It is always already understood. The side of ‘not yet’ has disappeared. Seeing physis is purely passive, deferential, and acquiescent. It is opposed to any movement that is critical or thoughtful, and it denies new beginnings. As such, seeing physis in its complex fullness is conflated with the immediate material possession of human beings. It is conflated with immediate perceptions and movements. This perspective becomes problematic when the central concept – physis – is presented as thoroughly two-folded, and when this two-foldedness is thoughtfully developed and adamantly defended as irreducible to immediate movements and perceptions.

According to Heidegger, physis is both physis as arche and physis as morphe. It is both self-movedness and appearance, and the paradoxical interconnection between the two is adamantly defended by Heidegger. Physis must be grounded by both deferential acquiescence and thoughtful constituting. Therefore, if the ground of physis is falsified into pure acquiescence, the notions of self-movedness and appearance are also falsified, as is the two-fold structure of physis as both physis as arche and physis as morphe. Physis is not seen unless both self-movedness and appearance are seen in their paradoxical unity. Seeing must be both deferential acquiescence *and* thoughtful constitution. A purely reductive, acquiescent approach threatens to render physis wholly unrecognizable. As Heidegger notes, “only if we already have treeness in view, can we identify individual trees”, and “only what is something other than wood can be wooden.”⁵² Therefore, no part of physis can be properly seen unless physis is seen as a whole, in its paradoxical two-foldedness. Without a properly paradoxical ground, Heidegger’s entire reflections on physis come up empty. If physis is seen immediately, it is never seen.

If the term ‘thoughtfulness’ is indistinguishable from pure acquiescence, what about the other terms that highlight, or appear to highlight, the need for new beginnings, the side of the ‘not yet’? Are the terms “break open the territory”, “making visible”, “constituting”, “lifting up

⁵² Ibid., pp. 187, 194.

into view” truly to be understood as an active beginning? Does Heidegger’s text truly put forth a two-folded grounding of physis? Heidegger undoubtedly has a predilection for the side of ‘always already’. Seeing physis, for Heidegger, means to *let* something be seen, to *let* it be manifest, to *let* it become present.⁵³ Physei-beings lie present, stand out in the open, *already* stand in view, *already* show themselves.⁵⁴ Even logos, the essential clue for seeing physis in its two-fold structure, is described in almost exclusively acquiescent terms.⁵⁵ Language is an indirect product of the word. The word is the “essential foundation of all relations to beings as such”, and the word *belongs* to human beings.⁵⁶ In order to find our path *back* to the word, nothing is needed but acquiescence, stillness, less language.⁵⁷ Epagoge is the ground of physis. There are textual hints that epagoge can be understood in a properly paradoxical way. Nevertheless, doubt remains as to whether these paradoxical assertions hold the truth of Heidegger’s reflections, or whether they are mere linguistic deviations from Heidegger’s proper position on physis – a position that excludes the side of ‘not yet’ in its ground. For instance, Heidegger takes up Aristotle’s comparison that people blind to physis are like people who are blind to color from birth. Reasoning, he notes, “can never bring them to their goal, the only road leading there is *just seeing* [...]”.⁵⁸ Furthermore, “our relation to that which, of and by itself, appears in advance and eludes all proof must be *hard to hold on to* in its originality and truth.”⁵⁹ In other words, it must merely be held on to, not constituted.

Two possible readings could take shape. Either Heidegger develops thoroughly paradoxical structures of physis but fails to enact the full

⁵³ See *ibid.*, pp. 213, 221, 227.

⁵⁴ See *ibid.*, pp. 199, 201.

⁵⁵ See *ibid.*, pp. 212-213.

⁵⁶ *Ibid.*, p. 214. See also *ibid.*, p. 213.

⁵⁷ See *ibid.*, p. 213. “But the words that language uses are only fragments that have precipitated out of the word [...]” What is needed is *legei*, and “*legei* [...] means to reveal what was formerly hidden, to *let it be manifest* in its presencing.” Revealing means “*letting be seen*, from the being itself, what and how the being is.” Emphases added.

⁵⁸ *Ibid.*, p. 202.

⁵⁹ *Ibid.*, p. 202.

implications of his insights in his textual practice. Or, the truth of Heidegger's reflections lies in the purely still and acquiescent ground of physis that would dissolve the two-fold content of his reflections. I will side with the former reading. The occurrence of properly paradoxical structures shows that Heidegger, at least to some degree, acknowledges the need for a ground that *both acquiesces in the always already and begins anew in the not yet*. This acknowledgment, however, is not sufficiently enacted in Heidegger's text. This is certainly the more generous and, arguably, the more active reading despite Heidegger's hermeneutical suggestions, which hardly encourage active readings. Heidegger wants "to place us *into* the Greek, and in so doing to disappear in it."⁶⁰ The structures of physis that Heidegger develops are fascinating and insightful, yet, his views on the history of philosophy, his practical suggestions, and his hermeneutical comments must be viewed with a heavy grain of salt.

6. Conclusion

Physis is twofold. Physis as arche highlights the self-movedness of physis. Physis as morphe highlights the appearance of physis. Both sides, at one and the same time, highlight one aspect of physis while holding together both sides. Since self-movedness appears and appearance moves itself, self-movedness and appearance are irreducible to immediate movements and perceptions. Grounding these structures requires seeing them in a particular manner. Seeing must reflect the paradoxical relationships. One must see both the side of the 'always already' – the appearance of self-movedness – and the side of the 'not yet' – the continuous impulse of self-movedness in appearance. In other words, one must *see that* which can never fully come into view and *see so that* physis never comes fully into view. Seeing must be both an active beginning and passive acquiescence. Nevertheless, in his textual practice, Heidegger fails to enact new beginnings and thereby comes perilously close to dissolving the central structures of his reflections.

⁶⁰ Ibid., p. 188.

