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The Crisis of Eurocentrism and the Future of the European Humanism: Historical, Cultural, Religious, Legal and Socio-Economic Perspectives

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Universal Values or European Citizens' Individual Rights?

EUROPE AND THE IDEA OF THE TRANSCENDENTAL

Human rights and other imagined entities

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Abstract

Over the course of twenty-six centuries, European philosophy created an impressive array of philosophies of practical reason, each one relying on an idea of *transcendent value*. In the nineteenth century, the idea of the transcendental surrendered to the new absolutism of the modern state, and then to the so-called 'end of philosophy'. After 1945, an attempt was made to re-introduce an idea of the transcendental in the form of 'human rights', an effort that has had very limited success. The challenge to European philosophy, and a responsibility that Europe owes to the globalising world, is to restore an efficient idea of the transcendental within the practical reason that underlies moral and social philosophy. It will not be easy, in a world dominated by autonomic social and economic systems, and beset by old and new cultural conflicts.

A. *European identity*. B. *The transcendental tradition*. C. *Imagined entities*. D. *Nineteenth century*. E. *Twentieth century*. F. *The mind of Europe*. G. *Dethroning the transcendental*. H. *Negating the negation*.

A. *European identity*

1. Europe is a geographical expression, a collection of nations, a political kaleidoscope, and a civilisation. We are located somewhere. We have many separate identities. We have many different forms of social organisation; and they change frequently. We attach high value to the best that we in Europe have achieved together.

2. The ambitious word 'is' should not conceal the fact that all four categories are mental constructions with no settled contours. They are controversial in their assertion, their application, and their combination. In other words, they are words. But words are powerful. Words make what we think of as *reality*. We live and die for words.

3. In the case of the word 'Europe', such assertions invite us to see Europe as a process through time, always a work-in-progress. They invite us to compare Europe with other areas of the world, some of them with cultures that have been in a state of permanent self-creating for as long as, or longer than, Europe.

4. And tendentious generalisations about Europe encourage us to make judgments about the past and the present and the future, helping us make choices about Europe's future.

5. It is the purpose of the present study to highlight one particular choice that we might make. It proposes the re-installing of *transcendental ideas* as a central feature of a restored European philosophical tradition, not least as a possible contribution to the forming of the *global culture* that is emerging, haphazardly and menacingly, in the twenty-first century. The particular phenomenon that has come to be known as ‘human rights’ is an aspect of that philosophical tradition.

B. *The transcendental tradition (before 1789)*

6. It is a familiar story within the history of European philosophy – a story in twelve chapters.

- (1) Philosophy. The human mind thinking about itself.
- (2) Natural science. Mathematics. Finding order in the physical world.
- (3) Art. Mind-made universal parallel reality.
- (4) Plato and Neo-Platonism. The idea of the ideal. The idea of the soul.
- (5) Stoicism. An idea of universal human order.
- (6) Natural Law. An idea of universal legal order.
- (7) Christian universalism. An idea of the self-transcending human being.
- (8) Christian Aristotelianism. An idea of universal moral order.
- (9) The (pre-Grotian) law of nations. An idea of universal social order.
- (10) Renaissance humanism. An idea of the self-transcending human species.
- (11) Natural rights. An idea of inherent legal order.
- (12) The Rule of Law. An idea of law above law.

7. The core-idea shared by all those sets of ideas is an idea of *transcendent value*. They all reflect an effort to establish a realm of value standing above contingent social values and above positive law; a realm of practical reason within which social and political and moral and legal judgments are made; a transcendental superstructure of human self-control.

8. One should be impressed – should be proud even – of a coherent intellectual effort maintained over the course of twenty-six centuries – an intellectual effort with profound real-world consequences. Transcendental philosophy is a glory of the human mind – a fruit of the human mind’s amazing universalising capacity and its amazing capacity of imagination.

