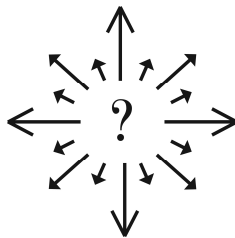# Sofia Philosophical Review

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I. JUSTICE AS A CONCERN FOR PHILOSOPHERS

The Conditions for Justice in Kant's Theory of State

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Abstract

I argue that in his political philosophy, Kant not only provides the description of an ideal state, but also sets the minimum requirements for a political entity to be legitimate. The goal of this paper is to show how Kant's concepts of "rightful condition" and "state in idea" can be respectively understood as setting requirements for minimal and maximal justice. I claim that Kant's concept of the state of nature allows him to attribute rights to persons both in a civil condition and in abstraction from it. Nevertheless, these rights can never be held conclusively in the state of nature and, therefore, one must leave it. I argue that, although constituting the rightful condition is identical with leaving the state of nature, not all existing countries are equally fulfilling the postulate of public right. Hence, I confront the concept of mere "rightful condition" with the concept of ideal state and I show which elements of Kant's political philosophy allow the progress from the first to the second one.

1. Introduction

In this paper, I investigate Kant's theory of state as a dynamic construction, which can be relevant for normative assessment of political practice.[1] I argue that in his political philosophy, Kant not only provides

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[1] Citations from Immanuel Kant's texts refer to the volume and page numbers in the Akademie edition (AA): Königlichen Preußischen (later Deutschen) Akademie der Wissenschaften (ed.), *Kants Gesammelte Schriften*, (Berlin: Georg Reimer, 1900, later Walter de Gruyter), except for references to the *Critique of*

the description of an ideal state, but also sets the minimum requirements for a political entity to be legitimate. The goal of this reconstruction is to show how Kant's concepts of "rightful condition" and "state in idea" can be respectively understood as setting requirements for minimal and maximal justice. I begin the discussion with the recognition of the unique character of Kant's theory of the state of nature, which, contrary to other Enlightenment projects (Hobbes, Locke, Rousseau), is not a historical reconstruction of the genesis of a state, but a theoretical concept justifying the state's monopoly for the use of coercion.[2] This particular concept of the state of nature allows Kant to attribute rights to persons both in a civil condition and in abstraction from it. Furthermore, I present the postulate of public right and the conditions under which it is fulfilled. I claim that the state of public right, as opposed to the state of nature, constitutes a "rightful condition" in which laws regulate the freedom of individuals and the authority of the state. My argument is that, although constituting the rightful condition is identical with leaving the state of nature, not all existing countries are equally fulfilling the postulate of public right. Therefore, in the next step I confront the concept of the mere "rightful condition" with the concept of "the state in idea" as the minimum and maximum requirements of justice according to the Kantian theory of state. In the last step, I explain the possibility and plausibility of maintaining those two sets of requirements for the state by arguing that the key to understanding Kant's theory of state is the permissive law of public right, which allows political entities to progress while preserving stability in securing individual rights.

2. The State of Nature and the Postulate of Public Right

In my paper, I argue that the state of nature between free individuals in Kant's writings is a theoretical concept built to justify the power

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Pure Reason, which is cited by page numbers in the original first (A) and second (B) editions. All quotations from Kant follow the English translation of Paul Guyer and Allen Wood (eds.), *The Cambridge Edition of the Works of Immanuel Kant* (Cambridge: Cambridge University Press, 1992) from the volume by Allen Wood (ed.), *Practical Philosophy*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1996).

2   Kant uses this concept also to show the need for tackling the idea of an international state of nature.

of the state and does not aim to describe the emergence of political power in historical polities. Moreover, unlike other political philosophies of the Enlightenment, Kant's concept of the state of nature is not based on empirical data or even the specific account of human nature, but on the notion of right itself.[3] According to Kant, it is not greed, quarrelsomeness, or other flaws of mankind that are the source of its misery and force people to form political entities. As he claims in the *Metaphysics of Morals*:

> It is not experience from which we learn of the maxim of violence in human beings and of their malevolent tendency to attack one another before external legislation endowed with power appears, thus it is not some deed that makes coercion through public law necessary. On the contrary, however well disposed and law-abiding human beings might be, it still lies a priori in the rational idea of such a condition (one that is not rightful) that before a public lawful condition is established individual human beings, peoples and states can never be secure against violence from one another, since each has its own right to do what seems right and good to it and not to be dependent upon another's opinions about this.[4]

The state of nature is understood as "one that is not rightful" and this claim is independent of both (good or evil) human nature and the presence or absence of wars. The fatal flaw of the state of nature lays not in the lack of rights within it or the violent way in which people pursue their goals, but in its inability to secure the preexisting rights, as in the state of nature persons already possess rights of two kinds — the innate and the acquired. The only innate right of individuals, as Kant states, is external freedom, which enables them to pursue goals of their choice. This particular right to freedom is then the source of further, acquired rights and, as a consequence, it gives grounds for the postulate of public right.

The right to personal freedom (innate right) in the state of nature is

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[3] See Karlfriedrich Herb, Bernd Ludwig, "Naturzustand, Eigentum und Staat: Immanuel Kant's Relativierung des 'Ideal des Hobbes'," *Kant-Studien*, no. 84 (1993): 283-316 and Georg Geismann "Kant als Vollender von Hobbes und Rousseau," *Der Staat*, no. 21 (1982): 161-189.

[4] Kant, *Metaphysics of Morals*, AA 6:312.

limited only by the personal freedom of other people and, therefore, any action which does not violate the body and mind of another person is right. But it is insufficient to regulate the relationship between individuals solely on the basis of their innate right. Moreover, the innate right to freedom is not enough to justify the introduction of state power with its coercive laws. The human condition requires people to use external objects,[5] which are limited in supply. This fact generates a need for further, acquired rights. If people are to be able to exercise freedom as human beings and pursue their goals, they need to be entitled to possess objects that are not in a direct contact with their body (i.e., possess more that the space they occupy on the surface of the earth and things they can hold in their hands) and, so, exclude others from using these objects. Kant states that, in order for the innate right to freedom not to be an "empty concept," the practical reason asserts the necessity of intelligible possession. The possibility of such possession is postulated by pure practical reason as the postulate of private right. In this postulate, Kant concludes that we must be able to claim an intelligible possession of an external object, even though we are not in the physical possession of this object. In other words, we need to be able to claim that an object belongs to us even when we are not holding it in our hands. The postulate of private right is a condition for any acquired right, irrespective of the existence of countries.

In Kant's theory of right, possession of objects of one's own choice is possible prior (or in abstraction from) civil constitution, i.e., in a state of nature.[6] This possession, understood as a right, is by no means innate, it needs to be acquired, either by the unilateral will of an individual (original acquisition of land) or by means of a contract (bilateral will).[7] The grounds for obtaining something on my own, which formerly

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[5] In order to survive as human beings, we need at least food, clothing, shelter, and access to water, while the innate right secures us only in the use of an object that is in direct contact with our body (i.e., an object that we stand on or hold in our hands). See Arthur Ripstein, *Force and Freedom: Kant's Legal and Political Philosophy* (Cambridge/London: Harvard University Press, 2009): 58-62.

[6] See Kant, *Metaphysics of Morals*, AA 6:256-257.

[7] Kant considers also a third type of acquired rights, which are the rights to possess other individuals that are in accordance with the freedom of possessed persons. As examples of such legal relations, he mentions marriage, having children and house help (servants). Some Kant scholars rightly criticise this part of private right theory as outdated and inconsistent with the rest of the theory. Others sub-

belonged to everyone by virtue of original common ownership of the earth[8] is the permissive law of private right. This law states that I can acquire an object of my choice and, therefore, exempt others from using it, but *only* under the condition of entering with everyone into a rightful condition or a state of public right. In this sense, for Kant the rights of individuals, both the innate and the acquired, are valid also in the state of nature. We do not need to enter the rightful condition to have rights as individuals, and yet Kant claims that the state of nature is necessary. He asserts that even a peace-loving person must enter the rightful condition in order to avoid violence:

> It is true that the state of nature need not, just because it is natural, be a state of injustice (*iniustus*), of dealing with one another only in terms of the degree of force each has. But it would still be a state devoid of justice (*status iustitia vacuus*), in which when rights are in dispute (*ius controversum*), there would be no judge competent to render a verdict having rightful force. Hence, each may impel the other by force to leave this state and enter into a rightful condition; for, although each can acquire something external by taking control of it or by contract in accordance with its concepts of right, the acquisition is still only provisional as long as it does not yet have the sanction of public law, since it is not determined by public (distributive justice and secured by an authority putting this right into effect).[9]

According to Kant, the state of nature must be left, not because of the quarrelsome nature of human beings or the need of acquiring rights, but in order to give rights an omnilateral recognition followed by institutional protection with the use of coercion. As he states, only in a rightful condition, in which an authority gives public laws and secures them, the possession of rights is conclusive and not merely provisional. A provisional right is one that can be taken away, because there is nothing that

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jugate this area of private right in the Doctrine of Right to the theory of contract. See, for example, B. Sharon Byrd, Joachim Hruschka, *Kant's Doctrine of Right: A Commentary* (Cambridge: Cambridge University Press, 2010): 245-260.

[8] See Alice Pinheiro Walla, "Common Possession of the Earth and Cosmopolitan Right," *Kant-Studien*, no. 107 (2016): 160-178.

[9] Kant, *Metaphysics of Morals*, AA 6:312.

protects it, except our own force and the good will of others. Conclusive rights, conversely, are guaranteed by the institution of a state and secured with the use of coercion. That is why entering the rightful condition does not interfere with the distribution of rights, but it changes the *nature* of these rights — from merely provisional to conclusive. Namely, all the individual rights in the "rightful condition" of a state become protected by a system of public law and exercised with use of coercion — constitution of a state results in delegating the right to coerce execution of rights from the individuals to institutions that can have a final vote on the distribution of external objects (Pinheiro Walla 2014). In conclusion, the need for order and security of individual rights calls for establishing a state and this call is formulated by Kant in the postulate of public right.

The need for a constitution that puts an end to the state of nature and establishes the rightful condition is expressed by the postulate of public right, derived from the preexistence of private right in which persons own both innate and acquired rights, and the need to coerce its execution. Kant presents this postulate in paragraph 42 of *Metaphysics of Morals*:

> From private right in the state of nature there proceeds the postulate of public right: when you cannot avoid living side by side with all others, you ought to leave the state of nature and proceed with them into a 'rightful condition,' that is, a condition of distributive justice. — The ground of this postulate can be explicated analytically from the concept of right in external relations, in contrast with violence (*violentia*).[10]

Kant asserts that the postulate of public right is derived analytically from the concept of right in external relations.[11] This concept not only

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[10] Kant, *Metaphysics of Morals*, AA 6:307.
[11] The fact that Kant states the 'analytical' characteristic of this derivation begs for further clarification. It is vital to highlight yet again that the concept of right in external relations rests on the notion of the external freedom of the individuals. Freedom gives us rights to pursue any possible goal and its scope is limited by the freedom of others. The original symmetry in the free interactions of individuals, in abstraction from using objects, does not suffice to ground public right and its use of coercion. Therefore, in addition to external freedom, the concept of right must contain permissive law to acquire objects of choice. The acquisition of possession creates asymmetry between the unilateral act of acquisition and the

enables ascribing the above-discussed innate and acquired particular rights to persons but also defines the relation between legal norms and coercion. Kant claims that the concept of external right is bound to the authorisation to use coercion because protecting one's freedom against violence is itself not a violent act. The use of coercion in executing one's rights is a permitted action and as such it does not violate anybody in the state of nature — everyone is entitled to seek conflict resolution with the use of force. The problem with such conflict lays in the fact that all the acquired rights are only provisional, as they lack the recognition of the whole community in the form of public laws. In the state of nature, coercion as execution of rights relays only on the strength of the disputing parties and not on the principle of justice. As a result, coercing rights in the state of nature is equivalent to pure violence, because the only deciding factor in a dispute concerning the rights of persons is the physical strength of the opposing parties.[12] The verdict of such dispute is random and often not in accordance with the intuition about what is "just." Only the introduction of public laws and institutions providing justice can put an end to the injustice and randomness of the state of nature. Following the imperative *exeundum est e statu naturali* (one must leave the state of nature) is the only way for persons to fully exert their external freedom as the rights are not protected by individual use of force, but by the power of state institutions.

3. "Rightful Condition" and Kant's Ideal State

Leaving the state of nature and bringing about a "rightful condition" is the necessity that can be derived from Kant's concept of right in external relations. I claim that the scope of Kant's concept of state includes all kinds of states, from minimally just political entities to ideal republics. As such, I argue that it makes room for continuous improvement and entails a theory of political change.

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will of others in relation to the object of choice. This asymmetry can only be permitted if in the act of acquiring an object of choice there is a presumption of omnilateral will, which gives its consent. Therefore, Kant's postulate of public right is valid on the grounds put in the private right. See Ripstein, *Force and Freedom*, 145-181.

[12] In such state, we might have some idea of justice, but there is no authority to judge who is right.

In Kant's theory, any political entity that can be called a "state" that is "right" and therefore puts an end to the state of nature must have three necessary features. It is vital to emphasise that these features are not characteristic of a "good," "fair," much less "ideal" state but are indispensable to acknowledge any state as such. This means that Kant presents us with a set of requirements that are minimal conditions for justice (as any state, according to Kant, is better than remaining in a state of nature).[13] The "minimum justice" of a rightful condition does not exhaust the potential of this theory, as in juxtaposition to the "minimum justice" we are presented with the "maximum." This is Kant's theory of ideal state — "state in idea"[14] — and its realisation in the empirical world in the form of a republic. Kant sets the necessary conditions that have to be fulfilled in order to overcome the defects of the state of nature, yet reason not only commands to establish a civil (i.e., rightful) condition, but also a *just* one.

Let us clarify the conditions of "minimum" and "maximum" justice to see the two poles of the spectrum in Kant's theory of state. The "minimum" conditions of justice are easily recognised in the set of definitions at the beginning of the chapter "State Law" in the *Metaphysics of Morals*. Firstly, we are presented with the concept of public right:

> The sum of the laws which meet that need to be promulgated generally in order to bring about a rightful condition is public right. — Public right is therefore a system of laws for a people, that is, a multitude of human beings, or for a multitude of peoples, which, because they affect one another, need a rightful condition under a will uniting them, a constitution (*constitutio*) so that they may enjoy what is laid down as right.[15]

Any political entity to be considered a state must possess a system of public laws. The system has two functions. Firstly, the role of public laws is to define and secure the particular rights of all members of a

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[13] According to Kant, any kind of political order (i.e., rightful condition), even if it is not granting many freedoms to its citizens, is preferable to remaining in the state of nature, where rights are not secured and the only ruler is pure violence. I further discuss this issue in Section 4, wherein I talk about *lex permissiva*.

[14] Kant, *Metaphysics of Morals*, AA 6:313.

[15] Kant, *Metaphysics of Morals*, AA 6:311.

state. Secondly, public laws set the structure for the relations of power and regulate the establishment of institutions, which are responsible for maintaining order. Furthermore, the constitution of a state must clearly define its three authorities: legislative, executive, and judicial as well as the relations between them. The third characteristic of any state is the idea of general united will, which has to be an underlying concept for any state constituted according to the innate right to external freedom. The relation between state authority and general united will is explained as follows:

> Every state contains three authorities within it, that is, the general united will consists of three persons (*trias politica*): the sovereign authority (sovereignty) in the person of a legislator; the executive authority in the person of the ruler (in conformity to law); and the judicial authority (to award to each what is his in accordance to the law) in the person of the judge (*potestas legislatoria, rectoria et iudiciaria*).[16]

The concept of general united will is a necessary theoretical framework for the theory of state, which understands external freedom as an innate right of every person. Since freedom is a fundamental right irrespective of any empirical conditions in which a person might find herself, the authority of a state can only be justified if it is assumed that this authority is founded upon the united will of all the persons as members of this state. In other words, the political legitimisation of a state with its system of public right lays in the idea of the general united will (of all members), which gives laws and bestows state authority to legal persons, who hold actual power. Nevertheless, the general united will cannot be understood as a factual, empirical body, such as a gathering of all members of the state who vote for a constitution. On the contrary, the "general united will" is again only a theoretical concept necessary for a state to fulfil the conditions of "minimum justice." In fact, Kant understands well that, historically, nearly all existing states have been created by "seizing supreme power."[17] This means that even a state ruled by one authoritarian prince, who fully controls all the state authorities (i.e., even

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[16] Kant, *Metaphysics of Morals*, AA 6:313.
[17] Kant, *Metaphysics of Morals*, AA 6:372.

a state with no division of powers or representation of its citizens), is legal, as long as it is constituted upon a system of public laws. Such state may lack many features that would be desirable according to the requirements of reason (and of justice), but as long it is fulfilling the "minimum justice," it must not be violated either by internal or external aggressors.[18]

The conditions of "maximum justice" are far more numerous and complex, so I will only point out the most crucial ones with regard to the right to external freedom and the constitution of a state. Kant defines the word "state" in paragraph 45 of the *Metaphysics of Morals* as follows:

> A state (*civitas*) is a union of a multitude of human beings under laws of right. Insofar as these are a priori necessary as laws, that is, insofar as they follow of themselves from concepts of external right as such (are not statutory), its form is a form of a state as such, that is, of the state in idea, as it ought to be in accordance with pure principles of right. This idea serves as a norm (*norma*) for every actual union into a commonwealth (hence serves as a norm for its internal constitution).[19]

The "state in idea" is a theoretical construct, which gives the basic framework of the constitution of a state that can be perceived as ideal. From this concept follows the requirements of maximum justice. Firstly, the general united will is the foundation for the constitution of such state. So, as the basis of state power there lays the idea of the original contract, which bestows power from the citizens upon the state authorities. We may expect that the idea of the general united will in the perfect state be expressed by such constitution of a state, which fully meets rational requirements and encompasses all individuals on earth. Secondly, the state secures the innate and acquired rights of citizens, who are granted personal freedom (to pursue their goals within legal framework) and political freedom (to be the authors of laws which they are required

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[18] A recent concise description of the general structure of Kant's theory of rightful condition as a system of public laws under the idea of general united will, which determines the specific, Kantian account of original contract with three state powers can be found in Marie Newhouse, *Kant's Typo, and the Limits of the Law* (PhD diss., Harvard University 2013): 29-39.

[19] Kant, *Metaphysics of Morals*, AA 6:313.

to obey). Further characteristics of a citizen are equality with all other members of society, civic independence as owner of his acquired rights, and dependence on the common lawgiving.[20] Thirdly, the ideal form of a state requires that the legislative authority be in the hands of the united will of people and presupposes the division and balance of state powers. Finally, the principle of the ideal state is the rule of law.

The ideal state is a norm for every state willing to transform itself according to the above-mentioned characteristics. It is a utopia of practical reason, a pattern or Plato's idea, which should serve as a tool to assess the "level" of justice of any particular state in the empirical world. As already mentioned, it is a "maximum" that any state should strive to approximate. Kant does not limit himself to proposing an ideal state in a form of a theoretical concept, but also discusses means of its empirical implementation. As Kant says, the republic:

> is the only constitution of a state that lasts, the constitution in which law itself rules and depends on no particular person. It is the final end of all public right, the only condition in which each can be assigned conclusively what is his; [...] Any true republic is and can only be a system representing the people, in order to protect its

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[20] The concept of civic independence has been widely discussed as not belonging to the metaphysical requirements of justice in accordance with practical reason, but was rather a trait of the structure of society in Kantian times. For further reference, see for example Bernd Ludwig, *Kants Rechtslehre* (Hamburg: Meiner Verlag, 1988): 161 ff. In his work *On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice*, Kant lists the three main qualities of a civil condition as freedom, equality and independence of the citizens and connects the latter to possessing some property. This list is then repeated in the section on public right in the *Metaphysics of Morals*. However, while discussing state law in *Perpetual Peace*, Kant does not mention civic independence any more and instead puts as third principle of establishing civil condition (apart from the principles of freedom and equality) the principle 'of dependence of all upon a single common legislation' (See *Perpetual Peace*, AA 8:349-350). The members of the state are therefore recognised as individuals (who are free), as subjects (who depend on the law) and as citizens (who are equal). One can assume that in the latter account of civil condition Kant abstracts from the (now outdated) empirical social structure of his times and seeks a more ideal description of the rational requirements of the just state. For a comparison, see also Kant's *On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice*, AA 8:290-297 and *Metaphysics of Morals*, AA 6:314-315.

rights in its name, by all the citizens united and acting through their delegates (deputies).[21]

The major feature of a republic, which is the embodiment of the ideal state, apart from being the final step in the process of perfecting a political entity, is the *representative* system. According to Kant, the only way to secure the rights of persons is to grant them participation in the political power, as any true republic (i.e., a perfect empirical state) is the perfect realisation of external freedom in accordance with the universal rights of everyone. Therefore, we must add political representation to the above-mentioned features of the ideal state, which together make out the basic conditions of "maximum justice."

This interpretation of Kant's theory may require a justification, since in the *Metaphysics of Morals* we are only presented with a set of definitions and normative requirements for state law, i.e., Kant does not clearly distinguish between "minimum" and "maximum" justice. Nevertheless, a closer critical analysis of the treatise reveals a major problem in the interpretation of Kant's theory of state as either an empirical description or a plain utopia. Firstly, the definitions of public law, idea of general united will, and three authorities within a state clearly exclude some of the political entities, which came into existence in the empirical world from being considered "states." We could bring about examples of such societies ("non-states" in Kantian terms), which function without any public laws, clearly distinguished powers and with no sign of the idea of general united will engaged to justify the violence of the ruler (barbaric states). For Kant, territories ruled by omnipotent dictators, not on the basis of law, but with pure violence, would clearly belong to a state of nature. I claim that there cannot be a "rightful condition" if the three features of "minimum justice" are missing. Thus, such political entities could not be considered as "states" in accordance with Kant's legal theory.[22]

Secondly, the paragraphs of Kant's doctrine of right that refer to

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[21] Kant, *Metaphysics of Morals*, AA 6:341.

[22] This is a claim defended mostly by Kant scholars, who believe that the absolute ban of public resistance against the ruler does not concern tyrannies, which are equal with the state of nature. See, for example, David Cummiskey, "Justice and Revolution in Kant's Political Philosophy," in *Rethinking Kant*, ed. P. Muchnik, vol. I. (Newcastle: Cambridge Scholars Publishing, 2008): 217-242.

civic freedom and equality, the division of state powers, the representa-
tive form of governance and other normative requirements for a true re-
public, can hardly be considered descriptive of any empirical states that
existed in Kant's era. Nevertheless, the philosopher asserts that any state
(thus, a political entity fulfilling the criteria of a "state"), even though it
does not fully meet the requirements of reason, is legal and therefore
cannot be overthrown, purchased or annexed by other states. Moreover,
there is no permission for civil disobedience and the authority of a state
must be considered ultimate, even if the ruler does not follow the ra-
tional requirements for justice. For many critics of Kant, such adamant
defence of status quo seems inconsistent with the aforementioned nor-
mative requirements that the philosopher lists in his state theory.

Furthermore, one should emphasise that Kant himself referred to
the ideal republic in Plato's writings as a crucial idea, although he rec-
ommended reformulating its structure and function. For the philosopher,
"a constitution, providing for the greatest human freedom according to
laws that permit the freedom of each to exist together with that of others
[…] is at least a necessary idea," which needs to be reflected upon, in
order for actual states to be able to approximate to it. Its function is
therefore regulative, as it serves as "archetype" and "maximum."[23]

Hence, my claim is that in the *Metaphysics of Morals*, apart from
the "minimum justice" (the definition of rightful condition, which dis-
tinguishes a state from other political entities or societies), we are pre-
sented with "maximum justice," which is an ideal every state should
strive to realise. All that, I believe, entitles us to presume that Kant in-
deed had in mind a theory of state that is dynamic, ensures the possibil-
ity of political change and that is therefore completely different from a
plain utopia or an ordinary description of a status quo.

The gap between "minimum" and "maximum" justice in Kant's
theory of state must appear overwhelming if we consider how many dif-
ferent forms of political power the philosopher considers legal and pro-
tected. On the one hand, we have authoritarian states ruled by absolute
monarchy and, on the other, liberal democracies, in which state powers
are balanced and instantiated in legal institutions. Nevertheless, the
normative power of this theory does not lay in the scope of Kant's defi-

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[23] Kant, *Critique of Pure Reason*, A316-317/B372-374.

nition of a state, but in the categorical imperative of right ordering the rulers to reform a state according to the ideal, while preserving order and peace in a legal and therefore fully protected state. In other words, the topicality of Kant's approach lays in providing a theory of political change, which is in accordance with practical reason.

4. The Possibility of Progress: Reform and Lex Permissiva

In the last part of the paper, I aim to show that what enables a continuous political progress in Kant's theory of state are the concepts of reform and *lex permissiva*. Kant's legal philosophy, while giving the conditions of "minimum" and "maximum" justice of a legitimate state, attributes legality to a wide range of different state constitutions, which might be rather confusing, as it is also clearly a normative theory. Kant has earned many critics with his opinions concerning the absolute ban of civic disobedience or the fact that general united will is a theoretical and not an empirical concept. I strongly oppose such criticism, as I believe that the broad definition of a legitimate political power is one of the major assets of his political theory, as it creates space for progress, while showing ways alternative to anarchy and regress to the state of nature. Against those, who would see Kant's philosophy as abstract and distant from current life issues, I claim that Kant was and remained a great political realist, while never betraying the imperatives dictated by practical reason. As he claimed, the metaphysical foundations of legal theory must not be derived from empirical conditions, but they must be applicable to them. Therefore, while presenting us with the ideal form of state, Kant also defines a state able to be reformed in accordance to this very ideal. Kant never claims that rational norms are changing but makes room for the appropriate application in the diverse conditions of the empirical world.

While presenting the two poles of the legitimate state, Kant also introduces two terms crucial in conducting political change. Firstly, he speaks about the principle of reform, which is an imperative directed to every ruler; this principle is followed by the plea for the freedom of speech as a condition to fulfil this imperative. It is the duty of the lawgivers to approximate the constitution and the laws of the state in accordance with the imperative of reason, as their lawgiving is an expression

of the general united will. Nevertheless, there exists a further duty, laid in the hands of the people, who "as scholars"[24] are obliged to publicly comment on existing laws, while obeying them in their private life. Therefore, according to Kant, not only the rulers are obliged to investigate the rational imperatives and aim to better their country, but also the citizens should (with the very specific use of public sphere) aim at controlling the ruler and promote changes.[25]

The second term I wish to mention is *lex permissiva*[26] in the sphere

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[24] In *What is Enlightenment?* Kant formulates his theory of public use of reason. He claims that such use takes place if people express their opinion freely acting "as scholars" in public life, while in the private use of reason they are never allowed to disobey or question existing laws and regulations.

[25] Kant, *What is Enlightenment?* AA 8:836 ff.

[26] For the purpose of this article, I am unable to thoroughly present the complexity of the concept of *lex permissiva* in Kant's theory of right. The complexity of this issue has been presented, for example, by Tierney, although I believe that problems recognised by the author can be successfully addressed (Brian Tierney, "Kant on Property: The Problem of Permissive Law," *Journal of the History of Ideas* 62, no. 2, 2001: 301-312). The interpretation of Kant endorsed here follows the ideas of Jacob Weinrib in "Permissive Laws and the Dynamism of Kantian Justice," *Law and Philosophy*, no. 33 (2014): 105-136. Weinrib proposes a comprehensive interpretation of *lex permissiva*, both for private and public right in Kant's doctrine of right. Permissive law is understood as giving authorisation for certain actions, which rests on particular circumstances and its purpose is not, as some have claimed, to authorise actions, which would otherwise be wrongful, i.e., to introduce exceptions to general laws. See Reinhard Brandt, "Das Erlaubnisgesetz, oder Vernunft und Geschichte in Kants Rechtslehre," in *Rechtsphilosophie der Aufklärung*, ed. R. Brandt (Berlin and New York: Walter de Gruyter, 1982): 246 and Wolfgang Kersting, *Wohlgeordnete Freiheit: Immanuel Kants Rechts- und Staatsphilosophie*, (Frankfurt am Main: Suhrkampf, 1993): 168-170. The purpose of *lex permissiva* is to endorse legal progress, where 'mere concepts of right as such' cannot suffice to guide practical conduct. In private law, permissive law enables the unilateral will of an individual to put other individuals under an obligation (to refrain from using an originally acquired object of choice); in public law, permissive law enables the lawgiver to postpone a reform for the sake of the protection of a state against legal regress. In my interpretation, I concur with the critique of Kant scholars, who undermine the importance of permissive law of public law (see Ripstein, *Force and Freedom*, 103-104, who claims that it rather must be referred only to international relations, than considered applicable to other levels of public law) in Kant's legal theory or consider Kant's account of it as inconsistent with the claims made by the phi-

of public right. Although Kant mentions it only briefly in several foot-notes to *Perpetual Peace*, this concept helps to better understand Kant's account of political change:

> These are permissive laws of reason that allow a situation of public right afflicted with injustice to continue until everything has either of itself become ripe for a complete overthrow or has been made almost ripe by peaceful means; for some rightful constitution or other, even if it is only to a small degree in conformity with right, is better than none at all, which latter fate (anarchy) a prema-ture reform would meet with. Thus political wisdom, in the condi-tion in which things are at present, will make reforms in keeping the ideal of public right its duty; but it will use revolution, where nature of itself has brought them about, not to gloss over an even greater oppression, but as a call of nature to bring about by funda-mental reforms a lawful constitution based on principles of free-dom, the only kind that endures.[27]

Although Kant was aware of the fact that states are subject to in-justice and that there will be major flaws in the constitutions of many of them, he still claimed that such states should not be overthrown right away. He rather admitted that the ruler has a right to maintain such un-just state of affairs until it can be altered without falling into anarchy. This in fact shows that Kant knew the terrible costs of premature changes and revolutions and, therefore, that he understood that any le-gitimate state should remain unjust rather than fall into complete anar-chy. This kind of political realism, which puts great care to the safety of the citizens and preserving order may seem suspicious in the face of the experience of twentieth-century politics. Nevertheless, I believe that it is proof of the great caution of a philosopher who believed that anarchy and chaos might bring greater evil to the freedom of mankind than a (partially) unjust constitution.