The Inspiration of Chinese Philosophical Thought to Contemporary Art

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Abstract

A true artist is a preacher and enlightener of the public, a pioneer in the advancement of ideas. An important criterion for judging a work of contemporary art should be whether it presents the wisdom of contemporary thinking and connotation of thought. The essence of Chinese contemporary art is Chinese philosophical thought, which emphasizes the harmony between the universe and nature. Chinese philosophical thought is the principle by which Chinese people perceive the world, it is also the guideline for Chinese art, not only for traditional Chinese art but also for Chinese contemporary art. Chinese contemporary art presents traditional Chinese philosophical thought and traditional culture in artistic methods such as installation and performance. Additionally, Confucian, Buddhist, and Taoist philosophies are the three pillars of Chinese philosophy and traditional Chinese culture, and the philosophical and aesthetic ideas contained therein have had a profound impact on contemporary Chinese art. This essay is mainly focused on the combination of Confucianism, Taoism, and Buddhism with examples of contemporary artworks, to illustrate that Chinese philosophical thought is a major inspiration for changes in the way contemporary art is presented.

Keywords: Chinese Contemporary Art; Chinese Philosophy; Confucianism; Buddhism; Taoism

Introduction

A true artist is a preacher and enlightener of the public, a pioneer in the advancement of ideas. An important criterion for judging a work of contemporary art should be whether it presents the wisdom of contemporary thinking and connotation of thought. A piece of artwork without intellectual wisdom and connotation cannot be accurately interpreted and

deeply understood. Regardless of the form and material of Chinese contemporary art, it contains Chinese philosophical ideas in one way or another. Chinese contemporary art is a new form of language to express traditional philosophical thought; by this means, traditional Chinese philosophical thought appears in a new light to the world. Chinese contemporary art has enabled traditional Chinese philosophy to remain current with the times and has given traditional Chinese philosophy a modern sense of development.

Confucianism, Buddhism, and Taoism have been the three pillars of traditional Chinese philosophy for centuries. Confucianism refers to the school founded by Confucius, which is the orthodox thought of Chinese feudal society. Taoism was founded by Zhang Daoling in the late Eastern Han Dynasty based on *Laozi* and *Zhuangzi*¹. Wei and Jin metaphysics, as well as philosophical thought from Song and Ming dynasties, have the characteristics of Taoist thought. Taoist thought is a unique philosophical thought of China. Buddhism is the religion founded by the son of the Indian King Jogi, Chaudhama Siddhartha, and is one of the four major religions in the world. Buddhism was introduced into China by the influence of Taoist thought. A sect of Buddhism, Zen Buddhism, was also influenced by Taoist thought. During the pre-Qin period, two schools of thought, Confucianism and Taoism, were formed and have since influenced the development of Chinese aesthetics. Chinese art is considered to be a vessel of Chinese philosophical thought. Chinese Taoist philosophy advocates emptiness, focuses on imagination, requires intuition, respects individuality, and naturally becomes the embodiment of emotional objects, creates an aesthetic realm in which a landscape, for example, is a state of mind, pursuing the "ethereal" and "quiet" view of nature in art, expressing flowers, snow, snow, and mountains. Confucianism, Taoism, and Zen are complementary. Taoist art implemented Confucianism's idea of personality fulfillment, while Confucius' view of art emphasized self-restraint for the purpose of benevolence.

The essence of contemporary Chinese art is Chinese philosophical thought, and within Chinese philosophical thought, aesthetics occupies a very important place. Both Heideggerian aesthetics and Taoism have studied the nature of art and have discussed in depth the relationship be-

¹ Zhuang, Zi . "ZHUANG ZI." Wikipedia, n.d.
<https://zh.wikipedia.org/wiki/%E5%BA%84%E5%AD%90>.

tween the world, the earth, the image, and truth. Taoism, on the other hand, has made Tao, qi, and image the essence of art and the basic categories—rooted in "natural images of heaven and earth"—of classical Chinese Aesthetics. After thousands of years of development, traditional philosophical thought has evolved in response to the needs of the times and has taken on new expression in Chinese contemporary art.

The Inspiration of Taoist Thought for Chinese Contemporary Art

The essence of Taoist philosophy is to have the spirit of overcoming the strong with the weak, overcoming the strong with the soft, overcoming the strong with the small, and so on. This reminds people to not always act on the basis of ordinary thinking, e.g., overcoming the small with the big, overcoming the weak with the strong, etc. Such methods are not optimal but rather the clumsy methods of ordinary people, who should be encouraged to try to pursue the optimal solutions. The contemporary artist Xu Bing has abandoned the serious, non-joking character of traditional Taoist thought and used a modern, relaxed, and humorous context to reflect the essence of Taoist philosophy in reverse. *The Book of Earth*² took seven years to compile. Xu Bing went through seven years of collecting materials, conceptualizing, experimenting, rewriting, adjusting, overturning, and starting over, without a single word throughout the book, which is all described in various types of sign language and symbols. With a new way of expression, this book wonderfully records the typical twenty-four hours in the life of a modern urban white-collar worker. This is a book that can be published anywhere without translation, regardless of cultural background and language, as long as people with contemporary life experience can read and understand it. The various symbols in the book are inundated in all corners of our lives, things we all take for granted, yet Xu Bing connects these most common symbols together with wit, humor, and accuracy. His work "Phoenix"³ is one of his few public artworks. This work, made of construction waste,

² XU, BING. "XU BING." XU BING, n.d.
<http://www.xubing.com/cn/work/details/188?classID=12&type=class>.

³ XU, BING. "Xu Bing's Phoenix Appearance in New York Is given a More Profound Meaning." New York Times, n.d.
<http://cn.nytimes.com/culture/20140219/t19xubing/>.

forms the image of a phoenix with Chinese Han Dynasty characteristics. The use of the cheapest materials to create beautiful images is a characteristic of contemporary Chinese folk art, such as peasant paintings and woodblock prints, etc. It is through this material property that the author hopes to create a formal contrast, between roughness and cheapness, on the one hand, and nobility and brilliance, on the other hand.