‘All that we can say is that everything is arranged in this life as though we entered it carrying the burden of obligations contracted in a former life... All these obligations seem to belong to a different world, founded upon kindness, scrupulosity, self-sacrifice, a world entirely different from this, which we leave in order to be born...’

M. Proust, *Remembrance of Things Past*, vol. 6, *The Captive* (1923)
(tr., C.K. Scott Moncrieff; 1929/1968), 250-51.

‘...human reason contains not only ideas but ideals also, which although they do not have, like the Platonic ideas, creative power, yet have *practical* power (as regulative principles), and form the basis of the possible perfection of certain *actions*... Although we cannot concede to these ideals objective reality (existence), they are not therefore to be regarded as figments of the brain; they supply reason with a standard which is indispensable to it, providing it, as they do, with a concept of that which is entirely complete in its kind, and thereby enabling it to estimate and to measure the degree and the defects of the incomplete.’

I. Kant, *Critique of Pure Reason* (1781), ‘Transcendental Dialectic’,
bk. II, ch. III, sec. 1 (tr., N. Kemp Smith; 1929), 486.

9. Needless to say, there are transcendental traditions in many other cultures across the world, some as old, or older, than the European transcendental tradition.

C. Imagined entities

10. Transcendental ideas are prolific in their use of what we may call *imagined entities*. (Late Latin: *ens*, present participle of the verb *esse* ('to be') made into a noun: 'a being', 'a thing that is'; plural, *entes*). We are here studying the *ens entium* ('the being of beings').

11. Imagined entities seem like things, but they *exist* only in the human mind – *the mind, the ideal, the soul, Nature, species, society, civilisation, order, law, humanity, the self, the people, the nation, the state, God, the Church, Europe, the EU, 'Rome', 'Athens', Italy...* For an imagined entity, to be is to be known (echoing William of Ockham).

12. Imagined entities are a form of *poetry* – and a very powerful form!

We are all Don Quixote. We are all Segismundo. We are all Prospero. We are all dreamers.

aunque pasó como sueño, como verdad atormenta...

(‘...although it happened like a dream, it torments him [Segismundo] like reality...’)

P. Calderón de la Barca, *La Vida es Sueño* (1635), Act II, lines 1651-2

(present author’s translation).

13. An idealist tradition of Italian philosophy has greatly helped us to understand this phenomenon – Marsilio Ficino, Giovanni Pico della Mirandola, Giambattista Vico, Benedetto Croce, Antonio Gramsci. Together with Francis Bacon – and his prescient idea of Idols, ideas that take possession of the human mind, of which there are now vastly more than he could ever have imagined.

‘Lastly, there are Idols which have integrated into men’s minds from the various dogmas of philosophies... These I call Idols of the Theatre, because in my judgment all the received opinions are but so many stage plays, representing worlds of their own creation after the unreal or scenic fashion. Nor is it only of the systems now in vogue, or only of the ancient sects and philosophies, that I speak; for many more plays of the same kind may yet be composed and in like artificial manner set forth...’

F. Bacon, *The New Organon* (1620), Bk. One, §XLIV

(*tr.*, J. Spedding, R.L. Ellis & D.D. Heath; *ed.*, F.H. Anderson; 1960), 49.

14. ‘Cause and effect’ are products of the imagination, as the young David Hume insisted. ‘Laws of Nature’ are metaphysics, as Francis Bacon and Isaac Newton insisted.

‘A system [of ideas] is an imaginary machine invented to connect together in the fancy [the imagination] those different movements and effects which are already in reality performed.’

Adam Smith, ‘The History of Astronomy’,
in *Essays on Philosophical Subjects* (1795)
(*eds.*, W.P.D. Wightman & J.C. Bryce; 1980), 66.

‘If the organism carries a “small-scale model” of external reality and of its own possible actions within its head, it is able to try out various alternatives, conclude which is the best of them, react to future situations before they arise, utilise the knowledge of past events in dealing with the present and the future, and in every way

to react in a much fuller, safer and more competent manner to the emergencies which face it.’