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losopher in his doctrine of right. See Byrd, Hruschka, *Kant's Doctrine of Right*, 95-100.

[27] Kant, *Perpetual Peace*, AA 8:373, Footnote.

5. Conclusion

In this paper, I presented Kant's account of state of nature as an original theoretical concept that gives legitimacy to the authority of the state. I showed that, in his "State Law," Kant presents two sets of conditions for a state that aim at distinguishing "minimum" and "maximum" justice. The first one establishes the minimal requirements for a rightful condition that puts an end to the state of nature and the second one presents an ideal state that fully protects the external freedom of all human beings. I also argued that, by introducing such wide conditions for a legitimate state, Kant gives space for legitimate political progress while securing order and the personal rights of citizens in the reformed states. The above-mentioned features were the pivotal points in arguing in favour of the contemporary relevance of Kant's political philosophy. Firstly, Kant's theory of the state of nature, as independent of the anthropological diagnosis concerning the kindness and meanness of human species, allows Kant to abstract from any (past and present) scientific findings on human nature and therefore does not lose its relevance. Moreover, as Kant's approach is not limited to presenting a utopian state but also recognises the dynamics of progress in the political systems of existing states, while granting them legitimacy despite their imperfections, this theory can be applied to different structures of power in contemporary states. Finally, as Kant's theory recognises legal mechanisms (reform and *lex permissiva*) to bring about political change without turning states into ashes, it also allows any state to progress while using peaceful means.

Public Reason and Reasonable Conceptions of Justice

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Abstract

This article analyzes the reformulation of the idea of public reason and the idea of a family of reasonable conceptions of justice. After a short overview of different criticisms to Rawls's idea of public reason the author argues that most objections have been addressed in Habermas's extensive critique, and that the changes in Rawls's position actually present a shift to a more pronounced commitment to democracy. The author argues that reasonable conceptions of justice included in the new framework represent and "translate" the moral point of view of citizens from differing political traditions. Especially interesting are changes that Rawls announced: 1. The relation of public reason to religions, 2. The idea of a family of reasonable liberal conceptions of justice; and 3. The issue of gender equality. The author concludes that the aim of the reformulation of the idea of public reason is to provide arguments that "justice as fairness" is the most reasonable or first among equals in this family, as it can support the broadest range of political values, from the freedom of religious practice to gender equality. This change presupposes the difference between a *strong* reasonable disagreement about the content of comprehensive doctrines and a *weak* reasonable disagreement about the ordering of political values in a democratic society. The implications of such a revised idea of public reason is that full justification occurs only if a decision can be framed in the terms of the moderate proponents of all three traditions — liberal, socialist, and conservative.

1. Introduction

Public reason is a requirement that the moral or political rules that regulate our common life be, in some sense, justifiable or acceptable to

all those persons over whom the rules purport to have authority.[1] This idea of public reason has a central place in the contemporary debates in political philosophy. John Rawls, who was among the first philosophers to introduce a concept of public reason in contemporary debates, claimed that the ideal of public reason ought to be the rationale for law-givers, judges, and public officials — even candidates for public offices — while formulating plans, ranking priorities and engaging in public decision-making. The idea of public reason has been embraced and cor-rected by countless authors, and Rawls even accepted to incorporate some changes in his position. These changes at first glance may seem as a slackening of his earlier criteria by including religious reasons and deference to communitarian criticism. I claim that such a view would be wrong, and that the main reason for the changes is Habermas's charge of antidemocratic paternalism and related criticisms.

Regardless of the actual reasons for the change, the revised idea of public reason is certainly more democratic. It respects the differing in-tuitions of reasonable citizens on the ranking of political values and opens a space for public decisions based on a general and wide reflec-tive equilibrium between political traditions. The idea of a family of rea-sonable conceptions of justice implies that *full justification* occurs only if a decision can be framed in the terms of moderate proponents of all three traditions — the liberal (Shklar or Rawls), the socialist (Benhabib or Habermas), and the conservative (Finnis or Maritain).

As the idea of public reason has been attacked, defended, ex-plained, and reformulated by a host of different authors,[2] it is hard to

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[1] Jonathan Quong, "Public Reason," *The Stanford Encyclopedia of Philosophy* (Spring 2018 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford. edu/archives/spr2018/entries/public-reason/>.

[2] For some explanations of this idea, see: Thomas Michael Scanlon, "Rawls on Justification," in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003), 139-167; Charles Larmore, "Public Reason," in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003), 368-393; B. Dreben, 2019. "On Rawls and Political Liberalism," in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003), 316-346; Paul Nnodim,"Public Reason as a Form of Normative and Political Justification: A Study on Rawls's Idea of Public Reason and Kant's Notion of the Use of Public Reason in What Is Enlightenment?," *South African Journal of Philosophy* 23, no.

pinpoint any especially significant influence that should be the starting point of interpretation. Habermas's critique[3] is just one among a host of different attacks on Rawls. Nevertheless, due to temporal proximity it seems plausible that the debate with Habermas had some impact on the reformulation of the idea of public reason. At least some changes in the reformulation of the idea could be plausibly interpreted as answers to Habermas and the Habermasian criticism of the alleged paternalism and undemocratic imposition of liberal principles of justice.

Rawls has dedicated the largest part of his "Reply to Habermas" to

2 (2004): 148-157. doi:10.1080/02580136.2004.10751528; Mark Button, "Arendt, Rawls, and Public Reason," *Social Theory and Practice* 31, no. 2 (2005): 257-280. doi:10.5840/soctheorpract200531211. For some of the criticisms, see: Mark Evans, "Public Reason as Liberal Myth: Impartialist Liberalism, Judicial Review and the Cult of the Constitution," *Journal of Transatlantic Studies* 1, sup. 1 (2003): 8-25. doi:10.1080/14794010909408414.; Gerald Gaus, in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg (London: MIT Press, 1997), 205-242; J. Donald Moon, "Rawls and Habermas on Public Reason: Human Rights and Global Justice." *Annual Review of Political Science* 6, no. 1 (2003): 257-274. doi:10.1146/annurev.polisci. 6.121901.085715; James P. Sterba, "Reconciling Public Reason and Religious Values," *Social Theory and Practice* 25, no. 1 (1999): 1-28. doi:10.5840/soctheorpract19992516.; Rachel Patterson, "Reviewing Public Reason: A Critique of Rawls's Political Liberalism and the Idea of Public Reason," *Deakin Law Review* 9, no. 2 (2004): 715. doi:10.21153/dlr2004vol9no2art260. For some of the defenses, see: Colin Farrelly, "Public Reason, Neutrality and Civic Virtues," *Ratio Juris* 12, no. 1 (1999): 11-25. doi:10.1111/1467-9337.00105; Nythamar Fernandes de Oliveria, "Critique of Public Reason Revisited: Kant as Arbiter Between Rawls and Habermas," *Veritas* 45, no. 4 (2000): 586-606; K. Roberts Skerrett, "Political Liberalism and the Idea of Public Reason," *Social Theory and Practice* 31, no. 2 (2005): 173-190. doi:10.5840/soctheorpract20053128.; Jonathan Quong, *Liberalism Without Perfection*. (Oxford: Oxford University Press, 2001).

3 Habermas's critique of Rawls stretches as far back as Jürgen Habermas, *Zur Rekonstruktion des historischen Materialismus* (Frankfurt am Main: Suhrkamp, 1976). His most important criticisms can be found in: Jürgen Habermas, *Between Facts and Norms* (Cambridge: Polity Press, 2004) (especially chapter 2: *The Sociology of Law versus the Philosophy of Justice*); Jürgen Habermas, *The Inclusion of the Other: Studies in Political Theory* (Cambridge: Polity Press, 2005a) (especially chapters 2 and 3). Less direct, but nevertheless important criticisms can be found in: Jürgen Habermas, *Justification and Application* (Cambridge: Polity Press, 2005b); and Jürgen Habermas, *Moral Consciousness and Communicative Action* (Cambridge: Polity Press, 2007).

refuting these claims.[4] In three distinct chapters he has tried to answer three possible interpretations that Joshua Cohen[5] has named the thesis of *institutional subordination*, the charge of *denigrating* the importance of public argument and political participation, and that the theory of justice is founded on a *mistrust* of citizens. We may thus start from the plausible assumption that this debate has had an impact on Rawls's later writings, and to formulate a reading that would shed light on some puzzling changes in Rawls's position.

I will first shortly summarize the basic aspects of Rawls's initial formulation of the idea of public reason. Then I will analyze the types of objections to this idea, and the changes Rawls has announced. The goal is to adequately examine the issue of Rawls's view on the role of religions, which is the basis for "the slackening of the criteria and deference to communitarian criticism" interpretation. I will examine the changes made to the article "The Idea of Public Reason Revisited," while taking into account Habermas's criticisms and other types of objections. This approach will be supplemented by information borrowed from the additional introductions in the expanded edition of *Political Liberalism*.[6]

After that, I will examine Rawls's views on the issue of gender equality. I will try to determine whether these views shed light on the inclusion of discourse-theoretic conceptions of legitimacy (Benhabib and Habermas) in the family of reasonable conceptions of justice. Then, I will examine the issue of conceptions and doctrines along with the different types of reasonable disagreement (strong and weak) that they entail. Finally, I will elaborate the implications of this revised idea of public reason for justification of policies, laws, and legal decisions.

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[4] John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), Lecture IX.

[5] Joshua Cohen, in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003), 86-138.

[6] See Rawls (ibid.). This edition contains the introduction to the second edition of *Political Liberalim*, "Reply to Habermas," "The Idea of Public Reason Revisited," as well as the additional introduction to this article. This introduction is actually Rawls's letter, which states that this article should be the basis of additional changes to *Political Liberalism*. Before his untimely death, Rawls was working on a revision of his work, and in the letter to the editor he described some of the changes and corrections that he intended to make.

2. The Formulation of the Idea of Public Reason

In *Political Liberalism*, Rawls has postulated the thesis that the society, and every reasonable and rational agent (individual, family, association, and even a confederation of political societies) has a way of formulating plans, ranking priorities, and decision-making. The way a society does that is its reason. Not every reason is a *public reason*, as sub-society (and undemocratic) agents use *nonpublic reasons*.[7] Public reason is public in three ways: 1. being the reason of citizens, it is the reason of the public; 2. Public reason considers public good and the questions of basic justice; and 3. Public reason is public by nature and content, as it is determined by ideals and principles expressed with the political conception of justice.

Rawls reserves the authority and requirements (pursuing reasonableness instead of truth) of public reason for fundamental problems of *public political culture*, such as regulating voting rights, tolerating religions, positive discrimination of disadvantaged members of society, or the right to property. Public reason does not apply to personal discussions and considerations of daily political issues, which take place in the *background culture*. The ideal of public reason does not only regulate the public discourse on the fundamental rights of citizens. It regulates their practical deliberations and actions (voting on fundamental issues, civic disobedience, etc.). Rawls made a difference between the application of public reason on citizens and public officials. Public reason is applied (or should be applied) in official forums, on legislators when addressing the parliament and representatives of the executive branch in their public actions and statements. It especially concerns judges, as they have to explain and justify their decisions and argue that they are based on their understanding of the constitution and the law.[8]

According to Rawls's view, it is reasonable and rational that citi-

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[7]   In what follows, I draw on Rawls (ibid.), Lecture VI. It is important to note that public reason should be understood in opposition to nonpublic reasons. Charles Larmore gives an account of the development of Rawls's position on public reason from the conditions of publicity in *A Theory of Justice* and the domain of public reason in *Political Liberalism*, to the rules of public reason in *The Law of Peoples*. Interestingly enough, he makes no mention of the idea of nonpublic reasons. Compare: ibid.

[8]   Ibid., VI; 1.

zens would rely on the public conception of justice (in cases of fundamental issues), and not on the whole metaphysical truth as they and their reasonable comprehensive doctrines see it (e.g., the public conception of justice is not predicated on the truth of any religious (e.g., Catholicism) or ethical (e.g., Utilitarianism) doctrine or ideology). He started from the fact that the plurality of reasonable comprehensive doctrines with the claim on truth is a permanent condition of the public political culture, and not a historical contingency that is soon to disappear. This plurality is very important, as citizens have an overriding interest in adequately regulating the use of coercive political power. That is why they could agree on replacing truth claims with claims of reasonableness, in order to achieve an "overlapping consensus."

The liberal principle of legitimacy, as formulated by Rawls, determines that the use of political power is right and justified only when it is in accordance with the constitution and if it is reasonable to expect that its elements would be confirmed by all citizens in light of principles that are acceptable as reasonable and rational. As the use of political power must be legitimate, the moral *duty of civility* is imposed to all so that the citizens, while deliberating on fundamental issues, could explain that the principles and policies they argue and vote for could be supported by the political values of public reason.[9]

Rawls maintains that the political values of a well-ordered society are "very great," so that they could not be easily overpowered, and that the ideals they embody could not be lightly discarded. The unity of the duty of civility and of great political values creates the ideal of citizens that govern themselves in a way that each of them thinks the others could reasonably accept. Therefore, the citizens affirm the ideal of public reason not only as a result of a mere compromise, but on the basis their own comprehensive doctrines (or general viewpoints).[10]

The rules of evidence in a criminal case are given as an example of a reasonable procedure in which the whole truth is not appealed to, even if it might be readily available. The defendants have the right to a fair trial, so any evidence gained by illegal searches and seizures, and by abuse upon arrest is excluded. Similarly, the citizens are required to honor the limits of public reason in accordance with certain basic rights

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[9]   Ibid., VI; 2 (1).
[10] Ibid., VI; 2 (2).

and liberties and their corresponding duties in order to advance the great values of a well-ordered society. Rawls rejects the common view that voting is a private matter. When it comes to fundamental issues, the idea of public reason and the duty of civility entail a kind of "social contract" conception of voting.[11]

In order to explain the nature of public reason, Rawls has considered the difference between it (there is one public reason) and the manifold of *nonpublic reasons* found in society. Corporate bodies, in order to act reasonably and responsibly, must have a way of reasoning and decision-making that is public with respect to their members, but nonpublic with respect to political society and citizens generally. Moreover, public reason belongs to public political culture, whereas nonpublic reasons belong to "background culture." All ways of reasoning (individual, corporative, and political) have common elements of judgment, inference and evidence, fundamental concepts and principles of reason, standards of correctness and criteria of justification. The criteria and methods of use of nonpublic reasons depend on the aims and self-understanding of the corporate body in question.

Nonpublic power is accepted by free choice in a democratic society, i.e., nonpublic reason has authority only under the condition that the individual has freely assented to the membership of an association. By contrast, public political power represents the outer boundary of our freedom and as such cannot be evaded. Therefore, strict criteria of justice must be applied to reasoning and decision-making guiding this power.[12]

In this brief summary of the basic aspects of Rawls's initial formulation of the idea of public reason, special attention has been given to the difference between public and nonpublic reason, as it is crucial for further argument. The issue of the content of public reason will be analyzed in the reformulation, after summarizing the common objections and analyzing them from the point of view of Habermasian criticism.

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[11] Ibid., VI; 2 (3), (4).
[12] Ibid., VI; 3.

3. Objections to the Idea of Public Reason and Nonpublic Reasons

As it is well known, Rawls's reformulation of the idea of public reason offers the possibility of introducing religious reasons (i.e., the whole truth according to a religious doctrine), with the proviso that these reasons are "translated" in due time into the language of political values. A great number of authors critical toward Rawls have made the point of defending religious reasons in public discourse and attacking the secular limitations as unreasonable.[13] That is why it may at first glance seem that including religious reasons implies a slackening of the criteria and deference to communitarian criticism.

This view would be mistaken. Inclusion of religious reasons is merely a recognition of firm political values espoused by conservative citizens. Citizens more inclined toward socialism or liberalism also have recourse to comprehensive views, such as those of Marx or Kant, that have to be translated into the language of political values. It should be noted that Benhabib's and Habermas's markedly secular positions, as well as the moderately conservative positions of Finnis and Maritain have been included in the "family of reasonable conceptions of justice," and I will argue that these conceptions are included as representatives and "translators" in the sense of Rawls's proviso mentioned above.

Rawls has made some of the crucial changes directly during and after the exchange of arguments with Habermas in early 1995,[14] a fact that is obvious in the second introduction to *Political Liberalism*, written in 1995. The congruence between this introduction and the article "The Idea of Public Reason Revisited" has not been sufficiently noted. This text introduces the idea that "justice as fairness" is no longer the only public conception of justice that offers content to the idea of public reason and basis for an "overlapping consensus," but merely one (and ac-

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[13] Indeed, Rawls and Habermas have been described as "torchbearers" of secular thought and antireligious sentiment. See: Robert George, "Public Morality, Public Reason," *First Things*, 2006: https://www.firstthings.com/article/2006/11/public-morality-public-reason. For an example of a more nuanced approach with the same underlining message, see: John Finnis, "Natural Law and the Ethics of Discourse," *Ratio Juris* 12, no. 4 (1999): 354-373. doi:10.1111/1467-9337.00130.

[14] See Gordon Finlayson, *The Habermas-Rawls Debate* (New York: Columbia University Press, 2019).

cording to Rawls, the most reasonable one) in a family of reasonable conceptions of justice, and this idea is further elaborated in the article.

What are the reasons for these changes, and why is "justice as fairness" reduced to a "more modest role"? In order to make sense of the most plausible reasons, different objections to the idea of public reason should be analyzed. In his book *Liberalism Without Perfection*, Jonathan Quong has, among other things, offered a taxonomy of objections to the idea of public reason.[15] This taxonomy is a starting point for further analysis.

According to the first type of objections, the idea of public reason is either indeterminate or inconclusive, and thus inadequate to solve many of the pressing political issues in liberal-democratic societies.[16] This type of objection could be named *the inadequacy thesis*. The inadequacy thesis is similar to Habermas's criticism of the abstract nature of Rawls's theory and of his neglect of real challenges of injustice and pressing political issues. To be more precise, Habermas claims that Rawls's theory is too abstract and that his ideal theoretical demands are detached from social reality According to his view, Rawls refers neither to institutionalized decision-making processes nor to social and political factors that might counter the ideal and "confront the institutions of the well-ordered society with a rather scornful mirror image."[17]

The second type of objection is *the antidemocratic paternalism thesis*, which motivated Rawls to revisit many aspects of his position. It is expressed by the claim (which was repeated by many others after Habermas) that the idea of public reason, as formulated by Rawls, is antidemocratic because it "fixes" the content of public reason in favor of a liberal conception of justice in advance of any actual democratic discourse between citizens. According to Habermas, Rawls's veil of ignorance "deprives the citizens of too many insights that they would have to assimilate anew in each generation."[18] The citizens cannot "reignite the radical embers of the original position in the civic life of their society."[19]

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[15] Quong (ibid.) 256-289.
[16] Quong (ibid.) quotes Marneffe, Horton, and Reidy as sources of such criticism, but not Habermas.
[17] Habermas, *Between Facts and Norms*, 65.
[18] Habermas, *Inclusion of the Other*, 69.
[19] Ibid.

Principles and norms are paternalistically given by a philosopher-expert and constitutionally institutionalized beyond the reach of citizens. Accordingly, the public use of reason merely promotes the nonviolent preservation of political stability, and deters citizens from realizing their political autonomy.[20]

It should be noted again that Rawls dedicated the largest part of his "Reply to Habermas" to refuting these claims.[21] In three distinct chapters, he has tried to answer three possible interpretations of the anti-democratic paternalism thesis. Joshua Cohen has analyzed these interpretations[22] and named the first as the thesis of *institutional subordination*. According to this interpretation, assigning priority to principles of justice may lead to undemocratic solutions as better means of achieving formally defined justice. The second interpretation is the charge of *denigrating* the importance of public argument and political participation. If justice has been rigidly determined before and independent of any democratic practice, democracy is left with the task of preserving the political stability and implementation of principles, instead of discussing their point and merits. The final interpretation is that the theory of justice is founded on a *mistrust* of citizens. A philosophical conception of justice, if substantive and not procedural, implicitly assumes a mistrust of citizens, as it prescribes prior fetters to their deliberation and public discourse. Furthermore, the "Reply" introduces the rudiments of the idea of a family of liberal conceptions of justice serving as a basis for "overlapping consensus." In this text, Rawls mentioned other proponents of liberalism (Judith Shklar, Charles Larmore, Joshua Cohen and Bruce Ackerman) as providing a reasonable conception that could serve as a basis for overlapping consensus along with "justice as fairness."[23]

The next type of objection is the basis for the view that the changes in Rawls's conception stem from the issue of *religious reasons*. The authors objecting on these grounds share the position that the idea of public reason is problematic because religious reasons are arbitrarily or

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[20] Ibid.
[21] Rawls (ibid.), 372-434.
[22] Cohen, (ibid.), especially 111-131.
[23] Ibid., 374, no. 1.

wrongly excluded.[24]

The fourth type of objection is grounded on the assumption that the idea of public reason is either too demanding for citizens or that it has an undesirably high-minded view of the democratic discourse, wrongly denigrating the importance of bargaining or interest-group politics. This type of objection could be named the *thesis of neglected reality* and could be matched again with Habermas's criticism of the abstract nature of Rawls's theory and neglect for real challenges of injustice and pressing political issues, as discussed under *the inadequacy thesis*.[25]

The next type of objection could be named *the marginalization thesis*. According to this type of criticism, the idea of public reason arbitrarily privileges a mode of discourse (calm, dispassionate, logical, analytical), thereby marginalizing the emotional, passionate, or rhetorical forms of discourse more common to certain historically marginalized social groups.[26]

The sixth type of objection could be named *the lack of truth thesis*. According to this type of criticism, the idea of public reason is flawed since it prevents citizens from relying on the whole truth as they see it.[27] This type of objection is analogous to Habermas's claims that political constructivism with the method of avoidance necessarily leads to the clarification of the dispute concerning the notions of rationality and truth. Habermas's arguments on this issue are compellingly presented in his "Reconciliation Through the Public Use of Reason," while his paper "'Reasonable' versus 'True,' or the Morality of Worldviews" offers additional arguments for the necessity of the use of the notions truth and normative rightness. He argued that the epistemic status of a freestanding conception necessarily involves questions concerning reason and truth, so that the strategy of avoidance fails. Also, Habermas criticized

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[24] Quong (ibid.) quotes Eberle, Greenawalt, Stout, and Weithman as sources of such criticism. Larmore (ibid.) remarks that the inclusion of religious reasons was unnecessary, and completely misses the democratic dimension of such inclusion. Compare: ibid.

[25] Quong (ibid.) quotes Ian Shapiro, and again does not mention Habermas.

[26] Quong (ibid.) quotes Lynn Sanders and Iris Marion Young as sources of such criticism. Habermas's views on "radical embers of democracy" and the link to Marxist political action are not recognized by Quong.

[27] Quong (ibid.) quotes Raz as a source of such criticism and again does not mention Habermas.

the project of public justification of constitutional essentials by the fact that it meets with the agreement of all participants on the basis of *nonpublic* reasons.[28]

The final type of objection could be named *the thesis of the unnecessary exclusion of citizens*. According to this type of view, the constituency of public reason is unnecessarily exclusionary since unreasonable citizens are not included, and are not offered sound justifications for the laws that apply to them. The basis of this objection is the fear that public reason could offer justification for repeating historical injustices toward women and other vulnerable groups, since if they are declared unreasonable some of their civic rights could be revoked.[29] Again, the answer to such deficits of Rawls's model of public reason could be a discourse-theoretic model of public use of reason in which no citizens are excluded and historical injustices are taken seriously from the outset in the theory.

Applying closer scrutiny to the objections suggests a conclusion that Habermas's extensive critique is extremely important: only the issue of religious reasons is not included in it. The feminist aspects of the theses of the *marginalization* and of the *unnecessary exclusion of citizens* have a prominent place in Habermas's claims; Habermas argued that the feminist criticism proves the inadequacy of both the liberal and the welfare state paradigms of law, and that only his procedural paradigm can resolve the dialectics of legal and factual equality.[30] It is important to note again that the naming of these objections and their similarities with Habermas's criticism is part of my interpretation. According to Quong, Habermas is attributed only with the objection that I have named the "antidemocratic paternalism thesis."

Of course, summing up the objections is insufficient. In order to reach definitive conclusions, we should further examine the way Rawls

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[28] Habermas (ibid.), ch. 2, 3.

[29] Quong quotes James Bohman and Marilyn Friedman as sources for such criticism. The problem with linking these objections to changes is Rawls's position is that they have been written after the changes were proposed. For example, see: Marilyn Friedman, "John Rawls and the Political Coercion of Unreasonable People," in *The Idea of Political Liberalism*, ed. Victoria Davion and Clark Wolf (Lantham: Rowman & Littlefield Publishers, 2000), 16-33.

[30] Habermas (ibid.) 388-446.

intended to change his position. The three basic changes that Rawls an-
nounced are listed in the introduction to "The Idea of Public Reason Re-
visited": 1. the relation of public reason and political liberalism to the
major religions; 2. the clarification that political liberalism is about a
family of reasonable liberal ideas of political justice, while justice as
fairness has a minor role as but one such political conception, and re-
moval of the phrases implying that Kant's ideas of practical reason were
being used; and 3. addition in the Lecture VII with the seven pages from
"The Idea of Public Reason Revisited" on feminism. Rawls emphasized
that Lecture IX, "Reply to Habermas," would not be touched in defer-
ence to Habermas, but that, at the time the article was printed (1995), he
was not using several ideas present in later writings.[31]

The objections listed give an overview of reasons that Rawls might
have had for initiating the changes. The first change could be attributed
to the issue of religious reasons. The third might be linked to the theses
of *the marginalization* and *the unnecessary exclusion of citizens*, as well
as to the long-lasting feminist criticism of the masculine presuppositions
of liberalism.[32] The second change is harder to explain. Why would
Rawls give his own "justice as fairness" only a minor role as just one in
a family of political conceptions of justice? Must not that mean a sort of
invitation to moral relativism? Also, why would he remove references to
Kant? What would be the purpose of that?

Habermas's critique gives insights and possible answers to these
questions. Indeed, Habermas argued that *A Theory of Justice* followed a
clear Kantian strategy, whereas *Political Liberalism* represents a shift
toward a new framework, within which practical reason is "robbed of its
moral core and deflated to a reasonableness that becomes dependent on
moral truths justified otherwise."[33] According to his view, the remains
of the original conception could not be fitted in the latter strategy, as

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[31] Rawls (ibid.), 437-439.

[32] Compare: Seyla Benhabib, "The Generalized and the Concrete Other: The Kohl-
     berg-Gilligan Controversy and Feminist Theory," *Praxis International* 5, no. 4
     (1986): 402-424; Susan Moller Okin, "Political Liberalism, Justice, and Gen-
     der," *Ethics* 105, no. 1 (1994): 23-43, doi:10.1086/293677; and Amy R. Baehr,
     "Toward a New Feminist Liberalism: Okin, Rawls, and Habermas," *Hypatia* 11,
     no. 1 (1996): 49-66, doi:10.1111/j.1527-2001.1996.tb00506.x.

[33] Habermas, *Inclusion of the Other*, 82-83.

these two programs clash. Furthermore, Habermas forcefully argued that Rawls has undermined the political autonomy of citizens and created the danger of political paternalism by laying down the complete design of a well-ordered society. This criticism of the antidemocratic paternalistic stance of philosopher-experts has had a great impact on Rawls's work. Introductions to Rawls's later publications stress the more modest role of the "student of philosophy" and guard against possible interpretations of the project as undemocratic.[34] Therefore, it is plausible to assume that a more modest role for "justice as fairness" stems from the same concerns and not merely from deference to communitarians. We will thus work with the probable assumption that the changes were introduced in order to make the position more democratic. Even if this assumption turns out to be false, the changes did make the position more democratic, as conformity to "justice as fairness" (as a liberal conception of justice) is just one step toward the full justification of public and legal decisions.

To understand these changes, another concept from the debate with Habermas is helpful, namely that of different "devices of representation" for the moral point of view, which Rawls introduced while answering Habermas's objections to his original position. Therein he contrasted his own original position with Habermas's "ideal speech situation." In the "Idea of Public Reason Revisited," Rawls claims that he has proposed the original position as one way to identify political principles for the content of public reason. As others have every right to think that different ways to identify these principles are more reasonable, the content of public reason is given by a family of political conceptions of justice, and not a single one. These conceptions are characterized by three features: 1. they offer a list of basic rights, liberties and opportunities; 2. they assign special priority to these rights with respect to the general good and perfectionist values; and 3. they have measures ensuring for all citizens adequate all-purpose means to make effective use of their freedoms. In comparison to the original formulation, the content of the concept of public reason is the same. Yet, in the reformulation, it is provided by

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[34] John Rawls, *Justice as Fairness* (London: Harvard University Press, 2001), John Rawls, *Lectures on the History of Moral Philosophy* (London: Harvard University Press, 2003), John Rawls, *Lectures on the History of Political Philosophy* (London: Harvard University Press, 2007).

different conceptions of justice, and not only by "justice as fairness." The most plausible explanation of this change is that it is an answer to the charge that the idea of public reason is undemocratic as it "fixes" the content of the concept of public reason. Rawls is explicit that

> Political liberalism, then, does not try to fix public reason once and for all in the form of one favored political conception of justice. ... For instance, political liberalism also admits Habermas's discourse conception of legitimacy (sometimes said to be radically democratic rather than liberal), as well as Catholic views of the common good and solidarity when they are expressed in terms of political values.[35]

Two points should be made here. First, in a footnote that explains Habermas's conception of legitimacy, Rawls quotes Seyla Benhabib and her claims that Habermas's discourse model is the only one which is compatible with the emancipatory aspirations of the women's movement. This piece of information throws the previous discussion in a certain light. Rawls tries to convince philosophy students and citizens at large that political liberalism could offer principles of right and justice to deal with the problems raised by marginalized groups and the women's movement, but respects their considered judgments about the need for a radical democratic approach. Also, he obviously has in mind the link with discourse ethics when considering the feminist criticism. Secondly, since religiously inclined citizens have firm moral beliefs, their "devices of representation" should be represented if the project is to be truly democratic. This is why Rawls included in "allowable" conceptions Finnis's and Maritain's conservative approaches as "religious views of public good and solidarity expressed in terms of political values."