The Inspiration of Confucianism for Chinese Contemporary Art

The Chinese philosophical idea that "landscape pleases the Tao with its form, and the benevolent are happy" (*Preface to Zong Bing's Landscape Painting*)⁴ is a major shift in the concept of "man and nature" in Chinese painting and calligraphy. The philosophical thought of Confucius' benevolence has firmly established the artistic values of contemporary Chinese art in the pursuit of the regulation of "self-worth" and the perfection of "ideal personality" and the "unity of heaven and man." The rituals of Confucianism, the nature of Taoism, and the wondrous enlightenment of Zen Buddhism are all ideas closely linked to the achievement of an ideal personality. According to Confucian philosophy, man should follow the development of nature and adapt and conform to nature; in this way, both man and nature will develop. Confucianism advocates benevolence, righteousness, propriety, wisdom, and faith, and emphasizes spirituality over materiality. It can also be said that Confucianism emphasizes, theory over practice. This is consistent with contemporary conceptual art, or program art, where the artist pursues a minimum of materialization. "Program art is conceptual art in name only; you don't see any outward visual image of materiality or behavior. Thus, program art is again very much like a 'fashion show' in which you are completely naked."⁵ Although program artists aim for the minimum materialization of artworks, they ultimately cannot avoid the materialization process of artworks when the program as an artistic ontology finally becomes an artwork.

⁴ Bing, Zong. "Preface to Zong Bing's Landscape Painting." BAIDU, n.d. <https://wenku.baidu.com/view/7fc78441336c1eb91a375db2.html>.

⁵ Yin Ji-nan. *Post-Maidenism in Contemporary Chinese Culture and Art* [M]. Beijing: Life, Reading, New Knowledge, 2002.23.

The Inspiration of Buddhist (Zen) Thought for Chinese Contemporary Art

Zen Buddhism attaches importance to inner experience as the only way to reach the highest state of life, where all things in the universe are born of the mind. It advocates a lively, natural, ethereal, transcendent, and liberated realm, where all images are delusions; the notion of “delusion” itself is still a delusion, and reality is born out of nothingness. Zen Buddhism believes that the less prescriptive, the greater the room for imagination, so that less is better than more, and only when simplicity is at its extreme can it give people great imagination. Guangdong artist Yang Jiechang, replacing traditional textual expressions with modern ink-splash painting, used the minimalism advocated by Buddhist thought and integrated it into modern aesthetics to create the work "Thousand Layers of Ink"⁶. "These works not only abandon concrete images but also intend to deconstruct the painting itself. He obsessively applies ink to the paper over and over again, eventually forming mirror-like black holes." Hebei artist Hu Yataban's work "Big Ink Statue" shares a similarity with Yang Jiechang's work, in that by repeatedly shaping the painting material, rice paper, with ink, the work takes on a striking relief effect. Together, their works contain the Zen idea of emptiness and the Taoist idea of the unity of heaven and man. In Warsaw in 1992, the artist Zhang Jianjun produced Inner Fog, "a work that can be described as minimalist in nature - a shallow flat cylinder filled with black ink"⁷, with the rising vapor of the ink bringing a meditative sense. The work reflects the artist's philosophical musings. Qiu Zhijie's writing photography, in which he writes in the dark with a flashlight and uses the camera's delayed exposure technique to give shape to the written image, gives us a deep sense of Zen thought, of the transience and fallibility of time, of the way the world becomes a different place in the blink of an eye as

⁶ Yang, Jiechang. "Open a Larger Version of the Following Image in a Popup: Yang Jiechang 杨诩苍, One Hundred Layers of Ink 千层墨, 1990 YANG JIECHANG." inkstudio, n.d. <https://www.inkstudio.com.cn/zh/artists/62-yang-jiechang/works/1413-yang-jiechang-one-hundred-layers-of-ink-1990/>.

⁷ Zhang, Jianjun. "A Shallow Flat Cylinder Filled with Black Ink." exhibit.artron, n.d. a shallow flat cylinder filled with black ink.

time passes. This thought is also reflected in his work "The Twenty-Four Solar Terms": "From the beginning of spring to the winter solstice, at every season, Qiu Zhijie seeks for a suitable place and situation to write down the naming of a certain solar term in the darkness and emptiness", "those things under the name of the twenty-four solar terms, those scattered and unknown in aging, slowly fall into the ruins of time"⁸. The rebellious and anti-logical ideas of Chinese philosophy and Zen Buddhism have a certain compatibility with the mentality of contemporary Chinese artistic works, such as Fang Lijun's "Yawn", a hip-hop flirtation with the Chinese people, whose hearts share a flirtatious state of mind with Zen Buddhism. When it comes to traditional Zen philosophy, contemporary Chinese experimental ink and wash conveys the emotion of the state of no-self through brush strokes, emphasizing the state of mind of one's enlightenment. This can be said to be a typical "Southern Zen" metaphysical concept.

The influence of Chinese philosophical thought on contemporary artists is also reflected in the artwork of contemporary Chinese artist Yue Minjun, who portrays an exaggerated "self-image" on canvas. The works of this artist address the developments and struggles of Chinese culture over the last decade, the cultural relations between East and West, and the economic and political (violent) events of globalization. The images involved in these works are a constant reference to Taoism's "exhaustion of change" and Buddhism's "karmic emptiness." There are also installations by female artists that show a beautiful "calm and emptiness." For example, Shi Hui's works "Knot No. 3", "Knot No. 4", "Nest", and "Drift" are characterized by repetitive, calm, and monotonous manual work, which resembles the persistence of ancient Zen monks. She presents a sense of floating, expressing an "uncertain nature of things - a mood or a thought, a fleeting hallucination, or a wisp of memory... ..a floating association that cannot be determined"⁹.

⁸ Gao Shiming. *All Deadly Things Thrown Unspeakable - A Case Study of Chinese Contemporary Artists* [M]. Shanghai: Shanghai Jinxiu Article Publishing House, 2012.70.

⁹ Xu Hong. *Women's art* [M]. Changsha: Hunan Fine Arts Publishing House, 2005.170.

Conclusion

In short, Chinese philosophical thought has a long history and has had a great and profound influence on both traditional Chinese art and contemporary art. A variety of contemporary artworks with oriental characteristics have brought the contemporary interpretation of Chinese philosophical thought to a new climax, attracting widespread attention in the Chinese and international art world. At the same time, this new contemporary art requires a certain level of cultivation and thoughtfulness to understand. These works do not include simple paintings that tell a story or a narrative, for example, and is different from modernist work concocted by the painter according to his subjective thoughts. A person without grounding in Chinese philosophy cannot appreciate the value of Chinese contemporary art.