K. Craik, *The Nature of Explanation* (1943/1967), 61.

15. Imagined entities are Schopenhauer’s *idea* and *will* in action. When *imagined entities* are *hypostasised* in the *virtual reality* of actual societies, they become the cause of unlimited and uncontrollable possibilities of social transformation, for better and for worse. Our imagined entities matter. We could not live together without them.

‘The ways of thinking embodied in institutions govern the way the members of the societies studied by the social scientist behave. The idea of war, for instance ... was not simply invented by people who wanted to *explain* what happens when societies come into armed conflict. It is an idea which provides the criteria of what is appropriate in the behaviour of members of the conflicting societies..... My behaviour is governed, one could say, by my concept of myself as a member of a belligerent country. The concept of war belongs *essentially* to my behaviour.’

P. Winch, *The Idea of a Social Science* (London, Routledge; 1958), 127-8.

‘The evacuation of subjectivity from human phenomena seems to require that the specificity of human phenomena must be found not in their subjectivity but in their actuality. The rational is in the actual. The actual is not in the rational. The actual of the human world...exists nowhere else than in human minds, but for the humane sciences it is nevertheless a reality “out there”.’

Ph. Allott, ‘The nation as mind politic’,
in *24 New York University Journal of International Law and Politics*
(1992), 1361-1398, at 1368, and in
The Health of Nations. Society and Law beyond the State (2002), §4.15.

Nineteenth century

16. Following the French Revolution, there were dramatic developments in the history of transcendentalism in Europe, whose effects remain with us to the present day, now affecting the whole world.

(13) The Rights of Man and the Citizen. Ambiguous human self-transcending.

17. The French Declarations of the Rights of Man and the Citizen are a caesura in the story. There is an explicit and crucial tension in the 1789 Declaration between Man (the shared universal humanity of each human being) and the Citizen (whose universal identity is entirely a product of society). The movement of the Declaration of 1793 into *transcendental social policy* creates a new implicit category of *local universalism*. Socially determined human universalism seems to be a contradiction in terms.

18. And this latent contradiction gave powerful new force to three other imagined entities with a proven capacity to change the course of human history.

(14) The people.

(15) The nation.

(16) The state (in the external and internal senses).

19. With powerful intellectual assistance from Rousseau, Sieyès, Fichte, and Hegel, the *nation* could now be seen as embodying the *sovereignty* of the *people* exercised through the medium of the *state*. That congeries of imagined entities changed the course of human history. War between *imagined* entities is death and destruction of entities that *actually exist*.

20. And then *managing transcendentalism* could come to be seen as an *inherent power of the state* – a form of secularised religion. Collective consciousness flows to and from individual consciousness. Control of the *public mind* of society is control of the *private minds* of the citizens by other means. Such an idea was implicit in the socialised transcendentalism of the French Declarations. There was another implication.

(17) The Rule of Law II. The law-state.

21. In the Anglo-American constitutional tradition, the idea of the Rule of Law (no. 12 above) came to mean that *all public legal power* is subject to the law, as interpreted and enforced by the regular courts.

22. It took centuries to entrench this principle in social practice, even if the underlying idea goes back to Anglo-Saxon times – ‘the ancient rights and liberties of the English people’, a slogan that was invoked against monarchs behaving badly, and by the revolting British subjects in the American colonies. This particular Idol gained much intellectual reinforcement from Lockean pre-societal ‘natural rights’ (no. 11 above). The Rule of Law in this sense has come to be seen as a basic principle of the philosophy of liberal democracy.

23. But there arose in the nineteenth century a different Idol of ‘the rule of law’ – namely, the idea that the *state* is inherently and structurally *a legal system* – the idea that a society is coterminous with its legal system. This is the idea of the so-called *Rechtsstaat* or *État de droit* or *stato di diritto* – the *law-state*.

24. We Anglo-Americans see this phenomenon as a sort of *legal absolutism* – a new form of *mon-archism*. For us, ideas of the common good of ‘society’ are determined through the process of *politics*.