This shift in Rawls's position suggests an interpretation that there is a difference between a *strong* reasonable disagreement about the content of comprehensive doctrines and a *weak* reasonable disagreement about the ordering of political values of a democratic society. Reasonable conceptions of justice stemming from the three great traditions of political thought share their content, but do not share "devices of representation" of the moral point of view, and thus have different reasonable

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[35] Rawls (ibid.), 451-452.

demands. The idea of a "family of reasonable conceptions of justice" makes the idea of public reason more inclusive and more democratic, as citizens are not deprived of choice in fundamental political issues. This change has different implications for citizens and public officials in a democratic society, as long as public reason has not lost its strictures, i.e., as long as citizens are respecting the strictures of public reason when arguing about legal and political decisions in terms of one reasonable conception of justice (liberal, radical-democratic/socialist or conservative). Public officials, however, need to justify public decisions in terms of all three types. A public decision is truly impartial only if it can be grounded in conceptions with different rankings of political values. A public decision based on one conception only could be seen as partial and would not be fully justified.

Moreover, this shift has important implications for those who seek to apply Rawls's view of justice and justification to other social and political issues. Norman Daniels, for instance, applied Rawls's view to the issue of health and healthcare. Although he has analyzed different conceptions of justice and concluded that there is a convergence on the issue of health,[36] he has only included *secular* conceptions. Therefore, on this view, he did not provide *full justification*, although full justification could have been provided, by shortly analyzing, say, Finnis as well.

While revising the idea of public reason, Rawls took great pains to demonstrate that public reason is neither a *strictly* secular nor religious procedure of justification, but rather that it exemplifies the universal moral-political basis for the reconciliation of legitimate aims of all reasonable citizens. Reasonable citizens have different reasonable rankings of political values, and public reason must not be prejudicial toward any reasonable view. Rawls offered three conditions for acceptance in the family of conceptions of justice, consistent with his claim that political values are neither secular nor religious: 1. Their principles must apply to the basic structure of society, 2. They must be political conceptions able to be presented independently from comprehensive doctrines of any kind (such as religious ones), and 3. They must be workable on the basis of fundamental ideas implicit in the public political culture (e.g., citizens

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[36] Norman Daniels, *Just Health* (Cambridge: Cambridge University Press, 2008), 64-78.

as free and equal, society as fair system of cooperation).[37] [38]

In order to fully appreciate the importance of the distinction be-
tween, on the one hand, religious doctrines and conservative concep-
tions, and, on the other hand, Hegelian-Marxist doctrines and socialist
conceptions, with the inclusion of these *conceptions* in the "family," the
fundamental views they represent should be addressed. The positions
explicitly included in the family of political conceptions of justice are
reconstructions of historically significant traditions in terms of political
values. Rawls frequently mentions religiously motivated persecution,
which, unfortunately, are not a matter of the past, even today. The Marx-
ist secular comprehensive doctrine of dialectical materialism also has a
history of unreasonable persecution. That is why Rawls affirms
reasonable conceptions stemming from these traditions in order to find
the basis for a broad consensus that would guarantee the implementation
of reasonable principles of justice and legitimate policies. These concep-
tions are important for the stability of constitutional democracy and they
answer the question: "how is it possible — or is it — for those of faith,
as well as the nonreligious (secular), to endorse a constitutional regime
even when their comprehensive doctrines may not prosper under it, and
indeed may decline?"[39]

The reformulation of the idea of public reason takes this interplay

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[37] Rawls (ibid.), 452-454.

[38] There is a difference in Rawls's evaluation of Habermas's project here. Whereas
he rejects Habermas's views as comprehensive with elements of unreasonable-
ness in "Reply to Habermas," it seems that in "The Idea of Public Reason Revis-
ited" he believes that the discourse model of legitimacy could be viewed as a
conception, independently of the theory of communicative action as a secular
comprehensive *doctrine*. Furthermore, as an explanation of discrepancies in
Rawls's earlier and later project, it could be plausibly presupposed that he per-
sonally (as a citizen) endorsed some kind of Kantian comprehensive liberalism,
but "brackets it out" in order to reach common ground with all reasonable citi-
zens. Footnote number 31 in the second introduction to the expanded edition of
Political Liberalism, which is exactly the same as footnote 80 in "The Idea of
Public Reason Revisited" differentiates between Rawls's personal opinion and
arguments stemming from a reasonable ranking of political values in public rea-
son. Moreover, this footnote concludes that a comprehensive doctrine can be un-
reasonable on one or several issues without being simply unreasonable. Compare:
ibid., liii-liv, no. 31; and 479, no. 80.

[39] Ibid., 460.

between nonpublic aspects of doctrines and public aspects of conceptions as the basis, and emphasizes the fact that the purpose of democratic deliberation is public justification. This approach defuses the objection of antidemocratic paternalism as well as the charge that the public use of reason depends on a platform of nonpublic reasons.[40] It is plausible to assume that the additional forms of discourse (declaration, conjecture, and witnessing) that could be used in a public discussion, but are not part of public reasoning, further clarify this point.[41]

4. Public Reason, Gender Equality, and Reasonable Conceptions

As Rawls gives considerable space to the issue of gender equality in the reformulation of the idea of public reason, this aspect of his work deserves a careful conceptual analysis. It is useful to clarify the interplay between comprehensive doctrines with their strong reasonable disagreement regarding truth and political conceptions and weak reasonable disagreement. Let us start with the issue of gender equality.

Feminists have forcefully argued that historical injustices toward women have their roots in the family structure. They have claimed that the rigid border between the public and the private domain allegedly postulated by liberalism thus unjustly fetters the emancipatory aspirations of women and fixes the injustice in the family structure by noninterference in private matters.

Contrary to the above-mentioned charges, Rawls determines that principles of justice are to apply to the family, although not always directly. If the points of view of people as citizens and as members of the family are distinguished, the division of labor of public reason that concerns them as citizens and nonpublic reason of the family as a small association is made clear. In this way, Rawls shows that political liberalism does not lag behind the discursive conception of legitimacy, and that it could serve feminists (whether of the liberal or Marxist streak)[42] to realize

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[40] Compare: ibid., 85-86.
[41] Ibid., 465-466, especially no. 57.
[42] For different feminist approaches and conceptions of justice that the women's movement endorses, see: Benhabib 1986; Okin 1994; Baehr (ibid); Amy R. Baehr, "Liberal Feminism" (Stanford Encyclopedia of Philosophy) 2007: http://plato.stanford.edu/entries/ feminism-liberal.; Eva Kittay, "Can Contractualism Justify State-Supported Long-Term Care Politics," in *World Health Organization: Ethical Choices in Long-Term Care: What Does*

their rights by appealing to the authority of public reason. Socialist and conservative approaches have been admitted to the category of reasonable conceptions of justice, so that citizens who view some political issues as more pressing than others (e.g., gender equality or religious liberties) can find an adequate (in Raws's terms) "translation" of political values by a political conception of justice and reason in public with fellow citizens.

Rawls emphasized that political liberalism does not view the public and private domains as unrelated areas with specific principles:

> A domain so-called, or a sphere of life, is not, then, something already given apart from political conceptions of justice. A domain is not a kind of space, or place, but rather is simply the result, or upshot, of how the principles of justice are applied, directly to the basic structure and indirectly to the associations within it. The principles defining the equal basic liberties and opportunities of citizens always hold in and through so-called domains. The equal rights of women and the basic rights of their children as future citizens are inalienable and protect them wherever they are. Gender distinctions limiting those rights and liberties are excluded. So the spheres of the political and the public, of the nonpublic and the private, fall out from the content and application of the conception of justice and its principles. If the so-called private sphere is alleged to be a space exempt from justice, then there is no such thing.[43]

Two points should be made here. Kantian and social contract theo-

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Justice Require? (Geneva: World Health Organization, 2019); Johanna Meehan, *Feminists Read Habermas* (London: Routledge, 1995); Martha Nussbaum, *Beyond the Social Contract: Toward Global Justice, The Tanner Lectures On Humans Values* (Salt Lake City: University of Utah Press, 2002a); Martha Nussbaum, "Long-Term Care and Social Justice: A Challenge to Conventional Ideas of the Social Contract," in World Health Organization, *Ethical Choices in Long-Term Care: What Does Justice Require?* (Geneva: WHO, 2002), 31-65; Martha Nussbaum, "Rawls and Feminism," in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003) 488-520; Rosemarie Tong and Nancy Williams, "Feminist Ethics (Stanford Encyclopedia of Philosophy)." *Plato.Stanford.Edu.*, 2019, http://plato.stanford.edu/entries/feminism-ethics; Iris M. Young, "Difference as a Resource for Democratic Communication," in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg (London: MIT Press, 1997) 383-406.
[43] Rawls (ibid.), 471.

ries that speak of rights, duties, and justice have been viewed from feminist perspectives as ideologies masking relations of dominance that subjugate and exploit women. Kant is a frequent target of criticism, not only because of some of his more or less known casual sexist and racist remarks,[44] but rather because of the conclusions of research on the moral development of women. Carol Gilligan criticized the then dominant Kohlbergian theory of moral development for imposing Kantian masculine morality of rights and duties unto women as allegedly universal, and this criticism resonated in the feminist movement.[45] According to her influential view, women have a different approach to morality, based on care, so any claims that duties and rights are universal are paternalistic impositions of domineering views of white men. Rawls's *A Theory of Justice*, as well as his *Political Liberalism*, have been criticized (moderately and constructively by liberal feminists, harshly by others), because once again they emphasize the priority of liberty as opposed to factual equality and disregard women when speaking about the rights of *Man*.

Furthermore, the results of the debate on pornography in the U.S. confirmed the views of feminists that the equality of women will be trampled in the name of the liberty of men, because liberalism allows for the depiction of women as sexual objects, the liberty of employers to give lesser pay to women for the same work, and the freedom of sexist speech. In Rawls's terms, citizens endorsing a feminist comprehensive doctrine rank basic political values differently, and view citizens first as equal and then as free, while the emphasis on reasonableness is viewed as a Kantian stigmatization of women as irrational and unreasonable. Indeed, the objections that I have named the theses of the *marginalization* and the *unnecessary exclusion of citizens* were formulated precisely because of the fear of women that they could be silenced again with the ideology of "civility" and "reasonableness" that, they believe, masks a form of exclusion.[46]

From the feminist point of view, Habermas's discourse conception

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[44] Compare, for example: Immanuel Kant, *Observations on the Feeling of the Beautiful and Sublime*, trans. John T. Goldthwait (Berkeley: University of California Press, 1961).

[45] Carol Gilligan, *In a Different Voice-Psychological Theory and Women's Development* (Cambridge: Harvard University Press, 1993).

[46] Compare: Young (ibid); and Friedman (ibid).

of legitimacy is a more likely candidate for overlapping consensus than any explicitly liberal conception, as it espouses radical equality, ideology critique, and demands that justice be determined by giving say to all victims of injustice. If all aspects of the quoted passage are taken into account, it is obvious that Rawls reformulated public reason so that there could be no vestiges of partiality toward liberalism as a political tradition. Further qualification of the public/nonpublic divide emphasizes the applicability of public reason for the realization of women's rights. It is important to note that businesses are included in the definition of "civic associations" with corresponding nonpublic reasons, and that public reason applies as the guarantee of rights (e.g., to equal pay for equal work) of all citizens. As public reason does not allow for injustices toward women, it is not ideological in Marx's sense.[47] In accordance with the criterion of reciprocity, it was necessary to respect the deepest convictions of citizens endorsing feminist and/or Marxist comprehensive doctrines. Since Marx's original views could not be included in the family of political conceptions of justice, Habermas's conception served as an adequate replacement that could provide "translation" into general political values. Due to the forceful objection of paternalism, Rawls no longer excludes the possibility that other citizens might find different rankings of political values more reasonable. This leads us to the issue of the interplay between strong (doctrines) and weak (conceptions) reasonable disagreement.

The examples of the Thomist, Platonist, and Marxist views on human nature and reasons they entail further emphasizes the distinction between conceptions stemming from such views, and doctrines with canonical demands. Rawls used this example in his answer to the objection from lack of truth, and in his explanation of the view of citizens as citizens, and not as members of a class or religion, he defuses fears that secular reasons are scientific, whereas the religious ones are not. Rawls introduced the distinction between nonpublic reasons of religious associations and those of scientific societies. Thus, neither scientific truth

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[47] Rawls emphasized the point that his position is not ideological in the sense that Marx defined the word 'ideological' in the introductions to his published lectures on political philosophy. Compare: John Rawls, *Lectures on the History of Political Philosophy* (London: Harvard University Press, 2007); John Rawls, *Justice as Fairness: A Restatement* (London: Harvard University Press, 2001).

nor religious truth is privileged, and all are replaced by the idea of rea-sonableness.[48]

The types of conflict that Rawls briefly analyzes also confirm this interpretation. He argued that without the allegiance of citizens to public reason and honoring the duty of civility, divisions and hostilities be-tween doctrines would become exacerbated. According to my interpreta-tion, conflicts in the 20th century motivated by the clash between Marx-ist, liberal, and conservative ideas of justice are exactly what Rawls had in mind here, and because of these his project of reconciliation is all the more important. In Rawls's view, the conflicts deriving from irreconcil-able comprehensive doctrines and differences in status, class position, ethnicity, gender and race, could be resolved by the idea of public rea-son with a family of conceptions of justice, whereas conflicts deriving from burdens of judgment will always exist and limit the extent of po-litical agreement.[49]

What does this mean? The conflicts that are potentially most dis-ruptive for society could be defused by the political values provided by a family of conceptions of justice, whereas burdens of judgment are the reason why there has to be a family and not just one conception of jus-tice, even if Rawls is convinced that his is the most reasonable. On this reading, "justice as fairness" is viewed as the first among equals, since weak reasonable disagreement actually cannot be avoided due to bur-dens of judgment and should not be avoided due to issues of vitality of democratic participation.

This reading of the idea of public reason has further implications for the justification of policies, laws, and legal decisions. It is insuffi-cient to frame public reasoning according to one conception of justice. To do so would cause further conflicts, or at least favor a particular ranking of values found in democratic societies. Full justification re-quires general and wide reflective equilibrium. Therefore, we need to take into account different reasonable conceptions of justice that repre-sent and "translate" into political values interests and viewpoints of dif-ferent political traditions. Proper public justification occurs only if a de-cision can be framed in the terms of all three types — moderate liberal (Shklar or Rawls), socialist (Benhabib or Habermas), and conservative

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[48] Compare: Rawls (ibid.), 482, especially no. 86.
[49] Compare: Ibid., 484-487.

(Finnis or Maritain) conceptions of justice. Such idea of public reason actually tightens the requirements of justification — far from being a slackening of criteria or downfall into moral relativism.

5. Conclusion

So why did Rawls revisit the idea of public reason? In the course of the analysis, special attention was given to the three changes Rawls announced prior to his death: 1. the clarification of the relation of public reason to religions; 2. the shift in Rawls's position toward the claim that there is a family of reasonable liberal conceptions of justice acting as a basis for overlapping consensus; and 3. the inclusion of the issue of gender equality in the newest edition of *Political Liberalism*.

The introduction of the notion of a family of political conceptions of justice is certainly one of the greatest changes in Rawls's later writings. I have argued that the objection of paternalism of the philosopher/expert that gives the only reasonable conception of justice in the public arena teeming with political doctrines was very damaging for Rawls. The answer is that "justice as fairness" is but one view, not privileged or "fixed" and that the citizens have the final say on which one is the most reasonable in the "family." To understand the third change, I argued that one should have in mind the appeal that Marxist theories has for feminists. As Finnis and Maritain "translate" and represent for conservative citizens, whether or not they frame their moral views according to religious texts, Benhabib's and Habermas's discourse conceptions of legitimacy are equal members of the family of political conceptions of justice as a substitute for Marx.

With his reformulation of the idea of public reason, Rawls argued that his conception is the most reasonable, as it can support the broadest range of political values, from the freedom of religious practice to gender equality. But this self-characterization of his position as the "most reasonable" should be understood only as "first among equals," so to say. With the *revised* idea of public reason, it is not enough to frame public reasoning according to one conception of justice. Full justification occurs only if there is a general and wide reflective equilibrium between conceptions from all three traditions — the moderate liberal, the socialist, and the conservative. The requirements of justification are actually higher and more democratic.

II. PATIENT CARE, SPIRITUALITY, AND RELIGION FROM A PHILOSOPHICAL PERSPECTIVE

Measuring Patient-Centered Compassion

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Abstract

Although compassion is highly valued in healthcare, there is a need to determine the success of compassionate care. No standardized platform currently exists to measure it across the healthcare spectrum. The delivery of successful compassionate care depends on the degree of conformity between a caregiver's perception of compassion and a patient's actual need for compassion. Therefore, measuring the delivery of compassionate care depends on a standardized approach to a patient's emotional needs. The baseline approach to compassion does two things. First, it distinguishes between a patient's actual needs and the caregiver's perception of those needs. Second, it recognizes that the need for compassion is based on a scale of meaning that varies from one patient to another.

1. Introduction

The baseline approach respects the difference between patients by developing a generic questionnaire that all caregivers and patients can use. The questionnaire identifies two factors that are unique to each patient, namely how they find the spiritual meaning of life, and second, how all their relationships — biological, social, and mental — make them unique persons. Everyone is born human, but we are different persons. Patient distress arises because breaks in these relationships make life less meaningful. This article makes use of those parameters to design a questionnaire that focuses on the unique need that each patient has for compassion. The questionnaire is a teaching moment for caregivers and a source of comfort for

patients. However, patients only divulge as much personal information as their comfort level permits. The American Medical Association (AMA), the Canadian Medical Association (CMA), and the Code of Professional Ethics in Bulgaria (CPEB), affirm the protection of a patient's right to autonomy, consent, confidentiality, and not only the avoidance of harm but the design of healthcare measures that promote the good of the patient. Therefore, a patient must be apprised of the intent of the questionnaire (namely, to enhance the delivery of compassionate healthcare), whether the patient completes it or not. Patient confidentiality is maintained by identifying how long the questionnaire is kept, where it is kept, and who has access to it. Patients who agree to complete the questionnaire have the right to withdraw participation at any time.[1]

A paper on compassion in healthcare (Sinclair et al., 2017) finds that no existing model completely satisfies the need "for a psychometrically validated instrument that comprehensively measures the construct of compassion in a healthcare setting […] given the emphasis on patient-centered and compassionate healthcare, a comprehensive instrument for evaluation of compassion in healthcare systems and educational institutions is no longer an option but a necessity."[2] Nowhere is compassion more urgent than in hospital care because illness disrupts the stream of relationships that carry meaning for a patient. The difficulty arises, it seems to me, because of a failure to meet the actual needs of the patient. The oversight happens because of the tendency to project a caregiver's view of compassion onto patients rather than arising out of the broken personal relationships that generate a patient's distress. The substitution is understandable because everyone shares in the human condition, but the failure to meet a patient's actual needs arises because each person is different. Our ways of finding meaning differ because all persons have distinct individuating profiles, much like DNA and fingerprints. A patient's need for compassion is measured through a descrip-

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[1] The Code of Professional Ethics in Bulgaria is found in "The Appendix," Silviya Aleksandrova, "Comparative Analysis of the Code of Professional Ethics in Bulgaria, the Hippocratic Oath, Declaration of Geneva, and International Code of Medical Ethics," *Medicine and Law: World Association for Medical Law* 2005 September; 24(3): 495-503.

[2] S. Sinclair, L. B. Russell, T. F. Hack, J. Kondejewski, R. Sawatzky, "Measuring Compassion in Healthcare: A Comprehensive and Critical Review," *The Patient*, 10 (2017), 394.

tion of the experiences that shape that profile. Disease disrupts the associations that make life worth living.

2. Method

The present study examines four related points. The first is that all persons search for the higher meaning of life. Spirituality is the search for a higher meaning in all our relationships and is characterized as the desire for compassion, love, kindness, and concern. Second, that the spiritual character of major world religions provides a model we can apply to the delivery of compassionate healthcare. The Abrahamic religions and Buddhism express a likeminded concern for compassion, although they do so through different paths. The Abrahamic religions express a desire to enter into a loving relationship with a compassionate and loving God, whereas Buddhism teaches that the desire to cling to the self is the main source of suffering. Third, that the identification of compassion focuses on patients' distress rather than on a caregiver's view of compassion (unless the caregiver is the patient). Fourth, that the locus of a patient's distress is identified through a personalized questionnaire.

3. What is Compassion?

The assumption that one size of compassion fits all arises, in my opinion, because we share the same human nature, common sense, and good will. No one disputes this claim, but it distorts the nature of compassionate care. In some instances, the focus on compassion shifts to staff-centered burnout. Compassion fatigue and burnout is prevalent among oncology nurses (Potter et al., 2010).[3] The value of this research is not disputed, but agreement on a patient-based baseline approach to compassion would decrease the anxiety and fatigue caused by the lack of specificity that accompanies the uncertainties of being compassionate. Further, the phenomenology of compassion suggests a need to suspend judgement by bracketing the attitudes, values, and beliefs that caregivers bring to the meaning of compassion. The goal is to meet patients in their present state of distress rather than from the uncertainties that accompany lack of specificity surrounding

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[3] P. Potter, T. Deshields, J. Divanbeigi, J. Berger, D. Cipriano, L. Norris, S. Olsen, "Compassion Fatigue and Burnout: Prevalence Among Oncology Nurses," *Clinical Journal of Oncology Nursing*, 14, no. 5 (2010), 56-62.

patient-centered compassion. The measurement of compassion calls for a factual detail of a patient's history rather than a uniform stage-based normative academic approach to the issue.

A reliable assessment of patient centered compassion in healthcare calls for a paradigm shift in attitude where the patient is viewed as being a person in relationships rather than a diseased atom of existence. This is true even of people for whom social life does not explicitly come first and foremost. For one thing, disrupted social relationships extend beyond interpersonal relationships. The onset of disease signifies that some patient relationships will turn sour and cause distress. Compassion is about a patient's disrupted relationships and how to deal with them. A caregiver's attitude of listening, comforting, helping, understanding, presence, non-judgemental communication with the patient sets the stage for patients to talk about their disrupted relationships, however. For one thing, broken associations move beyond interpersonal relationships. The determination of the efficacy of compassion in healthcare is a measure of the degree of consonance between a patient's distress and the caregiver's ability to identify and respond to all the elements of that patient's distress.

A reading from the Gospel of Mark (Mark 6.33-34) has an interesting focus on compassion that serves as a teaching moment; "Jesus and the disciples got into a boat and went off to a deserted place. But many people hurried there before them, so that as Jesus went ashore, he saw a great crowd; and he had compassion for them, because they were like sheep without a Shepperd; and he began to teach them many things."[4] The people were not looking to Jesus for anything, but they appeared to be in distress much like a patient in distress needs guidance. *The caregiver is that Shepherd, whereas the patient's distress is the teaching moment.*

What is compassion? The *New Webster Encyclopedic Dictionary of the English Language* describes compassion as "a suffering with another; sympathy; pity; commiseration; an act of mercy." As we gather from this list, compassion is a complex concept and is difficult to define. This explains, in part, the challenge facing caregivers, but the description of how a patient experiences distress is nonetheless possible. Compassion is a loving attitude in which the caregiver facilitates the recovery of the patient. To love others is to help them be what they need to be to find peace. Love means letting be and helping the growth of that person in that mindset.

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4   *The New American Bible* (Wichita, Kans.: Catholic Bible Publishers, 1985-1986).

4. The View of Compassion from the Caregiver's Perspective

The caregiver brings traditional cultural attitudes, values, and beliefs about compassion to the healthcare table. These include a belief in the value of strong listening skills, communicating effectively, helping, being available to the patient, an attitude of resonance and identification with patients as finite beings (not sympathy or empathy), an attitude of respect, emotional connection, concern for the suffering of patients, in addition to the dictionary definition of compassion as a suffering with another.

5. The View of Compassion from the Patient, or Client Perspective[5]

The *a priori* details of a patient's distress are inexistent before the onset of the disease. The patient's need for compassion is caused by breaks in the different types of relationships (with the environment, other persons and self) that generally made life worth living before the onset of disease and the disruption in one or more of these relationships. This explains why suffering is individuated and personal. The patient's well-being depends on a caregiver's professionalism (experience, knowledge, self-development) coupled with an understanding of the nature and causes of that patient's distress. The patient expects to be treated as a unique person in relationships rather than as a diseased monad. The caregiver's gift of compassion must have the flexibility to descend to meet the experiential needs of patients. In part, patient relationships include caregivers. We read in Sinclair et al., 2017:

> Survey participants were read a description of compassionate health care: Now, I would like to turn to an approach to treating patients known as compassionate health care that focuses on improving the relationships between doctors, nurses and other professional caregivers and patients and their families. Its particular focus is to improve the communication and emotional support that patients receive from their doctors, nurses and other professional caregivers.[6]

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[5] While the article is intended primarily for hospital use, it can be used in a clinical setting to collect data on compassion in a client-centered setting.

[6] S. Sinclair, L. B. Russell, T. F. Hack, J. Kondejewski, R. Sawatzky, "Measuring Compassion in Healthcare: A Comprehensive and Critical Review," *The Patient*, 10, (2017), 399.

While this is part of it, the need for compassion moves beyond professional walls.

6. In Particular

1) Whereas the Sinclair et al., study concludes that no quantitative model completely satisfies the need to determine the success of compassionate care, and whereas the study suggests that a need exists to move beyond current qualitative theories on compassionate care where the patient is seen as an atomistic entity of disease, it seems necessary to develop a new paradigm to identify the nature of patient-centered compassion.

2) In order to accomplish this objective, research needs to move away from the mind-body disease model of being a patient, that is from the patient as a diseased atom to the view of the patient as a person in social and psychological relationships as well as a biological organism. Energy is wasted on the attempt to understand how mind and body interact, especially in light of the diseased atom model of illness. The proposed new model focuses on the relationships that characterize persons in need of compassionate care. The need arises because of the distress caused by disease and the disruption in the harmonious relationships that promote holistic health.

3) The philosophy of the patient as disease ignores the relationships that make individuals unique. *A person is a human being in three main types of relationships*. We become persons through those relationships.

4) The relationships that individuate persons take place at three basic levels; First, the carbon level of our biological, environment-based DNA structure. The carbon identity includes diet, exercise, and the spectrum of all the associations between the environment and the organism. In a second set of relationships, persons are the output of relationships taking place with other living beings such as other persons, animals, and vegetation. Our social relationships (the "we" in the "me" of relationships) individuate us. The third set of relationships that make us who we are takes place at the level of the psyche. The psyche or internal self is the place of conscious and unconscious processes alike wherein all person-making associations are processed. Disease causes broken associations on those three main streams of relationships. Although a disease (and its cure) has an organic basis, the part always acts primarily for the good of the whole person and only secondarily for itself. The function of compassionate care is to assist the patient mend the broken unity of as-

sociations caused by disease. *Thus, the caregiver needs to be informed about how patients find meaning through their relationships. This discovery is a sine qua non condition of compassionate care*.

5) Our significant relationships are driven by a spiritually based search for sacred meaning on the arms of these person-making relationships. The pursuit of sacred meaning is directed towards affective components such as caring, helping, being present, comforting, listening, being available to the patient as an extension of a caregiver. Technically, no self or "I" exists outside relationships. *Thus, the caregiver needs to be informed about a patient's spiritual search for meaning*. Spirituality is the engine of sacred meaning that joins us together in compassionate relationships.

6) The exemplar of spirituality in action exists in the fabric of major world religions. The essence of religion (Latin *religio*) lies in its being a mode of *religare*, which means to join or bring together. The faithful are brought together through the practice of sacred rituals and symbols that connect them with the divine. The belief that one enters into a spiritual and personal communion with the divine is a profound source of compassion for the faithful. Buddhism, on the other hand, practices compassionate healing by removing the desire to cling to things as the primary source of suffering. Both systems have value. The healthcare system must develop how best to meet patient needs, if not through an inventory of all the relationships that make each patient unique. Disease divides; compassion unifies. The goal of healthcare is to preserve the unity of a person's relationships by reversing the conditions of disease or moderating its effect on the whole person. Religion provides meaningful symbols and rituals to help integrate significant relationships into an organized whole. The healthcare team has its own rituals and symbols to meet that objective. The search for a unifying source of meaning is at the core of religion and medicine. The first lesson we learn from religious spirituality is that all human beings are born with an attraction to the good they see in the environment, other living things, and themselves. We naturally seek to avoid whatever blocks this pursuit such as disease. The second blueprint we find in religious practice is the quest for immortality. The avoidance of personal death explains why we cling to life, even in the face of progressive disease. The possibility of personal death is traumatic because it threatens the unity that characterizes living things. Human death is the disintegration of the unity of the human organism. The religious belief in an afterlife helps us to soothe the distress caused by the possibility of personal annihilation. The precise nature of the afterlife pur-

sued by patients depends upon their cultural beliefs, attitudes, and values. The major world religions — Judaic, Christian, Islamic, Buddhist, and Hindu — hold different beliefs about its nature. The Abrahamic religions promote personal relationship with the divine, Buddhists do not.[7] A caregiver is open to all religious beliefs and seeks to address the specific characteristics of a patient's ongoing search for sacred meaning in the face of death. The third leg of the religious tripod is the desire to rejoin an ultimate source of good, Supreme Being or God. Atheists have a right to provide their own vision of the ultimate meaning of life, that is, if there is no God, then so what? Atheist are no less spiritual than theists. Whether one prefers Nietzsche to Kierkegaard is largely a matter of nature, nurture, and personal reflection. The search for sacred meaning develops through a complex arrangement of culture (attitudes, values, and beliefs), society (social groupings), politics (laws and mechanisms for conflict resolution), economics (trades and balances), eco-systems, and ethical analyses. *Thus, we need to develop a baseline questionnaire to illustrate how the person-making process of relationships integrates with the spiritual search for meaning, and to use it to identify those intersecting processes at times of disease.*

7) Pain, suffering, illness, loss, and hardships often hinder the search for sacred meaning on each relationship of the person-making process. Therefore, the design of a psychometrically validated instrument to measure compassionate care must be based on the elements detailed in that baseline. The new paradigm replaces the mind-body vision of what it means to be a person for a molecular entanglement of relationships. In the old model, the measurement of the degree of conformity between compassionate care and patient meaning seeking associations falls through the cracks. The old medical model of compassion is filtered through the lenses of the patient as disease and misses the centrality of how the search

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[7] Buddhism is not a religion if religion is understood as an invitation to the faithful to enter into personal communion with God. Organized religion strives to discover the presence of the divine within self through the discovery of the divine in other persons (and the biotic community) and in the environment. It follows that Buddhism and some forms of Eastern medicine follow the path to healing by refusing to cling to self-determining associations found in the person-making process. But in the long-term Eastern and Western medicine are not such strange bedfellows, because they are compassionate systems. Buddha achieves enlightenment by becoming one with the All of existence. The concept of the All, therefore, must include the divine and the vision of Abrahamic religions.

for spiritual meaning makes us uniquely personal.