III. ARTICLE THAT WAS PLANNED FOR PUBLICATION IN VOL. XIII, NO. 1, 2020

The Looks of Peter Kropotkin and Some Other Russian Anarchists at the Events of October 1917 in Russia and The Conflict Between Peter Kropotkin and the Russian Anarchists

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Abstract

The conflict in relations between Peter Kropotkin and the Russian anarchists emerged even before Kropotkin returned from emigration to Russia in 1917. After the February Revolution 1917 in Russia, Peter Kropotkin repeatedly expressed the need to create a federal republic in Russia along the lines of the United States of America and cantonal Switzerland. According to Kropotkin's new views, the decentralization of power did not mean the liquidation of the state, but only its unification on the more free and universal progressive principles of the development of the state toward democracy.

Keywords: Peter Kropotkin · Russian Anarchists · Russian Revolution · Conflict

Until now the Bolsheviks (and after them the communist ideologists in Russia and around the world) represent Peter Kropotkin as one of the main ideologists of the creation of the communist regime. Unfortunately, this point of view has become widespread both in Russia and abroad.

Peter Kropotkin's refusal of radicalism in favor of a reformatory transformation of society through progressive democratic forms of the state into a future anarchist system was responsible for an abyss of misunderstanding, contradictions and mutual divergence in anarchist views

between Kropotkin and the overwhelming majority of Russian anarchists in the period between 1917 and the 1920s.

The beginning of the conflict between Peter Kropotkin and the Russian anarchists begins with their different attitudes towards the wars (including the Russian-Japanese war of 1904-1905). We find a reflection of Kropotkin's position on the war in manuscripts that Kropotkin left at the Dmitrov house and which are now part of the Archives of the Reserve Museum "Dmitrovsky Kremlin" in Russia. He lived there for the last two and a half years of his life. The manuscripts are *On the War*,¹ *Letters about War*,² *German Declarations on War*,³ *How an English Soldier Looks at War*,⁴ and *Letters on Current Events*.⁵

Peter Kropotkin, according to the socialist David Shub, – “was an ardent...Russian patriot”, – although in those days not only socialists of all directions, but even many liberals were opponents of this war and fought against the tsarist government". During World War I, Kropotkin, with a few anarchists in support of the Entente, ended up in the camp of the “defencists”. A consequence of Kropotkin's defensism was his isolation from the bulk of his comrades. Some Russian anarchists even claimed the "political death" of Kropotkin as an anarchist.⁶

Although there was no clear line in the attitude of the Russian anarchists—including anarchist-communists—towards the new views of Peter Kropotkin, one of the anarchists, Alexander Atabekyan, who was amongst the closest to Kropotkin's ideas, noted that one part remained true to the foundations of the old doctrine, while “the other part – let us call it progressive or renovationist – together with P. A. Kropotkin be-

¹ Архив Дмитровского музея-заповедника «Дмитровский Кремль». Ф. 22/5152. Оп. 1. Д. 8.

² Архив Дмитровского музея-заповедника «Дмитровский Кремль». Ф. 22/5152. Оп. 1. Д. 7.

³ Архив Дмитровского музея-заповедника «Дмитровский Кремль». Ф. 22/5152. Оп. 1. Д. 217.

⁴ Архив Дмитровского музея-заповедника «Дмитровский Кремль». Ф. 22/5152. Оп. 1. Д. 219.

⁵ Крoпoткин П. А. Письма о текущих событиях. М.: Задруга, 1917 (вперв. в сент. и окт. 1914 г. в «Русских Ведомостях»). 126 с. С. 3.

⁶ Шуб Д. Н. (Давид Шуб) Политические деятели России (1850-х – 1920-х гг.). Нью-Йорк, 1969. С. 44.

gan to overestimate their ideological values in accordance with the new historical situation”.⁷ Unfortunately, Kropotkin did not come to a complete understanding with any of the Russian anarchists.

One of the reasons for the defensism of Peter Kropotkin during the First World War was his belief in the vanguard role of France in the world revolutionary process, in her special revolutionary mission in Europe and in the world. For Kropotkin, saving France meant saving European progress and the future anarchist revolution.

Peter Kropotkin defended freedom and statehood in other Entente countries. Kropotkin believed that England, France, Italy, and the United States had entered at this time in a period of deep social restructuring, and that militaristic Germany could interfere with this process. In addition, Kropotkin was sure that the defeat of France and other Entente countries would lead Europe to stagnation, militarism, the triumph of the greedy bourgeoisie and regression in the entire mental life of Europe, at least for half of a century.

For Kropotkin the “great democracies” of the West symbolized all the best that Europe could achieve, while the “whip-German empire” was inclined to see a stronghold of militarism. Kropotkin was convinced that “the struggle in Europe is now going on between two opposite principles: the popular, democratic principle and the principles of reaction”.⁸

Believing that the Entente powers are waging a just war, Peter Kropotkin, unlike many anarchists, social democrats, and even bourgeois politicians, completely refused to criticize governments, even for military defeats. He even considered discussions of this issue harmful among not only left-wing parties, but also within anarchist publications.

“Peter Kropotkin asserted the Social Democrats wanted to gain power and hoped on the parliament. We wanted – he wrote – to seize the means of production and we hoped...on the only people who can do this – on workers”.⁹ And Kropotkin did not accept the October overturn of

⁷ Атабекян А. М. Материалы к изучению жизни и творчества П. А. Кропоткина // Почин. М., 1922. № 3. С. 5.

⁸ Мкртчян А. А. «Всякого угнетателя личности я ненавижу» // Труды комиссии по научному наследию П. А. Кропоткина. Вып. 2. М., 1992. С. 13.

⁹ Кропоткин П. А. Наше отношение к крестьянским и рабочим союзам // Листки «Хлеб и воля». 1906. № 2. 14 ноября. С. 3-4.