25. On this view, *politics* is a permanent struggle to determine the *common interest of society*, and may lead to the enactment of particular ideas of the common interest in the form of *law*. Law enacts and enforces the common interest of *society*, and law-abiding citizens are, therefore, agents of society’s common interest.

‘Some writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness *positively* by uniting our affections, the latter *negatively* by restraining our vices...’

Th. Paine, *Common Sense* (1776)
(ed., I. Kramnick; Penguin Classics; 1982), 65.

26. The idea of the law-state gives rise to a problem in relation to transcendental values. They must presumably be incorporated in some way within constitutional and positive law. But do they not then surrender their *universal transcendental* character, if it is the legislator and the judge who say what they are?

‘The tyrant Harry the Eighth of England [reigned 1509-1547], as he was not better enlightened than the Roman Mariuses and Syllas, and had not studied in your new law schools, did not know what an effectual instrument of despotism was to be found in that grand magazine of offensive weapons, the rights of men...’

E. Burke, *Reflections on the Revolution in France* (1790)
(Everyman’s Library; 1910), 112-113.

E. *Twentieth century*

27. Europe in the first half of the twentieth century was the scene of one public horror after another. Already in the 1930’s, a movement of opinion was favouring the direct insertion of a new form of transcendentalism into damaged social reality. The gross abuse of ‘law’ by totalitarian regimes led to a great burst of transcendentalist sentiment after 1945, even among governments!

(18) Human Rights.

28. Legal texts embodying ‘human rights’ and ‘fundamental freedoms’ sprouted like wild flowers in springtime. The word ‘human’ was designed to assert the universalism of the rights and freedoms. The English word ‘human’ (as opposed to ‘Man’) seemed to signal some new connotation. In French, they were still *droits de l’homme*, but the *citoyen* was de-emphasized. Some of the texts referred to the correlative ‘responsibilities’ of citizens. The term ‘human rights’ is inherently ambiguous. Rights outside a legal system are metaphorical.

29. All this benevolent activity gave rise to a series of problems.

(A) The texts were all different from each other, listing different rights and freedoms, and thereby undermining their claim of universalism. In Europe, we benefit from half-a-dozen different such lists.

(B) Many of the documents were given legally binding effect under International Public Law or EU law, giving rise to splendid problems of the hierarchy of their relationship to each other, and to legally binding national texts on the same matter – let alone their relationship to constitutional traditions (such as the Anglo-American tradition or theocratic traditions) which have a different conception of social transcendence – the highest values are thought to be incorporated in the self-consciousness of society itself.

(C) The fact that they were *legal* texts undermined their philosophical power flowing from the philosophical background set out above. They confronted the equivocal feelings about ‘the law’ in the minds of citizens, and in the minds of cynical governments.

(D) The fact that, as legal texts, they had to be drafted in a balanced fashion (‘you have freedom of expression, except to the extent that you don’t have freedom of expression in a democratic society’) meant that their interpretation and application became the playground of government lawyers and specialised lawyers, corrupting their transcendental character.

(E) Their universality was readily challenged on cultural grounds.

(F) It is painful to have to say that the impact of legislated human rights on the evil that governments do (their true target) has not been great. They may even have undermined the potentiality of universal human values, by insinuating their control into the power of the state.

30. The European Union presents a particular problem. It seems remarkably like a ‘law-state’ of an *unsociety* in which law is coterminous with the unsociety. There is not the subjectivity of a *society* beyond the EU institutional system, nor the all-embracing dynamic of an EU *politics*. Government by governments, rather than government by the people. A more or less enlightened legal absolutism. Human rights do not transcend the system, but flow out from within the EU constitutional system into the national constitutional systems.

31. We must reverse-engineer the imagined entity of ‘human rights’ in order to uncover and recover and re-assert the higher values that the rights reflect. Those higher values have been occulted and weakened by the social power given to the foreground phenomenon of legislated human rights. They include *ideals* that inspire and constrain human behaviour in the service of the well-being of every human being and all human societies.