8) Compassion is an elusive concept to measure, because no definition of it encapsulates all the relationships that define us. However, they can be described. The descriptive account of compassion takes place through a process that records the meaning-seeking associations found in the person-making process.

9) The success of compassionate care delivery is proportioned to the role it plays in empowering patients to overcome the personal distress caused by broken relationships and resulting illness. The medicine of the future is in part in the genome project and the process of narrowing the cause of disease by identifying the genomic structure of disease. Genetic engineering is poised to identify and remove the possible causes of disease-causing genomic associations before the occurrence of disease. The determination of how and where illness arises as a rupture in other non-genomic relationships such as social and psychological processes provides a teaching moment for caregivers and offers a source of consolation for the patient.

7. The Argument

It seems possible to suggest from Sinclair et al., that compassionate care extends beyond sympathy and empathy to establish an actual loving connection with the patient in distress. This moves us beyond the organic vision of the patient as a diseased atom as though existing in one type of relationship, only. Compassion includes consonance and identification between caregiver and patient as well as an action component. The impersonal quantitative assessment of the patient in organic distress is essential for curing disease, but the reduction of medicine to that one dimension is reductive and fails to meet the whole of a patient's needs for compassion. It belies a fear of disease and failure. Some aspects of being human escape quantitative analysis because they are neither observable nor measurable in themselves. *As a starting point it seems possible to suggest that compassion is an attitude of loving concern that views patients in distress as an extension of a caregiver; they share a common human condition. The elements of associations that populate this baseline vary from patient to patient and from the caregiver's perception of compassion.*

We begin with a reflection on our own individuating relationships, especially the pain of disrupted ones. Although everyone is uniquely personal with a distinct history of person-making experiences, the common bond of the human condition enables us to resonate our pain with

the pain of the other even in the absence of a direct experience of their pain. Compassion does not create a division between the ways of cognitive and affective connaturality, but it places the primacy of reason on a back burner (of the third kind) to enter a first stage whereupon the pain of the other is observed without judgement. The experience is religious, because like religion understood as a *religare*, the experience is redemptive. This is spirituality in action.

The Abrahamic Religions centre on the personal relationship with God as the ultimate source of sacred meaning. An analogous bond between caregiver and patient is at the heart of compassion along with the related religious themes of love, forgiveness, caring, sharing, and suffering. The way a caregiver serves as an extension of the patient is a gateway to the measurement of compassion. It seems to me that the true spirit of love as meeting others as they are, avoids the possibility of staff burnout.

The art of healing is the process of spiritual welding broken or damaged meaning-seeking associations. The three categories of meaning-seeking behavior that characterize religion are supported by science. First, we seek to do good because humans are attracted by the good, they find around them. Second, all living things cling to life; they resist death and thereby seek personal immortality, and third, because no finite series of good ever completely satisfies us, we strive towards God as to an infinite good capable of fulfilling us. This human characteristic is identified by psychology as well as religion. Babies, for instance, are naturally attracted to the good. The longing for personal immortality is concomitant with the need to connect with an infinite Being. Disease runs counter to these objectives. Suffering is not immediately perceived as a source of sacred (spiritual) meaning, although it is perceived as salvific by some. Compassionate care helps patients deal with the lack of meaning they find in personal suffering and death. The progressive nature of disease leads to cellular breakdown and death, if it is not reversed. Religion is a source of comfort because its powerful rituals and meaning-laden symbols help the faithful maintain a sense of peace in the face of disease as self-destruction. Religion provides a useful platform for the measure of compassion, because it focuses on entering a personal relationship with God as the ultimate source of personal meaning. God's love for us means that God wants us to be happy (a letting-be par excellence). God is simultaneously the source of ultimate spiritual meaning and personal immortality. God's existence, whether real or imagined as

in atheism, satisfies the human need for lasting meaning. The believer and the non-believer share in a common a desire for a meaningful existence. The difference between them mirrors the cultural expressions of the divine. For instance, Buddhism is not considered a religion as such because its adherents do not seek a personal relationship with the divine, but it shares in the desire for compassion and the need to avoid personal suffering by becoming one with the All of existence. Buddhists achieve this goal by moving away from the ego, whereas followers of the Abrahamic religions find it by moving deeper into the ego. Spirituality is the right hand of all religious and non-religious beliefs alike as a boundless need to connect with the sacred. Authentic religion is spiritually based, but spirituality is not necessarily religious. Thomas Aquinas locates the ultimate vision of human happiness in the expressed desire to see God: "Final and perfect happiness can consist in nothing else than the vision of the Divine Essence."[8] Compassionate care is necessarily spiritual and provides a baseline approach that already exists in religious and non-religious models. However, spirituality often plugs into negative sockets as well as positive ones. Addiction is of the negative type because it destroys the unity of human life. In Sartrean philosophy, for instance, the addictive drug is replaced by a model of interpersonal relationships with an objective correlate from hell. Sartre's claim that "Hell is — other people"[9] sits at the antithesis of compassion because it rests on the fact that others serve as objects which we use to define ourselves. There is no love in that scene. However, Sartre, the humanist pretender invites us to set our differences aside to join in a common effort to overcome the problem of scarcity. But the invitation is weakened by the structure of Sartrean consciousness as "secretor of negativity." The religious structure of spirituality, however, forgives others and raises the bar to include acts of compassion and indeed answers our thirst for God and personal immortality by seeing God in other people.

It seems to be the case that the elements of compassionate care will fall between the cracks in the absence of a comprehensive view of person-making processes. The traditional mind-body view of human nature is too

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8   Thomas Aquinas, *Summa Theologica*, trans. the Fathers of the English Dominican Province (Chicago, Ill.: Encyclopedia Britannica, 1952), 1.11:3:8.
9   Jean-Paul Sartre, *No Exit and Three Other Plays*, trans. L. Abel (New York: Vintage Books, 1949), 45.

narrow to capture the essence of what it means to be compassionate. So, the first step is to develop a conception of personhood in more detail.

The success of a psychometrically validated instrument to measure compassion in healthcare depends on our ability to compile a patient history of past relationships in these meaning-seeking/person-making categories of becoming increasingly personal, and the effect that disease has on these relationships. *The locus of compassionate care arises at the intersection of a patient's spiritual search for the meaning of life, and person-making processes, and is determined by the caregiver's success in meeting those needs.*

8. Persons are Human Beings in Action

A growing body of work is shifting the focus on patient care from the view of patients as individual atoms of care to the fact that patients exist in relationships.[10] Patients are the output of relationships taking place at the levels of the carbon-self, the social-self, and the internal-self. The need for a new paradigm shifts away from the mind-body atomistic model of a patient, is made increasingly urgent in the age of organ transplant medicine, end of life care, and biotechnology. We are born human, but we are not equally personal from the fact that each human becomes a person through a unique set of relationships. A person is a human being in action. I have identified three main streams of person-making relations. Since we are not equally personal, the identification of the patient's need for compassion must be expressed in a forum that *allows for diverse voices*. Individuals are a product of systems that include culture, society, politics (and law), economics, environmental resources, community resources, and a system of values (ethics). The systems approach to a patient's search for meaning is expressed along the arms of a person-making process (Bryson, 2019).[11]

9. The Organic-Self

The first stream of relationships that make us uniquely personal

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[10] Barbara Prainsack, "The 'We' in the 'Me'": Solidarity and Health Care in the Era of Personalized Medicine," *Science, Technology, & Human Values* (2017), 1-24.

[11] Ken A. Bryson, *A Systems Analysis of Medicine (SAM): Healing Medicine* (Stuttgart, Germany: Ibidem-Verlag, 2019).

takes place at the basic organic level of our zygotic configuration. We are carbon compounds of DNA along with other environmental factors that include diet, growth processes, and reproductive choices. Disease disrupts personal development at this basic level of existence. Persons are an extension of the environment. Medicine seeks to identify, and reverse personal environmental deficiencies found in the human organism. Disease dirupts the body's ability to heal itself and causes disintegration and death. Compassionate care is in part a measure of the fit between treatment modality and a patient's carbon-based needs. Environmental relationships are addressed first because they provide our first associations of origin. We not only seek to preserve good health (conservation) but we also strive to prevent disease (preservation). Doctor and patient are allies in this common cause; doctor, doctor, will I die? Yes, my son and so will I.

10. The Social-Self

The second set of personal, individuating relationships takes place at the level of the social self, whereupon the basic formative nurturing of family of origin begins. Persons are also the product of relationships taking place at the level of friends, neighbors, and society-at-large whereupon cultural, societal, political, and economic factors play a role in their social development. The individuating relationships of the social self also includes cherished associations with animals and other living things such as plants and trees. Compassionate care is in part a measure of the fit between treatment modality and a patient's cultural, societal, political, economic, environmental, and ethical profile. Some of a patient's systems-based connections are disrupted by disease and therefore promote illness. The goal of compassionate care is to meet the needs identified in a patient's medical history.

11. The Internal-Self (psyche)

The third set of personal, individuating relationships take place at the level of conscious and unconscious processes alike. The internal self is the place wherein associations taking place in all personal experiences are processed. The failure to integrate processes taking place at the level of the psyche results in mental illness. Compassionate care strives to identify broken strings of associations on the arms of a patient's internal self in order to address them.

12. The Spiritual Search for Sacred Meaning

The distinction between secular and sacred meaning is used to distinguish between the pursuit of material comforts and the search for spiritual values such as love and compassion. The search for sacred meaning is populated by three main characteristics of spiritual development found in religious practice, namely the human attraction to the good, the desire for personal immortality, and the realization that God is the source of ultimate good. Spirituality is the engine of sacred meaning that empowers compassionate care and the desire to help other persons mend their search for sacred meaning broken by disease. The search for broken associations is directed towards uncovering how the three hallmarks of sacred meaning (all from religion as paradigm) fit into the person-making process.

13. The Good

We seek to do good and avoid evil in all our relationships because we are naturally attracted to the good at birth. A family of origin normally provides the foundational standard for what a child identifies as good and desirable. These choices are also affected by the systems. The experience of social networking, for instance, can distort the nature of the good as we learn that dishonesty is often rewarded. But dishonest actions return to haunt the psyche and produce negative feelings that reflect their origin in the person-making process and may cause mental illness. The degree of compassion is measured by the fit between the pursuit of the good in all their cultural settings and staff's non-judgmental ability to meet patient needs (within legal limits).

14. Personal Immortality

The second element of the spiritual search for sacred meaning is the desire we express for personal immortality as we seek to avoid the self-destruction brought about by aging and disease. On a positive note, Martin Heidegger's work (*Being and Time*, 1962) contains a 33-page chapter in which he discusses the acceptance of personal death as a profound source of inspiration to make the best of the time allotted us.[12] This theme appears

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[12] Martin Heidegger, *Being and Time*, trans. J. Macquarie and J. Robinson (New York: Harper and Row, 1962), 279-311.

earlier in Tolstoy's *The Death of Ivan Ilyich*,[13] but Heidegger gives it a fresh twist when he explains that death as an integral part of what it means to be a being "in-the-world" and as person in the making (*Dasein*). This means that for Heidegger we are "full of death at birth" and continue to act until we run out of death! Thus, my very own structure reminds me that I am slowly "running out of death" and that I am coming to an end — not as the no longer being, but as the absence of death in my being-there. This means that death is a powerful source of inspiration to make the best of the time allotted to us. But religious spirituality pushes the envelope beyond personal death through the promise that personal death is a new beginning in the afterlife rather than the permanent end of my existence. The focus on personal immortality reflects the human need to keep on living despite the reality of personal death. This seeming paradox explains the desire we have for personal immortality. The teachings of the major world religions satisfy the human inclination to do good and reach for immortality. Many of the Thomistic arguments for personal immortality capture this belief through personal evidence surrounding the activity of thought since I cannot think of myself as coming into being or ceasing to exist. This concept is based on Brentano's concept of the intentionality of consciousness. To think is to think of something. The act of thought cannot take place in the absence of an objective correlate. In a book in which Maritain examines Aquinas's arguments for the existence of God, we read "how is it possible that that which is thus in the process of thinking, in the act of intelligence… should once have been a pure nothing, once did not exist?"[14] Maritain adds that this state of inexistence is manifestly impossible. The spiritual search for the ultimate meaning of life creates the desire to live on after personal death, if only by leaving this world a better place because of our having been here. In all instances, compassion is measured by the fit between the pursuit of the sense of accomplishment and the healthcare team's ability to resonate with a patient's imminent "running out of death" and no longer being attitude, belief, or value. The challenge is to fill the gap left behind by the ravages of disease and the anxiety of personal death.

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[13] Leo Tolstoy, *The Death of Ivan Ilyich*, trans. Lynn Solotaroff (New York: Bantam Books, 1981).

[14] Jacques Maritain, *Approaches to God*, trans. Peter O'Reilly (New York: Harper & Brothers, 1954), vol. 1, 74.

15. Seeking God

Third, spirituality is the expression of a craving for ultimate meaning — God, nation, family — depending on personal beliefs. The expressed desire for absolute good is not met in the world of finite goods, and our hearts long for a loving God to fill this desire. In our experience, the spiritual search for meaning often goes astray and pollutes the person-making process, i.e., we search for meaning in the wrong places. For instance, seeking to find meaning through drug abuse can lead to death. The same spiritual energy drives the search for good and evil. Mental and physical illness can be caused by the fact that spiritual energies are deceived by the attraction to superficial appearances. In some instances, the pursuit of economic development trumps personal development. Unfortunately, the unintended consequences of this mindset can lead to greed, hate, envy, war, violence, and general soul-sickness. The challenge for a caregiver is to properly assess the needs of a patient and to strive to meet those needs even when they fly in the face of their personal beliefs. Finally, some patients do find personal meaning during hospitalization, suffering, and the death of a loved one, but many do not. *The relief of patients' distress is accomplished through listening, comforting, and seeing patients as an extension of oneself in distinct relationships rather than as a disease.*

The measurement of compassionate care is viewed as three spokes in the wheel of personal development, namely in the person-making process as a search for meaning (the "before" and "after" categories of personal care). The spiritual tendency towards doing good, self-preservation, and finding God animates the person-making relationships found in nature, other persons, and self-reflection. The spokes of spirituality each fit into the person-making wheel, i.e., the innate attraction to the good manifests itself in nature, other persons, and self-esteem. On the other hand, the desire to avoid self-destruction (immortality) manifests itself in our relationships with nature, other persons, and God, while the innate thirst for divinity exists in our relationships with nature, other persons, and ourselves. Patient distress is caused by breaks in the associations that characterize these nine portals to compassionate healthcare. Compassion expresses the fit between the patient's needs and the caregiver's ability to meet those needs by helping patients weld broken associations be-

tween their spiritual meaning seeking spokes and the wheel of their person-making relationships.

16. Systems Analysis

The details that serve to describe the stream of person-making associations that characterize the patient's spiritual search for meaning are uncovered through systems analysis. The patient history is garnered through the patient story about culture (attitudes, values, beliefs), society (societal groups such as family, organizations), politics (the systems of laws we use to avoid chaos), economics (units of trade), environment (where we live), community resources (such as self-help groups), and ethics (evaluative moral standards of conduct such as professional codes of ethics).

The following table illustrates how we search for meaning, immortality, and God in the typology of carbon-self, other persons, and the inner-self. Broken associations mark places of distress and therefore the healing objective of compassionate care is to mend those broken associations. It combines the way we seek to individuate ourselves through our relationships with the pursuit of sacred values, namely, the attraction to the good, the desire for personal immortality, and the desire to discover the ultimate source of goodness in God. The patient in distress is characterized by broken associations in these streams of meaning-seeking behavior. At the level of the carbon self, disease arises because of breaks in the environmental connections. Flowers do not appear to be as bright as before, nor does food taste as good as before. The state of patient distress is also caused by breaks in the social self. Doctors and nurses do not come by as often as before the diagnosis. Family and friends are in distress. The sadness is contagious. This condition can result in feelings of hopelessness, guilt, resentment, and despair. Finally, disease can occasion a perceived break in a patient's relationship with God, as though punished or otherwise abandoned by God. The classic case of alleged abandonment by the divine is told in the biblical book of Job. In brief: *The onset of disease causes breaks in the spiritual search for meaning and is expressed on the arms of the relationships that make us truly personal. The detail of associations that individuate persons is provided through systems analysis.*

Table 1

		Carbon-based self	Social self	Internal self
Finding spiritual meaning in our relationships (*religare*)	Seeking good (innate tendency)	Resist death Conservation Preservation Rights (to resist destruction)	The "we" in the "me" Family Friends Society-at-large	Internal processes Autonomy Consent Beneficence Justice Truth
	Craving immortality OR resisting death	DNA Curing Sustainable Biotechnology Letting Be	Healthcare Love Surviving through others Polity Law Economics	Harmony Healing Happiness Serenity Afterlife state
	God as ultimate source of sacred good	Good death Return to nature and/or move on to afterlife state	*Accomplishment Moral habits Survive death through immortality*	Personal God Supreme Being; the All Reincarnation Heaven-Hell

17. How this Works

This schema provides a platform we can use for the design of a detailed questionnaire on patient-centered compassion. Distress is caused by broken associations at one or more of the illustrated points of intersection between the spiritual essence of religion understood as a mode of *religare* and the individuating characteristics of the person-making process as described throughout this text. The delivery of compassionate care begins with identifying the patient's systems as detailed above. That information moves beyond the data normally available in a patient's file to include information about all the points of intersection identified in *Table 1*. Individual systems direct the spiritual search for meaning on the arms of the person-making process.

1. How is the attraction to doing good fed by a patient's environmental associations? How does the tendency towards good develop in the patient's relationships with other persons? And how does the patient process the tendency towards good at the psychological level?

2. How is the patient's desire for personal immortality met in the

environmental associations? How is the tendency towards immortality fed by other persons? And how is it processed by the patient at the psychological level?

3. How is the patient's desire to enter into a relationship with the Supreme Being found in an environmental setting? How is it fed by other persons? And how does the tendency towards the divine resonate in the patient's psyche?

The questionnaire provides an indication of the possible degree of compassion experienced by a patient, namely the fit between compassion resource and patient-centered need for compassion (to help in self-healing as expressed by the intersection between the search for spiritual meaning and the person-making process). A patient with ongoing distress is offered additional help, including volunteer community resources as appropriate. In some cases where a patient's condition renders them unable to respond, the questionnaire is completed by a designated surrogate such as a close family member or by a member of the healthcare team.[15]

18. Questionnaire for Patients/Caregivers

In the following questionnaire, the number "1" corresponds to the least healing and "10" to the most healing.

On my success in finding meaning by seeking to do good (attraction to good);

    1. Do I see good in nature?
        Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
        During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

    2. Do I see good in the healthcare team?
        During illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
        During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

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[15] Patients are encouraged to complete a Living Will form (Power of Attorney for Personal Care) before admission to hospital to ensure that their personal care intentions are followed by their executor. In the case of a comatose patient without a signed Living Will document or executor, the courts, upon request will appoint a surrogate to express how patients would act if they could.

3. Do I see good in myself?
      Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

On my success in finding meaning through self-preservation (immortality)

1. Do I have a lasting connection to nature?
      During illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

2. Do I have a positive connection to my caregivers?
      During illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

3. Do I have peace of mind, or is my life falling apart?
      Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

On finding meaning in my attraction to a Supreme Being or God (Higher Power).

1. Do I find God in nature?
      Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

2. Do I find God in other persons?
      Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

3. Do I find God in myself?
      Before illness   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
      During hospitalization   1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

19. Results

The questionnaire is a baseline approach to identify how compassionate care affects a patient's spiritual search for meaning as a result of the hospital experience. In particular, the patient's social stream of asso-

ciations tells the tale of the character of compassionate healthcare — seeing good and love in the healthcare team — but the environmental connection is also significant, although tacit. For instance, the presence of flowers, sunshine and, in some cases, rain is important to wellness as we read in some accounts of terminal illness. The range between "before illness" and "hospital experience" categories signifies how disease breaks a patient's search for meaning, but a successful healing outcome suggests that the patient's degree of wellness should remain constant throughout the process. The expected shortfall caused by disease is compensated by compassionate care and attention to the patient's person-making spiritual profile. In extraordinary circumstances (such as a near-death experience)[16] a patient's spiritual awakening could be significantly higher as a result of surviving personal death. The healing curve range from 1 to 10 in the "before illness" category reflects the measure of happiness (the internal state) expressed by a patient before hospitalization and the fact that the hospital experience is not designed to be psychotherapy. The questionnaire provides a teaching moment for the healthcare team and hopefully a useful guide to improving the quality of patient-centered compassion.

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[16] The research conducted by Raymond Moody finds that a near-death experience provides evidence that these patients are filled with a new sense of meaning following their close encounter with personal death. See Raymond A. Moody, *Life After Life* (New York: Bantam Books, 1975) and *Reflections on Life After Life* (New York: Bantam Books, 1977).

On the Proper Scope of Philosophy of Religion

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Abstract

Diego Bubbio criticizes the current debate between the "new the-ists" and the "new atheists," arguing that philosophy of religion has been reduced to a kind of inconclusive debate between atheistic naturalism and theistic natural philosophy. He calls for a revision of the criteria de-fining the scope of philosophy of religion and believes that the post-Kantian philosophy (particularly contemporary continental philosophy) can help set a proper normative criterion for redefining the scope of phi-losophy of religion. In this article, we elaborate on some other aspects on which continental philosophers can have a role in setting a proper scope for the philosophy of religion.

1. Introduction

In "Metaphilosophical Reflections on Theism and Atheism in the Current Debate" (2009),[1] the Italian philosopher Diego Bubbio ques-tions the current definition of philosophy of religion as encompassing the works of new atheists such as Richard Dawkins, Sam Harris, and Quentin Smith, on the one hand, and the works of new theists such as Alvin Plantinga, William Lane Craig, and Robert Koons, on the other hand. The new atheists try to replace supernaturalism and theism with an alternative worldview in which natural science is able to efficiently ex-plain all the facts about the origins of the Earth, the meaning of human life, and ethics. The new theists, in contrast, try to provide "rational proofs for the existence of a personal God and supernatural/religious ex-

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[1] Diego Bubbio, "Metaphilosophical Reflections on Theism and Atheism in the Current Debate." In P. A. Quadrio & C. Besseling (eds.), *Politics and Religion in the New Century: Philosophical Reflections* (Sydney University Press, 2009), 354-381.

planations for scientific phenomena."[2] These two positions can be called "enemy twins" who "fight each other vigorously but [...] need each other as both of them build their identity in opposition to their adversary."[3] They appear to be adversaries, but they use the same logical framework and accept the game rules of each other.

Bubbio asks whether these approaches should normatively be considered as philosophies of religion. He believes that such a conception of philosophy of religion is based on the following criterion: "any philosophical questions that arise in connection with religion properly belong to philosophy of religion."[4] Alternatively, he tries to present a historical account of the emergence of philosophy of religion and develop what he considers to be a "more reasonable" normative criterion.[5] He argues that philosophy of religion as a specific discipline was born when modern philosophy underwent an anthropocentric conversion: It "stopped focusing on the 'whole' and started focusing on the human being."[6] Then, for example, the question is no longer whether we can know the essence of God, but whether we can know how the human being can have a relationship with the sacred.[7]

Kant was at the vanguard of this conversion by removing "religious claims from the realm of theoretical reason and referencing their significance to regulative and symbolic meaning."[8] Kant put forward a kind of perspectivism according to which the world cannot objectively be examined by the human subject; the world cannot be known in itself, but only as far as human knowledge can reach. Bubbio believes that the continental tradition has accepted this perspectivism and understands philosophy of religion as analyzing "only the questions that arise in connection with the regulative and symbolic meaning of religion."[9] Conversely, the analytic tradition has rejected post-Kantian perspectivism.[10]

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[2] ibid., 364.

[3] ibid.

[4] ibid., 358.

[5] ibid., 359.

[6] ibid.

[7] ibid.

[8] ibid., 363.

[9] ibid.

[10] ibid.

We agree with the main point of Bubbio's article, i.e., that the current trends in philosophy of religion are abortive and should be changed. However, in what follows we provide a critique of Bubbio's ideas and mention other insights from continental thought that seem to us to be more powerful arguments to be used against the current theism/atheism debate.

2. The Critique of Subjectivism and Historicity

The main insight of continental philosophy, which has revolutionary implications for philosophy of religion, is the radical critique of modern subjectivism. Modern philosophy is based on the premise that the point of departure for philosophical inquiry is the self-conscious subject. Heidegger rejected the subject-object relation as the fundamental structure of human understanding and tried to overcome the Cartesian distinction. He challenged the standpoint of most Western philosophers who emphasized rational contemplation, which examines the world in an objective manner. Heidegger believed that the human being's fundamental involvement with the world is not like that of a passive observer but rather that of an active participant who treats the world as a complex system of tools. Then there is a fundamental experience of what he calls "the being of entities" or a pre-scientific background conditioning any inquiry into the whatness and howness of things.[11]

Such a critique of subjectivism leads to a paradigm shift in philosophy of religion and displaces the traditional popular approach to proving God's existence or analyzing the "usefulness" of religion. The analytic tradition takes for granted the subject-object dualism and is trapped in abortive discussions about the utility and danger of religion, the natural and supernatural explanations of the origin of the world, etc.

What Bubbio calls "wager" (endorsing Gabriel Marcel's ideas about the belief in the existence and non-existence of God) seems to be a totally subjectivistic idea based on the premise that the human being surveys different approaches to religion in an isolated objective manner and chooses to bet on one of them. The term "wager" emphasizes the role of the will or decision in human's religious existence and is another

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[11] William R. Schroeder, *Continental Philosophy: A Critical Approach* (Blackwell, 2005), 159.

aspect of voluntaristic subjectivism, which, as Heidegger explains, reaches its zenith in the philosophy of Friedrich Nietzsche.

Moreover, Bubbio considers one of the responsibilities of philosophy of religion to be the interpretation of symbolic and regulative meanings of "religious experience."[12] The very twentieth-century term "religious experience" is another sign of thinking in the context of (scientific) subjectivism.

Another important insight of continental thought is its focus on historicity. According to some continental philosophers such as Nietzsche, Heidegger, Baudrillard, and Vattimo, we are living in an age of nihilism in which all the traditional values and metaphysical systems have collapsed. The Death of God opens a huge gap between the traditional, value-based, world of faith, and the post-modern world in which there is no metaphysical support for moral values and meaning of life.

It is in this historical context that the theism/atheism debate proves to be totally futile, because it cannot open a new horizon before human life. In other words, the debate over the existence of God has no relevance to the current historical situation of the human being and is isolated from the historical existence of post-modern humans. Even the strongest arguments in favor of the existence of God or meaning of life cannot trigger any kind of eagerness for the sacred among the people who live in our consumerist technological world. This futility of such philosophical debates is what Heidegger conceptualized as "the End of Philosophy," according to which Western metaphysical thinking has reached its final stage (with the emergence of technology as the goal of human life) and no longer has the potential to launch a new era of inquiry and struggle.

3. The Meaning of "Religion"

Another approach to setting the proper scope of philosophy of religion is meditating on the meaning of the concept "religion" and its implications. "Religion" can be used in different contexts and has manifold meanings. But which meaning is worthy of philosophical scrutiny?

The following list proposes various definitions of "religion" (there

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[12] Bubbio, "Metaphilosophical Reflections," 369.

may be some overlapping between them):[13]

a) Religion as culture: Sometimes the word "religion" refers to certain cultural or social norms and customs. They include acts of worship, ceremonies, and rituals. These customs are culturally transmitted to the next generations and there is no "authenticity" in acting in accordance with them.

b) Religion as object of research: "Religion" may refer to an object of academic research. For example, the religious studies scholars or even clergies studying a specific religion as an academic discipline, but they cannot be said to be necessarily "religious people" or "believers," just like someone who does research about love is not necessarily a lover.

c) Religion as a set of propositions: This conception of religion is what the new atheists/theists focus on. They understand religion as a theory or a set of statements about reality and they try to prove/disprove the theory by analyzing the evidence.

d) Religion as ideology: "Religion" can be used as a political or social ideology. The conception of religion as ideology is especially relevant in late twentieth and early twenty-first centuries with the emergence of Islamic constitutionalism (official governments) or the Jihadist groups like Taliban and ISIS.

e) Religion as theology: By "theology," we mean all the literature which claims to have a relationship with the sacred, including the Holy Scriptures, exegeses, mystic texts, and religious philosophy.

f) Religion as morality: "Religion" is sometimes reduced to a kind of morality. It was especially Kant who gave prominence to this moralistic conception of religion.

None of the above can be the proper object of the philosophy of religion. Instead, there is an ontological sense of the word "religion" underlying all of these meanings. In this sense, religion is understood as an opening or life-world in which all of the above become possible. In Heideggerian terms, religion can be seen as the comprehension of being[14] or as a mode of

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[13] Most of these definitions are from Bijan Abdolkarimi's "On the Possibility of Religion," *Proceedings of the Conference on the Works of Abdolkarim Soroush* (University of Isfahan, 2008).

[14] Enrique Dussel, *A History of the Church in Latin America: Colonialism to Liberation (1492-1979)*, trans. Alan Neely (William B. Eerdmans Publishing, 1981), 15.

existence.[15] When this comprehension is deficient or dominated by worries about how mediocre people's lives are, religion loses its original potential and transmogrifies into a dead culture or ideology. Therefore, insofar as religion is transmitted to the next generation as a mere cultural custom, the apparently religious people live "inauthentic" lives.