1917 in Russia.¹⁰ He believed that any dictatorship, including the dictatorship of one party, would lack value. According to the memoirs of Kropotkin's daughter, he believed that the revolution had gone "from the first steps along the wrong path".¹¹ Moreover when the first armed clashes between the Bolsheviks and the troops of the Provisional Government began in Moscow in October 1917, Kropotkin declared that the Bolsheviks "were burying the Russian revolution".¹²

Many anarchists believed that neither the state socialists, nor even the anarchists, would be able to establish the desired socialist or communist system in one trick, one revolution; it would take more than one coup. In their opinion, neither socialists nor workers should join the state administration, because doing so would give only a burst of new forces to this obsolete form of exploitation. All of them knew that it is impossible to achieve a socialist or communist system immediately without several successive coups, first in peoples' minds and then in the real life. Anarchists considered any strengthening of the state harmful and they refused all participation in state power, capitalist exploitation, the war for the interests of the bourgeoisie or the use of religious beliefs.¹³

In 1917-1918, after the February Revolution in Russia, Russian anarchists worked feverishly. Anarchist congresses, conferences and meetings were called; anarchist regional associations were created, along with all sorts of anarchist bureaux. At this time, in many cities of Russia, 30-40 anarchist monthly and weekly newspapers were published. In total, up to 100 periodicals were published in Russia during the revolution. The post-revolutionary anarchist movement in new Russia was a bizarre and intricate

¹⁰ Sergey V. Saytanov The judgment on Bolshevik political regime of famous Russian anarchist Peter Kropotkin // Збірник центру наукових публікацій «Велес» за матеріалами III міжнародної науково-практичної конференції 2 частина: «Інновації в сучасній науці», м. Київ: збірник статей (рівень стандарту, академічний рівень). – К.: Центр наукових публікацій, 2017. С. 5-12.

¹¹ Кротопкина А. П. П. А. Кротопкин // П. А. Кротопкин и его учение. Интернациональный сборник, посвященный десятой годовщине со дня смерти П. А. Кротопкина. Чикаго, 1931. С. 290-292.

¹² Шуб Д. Н. Политические деятели России (1850-х – 1920-х гг.). Нью-Йорк, 1969. С. 306.

¹³ П. А. Кротопкин. Что такое анархия? (Из неизданной рукописи П. А. Кротопкина) // П. А. Кротопкин и его учение. Интернациональный сборник, посвященный десятой годовщине смерти. Чикаго, 1931. С. 7-8.

network of all kinds of unions, circles and organizations that were constantly splitting up and merging with each other, disintegrating and emerging again, existing either legally or illegally or underground.

Upon his return to Russia, Peter Kropotkin was initially keenly interested in the activities of Russian anarchist groups, who sent him books, newspapers and leaflets that they published. However, Kropotkin never once expressed his attitude towards the activities of these groups. He took part in meetings of workers, soldiers, sailors, officers and teachers, but never formally joined them. Meanwhile, in Russia, Kropotkin was disappointed by the rude, cheeky young people who called themselves anarchists and claimed to embrace both freedom and respect for the individual, but who were too irresponsively permissive and licentious.

At that time, anarchist groups operated in 130 cities and towns and published about 40 newspapers and magazines. Their main products were Kropotkin's earlier, radical works, previously published in the West. In 1917-1918, more than 100 of these publications, mainly in separate editions, appeared in Russia.

In August 1917, Kropotkin moved from Petrograd to Moscow to attend the State Conference at the invitation of Prime Minister Alexander Kerensky. There, he called for the abandonment of all inter-party disputes and proclaimed Russia a democratic federal republic. This became Kropotkin's main task. Therefore, when the prominent Russian anarchists Ya. I. Novomirsky and A. A. Borovoy visited Kropotkin in Moscow and offered to cooperate in anarchist publications, he refused in order to help the Provisional Government in building a new Russian state instead. These plans, however, were prevented by the Bolshevik *coup d'état*.¹⁴

After seizing power, the Bolsheviks strove to build centralized state socialism in Russia. This position was absolutely unacceptable to the anarchist views of Kropotkin.¹⁵ He viewed both the Bolsheviks and all Social

¹⁴ Цовма М. А. Алексей Боровой и Петр Кропоткин // Там же; Бирюков А. В. П. А. Кропоткин и А. М. Атабекян // Труды Комиссии по науч. насл. П. А. Кропоткина. Вып. 2. М., 1992. С. 26-37

¹⁵ Рихтер Г. Полиция не может быть строительницей новой жизни: П. А. Кропоткин и Октябрьская революция [сокращенный текст доклада, сделанного на конференции в Лейпциге 7 сентября 1992 г.] // Труды Международной научной конференции, посвященной 150-летию со дня рождения П. А. Кропоткина. Вып. 3. П. А. Кропоткин и революционное движение. М., 1995. С. 145-161.

Democrats in general as centralists and Statesmen. Kropotkin constantly criticized the Bolshevik authorities for the establishment of a fully centralized government, which included all the enforcement agencies.¹⁶

Expecting that the Bolsheviks would not retain power for long time, Kropotkin headed the League of Federalists—that he had created in Moscow— at the beginning of 1918. In the League, Kropotkin, together with representatives of various socialist and non-socialist parties, promoted and popularized the ideas of federalism and state decentralism. Thus, the anarchist Kropotkin, who considered the establishment of anarchy as the ultimate goal of human development, did not embrace the immediate abolition of the state and opposed obstacles imposed on society "to develop freely from simple to complex forms through a free union of free groups".¹⁷

Kropotkin was convinced that self-government was the universal vector of the progressive development of mankind at the beginning of the 20th century. At the same time, his concept of decentralization of power did not mean the elimination of the state. Rather, society was supposed to unite on universal progressive principles in the direction of democracy. Kropotkin defined this as "widely developed self-government" in his unpublished manuscript "On the question of federation".¹⁸ After the February Revolution, he repeatedly expressed the need to create a federal republic in Russia similar to that of the United States of America and cantonal Switzerland.

Nonetheless, a monstrous bureaucratic system continued to develop in Bolshevik Russia built on the massive use of "red terror" and the barbaric spread of hostage-taking practices. In addition, the Bolshevik government completely overrode all democratic principles and federal ideas that Kropotkin so highly valued in the last years of life in accordance with his anarchy-reformist convictions. For this reason, he often compared the Bolsheviks to the Jacobins of the French Revolution. Constantly analyzing the experience of the Great French Revolution, Kropotkin summed up

¹⁶ Мкртчян А. А. П. А. Кропоткин и Западная Европа // Новая и новейшая история. М., 1991. № 2. С. 57.