32. It has been a function of philosophy to conduct a permanent conversation about such values, constantly re-imagining their role in the ever-changing human condition. Our highest human values must continue to judge public evil, especially when human rights fail to do so.

F. *The mind of Europe*

33. Europe is not a nation. A nation may be genetic or generic – made by shared birth or a shared way of life. It is sustained by layers of myth and magic and mystery which make it into an *imagined entity* of supreme power. Even a *generic* mongrel nation (such as the United Kingdom or the United States of America) may be given a purposive infusion of enhanced subjectivity (say, by Shakespeare’s ‘history’ plays, or by the ‘inventors’ of the American ‘nation’ in the decades after 1800).

34. A nation’s subjectivity naturally inspires affection and pride and loyalty and self-defence and self-sacrifice – the virtues that used to be known as *patriotism*. It may, at some times, descend into psychopathic states – neurotic narcissism, depressive hysteria, paranoid aggression – vices that came to be symptoms of a sickness called *nationalism*.

35. A nation’s so-called ‘history’ plays a crucial role in the forming and deforming of its subjectivity.

‘To forget – and I will venture to say – to get one’s history wrong, are essential factors in the making of a nation; and thus the advance of historical studies is often a danger to nationality.’

E. Renan, ‘What is a nation?’ (Lecture, 11 March 1882),
in A. Zimmern (ed.), *Modern Political Doctrines* (1939), 186-205, at 190.

‘We have created a myth. This myth is a faith, a noble enthusiasm. It does not have to be a reality, it is an impulse and a hope, belief, and courage. Our myth is the nation, the great nation which we wish to make into a concrete reality.’

From a speech (no date indicated) by B. Mussolini (1883-1945),
quoted in K. Mannheim, *Ideology and Utopia* (1936), 123.

‘The [British] fantasy monarchy then provides a Saussurian sign, whose function is to be accepted as a focus of shared meaning. It is an organic metaphor which is beyond dissection, analysis, or explication, a windowless monad, to use Leibniz’s concept as a metaphor, a substance which is not formed from substance. It is a simple, to use the herbalist’s term for an uncompounded substance. For the British monarchy, to be is to seem to be.’

Ph. Allott, ‘The Theory of the British Constitution’, in H. Gross & R. Harrison (eds.) *Jurisprudence. Cambridge Essays* (1992), 173-205, at 190.

36. European historiography has been dominated by an obsession with separation and competition and conflict. Identity is also alterity. Alterity is also enmity. And the people were condemned to be spectators and victims of the evil caused by the abuse of public power.

‘Antoninus [reigned 138-161 CE] diffused order and tranquility over the greatest part of the earth. His reign is marked by the rare advantage of furnishing very few materials for history; which is, indeed, little more than the register of the crimes, follies, and misfortunes of mankind.’

E. Gibbon, *The History of the Decline and Fall of the Roman Empire* (1776-88), vol. I, ch. 3 (ed., D. Womersley; 1994), 102.

‘Who are we? We are the people, nameless pawns in the game of diplomacy, human sacrifices in the rite of war. We are the people, permanent victims of the abuse of public power and economic power – shackled in serfdom and slavery, herded like cattle into mines and factories and slums, into concentration camps and refugee-camps, driven at gun-point from our families and our homes, dehumanized by poverty and famine and disease, by the new slavery of consumerism and the mindless hedonism of popular culture... We, the people, can say what the future will be, and what it will not be.’

Ph. Allott, *Eunomia: New Order for a New World* (1990/2000), xxxiv.

37. The tragic form of European historiography is unsurprising but incomplete, given that the thing that we have always shared, and that has made Europe into a civilisation, is our *mind*. Europe’s greatest imagined entity is the European mind.

38. Europeans have *thought together* for more than twenty-six centuries. Europe is a civilisation of poets, in the broad sense of the word in Ancient Greek (‘creator’). Europe is mind *sans frontières*. We have dreamed, believed, imagined, created, composed, designed, painted, written, spoken, argued, learned, discovered, and invented *together*. We have been as close mentally as a family or a village. Europe is a family of minds, a village of the mind.