If religion were viewed ontologically, all the problems of philosophy of religion would undergo a paradigm shift and the nature of philosophical questions in the realm of faith and religion would change. The ontological view of religion surpasses religion as an ontic or positive phenomenon for (empirical) scrutiny[16] and considers religion as an intellectual horizon in which the objects are seen differently. God would no longer be an entity besides other entities the existence of which should be inquired into and proven. God would be dead as a metaphysical entity and the historical period of worshipping God as an observer of human actions or as alienation (as Marx believed) would be over. Instead of a creator of beings, God could be understood as the light in which all beings can be seen.[17]

In Gadamerian terms, religion can be said to be a historical tradition without which there can be no thinking or inquiry. Just like Western thought or the Greek tradition cannot be referred to as a set of propositions, religion does not consist of a certain set of statements, but is the background of any expression of facts about the world.[18]

4. Conclusion

The main insights of continental thought for the contemporary philosophy of religion can be summarized as follows: 1. The critique of the Western metaphysical tradition by Nietzsche and the critique of subjectivism by Heidegger can be seen as a revolutionary resource for philosophy of religion. 2. The emphasis on the historical periods of Western thought implies that the current debate over theism/atheism is irrele-

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[15] Emil Brunner, *The Christian Doctrine of the Church, Faith, and the Consummation*, trans. David Cairns, T. H. L. Parker (Wipf and Stock Publishers, 2014), 140.

[16] Leora Batnitzky, "Jewish Philosophy after Metaphysics," in Mark Wrathall (ed.), *Religion after Metaphysics* (Cambridge University Press, 2003), 146-165.

[17] Jeff Prudhomme, *God and Being* (Humanities Press, 1997), 26.

[18] Jean Grondin, *Introduction to Philosophical Hermeneutics* (Yale University Press, 1997), 106-123.

vant to the contemporary human condition facing nihilism and existential crises. 3. One of the main weaknesses of the scientific analyses of religion is the presupposition that God is an entity alongside other entities. According to the post-Kantian tradition, the main task of philosophy is exploring the "conditions," not of the possibility of entities themselves, but of the possibility of our knowledge of entities (like "space" and "time" in Kantian philosophy and more importantly "Being" in Heideggerian philosophy). From this follows that the concept of "God" could be interpreted in a totally different manner with significant implications for the philosophy of religion. 4. Religion itself can also be interpreted as a tradition or as an opening (rather than as a theory). If so, then the main issue before the contemporary philosophy of religion would be how to have a dialogue with the religious traditions or how a religious life-world would be possible at all.

III. OTHERNESS MAKING THE SUBJECT POSSIBLE

The Subject-Matter: The Subject

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Abstract

In the following I shall attempt to pursue the self's itinerary in the history of philosophy of the sign, criticizing great thinkers such as Hegel, Nietzsche, Freud, and Butler. I will, thus, pose three questions and attempt to answer them: i) firstly, how to conceptualize the subject to overcome a dichotomy of the inner vs. the outer so that the excluded subject-positions may be articulated? The second question will be: ii) how to account for the subject-position of the subaltern who is subject to the law, but not a subject as such who cannot "talk" and resist in destabilizing the sign that subordinates it? The last question arising from the economies, viz., exchange of signs and exchange of residues of power, has something crucial to do with the exchange of violence. iii) Can the subject, characterized by vulnerability and exposure to violence in its constitution, be the subject of a violent-free constitution if the conceptualization and signification involve violence in excluding singularity?

1. Introduction

The ambiguity of the word "subject," the inherent instability of its agency cherished as the *sine qua non* of political action as opposed to the political subjection which is the very background of the subjectivization, asks for an explanation — if not to presume away the *aporia*, then to deepen it. On the one hand, the subject is what is subject to a call, law of other,[1] which traverses *outside* its realm of sovereignty with its very

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[1] It is the law we receive from others when we encounter the authority in subjectivization.

conditions of possibility granted by power.[2] On the other hand, the notion of "agency" points out the political necessity of resistance against power, as displayed in some of the naive humanist-liberal conceptions of the autonomous agent as pure *locus* of action, viz., in outdated terms, unsullied by, and standing against anything alien to its *inner* voice of "conscience," "reason," and "will." Putting together these two aspects of the subjectivization yields a discontinuity between subordination and action, a hiatus of decision, and an intersection of passivity and activity.

I will, thus, pose three questions and attempt to answer them: i) firstly, how to conceptualize the subject to overcome a dichotomy of the inner vs. the outer so that the excluded subject-positions may be articulated in the economies of audibility and visibility, i.e., exchanges of signs and exchange of residues of power. Louis Althusser,[3] heralding Foucauldian formulations of the subject, introduces the notion of "interpellation" in his treatise on ideology that takes on board the addressability and the answerability of the subject to the authority, two central notions of the subjectivization process. In this context, sign appears to be the means of addressing the other, demanding a response, laying out the symbolic order of responsibility. Judith Butler[4] portrays the paradoxical itinerary of the subjectivization with the figure of "return," i.e., return of the responsible self toward itself or, better yet, against itself responding to a call, and acting responsibly and finding its sources of resistance, which are left unexplained by Foucault in his study of the effects of power on the body, in *psyche*. In a sense, the subject now appears in its vulnerability, exposed to the call and violence of normativity and deriving its power from what is beyond signification, viz. *the unconsciousness*. The call of the authoritative other to responsibility and the subsequent emergence of an *interiority*, an inner voice, conscience, and guilt that demarcates the boundaries of the *psyche* were linked by Derrida[5] to the opening up of the secret of the subject in the context of

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2   Basically, I mean the Foucauldian power, which is everywhere, eliciting a resistance.

3   Louis Althusser, *On Ideology*, trans. Ben Brewster (London: Verso, 2008), 44-60.

4   Judith Butler, *The Psychic Life of Power: Theories in Subjection* (New York: Stanford University Press, 1997), 7-33.

5   Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago: The University of Chicago Press, 1995), 1-35.

Christian mystery against the orgiastic mystery of the daemonic. In fact, the origin of these arguments can be dated back to Nietzsche's tirade against the Socratic demystification of moral responsibility that saw to the demise of Dionysiac energies leashed by the Apollonian ruse in his *Birth of Tragedy*[6] (6, 145, 157-158). Having made a psychoanalytic exegesis of Nietzsche's ideas, Freud also expresses the same excess of psychic forces over what is captured by consciousness, among many other places, in his analysis of the traumatic as the "external excitations … strong enough to break through the barrier against stimuli."[7] Jacques Lacan also addresses this excess in his depiction of the subject as "excrescence," formed by a violent encounter with the sign, *le petit objet 'a*,*'* as the epistemological stranger. Eric Santner, in his engagement in "an ethics pertaining to *my answerability to my neighbor-with-an-unconscious*" as the bearer of an uncanny sign, elaborates the strangeness of the sign that comes with the call of law as the "undeadness of what exceeds."[8]

Yet, after all tracing and second-guessing of a century, the *aporia* remains. So, the second question is: ii) how to account for the subject-position of the subaltern who is subject to law, but not subject as such, who cannot "talk" and resist in destabilizing the sign that subordinates it? In the case of the subaltern, the *aporia* deepens: if the conditions of the possibility of action, speech and, hence, of subjectivity lie in the other who calls, its sign as law, and its voice and face, then why does the voice of law, which, authoritative as it may be, nevertheless opens up a space for the subject to speak, act and appear, mutes the subaltern? If the subaltern cannot speak, does that mean that it is a different economy of visibility and audibility that it faces facing the other? If it is supposed to emerge from the abyss of secrets that secretes the subject-positions in violence, attachment, and recognition, then why is it supposedly a lack in *lieu* of a surplus that signifies it?

The bottom line of the theories of subjectivization, that the subject

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[6]   Friedrich Nietzsche, *Birth of Tragedy*, trans. Walter Kaufmann (Michigan: Vintage Books, 1967), 157, 158.
[7]   Sigmund Freud, *Beyond the Pleasure Principle*, trans. James Strachey (London: Hogarth Press, 1942), 34.
[8]   Eric L. Santner, *On the Psychotheology of Everyday Life: Reflections on Freud and Rosenzweig* (Chicago: The University of Chicago Press, 2001), 9.

is what is addressable, answerable, and vulnerable and quite capable of violence as well, necessitates a reading to trace down the formative power of sign regarding the subjectivization, which is to be understood as opening up an interior space by a violent encounter with the authoritative other and hence producing an excrescence, *an excess that eludes the economies of visibility and audibility as well*. Yet, the problematic aspect of the theoretical moves to grasp and grab the subject from its darker, psychic side — which is somewhat underemphasized by Butler[9] — is that the "what" of the subject, exceeding the sign and conceptualization, however mirroring undecidedly the excess of law[10] that makes it what it is, cannot be reduced to a happy transcendence of the primal scene of its emergence. The subject exceeds the sign that subjectivates and introduces it into the public sphere of visibility and audibility. But being attached to it in the first place, it cannot escape it since only for and before another can it be a subject, itself caught in the economies of the sign to make itself appear. The subject is thus replaced by the sign, the trope, the sign of the other, but the other will always be out of reach. Therefore, the subject is not present where it is, present before the law as its signified addressee and absent after addressing an unlawful sign — the face of the other.

The last question arising from the economies, viz., exchanges of signs and exchange of residues of power has something crucial to do with the exchange of violence. iii) Can the subject, characterized by vulnerability and exposure to violence in its constitution, be the subject of a violent-free judgment if the conceptualization and signification involve violence in excluding singularity? In other words, what are the epistemico-political conditions of possibility of a law that calls the subjects before it? For instance, can the law articulated through the loving call of the parents avoid the epis-

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[9] One should again interrogate the disturbing doubt that even making the sign "psyche," a discursive product of power in Foucault, a central theoretical tool is an adequate and violent-free means of capturing the excess of the subject. Do we partake in theoretical violence in attributing psyche a capacity of genuine resistance instead of pushing the borders of signification and invent a new language to express the excess to undo the residues of violence in our theorization?

[10] Santner names this excess of law as excess of meaning over legitimacy, in Agamben's terms, "[b]*eing in force without significance*" (*Homo Sacer*, 51, in Eric L. Santner, *On the Psychotheology of Everyday Life: Reflections on Freud and Rosenzweig* (Chicago: The University of Chicago Press, 2001, 41).

temological violence of conceptualization?

In the first place perhaps, an archaeology is required, an archaeology of the sign that negates and erases the face of the other. I suggest we turn to the birth and the death of the subject in the founding "fathers" Hegel and Nietzsche.

2. Hegel and Nietzsche: Sin and Sinn

Hegel is to be credited with the elaborate vivisection of the moments of the subjectivization in his *Phenemonology of Spirit*.[11] The sign here is what pertains to the other, marking its existence and addressability in the outer world. The sign is internalized by an intuition that receives the sense (*Bedeutung*, not *Sinn*, viz., extension) of *Begriff* whereby sense (*Sinn*) of the concept (*intension* in analytical philosophical terms) is conceived analogously to the spirit as it grasps something other than itself, like a body with a spirit enclosed inside. The work of internalizing what is outside, alien and other, the content of which is in conflict with itself, is "the subjective" in Hegel, viz., the paradigm of the subjectivization as a moment of grasping what one is through grasping what the other signifies. The grasp and reception of the intuition turns into an independent sign.[12] "Consciousness, however, is explicitly the Notion of itself,"[13] a homonymy of desire to include, metabolize and negate the other. Self-consciousness in Hegel, then, operates by the internalization and negation of the other by grasping what it signifies to achieve self-certainty where the self is a function of desire to metabolize the outsider.

The desire at stake seeks the satisfaction of Self-consciousness "in its negative relation to the object"[14] of desire. "Desire and self-certainty obtained in its gratification are conditioned by the object, for self-certainty comes from superseding this other."[15] In other words, self-understanding

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[11] G. W. F. Hegel, *Phenomenology of Spirit*, trans. Michael Inwood (Oxford: Clarendon Press, 1977).

[12] See G. W. F. Hegel, *Encyclopedia of Philosophy*, trans. Gustav Emil Muller, Philosophical Library (Michigan, University of Michigan Press, 1959), 408.

[13] G. W. F. Hegel, *Phenomenology of Spirit*, trans. Michael Inwood (Oxford: Clarendon Press, 1977), 51.

[14] Ibid., 109.

[15] Ibid.

depends on the other as the object of desire, which must be subordinated to the self by cognitive violence for ontological security.

The sign, conceived in this sense of an instrument used by the universal law that addresses, captures, negates in itself and thus recognizes as an other self-consciousness is, phenomenologically speaking, both a token of social existence, and a voice that calls and grants recognition to the other.[16] Yet the sign is also the grave of the soul, *sêma* of *sôma* in the two senses:[17] a) It subordinates what is present, and presented in the outer sensibility, to appropriate it, to make it its own by conceptualization, and fetters and buries it in the restrained space of a conceptual grave. b) It recognizes the other, names it in the epitaph for others to name "this other." It reminds one of an elegy right in front of the grave of the beloved, an incantation of their name repeated over and over.

The first phase of recognition and the subjectivization in Hegel is thus a cognitive move, enacting on the dichotomy of outer vs. inner. The other, present as presented outside the self meets "another self-consciousness" as "it has come *out of itself*."[18] The violent subjectivization by the sign of other also necessitates an attachment to the other: "Self-consciousness exists in and for itself when, and by the fact that, it so exists for another; that is, it exists only in being acknowledged."[19] The self loses the ontological security of a self enclosed in itself, and finally loses itself, "for it finds itself as an *other* being; secondly, in doing so it has superseded the other, for it does not see the other as an essential being, but in the other sees its own 'self.'"[20] "This disposition of ourselves outside ourselves seems to follow from bodily life, from its vulnerability and its exposure."[21]

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[16] Hegel attributes to the human voice a central place as the paradigm of sign. See G. W. F. Hegel, *Encyclopedia of Philosophy*, trans. Gustav Emil Muller (Michigan, University of Michigan Press, 1959), 408.

[17] The symbols of pyramid and tomb as the symbols of symbolization appear first in Plato's dialogue *Cratylus*, where the body is conceived as the prison and grave of the soul. Also see Melih Basaran, *Kurbansal Sunu: Dile Getirilebilir ve Gorulebilirin Mantik ve Ekonomileri* (Istanbul: Ayrinti Yayinevi, 2005), 34-38.

[18] G. W. F. Hegel, *Phenomenology of Spirit*, trans. Michael Inwood (Oxford: Clarendon Press, 1977), 111.

[19] Ibid.

[20] Ibid.

[21] Judith Butler, *Precarious Life* (London: Verso, 2004), 25.

This subordination which comes with the subjectivization, displacement, and replacement of selfhood is mediated by what is alien to the inner sense of the self, viz., the sign as the vehicle of law. The certainty and immediacy that the self seeks and can only get by the subordination of the object of desire, however, is achieved by a return. The cognitive order of things return as they were when self-consciousness returns back to the other and, in negating it, returns to itself in *signature* as a trace of the subjectivity.

A signature is the certainty of selfhood, an authenticating sign as a token of social existence of self. A signature is a name, an alibi presented outside the self, that is, an abstraction of the self. The etymological analysis of the term "abstraction," and its epistemological weight in Hegel suggest that what is at stake is an attraction and a repulsion: the self is attracted to the other, but at the same time, due to its auto-immunity, gets repulsed by what is alien to its cognitive system, ejecting the other to be a pure self back again. When the self and the other compete in the contest for recognition, "[t]hey are, *for each other*, shapes of consciousness which have not yet accomplished the movement of absolute abstraction."[22]

To summarize, homonymy as self-consciousness is grounded on "absolute abstraction," attraction of the object of desire into the inside, internalizing it by conceptualization and its expulsion to the outside of the self. The gastronomological forces operative at Hegelian subjectivization, however, are not free from violence as "each seeks the death of the other."[23] The life-and-death struggle, the cannibalistic stakes of which are but the purity and immediacy of the self as a "being-for-self,"[24] is an attempt on the part of the self to "rid itself of its self-externality."[25]

Its self-certainty wounded and cognitive boundaries violated, the self seeks recourse into signature, a sign on the bondage contract that would make him the Master and the other the Slave. The selfhood, now peripatetic on the mediation of a sign, is sullied by the *externality* of the

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[22] G. W. F. Hegel, *Phenomenology of Spirit*, trans. Michael Inwood (Oxford: Clarendon Press, 1977), 113.
[23] Ibid.
[24] Ibid., 114.
[25] Ibid.

object of desire, which cannot be fully negated for this precise reason. The sign that remains outside, whereby an "*ὁ*" is exchanged for an "*ε*" in Greek is the mark of independence of the slave, since it endows it an alienated existence of labor which is neither its own object of desire nor can be fully digested by the Master in the material products it consumes. The sign produces a surplus, a surplus of value in classical Marxism, and a surplus of actions that cannot be fully controlled. More importantly, the sign produces a surplus of subjectivity, an otherness of the other who is now distinct from the self as symbolized by the sign. The otherness will always be there as long as the sign is repeated, as the repetition of action is now guaranteed by the contract. At this point another theme of the subjectivization, namely that of *repeatability*, appears in the repetition of both the sign and the action.

Moreover, sign is the thwarted actualization of death, feared by both parties. Death, the figure of a tomb where the outsider, the outer and independent existence of the object of desire eluding negation is buried, runs on a delicate course of symbolization. It permeates every bit of conceptualization as sign and haunts any attempt to include the other given its postponement by the same encounter that structures otherness. Once the other is signified as the other in signing the contract, the outerness of the sign replaces the outer-ness of the other, and in a politics of proximity, traverses the fearful space between the self and the other with a promise of death. The outsider is thus kept at bay with and through the sign out of fear.

As Hegel maintains in *Phenomenology of Spirit*, "[f]or this consciousness has been fearful, not of this or that particular thing or just at odd moments, but its whole being has been seized with dread."[26] The ominous horizon of negation, of symbolic and ultimate death informs the fearful background of the signification and subjectivization in Hegel. The sign may claim the inner singularity under the universality of *Begriff*. And the sign, now appearing as a signature on the contract of bondage, serves as a reminder of the ultimate teleology of desire — death of the other as the object of desire.

To avoid misunderstanding, the violent subjectivization of consciousness by the sign does not take place merely as the fearful inter-

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[26] Ibid., 117.

nalization of what lies outside the subject, for the simple reason that "[w]ithout the formative activity, fear remains inward and mute, and consciousness does not become explicitly *for itself*."[27] To put it in the terms of contemporary philosophy, the formative power of the sign is not merely suppressive but also productive in the sense that the agency of the subject that hinges on the perilous space opened up by subordination finds its conditions of possibility to resist *precisely in the very same space*. The exact terms of elaboration of resistance which Marx, following Hegel, took on board under the title of alienation cannot be recapitulated here, though the actions permitted to the slave prefigure disruptive forces in the face of an object of independent existence.

That is the insightful aspect of the subjectivization in Hegel as his emphasis on the attachment of the slave to the "primal scene" of subordination in his analysis of unhappy consciousness: "The bondsman realizes that it is precisely in his work wherein he seemed to have only an alienated existence that he acquires a mind of his own … Since the entire contents of its natural consciousness have not been jeopardized, determinate being still *in principle* attaches to it; having 'a mind of one's own' is … freedom which is still enmeshed in servitude."[28] Thus there is a space for resistance, albeit an *interior* one, that stores thoughts, desires, and ideas which are yet to come and be signified. In Hegel, consciousness is, as the site of unarticulated signs, the secret abyss of the subjectivity that preserves some "content" which is not exhausted by the subjection to the law of the other.

To summarize, it is undeniably out of sheer terror that the slave attaches to the sign of its servitude; rather a slave than a dead; better captured and limited to a blunt identity than socially obliterated; and better the terror of *Begriff* than full silence. The slave loses its object of desire as an omen of death, loses the purity and the immediacy of its sense of self, but gains the subjectivity, identity and a voice as a slave in *the interiority, by secret of the sign*.

The authority of sign as a norm that regulates the subjectivization would be re-visited by Nietzsche to reveal its arbitrariness in mediating the internalization of the norm and turning the desire of the subject against itself. Having laid out the theoretical setting in which crime,

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[27] Ibid., 119.
[28] Ibid.

guilt (*Schuld*), conscience and asceticism permeate through the interior walls of the subjectivity and give birth to the subject before law,[29] Hegel did the preliminary work of putting the inherent contradiction of subjectivization in terms of a clash between "on the one hand, the individuality itself, on the other hand, its universal…"[30] signification, one enclosed in the cache of self-consciousness, the other unfolded by power. Nietzsche develops this theme further in his *Genealogy of Morals*,[31] yet introducing the arbitrariness of the sign as the arbiter of law so that the universal dissolves into the long and unpredictable chain of will as the battlefield of socio-political forces. The notion of "sign-chain,"[32] exemplified by the itinerary of the moral duality of "good and evil" as transposed and altered during the slave revolts, takes on board the attachment on the part of the subordinated who are emotionally attached to the terms of their subjection and disrupt the signification by a twist of semantic upheaval. While the pathological attachment of the ascetic priest haunted by a bad conscience cannot transform the normative voice of the symbolic that the subject-position called "the Jew," Nietzsche avers, achieved in borrowing and transmuting the sign. The production and reproduction of bad conscience may thus prove fruitful in the search for a better account of those people who cannot have a voice.

Nietzsche's formulations scattered throughout his works reveal the subject as an addendum to the action, a sign that attributes the action, a place-holder that is to be occupied in the socio-historical matrix of power. The psychic reception of the sign that assigns the places in Nietzsche, however, is not mechanic, that is to say, not reducible to the coerced internalization in the dreadful encounter with the other. The sovereign subject, the promising animal bred by the painful mnemonic devices of power receives the sign through painful repetition and grows a conscience.[33] At this point of conjecture, the picture of sign comes closer to completion, *as what is repeatable in the closed economy of the interior vs. the outer*. The painful repetition of violence exercised on the

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[29] Ibid., 182-184.
[30] Ibid., 183.
[31] Friedrich Nietzsche, *On the Genealogy of Morals*, trans. Douglas Smith (Oxford: Oxford University Press, 1999).
[32] Ibid., 77-78.
[33] Ibid., 58.

body builds up the memory of will by crime-punishment-memory triad: one commits a crime, is punished for it, and remembers the pain associated with the deed. As long as the repeatable pattern of conscience is preserved, the subjectivity signified — "good" or "bad," corresponding to the moral value of the action — engraves the sign on the epitaph of will. The bodily pain, however, becomes the most readily expression of the sign and the promise of a continuity between the sign and the action.

Thus the promise "I will" that makes a subject what it is by normatively restraining what it wills and does is always accompanied by terror.[34] The so-called mnemonic and oral contract between the creditor and the debtor[35] enacts the Hegelian scene of subjectivization, but with a Nietzschean touch. The creditor's desire to harm the debtor disguised as the execution of the rightful compensation is not so much universality of what law signifies as the arbitrariness of sign.

First of all, in Nietzsche, "[i]nstead of the thing, the sensation takes in only a sign,"[36] that is to say, the subject cognizes and memorizes the sign, not the object grasped and replaced by it. *Mutatis mutandis*, the pain inflicted in moral education inculcates the sign of the encounter with the other, not the object of moral law, say, the human being as it is. The sign "guilty" in Nietzsche is arbitrary as it merely conceals, in this context and not in others perhaps since a sign can go through a chain that destabilizes its own conditions of formation, a desire of the creditor, a desire to harm and kill, given that punishment gives pleasure.[37] The principle of pleasure may account for the creditor's will to harm, but not the internalization of the sign by the subject. Why and how the debtor takes its place in the normative scene and receives the sign in full awareness that it will be painful? For the instincts, and the will to freedom coerced to be impotent, turn against themselves, as Nietzsche maintains, and punish the subject from whose interior they originate.[38] But *whose will enter the picture to punish the subject from inside, if the will*

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[34] Ibid., 294-295.

[35] Ibid., 297-298.

[36] Sander L. Gilman, Carole Blair & David J. Parent, *Friedrich Nietzsche on Rhetoric and Language* (Oxford: Oxford University Press, 1989), 23.

[37] Friedrich Nietzsche, *On the Genealogy of Morals*, trans. Douglas Smith (Oxford: Oxford University Press, 1999), 301.

[38] Ibid., 325.

at stake is divorced from the actual action that produces the subject?
Where is the subject to be found if the unbridgeable gap between the
will and the action erases the mnemonic ground of the subjectivity and,
hence, the subject itself?

That would be the main avenue of explanation for why the subal-
tern cannot speak, why it holds on to the subject-position that it does,
why it attaches to the silence. Here in Nietzsche, the self once again in a
symbolic turn toward itself in the encounter with the other, paradoxi-
cally produces a subject capable of keeping promises, which is absent
when the action is not carried and the promise unkept, but punishes it-
self in its absence. The self is the object of itself via the interior and the
subject is what is absent as the object and replaced by the sign of the
other if a discontinuity between the will/desire and action is to occur.

In other words, the sign produces the interior that, in turn, produces
the self, but a sign is first and foremost something alien, standing out-
side as a sign of the other. Therefore, even if the internalization of the
sign as the authoritative voice of normativity, displayed in guilt, bad
conscience, and self-punishment is how selfhood is created, subjectivity
requires more. It requires engagement in the secrecy of sign, i.e., its
psychic reception and strategic distortion, and creative re-signification
of singularity. Thus, subjectivity as the site of secrecy implies that the
subject is both present before the law as the addressable out there and
absent, or rather, becomes secret as the ineffable of the interior created
by being addressed. The subject as such is then not present where it is,
but comes out of itself as in a hide-and-seek game, where the self is its
own object as the other.

That is why there must be more to subjectivization in Nietzsche
than coerced internalization, or lack of recognition by a universal, since
the creative power of the sign in fact commands attachment for the very
same reason: if the very possibility of the subjectivity stems from conti-
nuity between will and action, the subject may as well desire the subor-
dination that in the first place grounds the space of desire. Or else, if the
subjectivity takes a command on the sign, one must be subject to its un-
canny call in the first place to receive it. The reception of concepts and
language, for example, cherished as triangulation and initiation of a new
member to the epistemological order, may be far from violence-free.
The innocent picture of a child learning to name things may be a cover
of the dreadful *mise en scène* of an encounter with the other and subor-

dination to the epistemological authority. The child faces the unknown of the outside and yet must decipher the meaning of the sign that mediates it. On top of this, the sign is not simply at the disposal of the child, but given by the adult authority figure. As Derrida suggests, "[t]his subordination therefore takes the form of an 'incorporation,' whether that be understood in its psychoanalytic sense or in the wider sense of an integration that assimilates or retains within itself that which it exceeds, surpasses, or supersedes [*relève*]."[39]

To return to the necessity of such a violent encounter, it is better to be subject to a law of subordination than not to be a subject at all, even at the cost of having to suppress one's instincts, which are forbidden by the normative signification. The sign thus also serves to disavow certain actions, disown certain subject-positions, rounding the dark corners of the *psyche*, and holding in check the dark desires by Damocles' sword of normativity.

Nietzsche is loquacious when it comes to describe the psychic mechanisms of attachment to the founding violence of the sign, but one can also follow, or better, *repeat* his steps in Freud who claimed that repetition-compulsion "promotes the bringing to light of the activities of repressed impulses" in his *Beyond the Pleasure Principle*.[40]

3. Freud and Derrida: the Object of Love, the Subject of Violence

So far, Hegel and Nietzsche portrayed the primal scene of subjectivization as the one informed by fear (fear of social sanction, of excommunication, or even worse — death), repeatability of violence, postponement of otherness, and the denial of the enigma of sign. A gloomy and morbid figure ensues, characterized by its vulnerability, its capacity to die, its mystery in keeping secrets in its interior even if they are suppressed and transgress the economies of visibility and audibility by creative significations out of the suppressed material preserved in the unconscious. The internalization of sign, painful as it is since it buries and hides as much as it reveals and repeats, is also externalization of the

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[39] Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago: The University of Chicago Press, 1995), 11.

[40] Sigmund Freud, *Beyond the Pleasure Principle*, trans. James Strachey (London: Hogarth Press, 1942), 20.

secret "content" in Hegel's terms.

This last remark also puts some question marks at the end of the para-doxical Nietzschean story: one formulation of the subject assumes that it is formed by subjectivization, with no ontological anteriority and/or priority before the law that forms it. That is to say, the subjects are absent before the law calls them out. However, the subjects must already be present out there to hear, come forth, or resist the call. How can they be present where they are absent? If they were already, always, imminently present, then there would be no need for a call, no need for secrecy. If they were never ever present, they could not hear the call. Althusser puts it better in his discussion of "always-already the subjects"[41] where even "the expectation of a birth" assigns the unborn baby a subjective status. One can add that the dead are subjects, too. The subject then must be present where it is absent in an unfa-thomable manner, turning toward and extracting itself from itself.

That seems to be the answer to the question rose by Freud regard-ing the child game invented to deal with the absence of the object of love and hate. The story of the child who negotiated his mother's pres-ence/absence in the most economic way has a bearing upon a theory of subjectivization from two crucial perspectives. First, the attachment of the boy to the significant other exceeds coerced internalization of the sign as he learns to derive pleasure in repeating painful patterns of ac-tion, viz., *being lawful*. He imitates the absence of the object of love in his game, hiding his toys away (*Fort*) and taking them out again (*Da*), obviously enjoying himself over the fantasy of the "death" of the object of love. "How then," Freud asks, "does it accord with the pleasure prin-ciple that he repeats this painful experience as a game?"[42] The answer Freud provides gives away the lack and the excess of the subject, as well as absence and presence of the subjectivity.

To begin with, a sign is believed to be repeatable in the sense that it makes the other recognizable due to its stable sense (intension), its adamant meaning (extension), both of which, in the desired case, must coincide with its well-limited use. A proper name in vocative, the worn-out paradigm of significations of recognition, addresses the other (e.g., Lazarus) by its graphic-audio repeatability ("Lazarus") under repeatable

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[41] Louis Althusser, *On Ideology*, trans. Ben Brewster (London: Verso, 2008), 50.

[42] Sigmund Freud, *Beyond the Pleasure Principle*, trans. James Strachey (London: Hogarth Press, 1942), 12.

conditions (say, of Lazarus being present in the vicinity and seen by us) with repeatable teleology ("to call out Lazarus"). The sign, appropriating what it addresses, may replace it in its absence, as it happens when we read the sign "Lazarus," recognize the name and think of Lazarus. The sign, implacable and impervious, survives the death of what it addresses, and continues to call the deceased. Repetition is what makes things recognizable. So far, so good. But what does that tell us about the economies of desire, violence, and power?