¹⁷ Михайлов Е. И. Теория федерализма П. А. Кропоткина // Социально-гуманитарные знания. М., 2001. № 5. С. 112.

¹⁸ Бубенко О. Н. Федерализм как основа будущего общественного устройства в теории П. А. Кропоткина // Конституционализм и федерализм в России (XIX-XX вв.). Барнаул, 2004. С. 67.

the fact that, in the beginning of the 20th century in Russia, “the police cannot be the creator of a new life. But meanwhile it is now becoming the supreme authority in every city and every small village”.¹⁹

It should also be noted that Kropotkin did not deny the idea of a social revolution and maintained the prospect of building anarchy-communism in the future. But watching the actions of the Bolsheviks he was perplexed “why they push the revolution to the path that would lead to its death mainly from shortcomings that are not peculiar to Socialism and Communism but represent a relic of the old system and old ugliness of unlimited all-devouring authorities of Power”.²⁰

Under these conditions the main hopes of Kropotkin were directed at the workers' movement and federalism. The development of the labor movement attracted Kropotkin's attention as a priority. After the revolutionary workers' demonstrations in Russia in 1905, Kropotkin expounded his views in the article “The Russian Workers' Union”,²¹ in which he returned to the ideas of Bakunin's International Workers' Unions.²² In a letter of March 24, 1901 to the secretary of the Central Workers Union of Chicago, Kropotkin wrote that the important task of the Union is the education of the working class.²³

Therefore, the idea of unions and federations that existed outside the state was very important for Kropotkin. Moreover, he saw in the political federation of the State a transitional period of the emergence of an anarchic social order. That is why at the end of his life he highly valued the syndicalism and cooperative movement.²⁴

¹⁹ Рихтер Г. Полиция не может быть строительницей новой жизни: П. А. Кропоткин и Октябрьская революция [сокращенный текст доклада, сделанного на конференции в Лейпциге 7 сентября 1992 г.] // Труды Международной научной конференции, посвященной 150-летию со дня рождения П. А. Кропоткина. Вып. 3. П. А. Кропоткин и революционное движение. М., 1995. С. 145.

²⁰ Пирумова Н. М. Письма и встречи // Родина. № 1. 1989. С. 29.

²¹ Кропоткин П. А. Русский рабочий союз // Хлеб и Воля. СПб., 1905. С. 181-198.

²² Максимов Г. Кропоткин и синдикализм // П. А. Кропоткин и его учение. Интернациональный сборник, посвященный десятой годовщине со дня смерти П. А. Кропоткина. Чикаго, 1931. С. 107.

²³ ГАРФ. Ф. 1129. Оп. 2. Ед. хр. 411. Л. 1.

²⁴ Шапиро А. П. А. Кропоткин и анархо-синдикализм. Рабочий путь (ор-

However, seeing the active contradiction of the new Bolshevik power in this direction, Kropotkin stated that “the destruction of free initiative in the entire economic and political life of the country, and even in the expression of thought, could be an inevitably fatal restoration of the pre-revolutionary regime”.²⁵

At the same time Kropotkin repeatedly noted “in the Russian people – a large supply of creative, building forces. And as soon as these forces started building life on a new socialist basis the duties of a police investigation entrusted to them by terror began their corrupting, pernicious work, paralyzing all construction and putting forward absolutely incapable people... Where does it lead Russia? To the most malicious reaction”.²⁶

Kropotkin was convinced that the "October Revolution" in Russia "did not follow the path that we prepared for it ... It creates horrors"...²⁷ Similar thoughts of the Bolshevik coup as a “return to the old” order can be found in Kropotkin's draft of a letter to Lenin dated December 21, 1920.²⁸

Emma Goldman, an American anarchist of Russian origin, shared Kropotkin's political views on the Bolshevik October revolution, considered herself to be Kropotkin's pupil and personally met him since 1895. Goldman accurately noted that “after the October Revolution Kropotkin saw with the clairvoyance of a prophet that the revolutionary efforts of the people were channeled into government channels and away from the ideals that inspired the masses during the holy ascent of the first October days”.²⁹

At the same time, observing the death of the Russian revolution and the participation of the Russian anarchists in the new order, Kropotkin came to the conclusion that the principle of “innate anarchism” that he had previously put forward does not work in man. In his declining

ган русских анархо-синдикалистов). Изд. Комитета Защиты Анархо-синдикализма при Международном Товариществе Рабочих. № 2-3. Берлин, апрель-май 1923 г. С. 5-6.

²⁵ Кропоткин П. А. Письмо С. Л. Мильнеру от 6 фев. 1919 г. // Вопросы философии. 1991. № 11. С. 56.

²⁶ Пирумова Н. М. Письма и встречи // Родина. 1989. № 1. С. 27.

²⁷ Кропоткин П. А. Несколько мыслей П. А. Кропоткина о русской революции // Дело труда. Чикаго, 1927. № 20-21. янв.-февр. С. 5-6.

²⁸ НИОР РГБ. Ф. 410. Картон 12. Ед. хр. 57. Л. 1.

²⁹ Гольдман Э. П. А. Кропоткин // Былое. Берлин; Прага, 1922. № 17. С. 102.

years, he came to the conclusion that anarchic morality is not inherent in man, and that it must and should be taught. Therefore, Kropotkin dedicated his last efforts to the creation of an extensive philosophical work expressing his anarchic worldview entitled *Ethics*, realizing that, without improving morality in man, the very construction of an anarchic society is impossible. At the same time, Kropotkin wrote in his letters that “it is necessary to start it [i. e., this work – S. S.] with new workers. With our current cadres of intellectuals, who already have, each, his favorite outlook, neither we nor anyone else will do anything”...³⁰

Subsequently, in one of her works about Peter Kropotkin, Emma Goldman wrote: “I know that in the past every great political and social change required violence... But it is one thing when violence is used only for defense purposes, and another when it is raised as the supreme principle, when terror becomes one of the institutions and is put in place as the main instrument of social struggle. Such terrorism engenders counterrevolution and even becomes a counterrevolutionary one”.³¹