39. And, in recent centuries, we have shared our thinking, for better and for worse, with the rest of the world. Hence the overwhelming importance of the *transcendental tradition* that contains some of our highest values.

G. *Dethroning the transcendental*

40. At the beginning of the twentieth century, a dark cloud descended on the European mind. *Phenomenology*, as a reasonable philosophy of the constructed reality of reality, and *linguistics*, as a reasonable study of the nature and functioning of language, could be seen as representing an aspect of transcendentalism. They were concerned with basic activities and mysteries of the human mind which the Greek philosophers had discussed extensively.

41. But the air they were breathing was infected by other emanations from the nineteenth century – human scientism, religious relativism (hermeneutics), moral relativism (anthropology), and nihilism. Nietzsche’s passionate project of the *transvaluing of value* (a new basis beyond religion for universal human values) could easily be made into an annihilating of the idea of *value* and the annihilating of the possibility of *philosophy*.

42. Freud (1915) suggested that the ‘unconscious mind’ is an inner transcendental. But, unlike Kant’s *phenomenal* reality, it does not represent an external reality. Ogden and Richards could say (1923) that ‘universal qualities [e.g. ‘good’] stand for nothing whatever... serving only as an emotive sign.’ Ayer could say (1936) that ‘transcendent reality’ is ‘nonsense’ and that a claim of ‘truth’ is the assertion of an empirically verifiable proposition.

43. Heidegger (1964) could speak of the end of philosophy in the ancient tradition, with the revealing by science of the *beings* of things replacing the study of *being* by philosophy. Wittgenstein I (1921) and II (1974) could speak of the impossibility of philosophy in the ancient tradition and/or its transformative incapacity.*

‘[Philosophy] must set limits to what can be thought; and, in doing so, to what cannot be thought.’

L. Wittgenstein, *Tractatus Logico-Philosophicus* (1921), §4.114
(*trs.* D.F. Pears & B.F. McGuinness; 1961), 25.

‘Philosophy may in no way interfere with the actual use of language; it can in the end only describe it... It leaves everything as it is.’

L. Wittgenstein [II], *Philosophical Investigations* (1974), §1.124
(*tr.*, G. Anscombe; 1974), 49.

44. The stage was set for an anti-philosophy of *ultimate pragmatism* – socially constructed *truth* and socially constructed *value*.

‘... we can continue the conversation Plato began without discussing the topics [that] Plato wanted discussed...’ ‘... cultural anthropology (in a large sense which includes intellectual history) is all we need.’

R. Rorty, *Philosophy and the Mirror of Nature* (1979), 391, 381.

* (a) On Freud and Kant, see ‘The Unconscious’ (1915), in *The Standard Edition of the Complete Psychological Works of Sigmund Freud in English* (ed., J. Strachey), vol. 14, 161-215, at 171. The process that Freud calls the ego-ideal or, later, the super-ego also seems to be some kind of quasi-transcendent process within the ego itself. S. Freud, *Group Psychology and the Analysis of the Ego* (1921) (*tr.* & ed., J. Strachey; 1922/1959), 52.

(b) C.K. Ogden & I.A. Richards, *The Meaning of Meaning. A Study in the Influence of Language on Thought and the Science of Symbolism* (1923), 125. Universal qualities ‘must not [*sic*] be treated as part of the furniture of the world’ (at p. 96).

(c) A.J. Ayer, *Language, Truth and Logic* (1936), 17, 122. ‘There is no field of experience which cannot, in principle, be brought under some form of scientific law, and no type of speculative knowledge about the world which it is, in principle, beyond the power of science to give’ (at p. 44).