According to Freud, "the child repeats even the unpleasant experiences because through his own activity he gains a far more thorough mastery of the strong impression than was possible by mere passive experience."[43] What does Freud means by "mastery of the strong impression"? Is it not again a mental faculty to receive the impressions and turn them into concepts, conception of things, into finer, more elaborate, and formidably negative births of signs, and hence will to power?[44] It may be a conception in the sense of conceiving a child, and burying her spirit in her body as every act of signification may involve giving birth and putting to death, and therefore it may be formative and negative in the sense of negation. No matter what he means by the phrase, it is indubitable that the child recognizes things by repetition, to master and store them in his cache of concepts, in the secret abyss of the subjectivity Hegel names consciousness.

And there is "a daemonic character"[45] to this repetitive encountering, struggling, taming, and disciplining the psychic excitation into something namable, something both melancholic and sinister, since it is related to the "death instinct" of the subject who cannot deal with an excess of excitation received from the outside. A desire to put to death, and perhaps to die as well, also lurks dark in the secret interior of the adult when "the repressed memory-traces of his primitive experience are not present in a 'bound' form."[46] *Bound*, that is to say, grasped, born and thus put into the tomb of the conceptual. *Repressed*, i.e., excluded by the normativity. And memory, painful internalization of the sign. Indeed, that is the inchoate political idea of the subjectivity

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[43] Ibid., 43.

[44] He mentions "the 'power' instinct," but does not elaborate on page 14 barring a skimpy formulation of the instinct as "the impulse to obtain mastery of a situation" (ibid., 14).

[45] Ibid.

[46] Ibid., 44.

of the subaltern as the undead, since Freud links this to the death instinct, which Hegel associated with the stigma of the other on another consciousness to the desire of living beings to hark back to an inanimate form.[47] A living being that never dies, for it is not fully born (not fully conceptualized and made a subject by the happy expectation of a birth), recognized as an outsider but not cognized in the interior. The subaltern that is theoretically ineffable, halfway excluded by the normative signification, *subject to law but not the subject as such*, then. The common Foucauldian analyses of the subject that always equate two senses of "the subject," viz., the subjectivization and subordination, may overlook the semantic gap between the two senses that may not be filled in some subject-positions since the sign may also de-subjectivate some positions which are subordinate to it by excluding them from the intersubjective realm of the visible and the audible.

The *telos* of law hence may be seen as cognition as opposed to recognition. Hegel's narrative on recognition in fact lends itself to a reading where recognition may differ from cognition in the reception of the sign. For instance, one can even cognize a voice as a phonetic sign, but not a face. A face as the sign of the other can only be recognized, recalled through the maze of memory, collective history, mutual labor of intimacy, and psychic wounds. To be more precise, cognition presupposes the *inner stability of the sign* as implied by its alleged *repeatability*: once conceptualized, the meaning rests in peace, eternal recurrence of the same, buried under its significant tomb and dead, but alive enough for daily use and thus undead. Every time it is repeated, like in pagan rituals, it *hopefully* wards off the unknown singularity, signifying the extension, i.e., the unchanging external object cut off from the ephemeral intension, i.e., the interiority of the subject who cognizes. Recognition, however, *allows for re-signification* as *reiterability*, given the contingency of the extension that reeks of power and theo-political singularity of the intension that gives privileged authority to the first-person-view over the content of the interiority.[48] Its aim is never to os-

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[47] Ibid., 46-48.

[48] But God, the paradigm of the first-person-view, sees without being seen and hears without being heard is supposed to know what we think. Does He as the regulative ideal of economies of visibility and audibility, the source of epistemological authority as the primary Other make a study of epistemico-theology possible perhaps? So *contra* Hegel, secrecy is a pipe-dream?

sify the language games, but to disavow the epistemico-political contract that regulates the reception and performativity of concepts (a violent and painful one!), and keep alive the hope that those who cannot speak with and through present concepts may make their voice heard by *reiteration*. After this detour, and before moving to the conclusion, the picture of the subject may be complemented with the second standpoint from which a reading of Freud may be fruitful.

The child is attached to his mother, as the bearer of epistemological and thus socio-political authority, to receive love and the law. She, as his significant other, might take pride over her son who has "a good reputation for behaving 'properly,'"[49] with her son apparently having already gone through the reception of the law to some extent, or through the symbol-formation period, in the famous psychologist Melanie Klein's terms, at which "the subject's dominant aim is to possess himself of the contents of the mother's body and to destroy her by any means of every weapon which sadism can command."[50] That is the utmost externalization of the desire to negate the other in Hegelian terms. Klein continues: "A sufficient quantity of anxiety is the necessary basis for an abundance of symbol-formation and of phantasy; an adequate capacity on the part of the ego to tolerate anxiety is essential … if the development of the ego is to be successful."[51] I suggest that we read her remark replacing the term "symbol" with "sign" and "ego" with "subject." I pointed out the frustration and fear, accompanied by a desire to negate the other, in my reading of the role signs play in the subjectivization as Hegel understands it.

The boy that Freud personally observed could tolerate the anxiety (*Angst*) of the absence of his mother, although only through the invention of a game that replaces the other with a sign. To begin with, he used to hide away the objects of his desire, the toys that stand for her mother in his economy of signification. His aim seems to be simply negating them, dispelling them from the realm of visibility, just like internalizing the sign, dismissing it into the interior by grasping the content and calling it back, remembering, and re-membering the signified order of

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[49] Ibid., 11.
[50] Melanie Klein, *Love, Guilt, and Reparation and Other Works* (London: Hogarth Press, 1975), 219.
[51] Ibid., 221.

things. Thus, the other, now also symbolically other all the more as its outer-ness is transferred to an object, was mastered, let come and go as he commanded. The other was negated, expelled, the excess gone away with it (*Fort*!). The self also regained mastery of the sign by a perfect act of re-signification, distorting both the extension and the intension of the concept of "presence." According to the naively Kantian metaphysics of the boy, the things that are not visible and audible are simply not present — they are not objects of the self's *cognition*.

Or are they? Since the other was called back, this time as an object of *recognition*, and present (*Da!*) with the ghostly sign of love imprinted on the self that cannot help calling it back. Since, along with the simple metaphysical bearings of the game, the more vital question is: why did he always summon the other back? Why did he need for the fearsome other to return, returning the unbearable excess of being a subject, if not because the excess all the authors refer to is not the other itself? No, it must be "*Da*," and not the "*Fort*" which is most pleasurable and dreadful to the child. Freud was certain at this point, maintaining that "the greater pleasure [is] unquestionably attached to the second act."[52] It occurred to the child that when his mother was "*Fort*," so was he. He was again absent the moment he saw his face, distinct and different from his mother's. He attached himself to her face as the lawful sign but then facing his face in the mirror placed himself in the topology of otherness, viz., the exterior as well, "bringing about his own disappearance."[53] He perhaps realized that he was the other of his mother he identified himself with so far. He perhaps realized that he did and will always fail to capture her content, either bodily or mentally, on the simple grounds that he is separate and distinct from her, *outside of her*.

Yet that was too much excitement, the first trauma of the subject which consists in finding out that one is a subject. No sooner than he became aware of himself as a subject did he disappear. The interplay and shift of the subject and the other, desire to destroy and command the objects of love ("o-o-oh"), replacement of the other by the sign and always, always returning to the other in returning to the sign. Always returning to the other without which the self cannot turn back to itself, even if this means turning

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[52] Sigmund Freud, *Beyond the Pleasure Principle*, trans. James Strachey (London: Hogarth Press, 1942), 13.

[53] Ibid.

against itself.[54] Thus the subject is absent in itself since it is in the face of the other through which it comes to recognize itself, be it a reflection in the mirror (Lacan's favorite scene) or the simple object of reality taken as a whole, which is the inconceivable or, in Kant's terms, the Sublime other.

What might have the child seen in the mirror but his own gaze that captures himself, as his own object of the subjectivity? And why did he "disappear" when his image appeared in the looking-glass? It has something to do with "the disavowal of a secret that is always *for me alone*, that is to say *for the other*: *for me* who never sees anything in it, and hence *for the other* alone to whom, through the dissymmetry, a secret is revealed."[55] The boy who does not see anything in his own reflection but the otherness of his face as the uncanny sign needs another other to have the secrecy of his subjectivity, one from which he can hold things back, all the way back in his interior. He needs to lie for instance, and to keep secrets to his *self*, perhaps feel guilty over the petty mischiefs he commits. He needs the signs of the other to present himself and be present before his gaze, but yes, one's own self is an other too,[56] then, with his face captured in the xenio-morphology of visibility as a sign. A sign is always the sign of an other, received through an other, given to an other and violently captured of an other, grasped and still threatening due to an other who will always elude grasping.

The child both appears and disappears in the mirror. Therefore, the subject is the mirror-image of itself, seen through the eyes of the other who sees the self who sees the other who sees... *ad infinitum*. But the gaze of the other, the exposure of bodily presence to the other who calls, punishes, and thus opens up the interior space wherein the self retreats to in fear, guilt, and pain — is that free of violence even in the case of love? Is not love both a hope to reach out to the other and become one

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[54] "The testing of reality, having shown that the loved object no longer exists, requires forthwith that all the libido shall be withdrawn from its attachment to this object. Against this demand a struggle of course arises…" Sigmund Freud, *Collected Papers*, trans. Joan Riviere (London: The Hogarth Press, 1950), 154. Of course, that is an understatement by Freud in his *Mourning and Melancholia*.

[55] Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago: The University of Chicago Press, 1995), 91.

[56] "*Tout autre est tout autre*," in Derrida's words. See the chapter with the title, in Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago: The University of Chicago Press, 1995), 82-115.

with it, viz., to *negate its alterity* through the attachment of love? How distinct can the terrorizing other of Hegel be from the luring other of Klein who loves with respect to the desire to negate the other? That there should be no space for secrecy in love, that we should risk our integrity, bodily and otherwise exposing ourselves to the call of others seems to imply that the threat is always there to stay with us. As Butler remarks in *Precarious Life*, "that each of us is constituted politically in part by virtue of the social vulnerability of our bodies — as a site of desire and physical vulnerability, as a site of a publicity at once assertive and exposed,"[57] indicates the fragility of the hope that a law can be articulated transcending the formative violence.

The gist of the matter is the ambiguity surrounding the conditions of possibility of articulating a violence-free law. On the one hand, the sign *perforce* should mediate between the interior and the exterior, between the site of resistance and the site of power, between the subject and the self, and finally between the self and the other, belonging to none of the sites and all of them at once. That would boil down to the arbitrariness of the sign that constantly shifts across the sites and manipulated as it is subject to the relations of power, something the liberal notion of law can barely tolerate. On the other hand, the sign can be stabilized out of arbitrariness by repetitive rituals of cognition, fixing the referent of the term, say, "human being," steadfast, so that the *sêma may be buried in sôma* of the letter of law, which would do its best to foreclose resistance, denying the alterity and singularity of what its extension refers to.[58] How could a semantic hope survive the aporia of signification, expressed in the antinomy of the extension, the raw "object" that stands outside the symbolic order, and the intension, what does it mean for the "the subject" that symbolizes it?

The aporia may be resolved in two ways, none of which can go without sacrificing some aspect of what it means to signify. One can follow the externalist epistemology camp that has fought the "psycholo-

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[57] Judith Butler, *Precarious Life* (London: Verso, 2004), 20.

[58] One can simply imagine what exclusionary practices may ensue if we try to answer the question what the expression "human being" refers to. For instance, is it the Aryan beauty as conceived by Hitler or the hideous *Muselmann* of the concentration camps? Perhaps it is always the self that it has referred to so far, biased against what exceeds the conceptualization.

gism" of meaning since Frege, trying to dispel the foggy complication that is intension, the secretive reception of signs by the subjects. The "externalist epistemologists" may even assume away reference, replacing it with deference, and conferring full authority to the scientific experts. Thus, the subjects may be conceived as speaking a language that they do not understand, which is, to put it mildly, paradoxical given the attempts of the camp to clarify the meanings of signs. Or else, one can re-mystify what is involved in signification, dismissing the question of the body buried in the conceptual tomb, giving full authority to the self whose "mental" operations unfortunately take place clandestinely, without the presence of the other.

The third way is to grant the arbitrariness of sign and the theoretical violence as the founding moments of the law itself. In case of triangulation, the Davidsonian scene of the child, the adult, and the object, this ineluctable heritage of violence is transferred to the child who is supposed to learn to name objects. Then it may be safe to conclude that the subjects who are also objects as bodies cannot escape violence if they are to be objects of their own gaze, as Butler puts it explicitly, unless she has some ideas to offer regarding violent-free manners of addressing what is addressable without naming it even through metaphors. If the subject is a trope of return, then it is also a return to the crime scene when one is called out since it is a return to the sign, since it is inevitably and necessary violent to call things, bind concepts in existential quantifiers in logical jargon, conceptualize them for the articulation of law, and hence exercise violence on their alterity that is to be negated. Love and law demand, therefore, getting one's hands dirty to call the other.

Butler in fact accedes to the inevitably of conflict, of moral quandaries and unsolvable ethical dilemmas experienced at the personal level, although pervading the realm of the political. She attempts to distinguish between the "moralization of the subject that disavows the violence it inflicts"[59] and transforming the violence itself against itself, with the subject walking on the sharp edge of a blade, keeping a studied distance both from self-denying violence of the ascetic priest and other-oriented aggressiveness of the creditor in Nietzsche. She is also right to maintain that the iteration of founding violence can be shifted through

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[59] Judith Butler, "Reply from Judith Butler to Mills and Jenkins," *Differences*, 18, no. 2 (September 2007), 14.

re-signification, but given the arbitrariness of sign, the direction of the shift can hardly be directed towards a nonviolent ethics. If signification involves a violence against that which cannot be conceptualized and the actors in the intersubjective realm are bound to return to the sign to face each other and the other, every responsible action is undertaken in the darkness of the *sêma*, reproducing the theoretical violence.

Another lesson to be drawn from Nietzsche's genealogy of the subject is the contest over the sign, such as the one between the Jew and Rome. In the context of economies of visibility and audibility that would boil down to Jenkins' suggestion that one of the discursive effects of power is a rhetorical device to expose the other to the sign, to expose its vulnerability by discursively weakening the other.[60] One aim of this paper was to show, through a reading of Hegel and Nietzsche, that signification as manifestation of will to power, viz., mastery of the situation in Freud's terms, reveals the vulnerability of the subjects in their neediness. The child in Freud's story, for instance, encumbered with too much excitement when he faced the face of the other *needed* to "discharge" anxiety by attempting to subordinate the objects of his desire to his call. The fear that hunts tyrants and reveals the weak spot in their self-understanding may be seen as a fear of the subordinate, of their unfathomable face that defy conceptualization. That which cannot be grasped fully will always continue to pose a threat to the masters and their self-complacency, since its name and signature is not written on the epistemico-political contract, since it is capable of re-signification, and disavowal of the contract. Thus, more often than not, exposing one's own vulnerability starts with exposing the other to the all-encompassing grasp of signification, and binding it through mnemonic devices of law, as Nietzsche suggests.

That is why Subaltern Studies scholars may not have their cake and eat it too. A study of the daily life strategies and tactics of the subalterns, the performance and performativity of their subjectivity has to face its ethical dilemma because of the perilous enterprise of exposing the other, of taking responsibility of representing their faces and hence their weaknesses. Linking this remark to the inescapable violence of conceptualization, though, may give some grounds to justify that re-

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[60] Ibid., 27.

sponsibility is justifiable. But, in the scope of this work, I would rather conclude with a faint hope of a violent-free conceptualization.

4. Conclusion: Under and Out of It

The authors critically engaged with in the above suggest formulations of *the subject* as the *ob*ject of self-cognition and recognition of the other, through analyses of the sign. The subject is seen to be an excess over the signified, over the consciousness, and over the secure boundaries of the self or, to put it in better terms, *under it*. The themes of desire, vulnerability, death, and violence reflected in the ontologies of power also converge into a common dichotomy, that of *inner vs. outer*. That selves are "ontologically" separate from one another and desire to negate what stands outside, to metabolize it either cognitively or bodily, and to bury it in the tomb of *Begriff* introduces the final theme of "call." They call their object of desire in two senses: they lure it to come closer, to be present before the law, and they call the other so as to name it. Thus, the subject emerges out of desire, and out of itself, in the face of the other that comes out. That is why I attempted to depict the subject as that which is not present where it is. *The subject is under and out of itself*.

That formulation answers my first question in the introduction, since conceiving the subject as under and out of itself is with the aim of conceiving a theoretical child, of conceiving, quasi-transcendentally perhaps, the *sub*altern as the *subject*. The inclusion of the subaltern into the realm of the visible and of the audible, the political, the public sphere which, as Butler says, "is constituted in part by what cannot be said and what cannot be shown,"[61] takes, needless to say, engagement with the dichotomy above, as well as an analysis of what cannot be captured by conceptualization and signification.

I also implied the reason why the subaltern cannot talk, in reading Hegel and Nietzsche, has much to do with the attachment to the sign that in the first place subjectivates them as such. If the trope of subjectivity is a return, it is a return to the sign that excludes as well as includes inside. The sign calls us, I added, either with a call to cognize, or recognize the other. The lack of the subaltern that robs them of speech turned out to be, rather to my surprise and against the grain, not simply a lack of rec-

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[61] Judith Butler, *Precarious Life* (London: Verso, 2004), xviii.

ognition, as liberal theorists argued, but a lack of cognition on our part as well. Underlying such a lack is the belief in the *perfect repeatability and inner stability of the sign* that leaves no room for re-signification in the internalization and externalization of sense and meaning, in the speech that addresses and calls the other.

The addressability and vulnerability of the subject, linked with meaning and sense, as a considerable part of "relationality that is composed neither exclusively of myself nor you, but is to be conceived as *the tie*"[62] among the selves as the bodies *outside* and consciousness *inside*, is the occasion to embark upon the issue of violence regarding the formation of subjectivity. Given that signification is inevitable as to address others excludes what is not grasped, and the subject is constituted with and through addressing it, I argued that theoretical violence is inevitable and permeates the life of a viable agent in public, too. I finally pointed out the possibility of putting the subaltern in peril by exposing it, even if the stakes and hopes are high in any struggle to face the other.

The theo-political exploration of the violent injunction to love, even love the enemy is still missing in this theoretical picture, along with signification of its capacity to die as a being-towards-death. Could it be that the neighbor who loves as commanded by his Holy Father is indiscernible from the infant who wants to negate the "content" of her mother? How does the violence of sign find its expression in the love of friends living *in* the neighborhood and of the enemies dying *outside* it? What is an enemy but an undesirable excess in the public? And, most of all, how do we signify the face of the enemy?

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[62] Ibid., 22.

Why Affective Cognition Depends on Embodied Feelings

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"Merleau-Ponty is no behaviorist. It is worth underscoring this point, for his emphasis on 'behavior' and 'the body' has led a number of commentators astray. … Merleau-Ponty is really a cognitivist — with the proviso and emphasis that cognition be understood as thoroughly embodied and situated." — Lawrence Hass, *Merleau-Ponty's Philosophy* (Bloomington, IN: Indiana University Press, 2008), 83-84.

Abstract

In the spirit of Merleau-Ponty and other phenomenologists, I argue that emotions involve a nuanced form of non-thematized bodily awareness, *and* that their ability to disclose significant aspects of the world is related to the somatic feelings that they involve. Emotions inherently contain a type of intelligent content, constituting a form of embodied apprehension. Sufficient emphasis on the bodily character of affective experience, which generally has *not* been made by cognitive theorists of emotion, should allow us to appreciate what is distinctive about emotional intentionality. Emotions have the felt quality they have because of what they are revealing about the world, and can therefore play an indispensable epistemic role, providing us with a kind of awareness that would otherwise be unavailable.

1. Introduction

Human emotions are neither merely feelings of physiological disturbance nor pure thoughts unrelated to our somatic nature. They are, rather, experiences in which we apprehend important truths about ourselves and about the world. This does not mean that our emotions are infallible, of course, but they do *aim* at truth, as I will argue, and they embody a mode of understanding that is available to us only through affective experience. Emotions play an essential role in the apprehension of

meaning, value, or significance; and their felt quality is intimately related to the sort of awareness they provide. This is exemplified most clearly by cases in which dispassionate cognition is *cognitively* insufficient, because we need to be emotionally agitated in order to grasp that something is true. The death of a close friend, as it concerns us from a first-person point of view, cannot be fully grasped if it does not make us feel upset. And this is only one example of the way in which our affective feelings allow us to be in touch with the world. Now, if there are some truths that can only be disclosed through our affective experience, then it follows that our emotions have a cognitive function, and that they involve a distinct *kind* of embodied cognition, which cannot be reduced to, or equated with, other modes of thought. They are capable of informing us about the world, and yet whatever wisdom they may convey is often brought home to us in an experience of turbulent upheaval. Yet our theoretical understanding of human emotions continues to be haunted by a tacit assumption that emotions must be *either* cognitive *or* bodily, as if these were the only theoretical positions available. This is unfortunate, if our emotional responses do indeed have epistemic content and intentionality precisely by virtue of the feelings of somatic agitation that they involve. In this type of affective experience, we *realize* that something is the case through a *feeling* of being moved.

2. Emotion, Cognition, and Embodiment

Recent work in philosophical psychology is replete with a remarkable amount of controversy about how we ought to understand human emotions. On the physiological level of description, emotions are linked with patterns of nervous system activation such as fluctuations in blood pressure and heart rate, skin temperature and muscle tension; they are also associated with chemical and electrical changes in the brain. At the same time, emotions are states of mind directed toward the world, which have been variously described as appraisals, evaluative judgments, perceptual feelings, or mental states of some other kind. Those who emphasize the cognitive or intentional aspect of emotions, in one form or another, tend to define themselves in opposition to theorists who regard affective feelings as dumb, unintelligent disruptions: pangs, tremors, and meaningless sensations, which bear no intelligent relation to the world. On the other hand, recent theorists who argue against the "cognitive" view of emotion tend to emphasize that emotions are physical and em-

bodied phenomena, as if the fact that emotions involve bodily agitation were sufficient to prove that they must be irrational or "non-cognitive." This dichotomy — "*either* mental *or* bodily" — is reinforced by the cognitive theorists who have described the somatic aspects of an emotion as irrelevant to its intentionality, as some of them have, although (as we shall see) this does not hold true in all cases.

Contemporary Anglophone thinkers who argue that emotions are non-cognitive states include Jenefer Robinson, who claims that "cognitive" processes ensue only *after* "physiological changes" that are "non-cognitive" have been *caused* in some unspecified way; and Jesse Prinz, who explains his opposition to "cognitive theorists" of emotion by asserting that such theorists "are united" in holding that emotions "are disembodied," in spite of what those theorists actually claim.[1] (More troublingly, this caricature has been repeated by others who ought to know better.) Here, the underlying assumption seems to be that emotions cannot be cognitive if they conspicuously involve the body, or that, *if* they are mental, then they *cannot* be bodily. In other words, the intensity of an intense emotion is strictly a physical fact, not a phenomenon of belief.[2] By contrast, cognitive theorists argue that each of our emotions is distinguished by its intentional character, i.e., what allows a certain agitated state to qualify as an episode of fear, and what identifies it *as* fear rather than anger or another emotion, is that it is about what appears to be a potential threat or danger. A person with a sense of having been wronged or of having had his actions thwarted would be angry, rather than afraid. So, even if an emotion such as anger is characterized by a feeling of somatic agitation, such as that one is "boiling up," cognitive

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[1] Jenefer Robinson, *Deeper than Reason: Emotion and Its Role in Literature, Music, and Art* (New York: Oxford University Press, 2005), 54-59 & 89; Jesse J. Prinz, *Gut Reactions: A Perceptual Theory of Emotion* (Oxford: Oxford University Press, 2004), 25. Robinson adds that, by describing emotions as "non-cognitive," she means that "they occur without any conscious deliberation or awareness," and that "they do not involve any complex information processing." — *Deeper than Reason*, 45.

[2] It would be hard to claim that emotions are *not* bound up with our somatic feelings; yet those who argue that emotions are *primarily* or *essentially* bodily frequently agree with the extreme view defended by William James, who says that emotions are *nothing other* than feelings of bodily changes: "What Is an Emotion?" *Mind* 9 (1884): 188-205, 189-190.

theorists argue that these embodied feelings do not amount to *anger* unless there is the sense that one has been harmed by someone. So, as Jean-Paul Sartre says, if we try to induce the "subjective phenomena" of anger apart from any impression of some "unjust action," we "can tremble, hammer fists, blush," and so on, but this alone will not be sufficient to create a state of anger in us.[3] Yet this claim is compatible with the truth of a different one, namely that a full-blown state of anger phenomenally *feels* a specific way, which is related to how the world *seems* to the angry person: what the emotion is *like* is related to what it is *about*.

Now, emotions can embody *false* impressions of how the world is; yet they are susceptible to being false, *or* true, because they refer to the world and represent it as being a certain way. In other words, someone feeling an emotion feels *that* something is the case: *that* they have been slighted or harmed, for instance. And sometimes our emotional viewpoint is *not* a distorted one, as when a jealous person accurately discerns a potential threat to his or her relationship. It is due to the possibility that our emotions might get things *right* that they can also, in some cases, fail to do so. If what I fear is really dangerous, or something bad that might happen, and if it is bad or dangerous in the way that I take it to be, then I am accurately grasping this feature of my situation by virtue of my affective response. Through our emotions we receive impressions about how the world is, and the content of these experiences is quite specific. Our emotions give us the sense that things *are* a certain way. Fear is a "shiver of apprehension" in the face of danger,[4] and the logic of the emotion entails that one should feel other emotions if circumstances were to change. One's fear that something bad might happen should change to sorrow (or the like) when the bad thing actually does occur, and to relief or even joyful gratitude if the feared prospect is

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[3]   Jean-Paul Sartre, *The Imaginary: A Phenomenological Theory of the Imagination*, trans. Jonathan Webber (London: Routledge, 2004), 68-70. As he points out elsewhere, "the man who is afraid is afraid *of* something," which is why "emotion is a certain way of apprehending the world." *The Emotions: Outline of a Theory*, trans. Bernard Frechtman (New York: Citadel Press, 1993), 51-52.

[4]   Hans-Georg Gadamer, *Truth and Method*, trans. Garrett Barden and John Cumming, revised by Joel Weinsheimer and Donald G. Marshall (London: Continuum, 2004), 130.

somehow averted.[5] Thus, our emotions can make us aware of significant aspects of our environment, showing what matters to us and how things are going in our world of concern. To be in touch with our feelings, then, is to be aware of meaningful features of the surrounding world. This, in my view, is why our emotions are epistemically indispensable: because affective experience is our mode of access to significant truths.

Philosophers and psychologists of the past generation who have emphasized the intentionality of emotions, those whom I am calling "cognitive theorists," have renewed an ancient view of emotion that dates back to Aristotle *and* have also relied upon more recent insights from the phenomenological tradition.[6] In the spirit of Aristotle himself, these cognitivists have often stated that *some* kind of cognition is involved in emotion without being too clear about what sort of cognition they have in mind. Frequently, cognitive theorists have described a particular kind of judgment or appraisal as a necessary condition of emotion; another term commonly used is "belief."[7] What this is meant to indicate is just that a person who feels afraid *must* be conscious of something that appears to be dangerous or threatening. And yet to say that they are "appraising" or "judging" it as such makes it sound more like a voluntary interpretation, as if one first perceived an object and then actively decided to assign a particular meaning to it. This is not what the cognitivists *intend* to suggest, but their terminology seems to invite the misunderstanding. And to speak in terms of "belief" is also potentially misleading, since it can leave open the question of why some beliefs are especially emotional, while others are not. Although I think we should not become too preoccupied with arguments about terminology, it does seem worthwhile to find a way to conceptualize the distinctive kind of

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[5]   Commenting on this need for internal consistency, due to the rationality of emotions, Meinong writes that anyone who "feels joy over the existence of something will 'rationally' [*vernüftig*], one might say, feel sorry regarding its nonexistence." Alexius Meinong, *On Emotional Presentation*, trans. Marie-Luise Schubert Kalsi (Evanston, IL: Northwestern University Press, 1972), 111-112.

[6]   Especially from Sartrean phenomenology, that is. See, e.g., Robert C. Solomon, *The Passions* (Garden City, NY: Anchor Press, 1976), 131-132; and Richard Lazarus, *Emotion and Adaptation* (New York: Oxford University Press, 1991), 173-174.

[7]   For Sartre, "physiological" agitation, in affective experience, is actually an indicator of "belief." See *The Emotions*, 49-50.

cognition involved in emotion, in order to do justice to affective experi-
ence, and also to preclude some of the misunderstandings that have be-
deviled the cognitive theory of emotions. If we develop a sufficiently
"thick" and enriched notion of affective feeling, as a mode of experience
in which we apprehend something precisely by virtue of embodied up-
heaval, then we will not be forced to choose between *either* trivializing
the meaning of our emotions (by emphasizing bodily agitation at the ex-
pense of intentionality) *or else* assimilating them to some other, dispas-
sionate, mode of thought (by emphasizing their cognitive function, over-
looking the somatic feelings that they involve). The awareness of an ob-
ject as threatening, for instance, is neither *subsequent* to a mysteriously
"triggered" bodily disturbance nor *prior* to an evaluation which *causes*
that somatic upheaval; we need not assume that one must be separate
from or prior to the other.[8]

3. The Intentionality of Feeling

As we shall see, quite a bit depends on how cognition is defined: it
seems that much debate over "the role of cognition in emotion" is due to
disagreement about the "definitions of the key terms."[9] Yet this does not

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[8] Prinz argues that emotions are perceptions of bodily states that are reliably
     caused, as if to suggest that cognitive appraisal is *subsequent* to somatic agita-
     tion, and that reliable causation is sufficient for intentionality. Making an excep-
     tion to this rule, he adds that there may be cases in which a "judgment" comes
     first "and then an embodied appraisal" (see *Gut Reactions*, 98-99), as if the men-
     tal state must precede the bodily process whenever the bodily is not prior to the
     mental. On the other side of the debate, Nussbaum sometimes claims that emo-
     tions are bodily only in the trivial sense that other mental processes are: that is,
     they depend on physiological activity, but do not involve the body in any other
     way. See Martha C. Nussbaum, "Emotions as Judgments of Value and Impor-
     tance," in *Thinking about Feeling*, ed. Robert C. Solomon (New York: Oxford
     University Press, 2004), 183-199, 197: "emotions, like other mental processes,
     are bodily, but … this does not give us reason to reduce their inten-
     tional/cognitive components to non-intentional bodily movements." What I am
     arguing is that emotions are irreducibly cognitive *and* distinctively embodied, in
     a way that cannot be captured by explanations which assume that they must be
     primarily mental *or* bodily.