Goldman came to the conclusion that never before the government and a State had so many powers as in Russia. This proved the reactionary and counter-revolutionary nature of the regime that came to power. In a word, Bolshevism demonstrated itself as the very opposite of the revolution. Goldman even came to the conclusion that the Bolsheviks had restored capitalism in Russia.³² In this regard, Goldman identified not only capitalist exploitation but also the suppression of personality under the communist regime. In the last years of her life, she paid much attention to the question of the connection between different forms of totalitarianism, including the proximity of Hitlerism (National Socialism) and Stalinism (class socialism).³³

³⁰ Лебедева А. П. Идеи П. А. Кропоткина и современное анархическое движение // Труды Междунар. науч. конф., посв. 150-летию со дня рожд. П. А. Кропоткина. Москва, Дмитров, С.-Петербург. 9-15 декабря 1992 г. Вып. 3. П. А. Кропоткин и революционное движение. М., 1995. С. 58.

³¹ «Автономное действие» / Свобода! Самоуправление! Либертарный коммунизм! / «Самая опасная женщина в Америке». Эмма Гольдман: путь борца URL: <http://www.avtonom.org/index.php?nid=394>

³² Гольдман Э. Лозовский приподымает завесу // Анархический вестник. Берлин, 1924. № 7.

³³ Гольдман Эмма [Электронная Еврейская энциклопедия] URL:

Goldman was not alone among the anarchists in such an assessment of the Bolshevik regime. This was expressed by many, for example, the Russian anarchists B. G. Sandomirsky in his work *Fascism* (1923). Vsevolod Eikhenbaum (Wolin), a friend and a pupil of the author of *Mutual aid*, was one of the first to determine that totalitarianism has two faces: national fascist and communist. In 1934, Wolin wrote a pamphlet entitled “Red Fascism” in which, as a prelude to his work *The Unknown Revolution* (1946), he compared the victorious communism in Russia to Italian and German fascism.³⁴

To a large extent, the misunderstanding and rejection of the new ideas of Peter Kropotkin by the majority of the Russian anarchists was due to Kropotkin himself. While still living in England, he tried to avoid direct discussions with them, even in regard to his political opponents. Kropotkin not only feared the depersonalization and degeneration of anarchism, but also discussions within the anarchist current itself.

In the letter to the anarchist Alexander Shapiro in 1920, Kropotkin expressed himself more definitely: “Is it possible to unite anarchists of all teachings in Russia? The answer should be straightforward – no! Undesirable and – impossible! We remained anarchists precisely because we consider it necessary to carry out our [emphasized – S. S.] views, that we remain ourselves, and do not depersonalize ourselves: otherwise, we would have long been absorbed in conspiratorial Blanquism”...³⁵

Peter Kropotkin did not accept the October Revolution and Bolshevik dictatorship because they distorted the idea of the Soviets as a nationwide representative body and rejected the principle of federalism in building a State and society. Instead of the cooperative movement – the foundation, according to Kropotkin, of building the future anarchist so-

<http://www.eleven.co.il/article/11228>

³⁴ Йоренс Игнасио Невозможный диалог (комментарии к письмам П. А. Кропоткина В. И. Ленину) // Петр Алексеевич Кропоткин и проблемы моделирования историко-культурного развития цивилизации: материалы международной научной конференции / сост. П. И. Талеров. СПб., 2005. С. 422.

³⁵ Шапиро А. П. А. Кропоткин и анархо-синдикализм. Рабочий путь (орган русских анархо-синдикалистов). Изд. Комитета Защиты Анархо-синдикализма при Международном Товариществе Рабочих. № 2-3. Берлин, апрель-май 1923 г. С. 5-6.

ciety – they established a dictatorship and imposed terror. Under the Bolsheviks, democratic freedoms and respect for human rights became impossible. All these were at odds with the anarchy-reformist socio-political views of Kropotkin.

Moreover, Kropotkin's initial interest in various activities of anarchists in Russia was replaced by disappointment. The Bolsheviks wanted to isolate Kropotkin from all kinds of “unwanted” contacts, and also Kropotkin, the greatest anarchist, chose to isolate himself from anarchist visitors of all kinds. While living in Dmitrov, Kropotkin repeatedly received offers from various anarchist groups to participate in anarchist publications and public events, up to the congress. Kropotkin invariably turned down such proposals. All Kropotkin's active social activities were limited only to participation in the work of the local museum of local lore and to activities in the local union of cooperators. His main occupation was writing *Ethics*.³⁶

Kropotkin's work towards the end of his life was dedicated to his own original conception of anarchism and the principle of the maximum freedom possible for society and of his individuals. This led him to a dramatic crisis in his status as an “ideological leader” and “banner of Russian anarchism.” In fact, Kropotkin was a unique and largely symbolic figure in Russian history at the turn of the 19th and 20th centuries. Still, among the revolutionaries of that time, Kropotkin had tremendous authority, and was often called “the grandfather of the Russian revolution”.³⁷

The change in the anarchist views of Peter Kropotkin was contrary to radical anarchism in Russia. After the Bolshevik coup in Russia, Peter Kropotkin actually moved away from practical participation in the Russian anarchist movement. And although in his “political testament” Kropotkin developed a plan to fight the Bolsheviks, he did not expect the help of any of the existing anarchist movements and groups.

These factors, as well as the fundamental discrepancy between Peter Alekseevich Kropotkin and the majority of anarchists, served as the

³⁶ Крoпoткин П. А. Этика: происхождение и развитие нравственности. 2-е изд. Нью-Йорк: Комис. при Рабочем союзе самообразования, 1923. Т. 1.

³⁷ Кондратьева Т. А. П. А. Крoпoткин o нравственном смысле революции // София: Рукописный журнал Общества ревнителей русской философии. Вып. 5. 2002. (дата обновления: 07.02.2007). URL: <http://www.eunnet.net/sofia/05-2002/text/0514.html> (дата обращения: 21.02.2009).

reason for the rejection of his views among Russian anarchists. It was Peter Kropotkin's embrace of the revolutionary reformist transformation of society through democratic forms of the state toward the future anarchist system that caused the crisis between Peter Kropotkin and the vast majority of Russian anarchists in 1917-1920 years.