(d) ‘Philosophy [in the sense of the metaphysical tradition from Plato and Aristotle] is ending in the present age. It has found its place in the scientific attitude of socially active humanity... The end of philosophy proves to be the triumph of the manipulable arrangement of a scientific-technological world and of the social order proper to this world.’ M. Heidegger, ‘The End of Philosophy and the Task of Thinking’, in M. Heidegger, *On Time and Being* (*tr.*, J. Stambaugh; 1972), 55-73, at 58, 59. M. Heidegger, *Basic Writings* (ed., D. Krell; 1978), 369-92, at 376, 377. A lecture delivered in Paris in 1964 and first published in French in 1966 and in German in 1969.

‘I call *culture* the store of knowledge from which those engaged in communicative action draw interpretations susceptible of consensus as they come to an understanding about something in the world.’

J. Habermas, *The Philosophical Discourse of Modernity* (1985)
(tr., F. Lawrence; 1987), 343.

45. All this – in a century when humanity had descended into the depths of inhumanity. It was a time of collective human shame, collective human despair. The self-inflicted sickness of philosophy meant that transcendentalisms such as those listed in Section B above came to be seen as fossils surviving from a different eon of human self-evolving, quaint but useless. Remove the superstructure of human self-control and everything is permitted. The human world returns to a default condition of war of all against all.

46. Humanity had lost the will to become what it could be. Philosophy had lost the power to rescue it. But: how? and why? The human world is still the world made by the human mind. The human mind is still the same human mind. A transcendental dimension is as necessary as ever, especially in the practical reason that governs the exercise of public power. In a human world full of frenzied life the European higher mind is asleep, a troubled sleep.

‘The Greek tragedians supposed a disease of the mind (*nosos phrenōn*) which causes human beings to bring about their own destruction. We have to wonder whether there is, in the European public mind, some such disease of the mind, whose symptoms are wars, massacres, bloody revolutions, genocide, oppression and exploitation of every kind, publicly inflicted cruelty of every kind, social evil of every kind. Did the gods send such things to give poets something to sing about, or to give something for historians to write about?’

‘The conversation that we are. The seven lamps of European unity’ in
Ph. Allott, *The Health of Nations. Society and Law beyond the State* (2002), §9.42.

‘We all recognise this turning of the mind against itself, against reason which it curses and denounces as the killer of life: a bold and fascinating stage-play.’

Th. Mann, ‘Europe, beware!’ (*Achtung, Europa!*). A lecture delivered in Budapest in November 1936 (written in 1935 for a meeting in Nice that he was unable to attend).

Th. Mann, *Ausgewählte Essays*, bd. 2: *Politische Reden und Schriften*
(ed., H. Kurzke; 1977), 162-172, at 167 (present author’s translation).

47. The sickness of philosophy is a nervous disease, leaving us weak in the face of the challenges of the twenty-first century. It is a sickness of the soul, depriving us of hope in a better human future. It is a self-dehumanising of the human species.

H. *Negating the negation*

48. Philosophy is, and always has been, dialectical.

‘... every philosophy has been and still is necessary. Thus none have passed away, but all are affirmatively contained as elements in a whole... The principles are retained, the most recent philosophy being the result of all preceding, and hence no philosophy has ever been refuted. What has been refuted is not the principle of this philosophy, but merely the fact that this principle should be considered final and absolute in character...’

G.W.F. Hegel, *Lectures on History of Philosophy* (1805-30; published 1840),
Introduction (tr., E.S. Haldane; 1892/1995), 39.

‘Plato made use of the expression “idea” in such a way as quite evidently to have meant by it something which not only can never be borrowed from the senses but far surpasses even the concepts of understanding ... I need only remark that it is by no means unusual, upon comparing the thoughts which an author has expressed in regard to his subject, to find that we understand him better than he has understood himself.’

I. Kant, *Critique of Pure Reason* (1781), ‘The Transcendental Dialectic’, bk. I, sec. 1 (tr., N. Kemp Smith; 1929), 310.