[9] As is observed by Phoebe Ellsworth, in "Levels of Thought and Levels of Emo-
     tion," in *The Nature of Emotion*, ed. Paul Ekman and Richard J. Davidson (New
     York: Oxford University Press, 1994), 192-196, 192.

mean that the whole debate is merely academic, either. Instead, it shows that our attempts to explain human emotions run into an ambiguity in the phenomena. Yet I think this ambiguity should provoke us to search for more adequate conceptual resources. Feeling and intentionality are not two utterly distinct processes which are somehow correlated: they are aspects of a single, unified response. As Scheler claims, the intentional "function of feeling" has been lost when, instead of being oriented toward what is significant through our affective feelings, we pay "attention [instead] to the sensation of heart palpitation," and the like, for their own sake.[10] However, the feeling of being in a certain affective state does often include a sense of the visceral changes part of that emotional response.[11] So I cannot be angry at you unless I am convinced that you have somehow slighted or harmed me, or thwarted my actions — but if my pulse is racing and my skin is flushed for some other reason, I am already in a bodily state resembling that of an angry person and, as a result, I may be angered more easily by a slight provocation. This is why Benvolio, in *Romeo and Juliet*, worries that *because* it is a hot afternoon, his friends are more likely to be incited to fight with their rivals.[12] And, if I discover later on that I have not been wronged or offended after all, my anger may still take a little while to dissipate, since the physiological disturbance characteristic of anger develops a momentum

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[10] Max Scheler, "The Idols of Self-Knowledge," in *Selected Philosophical Essays*, trans. David R. Lachterman (Evanston, IL: Northwestern University Press, 1973), 62-63. De Sousa agrees that "the lover who prizes her own rush of blood more than she prizes the loved one" may be perverse, yet he adds that one condition "for the emotion of being in love" is "something like [the] rush of phenylethylamine to the brain, if not the rush of blood to the heart." Ronald de Sousa, *Emotional Truth* (New York: Oxford University Press, 2011), 43.

[11] Numerous empirical studies indicate that facial, proprioceptive, or other somatic feedback has *some* influence upon our dispositions toward specific emotions; there are also a number of studies demonstrating that antecedent cognitive states, such as beliefs and appraisals, have a powerful effect on our emotions and emotional dispositions. For a survey of the relevant literature on both sides, see Rick Anthony Furtak, "Emotion, the Bodily, and the Cognitive," *Philosophical Explorations* 13 (2010): 51-64.

[12] Shakespeare, *Romeo and Juliet*, III, i, 1-3: "I pray thee, good Mercutio, let's retire: / The day is hot, the Capulets abroad, / And, if we meet, we shall not escape a brawl."

of its own — and this does *not* subside instantaneously.[13] When states of visceral agitation are subjectively felt, they can have an impact on our dispositions toward emotion: if I receive a shot of epinephrine, this will not *induce* anger, but it might very well make me feel vaguely "as if" I were angry, thus perhaps rendering me more irascible as a result.

Aristotle long ago remarked on this phenomenon, namely, that a person can be angered by a slight provocation when the body is in a state similar to that of an angry person.[14] The notion of a physical state *resembling* that of an angry person would be unintelligible, unless anger is distinguished by a distinct kind of physiological agitation. And some research suggests that anger, or fear, *can* be roughly linked to a specific pattern of autonomic nervous system arousal.[15] Phenomenally, the experience of being moved emotionally *does* involve a sense of the muscle contractions associated with our own facial expressions and postural changes (such as flinching or cowering), and we can feel such bodily alterations as increased heart rate and sweat gland activity (the latter of which is correlated with heightened electrical conductivity in the skin).[16] These feelings of somatic arousal play a prominent and crucial role in much of our affective experience, and when theorists focus on what is distinctively *somatic* about emotions, what they have in mind are these subjective feelings of bodily agitation. One does not need to insist that every type of emotion has "a unique quale or feel to it,"[17] or that our bodily feelings are always correlated with measurable changes, in order to concede that there is "something it's like" to be angry, and something

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[13] This is contrary to what has been argued by leading cognitivists. See Solomon, *The Passions*, 178-179: when I discover that my car has not been stolen, my anger at its thief "vanishes in an instant." Robinson observes that "I can still 'be angry' after discovering I haven't been wronged," because my "physiological reactions may still keep going after the relevant evaluation has been rejected." *Deeper than Reason*, 78-79.

[14] See *De Anima* 403a. He adds that the somatic agitation characteristic of fear can be sometimes felt in the absence of anything frightening.

[15] The somatic markers for these emotions involve the conjunction of diastolic blood pressure, heart rate, skin temperature or conductance, and sometimes respiratory rate. See Prinz, *Gut Reactions*, 70-74.

[16] Nico Frijda, *The Emotions* (Cambridge: Cambridge University Press, 1986), 133-135.

[17] Jon Elster, *Alchemies of the Mind: Rationality and the Emotions* (Cambridge: Cambridge University Press, 1999), 248.

that it feels like to be afraid — and this difference in somatic feeling, I suggest, is related to a different way of experiencing the world.

The "bodily sounding-board," as William James calls it, is active in our emotional responses more often than we might suppose;[18] and when cognitive theorists claim that bodily feelings are inessential factors that cannot reveal the identity of an emotion, they are overstating their case.[19] Those feelings of somatic agitation that are involved in our affective experience cannot be dismissed as extraneous phenomena that just incidentally happen to accompany our emotions themselves. This is because bodily feelings are not merely blind sensations devoid of intentional content; rather, they can carry significant information about the surrounding world. *Through* our embodied affective feelings, that is, we can perceive things *about* the world. In the words of Merleau-Ponty, "my body is the fabric into which all objects are woven, and it is, … in relation to the perceived world, the general instrument of my 'comprehension'."[20]

Just as the person who is experiencing fear feels afraid *of something*, he or she also *feels afraid* — typically, at least — with a sense of bodily agitation, either subtle or pronounced. To overlook this would be to neglect a prominent feature of our affective life, one that we acknowledge every time we describe ourselves as being shaken, upset, or disturbed. In experiencing a "shiver of apprehension," a person does apprehend *that* something is apparently the case; yet the shiver is also something that one *feels*. So we must attempt to appreciate how somatic feelings can be *about* features of the world. It is through our living bodies that we perceive significant aspects of our surroundings; our emotional responses *involve* somatic changes even as they are directed *toward* persons, circumstances, and possibilities. What we need is to develop an account of emotions, not as hybrids of bodily commotion plus mental judgment, but as *feelings* through which we *apprehend* what matters to us. Emotions can put us "in

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[18] James, "What Is an Emotion?" 202.

[19] Nussbaum argues that we cannot distinguish what type of emotion we are undergoing from the "feeling of agitation all by itself," since "judgment alone" distinguishes emotions: see Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge: Cambridge University Press, 2001), 29 & 196. Cf. Solomon, *The Passions*, 179-180.

[20] Maurice Merleau-Ponty, *Phenomenology of Perception*, trans. Colin Smith (New York: Routledge, 2002), 235.

touch" with the world through a distinctive mode of apprehension. Without an awareness of some apparent danger, we could not experience fear, and we also could not be afraid without feeling a shiver of fright.[21] The state of fear has a cognitive content that is available only through this particular variety of affective response. Because feeling and cognition are united in our affective responses, the phenomenological *feel* of an emotion ought to be explained in terms of what it confronts us with — that is, what it reveals or makes known to us.

Just as Merleau-Ponty claims that we must rethink our notion of understanding in order to make sense of bodily understanding, our concept of *cognition* must be revised in order to accommodate this insight about affective intentionality; however, without such revision we cannot appreciate the kind of intelligence that is embodied in our felt apprehensions of meaning. Is phobic fear simply non-cognitive? Before we follow the many who have quickly answered, "yes it is," consider what it means to "believe" that one is not in any significant danger. As Husserl points out, different acts of believing involve different modes of conviction, i.e., "straightforward certainty, surmise, holding-to-be-probable," regarding as doubtful, and so on.[22] Not every belief is held with the same conviction that distinguishes wholehearted belief, and one cannot unambiguously be said to *know* that X is the case if one feels only partially or tentatively convinced of X's truth. After all, someone qualifies as an arachnophobic because he feels that spiders are threatening, so it would be disingenuous to claim that he "knows" that spiders are harmless just because he explicitly affirms the truth of a statement to that effect. It is probably more accurate to say in this case that in one sense he knows that spiders are harmless, and that in another sense he does not: for he espouses beliefs according to which spiders are innocuous, yet in being frightened by spiders he holds intentional attitudes according to which spiders *are* threatening. The impression *that* the spider is a threat

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[21] Cf. Linda Trinkaus Zagzebski, "Emotion and Moral Judgment," *Philosophy and Phenomenological Research* 66 (2003): 104-124, 117: "it is possible that there are psychic states that are both cognitive and affective," such that "the cognitive aspect of the state cannot exist apart from the affective aspect," and vice versa.

[22] Edmund Husserl, *The Crisis of European Sciences and Transcendental Phenomenology*, trans. David Carr (Evanston, IL: Northwestern University Press, 1970), 82-83.

is an intrinsic *part* of his feeling of fear, which is why the feeling of fear is capable of being at odds with the belief he endorses when he is *not* afraid, namely: that spiders pose no serious threat to him. Here, it is noteworthy that those who suffer from arachnophobia, compared to other (non-phobic) subjects, have much higher estimates of how likely it is for a spider bite to occur, or to be harmful if it does.[23]

4. The Unity of Affective Experience

A mere belief that danger is near, without any feeling of being threatened, is not cognitively equivalent to the painfully upsetting belief that one is now in the presence of possible harm. When Prinz argues that fear can exist without any "cognitive appraisal" being "added" onto a somatic response, this does not justify his conclusion that fear is there-fore non-cognitive.[24] This is better explained by appealing to the intrinsic cognitive content of that emotional response. Someone who feels afraid is not merely undergoing a blind agitation, but is responding to an object that is being apprehended as a potential threat. And there is a vast difference between the belief that there is nothing to fear, in someone who *is not* afraid, and the ostensible "belief" that there is nothing to fear in a person who does feel afraid nonetheless. A person who "believes" there is nothing to fear only in the latter, attenuated sense does not *know full well* that he or she is out of harm's way.

One reason why we can learn from our emotions is that our articulate, conscious beliefs may lag behind our intuitive, gut feelings. It is not always the other way around, even if the cases of lingering phobia or deplorable bias can be explained as instances in which our visceral reactions have not yet "caught up" with our better judgment. We not only find ourselves still feeling afraid of what we *ought to know* not to fear, but we also occasionally feel afraid of something or someone that we *had not known* to be a threat. We had thought that this place was safe, or that this person could be trusted, so when we find ourselves reacting apprehensively to

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[23] See, e.g., Mairwen K. Jones and Ross G. Menzies, "Danger Expectancies, Self-Efficacy and Insight in Spider Phobia," *Behaviour Research and Therapy* 38 (2000): 585-600.

[24] Jesse J. Prinz, *The Emotional Construction of Morals* (New York: Oxford University Press, 2007), 58.

signs of danger we talk ourselves out of taking them seriously. We may later realize that our felt sense of danger was more accurate than our assumption that we were safe: in becoming afraid, we perceived the real threat that, until that moment, we had not considered to be realistically possible. Or, in other cases, what we become aware of through an affective response is how *we ourselves* are disposed in some respect. Here, we see again how it is possible to learn about the self and the world by taking our emotions seriously. This, it seems to me, is good reason to accept that *something like* belief is inherent in affective perception, although perhaps in a tacit and non-thematized form:[25] for *when* we experience an emotion, it seems to us *that* something is the case. We take a certain gesture *to be* threatening, or a question to be invasive or insulting, not by making inferences based on what we have observed, but by seeing an aspect of a situation in a particular way. When we use an articulate judgment ("I can't be afraid, I know there's no danger here") to dismiss an emotion that conflicts with it, we risk being oblivious to what is revealed by the affective response — which can be highly nuanced and specific, even if it has not yet been explicitly spelled out.[26] "Cool-headed" judgment, in other words, is not always more *intelligently perceptive* than our emotions, which inform us about what is happening in and around us.

Being afraid, therefore, is not just "feeling my body shake or my heart beat," but experiencing the world as providing me some reason to be fearful.[27] We do not need to choose between focusing on bodily feeling *or* on intentional content, since this feeling of agitation is directed toward something in the world. This is possible because one's own body "is not just an object perceived … but also that through which we perceive," such that the somatic changes that characterize fear are part of

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[25] Husserl says that there is a "believing inherent in perceiving": see Edmund Husserl, *Analyses Concerning Passive and Active Synthesis*, trans. Anthony J. Steinbock (Dordrecht: Kluwer Academic Publishers, 2001), 66.

[26] Gendlin points out that "felt meanings" can be quite precise: they are "not indeterminate," but merely "capable of further symbolization." Eugene Gendlin, *Experiencing and the Creation of Meaning* (Evanston, IL: Northwestern University Press, 1997), 145.

[27] Paul Ricoeur, *Freedom and Nature: The Voluntary and the Involuntary*, trans. Ezrahim Kohak (Evanston, IL: Northwestern University Press, 1966), 271.

the experience in which one perceives a potential threat.[28] Contrary to what Jamesian theorists appear to suggest, these bodily changes are not the object at which one's fear is directed.[29] When I hold a glass containing my favorite iced drink, I do not merely feel that my hand is cold: I feel the coldness of the glass. Accordingly, to claim that the somatic agitation characteristic of fear is merely *caused* by something outside one's own body does not account for the way in which one's living body is involved in the apprehension of the fearful object. Affective feelings can be *about* aspects of the surrounding world — not *despite* the fact that they involve somatic agitation, but even *by virtue* of how they feel.

To argue that emotions are cognitive, therefore, is neither to deny that feelings play a palpable role in affective experience nor to claim that emotions consist of feeling in *addition* to intentionality. In order to capture what is distinctive about affectivity, we must acknowledge that "what it is like" to experience an emotion is to feel *that* the world or some aspect of it is threatening, offensive, depressing, or whatever the case may be. Typically, one is not self-consciously aware of one's own affective state *itself* to the exclusion of any awareness of what one is upset *about*. Rather, in the experience of feeling that the world is threatening, offensive, or depressing, "I feel myself feeling" that this is the case.[30] Such awareness displays how the sense of one's body is inextricably involved in emotional cognition. It also illustrates the way in which "a knowing consciousness that is at the same time an affective consciousness does not have *one part* knowledge and *one part* feel-

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[28] Matthew Ratcliffe, *Feelings of Being: Phenomenology, Psychiatry, and the Sense of Reality* (Oxford: Oxford University Press, 2008), 132. Cf. Merleau-Ponty, *Phenomenology of Perception*, 205: when we perceive "the thing, and the world," then "external perception and the perception of one's own body" are "two facets of one and the same act."

[29] Again, Prinz follows William James by arguing that emotions are perceptions of "bodily states" that are "reliably caused" by things in the environment: see *Gut Reactions*, 68-69. Yet reliable causation does not amount to intentionality: this kind of explanation divorces the intentionality of the emotion from how it feels phenomenally.

[30] Samuel Todes, *Body and World* (Cambridge, MA: MIT Press, 2001), 266-267: this, he explains, shows how "the sense of our body is inextricably involved in our thought."

ing."[31] The knowledge of having lost a beloved person, for example, is brought home in an experience of turbulent upheaval. So we can see why it would be false to claim that affectivity lies outside of the cognitive realm altogether, *or* to claim that emotions can simply be identified with intellectual judgments. Either alternative is inadequate because emotions constitute a distinct means of apprehension, allowing us to realize or perceive something through an experience that has a specific affective tone. It is only through grief that one can sense the significance of a personal loss, and only through fear that one can recognize the presence of a serious danger as such. That perceived loss or danger must impinge upon one's concerns in order to be emotionally moving, which is another part of the account that I am developing here (and I will turn to this later), but the dispassionate "thought" of loss or danger, without the feeling of grief or fear, is cognitively inadequate. In the realm of affective experience, our feelings are not irrational disturbances, but potentially cogent modes of knowing.

People with impaired amygdala function, as is often the case in autism spectrum disorders, can sometimes learn how to make intellectual inferences about possible dangers *without* feeling afraid, but this is a poor substitute for the affective responsiveness that most of us have.[32] Indeed, this is one reason why a condition such as alexithymia, or depersonalization disorder, can be so disabling. In order to describe more adequately the ordinary capability that is impaired in these cases, we must acknowledge that the feeling of being afraid typically contains an intrinsic intentionality, in the sense that *how* it feels to experience fear is related to *what* fear is about. The prospect of a hailstorm qualifies as a danger for someone who cares about her tomato garden, and when she is gripped by fear, her painful feeling *is* a sense of that danger; to be thus unsettled is to appreciate this particular threat. Again, in this case the subjective character of the emotion has to do with the kind of awareness that it provides.

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[31] Sartre, *The Imaginary*, 72-73.
[32] On some conditions in which bilateral atrophy of the amygdala leaves a person with "no feeling of apprehension" when threatened, see Patricia S. Churchland, *Brain-Wise: Studies in Neurophilosophy* (Cambridge, MA: MIT Press, 2002), 349.

5. Emotion as a Mode of Embodied Cognition

How could embodied feelings contribute to the intentionality of emotions? When we detect a potential threat in our environment, or a sign of danger, our body mobilizes its resources to respond. In some cases our best response is to turn and run away, but in other cases "doing something" when frightened could mean pressing the brake pedal, or reaching for the phone to make an urgent call. The feeling of fear involves a sense of our own increased heart rate, and of having our attention focused on the looming threat. These are intrinsic parts of "what it's like" to feel afraid, and James is right when he says that "a cold and neutral state of intellectual perception" would be "all that remain[ed]" if we eliminated all phenomenal feelings from the experience of fear.[33] The cold, neutral state of mind in which I have the abstract opinion that something might be dangerous, but not in such a way as to pose a real, immediate threat to anyone whom I care about, differs from the feeling of being afraid of a danger that does pertain to me or to what is mine. In the former case, my awareness of danger is lacking *because* I am not emotionally upset — and the difference between a "cool-headed opinion" and the "hot cognition" involved in feeling afraid is not epiphenomenal. The thought that one may be faced with danger, without a feeling of being agitated to avoid the danger, is not the same thought.

To be afraid of a stray dog is to perceive it as fearsome, rightly or wrongly: so when I am frightened by the dog's appearance, I have reason to avoid it. It would be inconsistent *not* to feel motivated *as if* to get away from an apparent danger, since we are moved with a sense of its threatening potential *in* apprehending it as fearsome. If there were ever a variation of the genus *Homo* that could "judge" that they were about to be harmed *without* feeling moved to avoid this, then they were afflicted by a kind of practical irrationality that most likely rendered them unfit to survive. Our visceral agitation, when we experience fear, has an intentional reference to the source of harm from which we are recoiling. The turbulent feeling of being shaken by fear is our way of recognizing a potential threat as such. In the absence of the affective upheaval, we would not realize the significance of that particular fact. This is why "it is diffi-

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[33] James, "What Is An Emotion?" 193-199.

cult to imagine emotions in the absence of their bodily expressions":[34] from the first-person perspective, our affective feeling of somatic disturbance refers to the surrounding world. It is the experience of some aspect of our environment as axiologically salient.

So it may be true that "I can judge that I have suffered a loss without being sad, sorrowful, or grieved," but this does not prove that emotion and cognition are simply divorced from one another.[35] Indeed, before I begin to experience the feeling of grief, I have not yet begun to apprehend the meaning of this death as a significant loss; and in that sense, it is not entirely accurate to claim that I am aware that this death has taken place. Let us imagine a case in which the news about someone's death "hasn't sunk in yet," and that we have not yet been emotionally moved by the information that this person is deceased: we may find ourselves saying that we "can't believe" they are dead. If I were to have just heard that someone I care about deeply has passed away, I may be intellectually accepting the truth of this report without being fully aware of what it means. It seems reasonable to conclude that I do not quite *know* that this person has died (see Proust's narrator, "learning" of his grandmother's death). When I have not yet been emotionally agitated in the appropriate way, my understanding of what has taken place is deficient. This is an example of how "the pursuit of intellectual reasoning apart from emotion" can "prevent a full rational judgment."[36]

"We do not understand the absence or death of a friend until the time comes when we expect a reply from him and when we realize that we shall never again receive one."[37] In this moment, we feel more acutely the same loss that we had already heard about: it is brought home to us in an experience of affective upheaval that is violently disturbing. Our bodily agitation is not devoid of intelligible content, since

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[34] Joseph LeDoux, *The Emotional Brain* (New York: Simon and Schuster, 1996), 40.

[35] Robinson, *Deeper than Reason*, 14: she regards this as evidence in support of her thesis that emotions are simply "non-cognitive."

[36] Stephen Mulhall, "Can There Be an Epistemology of Moods?" *Royal Institute of Philosophy Supplement* 41 (1996): 191-210, 192. Without "access to one's grief," he adds, a complete "understanding of what has [occurred] is not possible."

[37] Merleau-Ponty, *Phenomenology of Perception*, 80-81. He continues: "The man with one leg feels the missing limb in the same way as I feel keenly the existence of a friend who is … not before my eyes. … And the awareness of the amputated [limb] as present … is not of the kind: 'I think that …'."

we are shaken up precisely by the *realization* that our friend is gone; at the same time, this is hardly an abstract or disembodied mental event. In order to do justice to these episodes of grief, we must to do away with theoretical biases that stipulate that we already knew "perfectly well" about this loss and that our subsequent moment of overwhelming emotion was therefore devoid of cognitive significance. Likewise, we can state that we ourselves are going to die at some point in the future, while remaining largely unaware of this. Or, on the other hand, we can feel gripped by the significance of our mortality, and be agitated by the thought that our life is finite. As Matthew Ratcliffe says:

> Suppose I assent to the proposition "I will die one day." I could "believe" it in quite different ways. I might dispassionately affirm it. Alternatively, I might be filled with a sense of existential dread and helplessness when envisaging the all-too-real prospect of my non-being. Do I really *believe* it in the former case?[38]

On the one hand, it seems that, in the former case, I am either not wholly convinced or not entirely aware of what it means that I will die one day. The emotional mode of apprehension, on the other hand, embodies *more* awareness than *mere* dispassionate reason. That is what I would describe as *emotional knowing*, and it serves to indicate what might be lacking in an affectively flat judgment about such existentially significant matters as the loss of a friend or one's own mortality. This distinction is analogous to the difference between the calm observation that persons X, Y, and Z are not here at the moment and the feeling of being troubled by the absence of a certain friend. As Jean-Paul Sartre writes, in a famous example,

> I myself expected to see Pierre, and my expectation has caused the absence of Pierre *to happen* as a real event concerning this café. It is an objective fact at present that I have *discovered* this absence. ... By contrast, judgments which I can make subsequently to amuse myself, such as, "Wellington is not in this café, Paul Valéry is no longer here, *etc*." — these have a purely abstract

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[38] Matthew Ratcliffe, *Feelings of Being*, 160. He notes that the term "belief" refers to "a heterogeneous range of phenomena," and that it can denote "a range of different kinds of conviction."

meaning. ... Here the "is not" is merely *thought*.[39]

The felt sense that *Pierre* is not here is *not* a "purely abstract" judgment; I am gripped with an awareness of his absence, whereas the absence of the others means nothing to me, and I hardly notice it at all. And the difference between an abstract, dispassionate thought, on the one hand, and a realization that involves some emotional upheaval, on the other, is not simply that the latter involves an extra non-cognitive charge. What we "take in" through an emotional mode of knowing, what is disclosed to us, is the reality of someone's absence: we are conscious of this as a conspicuous and salient fact, which we grasp in the same affective experience that leaves other facts in the background unnoticed and unknown. What turns out to be a truthful observation is embodied in our emotional response, by virtue of which we take note of an important fact that otherwise would not have been apparent.[40] If to *know* something adequately is to recognize and appreciate its meaning and significance, then in some cases rational activity devoid of emotion must be *cognitively* insufficient;[41] it falls short of the intense awareness that would be delivered to us through an emotional upheaval. This suggests that emotions have a distinct role to play in human cognition. Some rational capacities might remain intact in a human being who lacked the capacity to become passionately agitated, but there would be some truths — personal, significant truths — that he or she would have no way of knowing.

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[39] Jean-Paul Sartre, *Being and Nothingness*, trans. Hazel Barnes (New York: Washington Square Press, 1966), 40-42. Ratcliffe notes that the felt sense of absence is an intrinsic feature of the experience: see *Feelings of Being*, 153-154.

[40] On whether "truthful and important insights" might be available only in an affective state, see Jennifer Hansen, "Affectivity: Depression and Mania," in *The Philosophy of Psychiatry*, ed. Jennifer Radden (Oxford: Oxford University Press, 2004), 36-53, 38. Cf. Nussbaum, *Upheavals of Thought*, 109: emotions are "profoundly rational" by virtue of "taking in important news" about the world.

[41] See, e.g., Martin Heidegger, *Basic Writings*, trans. David Ferrell Krell (San Francisco, CA: Harper San Francisco, 1993), 151 & 184: "feeling and mood" may be "more intelligently perceptive" than other types of cognition because "to know means to have seen, in the widest sense of seeing, which means to apprehend" what is disclosed in an experience.

6. Conclusion

What I am suggesting is not that we must be perpetually upset in order to have any knowledge about human mortality, but that if we *never* felt emotionally agitated by the awareness of what it means to be finite, if we had never been upset at the thought of possibly or actually losing someone whom we love, then what we *know* about death would be less than what we do know after having experienced these emotions, and what we are most acutely conscious of when we are emotionally moved. To be unaffected by any of this information would be to regard human mortality as an insignificant issue that does not concern us, or not to acknowledge it at all. Affective experience thus has an "informational value" which is misconstrued by those who argue that emotions "do not involve any complex information processing" whatsoever.[42] It is not only the imaginary human beings that populate our thought experiments who would be deprived of knowing significant truths if they lacked the capacity to become passionately agitated, after all: it is we who deprive ourselves of knowing significant truths when we dismiss the meaning of our emotions. Classifying emotions as "rough" and "dirty" physiological responses, calling them "blind" and "non-cognitive," or claiming that the experience of an emotion is as free-floating a phenomenon as "seeing an afterimage," and no more susceptible to being true or false, or claiming that emotions simply do not "aim at truth":[43] all of these ways of speaking have the effect of trivializing our emotions, by essentially advocating that we disregard their content. This is unfortunate, if they are not blind disruptions but a means of being in touch with the world.

Instead, I suggest that we should view emotions as a potentially truth-disclosing mode of embodied cognition, by means of which we perceive or apprehend significant aspects of our existence. The feeling of gratitude, or grief, has an intentional content: it involves being impacted by something that registers in our awareness in an experience of passionate recognition. In having an emotion, we experience "the in-

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[42] The denial that emotions are informative is by Robinson, *Deeper than Reason*, 45.

[43] Although the labeling of emotions as "rough" and "non-cognitive" is repeated incessantly by Robinson, at the moment I am quoting from *Deeper than Reason*, 58-59, 98, & 157-163. Prinz is the one who claims that feeling an emotion is akin to seeing an after-image: *Gut Reactions*, 240.

separability of consciousness and embodiment."[44] Emotional knowing is a kind of embodied, somatic knowledge — which should not be equated with dispassionate propositional judgment, but should not be denounced for "falling short" of it, either. In other words, affective cognition does not need to prove its cognitive worth by being measured against the standard of another mode of rationality. Of course, we can become annoyed without formulating any explicit thoughts about what is annoying to us, but the texture of our somatic awareness has a distinct *feel* to it, and when we try to spell out what we are feeling, our articulate formulation of this intentional state may capture its felt sense more or less adequately. An emotion might embody a pre-reflective mode of reason, which is different from doxic thetic intentionality, but this does not mean that it is non-cognitive.

As I have argued, an emotion is a perceptual experience in which we are aware of the world in a specific light; we feel that a situation or state of affairs *is* a certain way, that a road is unsafe, or a remark is hostile, or an achievement is something to be proud of. Because what we apprehend in this way cannot be adequately grasped by any other means, our emotions provide us with an indispensable mode of cognition, without which our rational capacities would be deficient. This is how our affective experience is related to the disclosure of truth —— *because* of the way they feel, our emotions play an important epistemic role, providing us with a distinctive kind of awareness. Although they are as fallible as any other mode of human cognition, our emotions can provide us with insight about ourselves *and* about our surroundings at the same time. That is why I conclude that, far from being non-cognitive, our affective feelings provide us with an invaluable means of being in touch with the world.

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[44] M. C. Dillon, *Merleau-Ponty's Ontology* (Evanston, IL: Northwestern University Press, 1997), 139. Cf. Merleau-Ponty, *Phenomenology of Perception*, 142 & 192. See also Zagzebski, "Emotion and Moral Judgment," 109-110: "an emotion is a unitary psychic state that is both cognitive and affective."

IV. BOOK REVIEWS

From the Heart to the Mind, Through the Stomach.
A Review of Donald Phillip Verene's *The Science of Cookery*
and the Art of Eating Well: Philosophical and Historical Reflections
***on Food and Dining in Culture*, ibidem Press, 2018, 120 pp., $25,**
ISBN: 9783838211985.

by David Låg Tomasi
(University of Vermont and University of Sofia)

In his preface, Donald Verene states that "two things distinctive to human culture are the development of language and the cooking of food."[1] As someone born and raised in Italy, this definitely resonates in both my mind and my heart — not to mention my stomach, especially given that a common saying in my native South Tyrol states that "*Liab geat durch'n Mågn.*"[2]

Verene points out that food and medicine were deeply interconnected since the beginning of history, and a true philosophy focused on the understanding, prevention, and treatment of illnesses cannot overlook this aspect. But the author goes further, connecting these elements to Tradition, often with a capital "T," particularly in the Greco-Roman sense. Therefore, a recipe is both medical and gastronomic, in the sense that it contains all the relevant ingredients for specific effects. What makes this book very interesting is that the author is able to navigate through ancient authors such as Galen, Plato, Plutarch, Athenaeus, Apicius, Lucullus, Seneca, Cicero, Pliny, Petronius, all the way to Artusi (*Buon gusto e buona salute*),[3] Brillat-Savarin,[4] Lévi-Strauss (and

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[1] 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, 2018), 8.

[2] South Tyrolean for "The way to the heart is through the stomach."