The Bolsheviks' defeat of anarchism in Russia led to a distortion or misunderstanding of Kropotkin's final ideas, which can be designated as "anarcho-reformism".³⁸ Atabekyan noted that one part of the Russian anarchists remained true to the foundations of the old anarchist doctrine, "the other part – let's call it progressive or renovationist – together with P. A. Kropotkin began to re-evaluate their ideological values in accordance with the new historical situation".³⁹

³⁸ Sergey V. Saytanov The argumentation of Peter Kropotkin's anarcho-reformism in his social-political and anarchist views. Москва, 2014.

³⁹ Атабекян А. Перелом в анархическом учении. М., 1918. С. 3.

IV. ANNOUNCEMENTS

Master's Program in Philosophy Taught in English at the University of Sofia "St. Kliment Ohridski"

General Information

Sofia University "St. Kliment Ohridski" was founded in 1888 following the best patterns of European higher education. Sofia is the capital city of the Republic of Bulgaria, which is a member of the European Union (EU). Sofia University is the highest-ranking university in Bulgaria. The MA Program in Philosophy taught in English at the University of Sofia provides instruction in all major areas of Western Philosophy, but the Master's thesis can also be written on a topic from Eastern Philosophy. The program consists of 10 mandatory courses and 2 electives, so it leaves enough leeway for the student's own preferences. The degree is recognized worldwide including in the EU/EEA and Switzerland, the USA, Canada, Russia, Turkey, China, the Indian Sub-Continent, Latin America, and the Middle East.

Courses Offered

Philosophical Anthropology, Ethics, Axiology, Philosophical Method, Truth and Meaning, Philosophy of Intercultural Relations, Social Philosophy, Continental Philosophy, Philosophy of Culture, Logic in the Continental Tradition, Theories of Truth, Existential Dialectics, Philosophy of Subjective Action, Phenomenology.

Faculty Members

All faculty members teaching at the program are approved by the Bulgarian State Highest Assessment Commission. They feature successful teaching experience in this country and abroad and are well published in Bulgarian and English.

Duration of Studies

Two semesters of course attendance plus a third semester for writing the Master's thesis. There are also opportunities for distance learning.

Requirements

Bachelor's degree in any field of the humanities, social science, science, or professional disciplines. No tests or application fee are required (for citizens of EU/EEA and Switzerland applying for a state scholarship €16 fee is charged and an interview is held). No previous degree in philosophy is needed.

Tuition Fee

- 1) For citizens of the EU/EEA and Switzerland: €850 per school year.
- 2) For international students: €3850 per school year.

Financial Aid

- 1) EU/EEA and Swiss citizens are eligible for state scholarships carrying a 60% tuition waiver plus a monthly stipend beginning from the second semester.
- 2) American citizens are eligible for Fulbright Graduate Grants. For more information, see www.fulbright.bg. It is possible for American citizens to use sources of governmental financial assistance (please contact the Program Director for details).
- 3) Canadian students are eligible for financial aid in the form of governmental student loans from the province where they are permanent residents.
- 4) Turkish students are eligible for financial aid within the Erasmus+ Student Exchange Program.
- 5) Chinese students are eligible for financial aid within the bilateral Chinese-Bulgarian Cultural Agreement. For more information, contact the Chinese Ministry of Education.
- 6) Russian students are eligible for financial aid within the bilateral Russian-Bulgarian Cultural Agreement. For more information, contact the Russian Ministry of Education.
- 7) Students from the Ukraine, Belarus, and the other CIS countries, the Indian Sub-Continent, Latin America, and the Middle East receive fi-

nancial aid in the form of inexpensive dormitory accommodation (about €50 per month including most of the utilities) plus a discount on public transportation and at the university's cafeterias. The same type of financial aid is available for the citizens of EU/EEA and Switzerland, American citizens, Canadian nationals, Western Balkans citizens, students from Turkey, and Chinese students.

Application Deadlines

To start in October: July 31.

To start in February: November 30.

Student Visa Matters

Sofia University in cooperation with the Bulgarian Ministry of Education and Science provides the necessary documents for student visa application to all eligible candidates, except those from the EU/EEA and Switzerland.

Cultural Life and Recreation

The city of Sofia is the most ancient European capital after Athens. The cost of living there is one of the lowest in Europe. As the capital of Bulgaria, Sofia features a rich cultural life. There are a number of concert halls, museums, dozens of art galleries, and many national and international cultural centers. The streets of Sofia are populated by cozy cafés and high-quality inexpensive restaurants offering Bulgarian, European, and international cuisine. Sofia is a favorable place for summer and winter sports including skiing on the nearby mountain of Vitosha. More about Sofia can be found at <http://www.sofia-life.com/culture/culture.php>. You can also follow Sofianite and Bulgarian news at <http://www.novinite.com/lastx.php>.

Contact Person

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- 2) For international students: in residence: €6500 per school year.
 extramural: €3300 per school year.

Other Fees

Dissertation Defense Fee: €1700.

Duration of Studies

In residence: 3 years. Extramural: 4 years. There are opportunities for distance learning.

Financial Aid

- 1) EU/EEA and Swiss citizens are eligible for state scholarships carrying a 60% tuition waiver plus a monthly stipend beginning from the second semester.
- 2) American citizens are eligible for Fulbright Graduate Grants. For more information, see www.fulbright.bg. It is possible for American citizens to use sources of governmental financial assistance (please contact the Program Director for details).
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Cultural Life and Recreation

The city of Sofia is the most ancient European capital after Athens. The cost of living there is one of the lowest in Europe. As the capital of Bulgaria, Sofia features a rich cultural life. There are a number of concert halls, museums, dozens of art galleries, and many national and international cultural centers. The streets of Sofia are populated by cozy cafés and high-quality inexpensive restaurants offering Bulgarian, European, and international cuisine. Sofia is a favorable place for summer and winter sports including skiing on the nearby mountain of Vitosha. More about Sofia can be found at <http://www.sofia-life.com/culture/culture.php>. You can also follow Sofianite and Bulgarian news at <http://www.novinite.com/lastx.php>.

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