‘I hope, further, that after what has been said there will be no hesitation in recognising the definite grades of the objectification of the will, which is the inner reality of the world, to be what Plato called the *eternal Ideas* or unchangeable forms (εἰδή); a doctrine which is regarded as the principal, but at the same time the most obscure and paradoxical, dogma of his system, and has been the subject of reflection, of controversy, of ridicule and of reverence, to so many and such different minds down the centuries.’

A. Schopenhauer, *The World as Will and Idea* (1818/1844) (abridged; ed., D. Berman; tr., J. Berman; 1995), bk. III, §32.

‘You...are the molder and the maker of yourself; you may sculpt yourself into whatever shape you prefer. You can grow downward into the lower natures which are brutes. Or you can grow upward from your soul’s reason towards the higher natures that are divine.’

Giovanni Pico della Mirandola, *On the Dignity of Man* (1486) (tr., P.J.W. Miller; 1965), 5 (God speaking to Man).

‘But there is another meaning of humanism [other than belief in humanity as the ultimate value] which is the following: the human being [*l’homme*] is always outside himself, and it is in projecting himself and losing himself outside himself that he makes the human being exist and, also, it is in pursuing transcendent purposes that he can exist... This link between transcendence, as constitutive of the human being... and subjectivity, in the sense that the human being is not enclosed within himself but always present in a human universe, this is what we call existential humanism.’

J-P. Sartre, *L’existentialisme est un humanisme* (‘Existentialism is a Humanism’) (1946/1996), 76 (present author’s translation).

‘I distinguish the humanitarianism that I have in mind here – sensitivity to the abstract quality of what is human, sensitivity to “the total form of the human condition” (Montaigne) – from the feeling that people normally call by this name and which is a love of human beings in the concrete. The former (which would better be called humanism) is attachment to a concept; it is a pure passion of the intelligence, indicating no earthly love; ... it is the thing that informs the humanity of the great patricians of the mind, of an Erasmus, a Malebranche, a Spinoza, a Goethe.’

J. Benda, *La trahison des clercs* (‘The Betrayal of the Intellectuals’) (1927/1946/1975), 227 (present author’s translation).

‘The human mind is still capable of re-imagining society and law as the foundation of a better human condition. We may have one last chance to think well in order to make a better human future. The human mind is still capable of making the human world into a place of human happiness.’

Ph. Allott, *Eutopia. New Philosophy and New Law for a Troubled World* (2016), §2.66.

49. Today, the dialectical challenge is particularly exciting, in a world of ever-increasing chaos, dominated by autonomic social and economic systems into whose mechanisms it may be difficult to insert transcendental ideas, a world in which cultural conflicts have gone beyond polite dialectics to become, once again, life-and-death struggles, centred on inherited imagined entities of all kinds, some good and some very bad.

50. The European mind, having done so much to create the global human mind-world as it is today – for better and for worse – has a responsibility to re-imagine existing imagined entities – including the dream known as the European Union – and to imagine new entities, in order to help to make the human world become what it could be, and what it should better be.

‘It is not unknown to me how many men have had, and still have, the opinion that the affairs of the world are in such wise governed by fortune and by God that men with their wisdom cannot direct them and that no one can even help them; and because of this they would have us believe that it is not necessary to labour much in affairs, but to let chance govern them. This opinion has been more credited in our times because of the great changes in affairs which have been seen, and may still be seen, every day, beyond all human conjecture. Sometimes pondering over this, I am in some degree inclined to their opinion. Nevertheless, not to extinguish our free will, I hold it to be true that Fortune is the arbiter of one-half of our actions, but that she still leaves us to direct the other half, or perhaps a little less.’

N. Machiavelli, *The Prince* (1513/32), ch. XXV
(tr. & ed., W.K. Marriott; 1908), 197.

‘Philosophy! The guide of our lives, the explorer of all that is good in us, exterminator of all evil! ... It was you who brought cities into existence ... Inventor of laws, teacher of morals, creator of order.’

Cicero (106-43 BCE), *Tusculan Disputations*
(tr., W. King; Loeb Classical Library; 1937), 42.

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