[3] Connected to the more ancient "food for thought and food for the body," as well as to *Buon pro* (p. 22) *vs.* the not necessarily antithetical, but contrastive, *Pro Bono*.

[4] In particular, regarding French cuisine, as well as in connection to kinetic and katastematic pleasures of Epicurean origin.

many others) and even the author's personal, decade-long experience living and dining in Florence, *La culla del Rinascimento Italiano*.[5]

Furthermore, Verene uses an appropriate narrative-historical style that guides the reader through multiple philosophical descriptions, starting from the Promethean myth, and linking it to the works of Vico and Eliade. Verene summarizes the connection between gods and men, in relation to the "shared power of fire," by describing the four main elements contained therein — farming (the *Giganti*), transmutation (potters-smiths-alchemists), cooking/baking (sacrifice),[6] and a second level of transmutation, namely boiling water (thus including seasoning and condiments).

In this sense, Verene's book is a true "Symposium," a gathering and *drinking party for deipnosophists* following a philosophical banquet,[7] in four acts — "Introduction," "The Dinner of the Seven Wise Men," "The Learned Banqueters," and "The Cookbook: Apicius and Artusi" (Chapters 1 through 4). We perceive this in the very precise analysis of the mythological-psychoanalytic components of dining, where archetypes play a fundamental role (in the triadic sense Jung-Evola-Eliade) and are transferred/transmitted/translated/transmuted[8] through "the unique ability of the human being to be an *archmime*."[9]

This book is not only about the interpretive analysis of cooking in relation to philosophy. It also provides historical evidence of the evolution of customs from Roman and pre-Roman times (for instance, the *aqua et igni* ceremonies and sacred ablutions in general), as well as the organizational aspects such as place, time, number of diners and (fixed, as discussed by Bugialli) order of courses.[10] In this regard, one of my

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[5] "The cradle of the Italian Renaissance."

[6] Verene points out that ancient cooks were "in charge of both wedding feasts and sacrifices" and "[h]umans are the only animals who cook and hence the only animals who eat rather than feed."

[7] Thus also referring to the Roman-Latin "Life of the Party" counterpart, the *Convivium*.

[8] In this sense, the author appropriately describes the semantic-syntactic component of cooking and eating, from the symbol to the (dia)logos of discourse-dialectic.

[9] Donald Phillip Verene, *The Science of Cookery and the Art of Eating Well*, op. cit., 19, emphasis added.

[10] Some very interesting anecdotes are mentioned in the book as well. They further prove Verene's knowledge and love of Italian culture and tradition, such as demonstrating the full Italian autochthonous origin of pasta, spaghetti, and modern forks.

favorite statements in the book is this: "There is no national tradition of eating or cooking that justifies stacked food."[11] From a native Italian standpoint, one must say that Verene knows the "*do*s" and "*don't*s" of the Italian *Science of Cookery and the Art of Eating Well*… very well.

The book continues by describing the relation between food and chemistry (starting from its ancient sister, alchemy)[12] all the way to clinical recommendations, which perfectly fit modern integrative-complementary-alternative medicine, particularly in connection to nutrition and gastro-intestinal *vs*. neuro-endocrine processes. This is particularly relevant, because Verene's attempt to combine mind and body in his discourse around cooking and eating is corroborated (I would say: justified, or even proven) by scientific peer-reviewed research in the field. Moreover, this connection is also found in general health, where "general" stands for the *triple p* "public, policy, politics." This quasi-epigenetic framework serves to illustrate statements such as: "The acquisition of taste, like the acquisition of knowledge, requires leisure."[13] Thus, *The Science of Cookery and the Art of Eating Well* does a good job at providing evidence for good conversations in both the private and the public sphere, which in turn lead to good politics, manners, morals, and economics (especially in Chapters 2 and 3).

Certainly, some might disagree with Verene on the exact level (read: percentage or prevalence) of impact that eating and cooking might have on the areas above. Some might even argue that the author presents a semi-utopian (or at least anachronistic) view of this impact in modernity. However, given that some of the author's intent is precisely captured by the subtitle, "Philosophical and Historical Reflections on Food and Dining in Culture," we beg to differ.

These considerations are further clarified in the metaphysical component of this type of philosophical reflection. Verene writes, with reference to Plutarch, Thales and Solon, in "The Dinner of the Seven Wise

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[11] Op. cit., p. 28. Similarly and precisely, Verene also writes that "[s]tacked food, processed food, and fast food form a continuum" (ibid.), although he is willing to also list some of the positive aspects of heart foods such as *Eintopfgerichte*, described in Chapter 4 (p. 104).

[12] It is worth to note that alchemy is connected to the ancestral-archetypical *formae mentis* of the Greco-Roman concept of proportion.

[13] Op. cit., p. 35

Men," that the body is not only fed, but nourished through culture — in this sense linking again *cultus* and agriculture, as in the Italian *cultura e coltura*, which, we might say is the true (innermost and real) combination of "nature and nurture." Verene cites Thales's claim that "God as mind or spirit is in the world as the soul is in the human body," and Anacharsis: "For the body is the soul's instrument, and the soul is God's instrument."[14] This brings us back to the intrinsic value of a recipe, which is both a list of ingredients as well as the proper sequence of a ritual, of a sacrifice. To *in*struct means to arrange, to build, to *con*struct, and that is the value of conviviality, which is also *Gemütlichkeit*, it is *Сабур*, which in turn is directly derived from صبر, but also (in this case folk etymology should be considered "evidence-based when dining with friends") connected to *sapere e sapore*,[15] where wisdom and taste are deeply intertwined.

Eating and cooking are true mirrors of life in Verene's book; they reflect upon life itself, they are spectators and spectacles of desires, wishes, wants, cravings, appetites, and everything within and everything without. Morals and ethics are ultimately better understood through the stomach, an altar to/of the body. This perspective is certainly not new, especially if we consider all the theoretical, empirical, and laboratory-based knowledge around embodied cognition, but in this book by Verene... it *tastes* so much better!

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[14] Ibid., p. 53
[15] As well as, of course, *density* and *thickness/tastiness*, *gustare and tastare (denso e gustoso)*, *гъсто* and *вкус*, *saving and savory*, *healthy* and *healing*, *wholesome*, etc.

Donald Phillip Verene, *The Philosophy of Literature: Four Studies*, Eugene, OR: Cascade Books, 2018, Paperback, 150 pp., $20.00, ISBN 9781532641732.

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There is an irreplaceable delight: it is the delight of thought, the delight that occurs only when consciousness touches the world, enjoys it in the contemplative act and understands it. It is precisely in this way that consciousness is one with the world and, even more, when it arranges the world in a meaningful order that calls forth beauty. This delight differs from everything else. It is a bold heuristic and unexpectedly powerful enjoyment because, unlike all other passions-pleasures subjugating and enslaving human beings, it gives freedom, and provides consciousness with an amazing means for exhilarating spiritual, intellectual, emotional, and even existential emancipation.

It looks like the main challenge confronting all those who professionally deal with aesthetic issues is how to overcome the self-enclosedness of meaning, its "narcissistic" selfishness, limited to the circle of self-understanding and enjoyment, even as it provokes the longing for sharing with others. This longing should accomplish understanding-enjoyment without subjection to the stereotype of unified taste or restricted to a general impersonal and multi-purpose aesthetic ideal. Since the intimacy of aesthetic experience does not simply imply sophisticated taste and culture but depends on personal development. It also implies a certain counterpart in the social environment that supports the emergence and realization of communication. Beauty is never limited to a discussion of the subject's experience, although, undoubtedly, aesthetic disinterestedness is the deepest and the spontaneously purest expression of the subject who is selflessly contemplating or creating a masterpiece.

Hence it is worthwhile to define our field of study within the framework of the general philosophy of art and the philosophical topic of thinking about the expression and the expressive forms that today we call, after Alexander Baumgarten's general concept, aesthetics. The philosophy of literature consists of a self-defined field, namely the artifact

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of art itself, "fiction," which uses one of the most original features of human nature, language, the communicative impulse, and the natural tendency to exchange beyond the common meaning of man as "a social animal" (ζῷον πολιτικόν), in Aristotle's words. Therefore, the philosophy of literature, as a sub-domain of the philosophy of art, dealing with language and language's intrinsic ability to express and to communicate expression, also reveals expression as the opportunity for play and for freedom of the imagination. The literary imagination creates its own forms loaded with literally "readable" content, which besides being read, understood and comprehended, offers pleasure and disinterested aesthetic contemplation.

It seems to me that the above theoretical suppositions lend force to the vibrancy and overall impetus of Donald Phillip Verene's new book, *The Philosophy of Literature: Four Studies*. In this concise book, Verene raises the challenging question that has haunted the development of philosophical thought since its dawn: what can philosophers learn from the poets? Subtending this is the question of the kind of wisdom that poets can claim, when wisdom belongs to philosophers as their natural privilege. According to Verene, the most important question is the difference between poetic and philosophical wisdom, and what poets can teach philosophers. Why should they listen to each other at all?

Verene adopts an elegant and somewhat safe research model. In the tradition of aesthetics, two methodological approaches have been established. The two approaches imply different goals and naturally achieve quite different results. The first approach derives from Plato; it is powerful and uncompromising. This approach informs every possible normative aesthetics, which is structured around a basic law and is itself legislative. This approach is purely normative and sets the rules that have to be inferred directly from "the theory," from the top down, regardless of their spontaneous nature. It implies a paradigm inherent in every work of art that guarantees and preserves its essence. The second approach is related to Aristotle's poetics; it is much milder and more relevant to the context of a given situation. It proposes first to observe a work of art *per se* in its own spontaneity and intimacy, and only then to reflect and summarize theoretical ideas or to form independent concepts.

Verene's overall approach seems closer to the second type of method, which implies both a broader understanding of the literary field and a wider understanding of philosophical questions as a whole. That is

why his style is more akin to a dialogue, seeking arguments in the over-all picture of cultural and spiritual development to achieve a new and unexpected rethinking of the cultural heritage. Verene's main goal is to rethink the significance of old stereotypes, the authority of ossified basic truths, and to look at them from a perspective of greater ease, freedom, and thoughtful detachment.

This might explain why his book begins with an extensive "Introduction" that raises the theme of Plato's notorious controversy with the poets, not only on the terrain of his emblematic dialogue and peculiar vision of utopia, *The Republic*, but also concerning Homer's poetic wisdom. In Verene's own words, language and literature are the very heart of human knowledge, so it is necessary to admit that speculative imagination and poetic imagination have a common *topos*, a common place from which they arise, and this is the mythological imagination that is best revealed in the spontaneity of the narrative literary forms appearing in all historical periods and societies. The arguments pursued in the book touch upon such thinkers of Antiquity as Aristotle, Cicero, Quintilian, and such titanic Renaissance minds as Giordano Bruno and Giambattista Vico (to the extent that the latter can be considered a figure of the Renaissance); from there, the study flies freely through the ideas of the Enlightenment and Immanuel Kant and reaches Georg Hegel's concept of art as possessing its own history and mission in human culture.

The first chapter discusses Jorge Luis Borges's *The Immortal*; the second, James Joyce's *Finnegans Wake*; the third, Carl Sandburg's epic prose poem *The People, Yes*; and the fourth, Sebastian Brant's *Ship of Fools*. It is not by accident that Verene chooses these literary works; they serve not only as illustrative material, but also as an embodiment of human consciousness and imagination. For, as he himself asserts: "Language is a master key to the human world."[1] According to Verene, the literary work gives direct access to the very mechanism of thinking, and hence, to the metaphysical justification of truth. Thus, fictional and speculative approaches artistically help each other, through their spontaneous linguistic essence, in constructing credible argumentative statements. In the midst of the expressiveness of language and its ability to create metaphors, Verene reveals the fundamental intellectual operation

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[1] Donald Phillip Verene, *The Philosophy of Literature: Four Studies* (Eugene, OR: Cascade Books, 2018), 18.

of "imagination" as an intellectual power capable of choosing, judging, sifting, comparing, and ultimately realizing the important mental refinement of available ideas. Through the literary image, the literary narrative, literary tropes as well as through general artistic techniques, Verene attempts to highlight the complex relationship not only between philosophy and literature, but also between the individual and the societies that men build in the world that unfolds before their senses. Thus, Verene finds himself at the cutting edge of some of the most recent problems in ethics, metaphysics and politics: "Wisdom is a knowledge of the things divine and human, a knowledge of the whole, and eloquence is to put the whole in words, as 'wisdom speaking' (*la sapienza che parla*). We must experience eloquence to be eloquent, and that can be acquired only by the study of the canon."[2]

Verene's *The Philosophy of Literature* is an inspired erudite virtuoso play of philosophical consciousness that desires to achieve literary elegance, metaphorical depiction, and immediacy. The book being written with ease, the reader perceives it with the same ease and pleasure. Furthermore, it somehow unnoticeably manages to present a new concept of human wisdom; a new understanding of what we call wisdom, humanism, philosophy, and poetry, due to the lucid consciousness that man is first of all a being of thought and language. Thought and language having a common root, imagination, which is man's only means for understanding and expressing the world and the only effective means to salvation. Only with words do we reach ourselves; with that unexpected freedom that otherwise turns out to be completely unattainable. Words are our strength and our longing; they help us to remember and give us beauty, salvation, pleasure, and hope in an otherwise very cruel, meaningless, and chaotic world. For philosophy, eloquence, and even language itself are much like Homer's Muse who sings about what was and what will be, but leaves us free to create what we must learn and know now. Humans need words, which serve as mirrors to help them achieve not only knowledge about the world but also self-knowledge and, even more importantly, self-naming.

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[2]   Ibid., 19.

**Ken A. Bryson, *A Systems Analysis of Medicine (SAM):
Healing Medicine*, ibidem Press, 2019, Paperback, 256 pp., €29.90,
ISBN 9783838212678.**

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Ken A. Bryson from the outset delineates the position he wants to pursue in this book. This position is a lucid one: codifying empirical facts in the laboratory and directly applying the findings to the concept of the self as insufficient, albeit necessary. The description to codify humans solely in terms of atomic particles leaves gap in our understanding of what it is to be human in our world. He does accentuate the importance of empirical facts in disentangling the question of what it is to be a sick person in the medical healthcare ecosystem. He includes the significant dimensions of epistemology, metaphysics, and medical ethics that is often overlooked in evidence-based medicine, but which, as Bryson shows, play a central role. Over the course of five chapters, this thoughtful book provides perspectives that philosophers, medical practitioners, and policymakers cannot ignore. Bryson addresses the myriads of philosophical questions raised by modern medicine and tackles the conceptual and metaphysical questions germane to medicine and society: how do we grasp the diverse values evident in medicine? What role does the cultural dimension play in medicine? How do we interpret and apply ethical frameworks in medicine? One of the principal questions examined in this work involves the relationship between the concept of disease and the social self. The goal, according to Bryson, is to shift the conversation beyond the study of disease to a dialogue with sick patients; he maintains this position when he says that the patient is much more than the disease one suffers from.

Bryson endeavors to answer the societal questions raised by medicine by providing a spiritual dimension to medicine. The STS (Science, Technology & Society) toolbox framework he develops entails spiritual- and ethical-centred medicine. This holistic dimension requires us to think beyond carbon atoms: "The distinction between the mind and

brain is critical to understanding why a person is sacred, and therefore why medicine is sacred science."[1] He has a point that applying empirical evidence without conceptually analyzing it precludes the elements central to the whole understanding of the evidence. Bryson's goal is to avoid the simplistic elucidation of the concept of the self. If some of our values are driven by culture, it is valid to address the friction between cultural dimensions and medical practice. However, it is only when we bring together diverse values in treatment that we avoid ethical relativism. Simultaneously, Bryson argues that "spirituality, … is a search for ultimate meaning."[2] This is relevant to the controversies surrounding ethical decisions, i.e., regarding which ethical approach should be applied when the patients' values clash with their doctor's values. For Bryson, doctors and patients should not be pushed to decide between their core values and the observance of positive laws. Recourse to address these conflicting values is in the domain of deontological ethics: "The doctor has a right and perhaps the legal obligation to make his/her views known on abortion, euthanasia, assisted suicide. Some doctors, for instance, do not recognize alcoholism as a disease, or respect a patient's right to smoke marijuana (in Canada)."[3] This point pushes doctors into a new state of moral quandary and raises new questions: Can a doctor declare a patient *persona non grata* because of the doctor's religious views? Can the doctor's spiritual beliefs supersede empirical and societal consensus? How do we resolve Bryson's concerns about ethical relativism? Should we put a moratorium on genome editing?

Bryson's opinions have a *prima facie* plausibility on the grounds that, if deontological ethics is applied, the medical healthcare ecosystem should be able to operate in such a way that patients and doctors benefit from its application. However, overemphasis on the legal aspects of deontological ethics makes it excessively bureaucratic. I understand the importance of putting rights in place that are legally binding. The problem is that this is insufficient to deal with issues that arise during the doctor-patient relationship. Yes, deontological approaches require legally binding rights, but a balanced approach must be maintained that is

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[1] Ken A. Bryson, *A Systems Analysis of Medicine (SAM): Healing Medicine* (Stuttgart: Ibidem, 2019), 127.
[2] Ibid., 147.
[3] Ibid., 164.

compatible with our conceptual understanding of freedom. This will include informed consent and the balancing of various ethical tenets. This is imperative when diverse values are converging: majority consensus does not equal fairness. If it does not balance the rights of the disadvantaged, applying solely deontological thinking can lead to severe injustices.

Bryson's philosophical work raises valid questions about our cultural values. I admit that even a trained philosopher will struggle to deconstruct and reconstruct these substantial questions, and an *ad populum* response will not create a pathway when attempting to answer the pressing questions posed by Bryson. This brings us back to the importance of balancing values. A doctor's religious values must not supersede the societal and individual rights enshrined in our legal system, considering that religious values are not shared across the board. Patients should be allowed to run away if they choose to do so, but can doctors run away? Were a doctor to refuse treatment to patients or allow them to die during an emergency hospital visit due to his or her religious beliefs, such action would be beyond the pale in a liberal society. In this case, we must develop an approach predicated on a nuanced understanding of religious and societal values. If we claim that liberal values govern us, our actions should be informed by those values.[4] I must point out that total authoritarian tendencies can also be part of liberal societies, in which moneyed interests or power structures determine the *modus operandi* of empirical activities. For this reason, it is necessary to impose a moratorium on certain empirical activities, such as heritable genome editing, to make sure that appropriate ethical conditions are met as, for example, when calculating the risks and uncertainty that are involved in genome editing is a place to begin.

Bryson highlights the dangerous downside of ethical relativism. The convergence of diverse values can be challenging. Bryson is right that an ethical relativism in which everything goes is problematic to medicine. The convergence of diverse values in medical practice will depend on the training and research efforts of participants in a shared healthcare ecosystem. The dichotomy of values and facts has collapsed, but the distinction is still cardinal. To ensure an appropriate process in

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[4] Abiola Bamijoko-Okumbaye, "Does Charlie Gard Deserve to be Taken Off Life Support?" *Postmodern Openings*, 2018, 7-21.

which there is a clash of values depends, *inter alia*, on having appropriate institutional structures in place.

The findings of this book cannot be described as merely aspirational. The STS approach is a framework for action and should be included in the ethical toolkit. This book is clearly written and well-structured. For healthcare providers, medical personnel and policymakers who want to understand why the concept of the self exceeds the biological print, it is a must-read. For those and others, Bryson's book will provide a very lucid philosophical foundation.

Jean-Pierre Clero, *Rethinking Medical Ethics*, ibidem Press, 2018, Paperback, 186 pp., €39.90, ISBN: 9783838211947.

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Jean-Pierre Clero's *Rethinking Medical Ethics* could be characterized as a rigorous attempt to reconstruct the field of Kantian and utilitarian ethics in general and medical ethics in particular. In any case, we should approach it as a book with greater scope, for two main reasons. First, because it is the expansion of research upon ethics published as *Calcul Moral* (*Moral Calculation*) in 2011, and articles in the *Revue française d'éthique appliquée* and *Ethics, Medicine and Public Health*. Second, he addresses an anglophone public, offering the opportunity to fuse the French philosophical tradition in ethics with the Anglo-American one.

We would like to begin with some critical remarks mainly upon the notion of *autonomy*, principally as Kant conceived it in comparison with the notion of *utility*. The author tries to clarify the various misconceptions around the meaning and usage of the term between caregivers and philosophers. For the first, autonomy is equal to the capacity of the patient to perform either vital necessities like eating or cognitive functions like remembering, locating oneself in space, etc., without the intermediation of the healer. When it comes to philosophy, autonomy is the pursuit of freedom, which is the keystone of the entire edifice of reason. The Kantian notion of *autonomy* becomes fallacious *per se*, according to Clero, due to the fact that the *universalization* which grounds the *purity of reason* could easily be reduced to the domain of law and duties as legitimized by the state or the government. Furthermore, this *universalization* can be lost in the plurality of I's. Under this universality, the I, although a rational agent implementing the *categorical imperative* and creating the self, imposed conditions upon the nature or the community; and is always somehow subordinate to the givens of a society or a tradition.

So, this kind of freedom could have the Promethean sense of being less than a slave, rather than completely free. This relation can also be exemplified in the prescriptive role of the doctor, understood as the one who knows, using rhetoric to persuade a patient, who in accordance with his autonomy (including his personal beliefs or particular social or reli-

gious standards), would not be able to cooperate, and may even refuse treatment (23). Clero connects the latter fact to the hypocrisy of the liberal state that in every way promotes individual freedom and secularism, but lacks concern when it comes to such cases, under the veil of egalitarianism, consent, and the foundational deontological principles of health care ethics (beneficence, non-maleficence, respect for autonomy, justice) (44, 45). He reconsiders the Benthamian notion of *utility* over a*utonomy*. *Utility* has a double sense: the task of government is to ensure freedom against infractions affecting the person, but utility also implies the engagement of a constitutional code in distinction to a civil code (terms like "civil," "civility," "person" have a strong connection to German Idealism and the Enlightenment), which ought to protect the citizen from abuse of power by members of the government. Freedom is not abolished, but neither is it formed by mystification, as a substantive entity that has its own worth (53).

But beyond the maladies that the notion of *autonomy* brings, at least in the Kantian sense, Clero seems not to take into much account the possible intersubjective features discovered by Kantianism, for example in another work, the *Critique of Judgment*. Of course, we are not speaking solely of the *maxims* of reason with regard to concrete duties, but of the pragmatism over the limits of our cognition, which presupposes the justification of our beliefs as true by an orientation towards others. This is the existence of a "moral feeling" in accordance with a moral law. This capacity of freedom to set ends, used later on by Jürgen Habermas to develop his theory of *discourse ethics*, in which individuals engaged in *reciprocal recognition* mutually ascribe the status of reason, in radical contrast to the notion of *utility* in the traditional (e.g., Benthamian) sense of a "public opinion tribunal" or, even more, a *moral calculation*.[1] The first chapter ends with a call for a prioritization of existential ethical values over legal ones. The "demoralization" of *autonomy* and the legalism of its moralizing basis lead the author to propose another major category of ethics, *dignity*.

The ethical value of *dignity* is presented in the second chapter as having a polysemous function, as a signifier in discourse among the

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[1] We prefer to refer to theories with a Kantian basis, rather than to, for example, theories of intersubjectivity based on phenomenology or existentialism. Furthermore, they are more compatible with the notion of "discourse dignity."

many and not in relation to the individual who changes or divides roles (65). The signifiers of "discourse dignity" are formed, on the one hand, *by living towards the unknowable limit of death*, which is close to Pascalian *infinity*, and on the other *at the very moment of death*, forming a relation with the least signified and representative. Since none is dead yet, *dignity* is evaluated under the authority of a final judgment (74). *Dignity* for Clero is closer to *sympathy*, *tolerance*, and *secularism*, away from the Kantian distinctions between the *price* (of the thing) and the *dignity* of the person.

The third chapter investigates the need for Utilitarianism in ethics. The basic bibliographical reference is R. M. Hare's *Moral Thinking*. Always bearing in mind the process at work in *Moral Calculation*, we can extract the critical stance that Hare adopts in his conception of Utilitarianism. The balance occurs under a broader conception of calculus, in comparison with Benthamian or Millian *happiness*. The Harean scheme includes at least four separate features. First, he works upon the notion of preference, which is subjective and gives a place to the particularity of the cases in which questions of respect arise in a social, ethical, and political context, and thus where consumerability takes place, whereas the notion of happiness reaches a more generalizing character, that of *happiness* as a sum of *pleasures*. The second important distinction made by Hare is the levels in which a proper ethical balancing could be established, the lower level of which is the *intuitive* and a more complex and higher one, which is the *critical*. Hare rejects the *intuitive* level, because it cannot be self-supporting, whereas the *critical* can, and is epistemologically prior. Here we could also speak of the issue of *overridingness*: the primacy of ethics or ethical values over *reason* and the modes proper to practical knowledge that are closer to *episteme* or *orthodoxa*, rather than *doxa*. The last feature is the Harean consideration of the consumerability of time. Hare admits that there is an absolute primacy of the now over the instances of the past and the future. Clero questions the sovereignty of this *now*, and strives for a phenomenological theory of intersubjectivity, admitting that it can play some role, as well as the Bayesian theory of ethics, which is a probabilistic conception that can subjectively account for the probability of a future event to occur or to a rethinking of Harsyiani's game theory.

We would like to pause here to observe that Clero could have given more emphasis to and greater elaboration of the notion of time. Of course,

moral calculation is under an objectifying rule, but if there is a call for re-existentializing ethics, the moral agents' subjective and intersubjective perception of time could be better clarified. In simple terms: how do we exist in *temporality* or in *time as an original unity* in a Heideggerian way, rather than simply accounting for time as something *interior/exterior* and objective in relation to the maxim of death and backwards into life. This is also apparent in the conception of the notion of *intimacy* and its relation to time, as described in the last chapter, where we can conceive a modal rather than existential conception of time: "its essentialization takes place by returning instances of time … if intimacy is *really* graspable only at death, if death is *its ratio cognoscendi* … it is not its *ratio essendi* which is constructed or elaborated from the point of view of existence and its course" (149); and in the references to Jacques Lacan around the scheme *intimacy/extimacy*, the exteriorizing character of *intimacy* in relation to the modality of the notion of the *vast* proposed in *The Poetics of Space* by Gaston Bachelard (144).

The last chapter is rewarding. The notion of *intimacy*, although sounding like an oxymoron to a utilitarian approach, really opens a dialogue for a radically new conception of *utility*. Clero articulates the three principles or pillars of ethics, *sympathy*, *dignity*, and *intimacy*. These principles are approached in a complementary and inseparable way (155). *Sympathy* is the way we measure the existence of the other from our existential point of view, in a play of a possible pretending and adoption of his values, aiming to undertake the best decisions by attaining his best interests. *Dignity* is, in a way, the projection of my non-image, of my non-representability after the moment of my death, in relation to my present image (149). Sympathy is close to the Freudian dynamic of *eros* (here there is also reference to the Lacanian notion of narcissism) while dignity is close to the dynamic of *thanatos* (Clero links the Lacanian percept to the *anxiety of death*). At this point, we would expect a further elaboration on the *reality* principle versus the *pleasure* principle and also on the notion of *sublimation*. It would be interesting if we could see how a moral calculation could work in relation to the two pillars of ethics as balancing *pleasures* and *pains* in the Benthamian sense, or how preferences could be modified in a Harean sense. (Following the same logic as above, if Lacanian psychoanalysis were a viable starting point, a short investigation of *jouissance* could provide a basis for such an analysis).

Proceeding to the notion of *intimacy*, Clero offers an in-depth analysis, which leaves almost no place for the possibility of criticism. Some could say that *intimacy* disappears into vagueness and extreme symbolic value. But the reader has to introspect and revolve the whole dialectic and conceptualization in order to grasp the value of intimacy as substituting for subjectivity in the classical sense. Even those who insist on the primacy of the autonomous subject would be wise not to immediately reject this outdated conception of *intimacy* in relation to the other two pillars of ethics. A last remark: it is easier to approach intimacy not having in mind a *pure* being or better *pure* subject, but a saturated/decentered no-subject, closer to the Lacanian *other* (symbolic field) or the Foucauldian *subjectivity*, which is formed through various structural fields of reference (historical, linguistic, and political). Finally, we would like to provide some thoughts prompted by Jankélévitch's position, as Clero understands it (147). Reading the example of the severely ill patient with a 95% chance of dying, the immediate thought that comes to mind is whether there is a possibility, in such cases, to grasp the truth within this 5% blur of the alternative hypothesis (of not dying). This is at odds with a respectful attitude towards the patient, or could be seen as experimentation in very fraught situations, but such a view reminds us of the limits of our knowledge. The *safety condition for knowledge*, as mainly defended by Timothy Williamson, Duncan Pritchard, and Ernest Sosa, could work as a basis for all these considerations.

Continuing in the spirit of *mathesis* and, of course, Michel Foucault's approach to language and game theory to which Clero turns in the concluding comments of his book, we close this review with two critical questions. First, to ask if there is a place for *pragmatics*, mainly that of Paul Grice, John Austin, and John Searle in the use of language and speech acts, beyond the structuralist/post-structuralist conception of Foucault. Second, with respect to the critical and aesthetic conception of Foucauldian morality, namely that of the "care of the self" and of "*techne*" as "*techne tou biou*," does it not open the matter of metrics or measurement?

V. 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 wiggle room for the student's own preferences. The degree is recognized worldwide including in the EU/EEA and Switzerland, the US, 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 the American citizens to use some 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, 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 in 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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Doctoral Program in Philosophy Taught in English at the University of Sofia "St. Kliment Ohridski"

General Information

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Courses Offered

Psychoanalysis and Philosophy, Applied Ethics, Epistemology, Philosophy of Science, Social Philosophy, Philosophy of Projectivity, Philosophy of Intercultural Relations, Epistemology, Continental Philosophy, Philosophy of Language, Philosophy of Culture, Time and History.

Requirements

Master's degree in any field. No previous degree in philosophy is required.

Checklist

CV, two letters of recommendation, standardized tests scores are NOT required. No application fee (for citizens of EU/EEA and Switzerland a €32 fee is charged and an entrance exam is held).

Tuition Fee

1) For EU/EEA & Swiss students:
in residence: €1450 per school year.
extramural: €2440 per school year.
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 the American citizens to use some sources of governmental financial assistance (please contact the Program Director for details).
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