

Hartmann, N. "Review of *Jahrbuch for Philosophy and Phenomenological Research*, 1 Vol., 2 Parts, Halle, Max Niemeyer, 1913, 847pp." *Die Geisteswissenschaften* 35 (1914): 971-972.

The *Jahrbuch for Philosophy and Phenomenological Research* provides, aside from the large treatise by Husserl that has already been thoroughly discussed by Natorp in these pages, four more essays by the younger phenomenologists: A. Pfänder, *Zur Psychologie der Gesinnungen*; M. Scheler, *Der Formalismus in der Ethik und die material Wertethik*; M. Geiger, *Beiträge zur Phänomenologie des ästhetischen Genusses*; and A. Reinach, *Die apriorischen Grundlagen des Bürgerlichen Rechts*. Each of these works contains a microcosm of problems, the importance of which no one is likely to underestimate.

*Reinach's* essay moves in a purely *a priori* domain. Its fundamental idea is of striking simplicity: *a priori* forms of law lie at the basis of all positive law. These *a priori* forms subsist independently of positive law and are, for the most part, presupposed in it as "self-evident." This is the old idea of natural law, and yet it is not; it does not deal with an ideal law or absolute juridical norms, but with actual "foundations," with reference to which every positive determination—even an ideal one—must necessarily arise. It is not construction that is being peddled here, but shining a light on juridical facts, first among them the *a priori* intuitive being of law. Positive law may deviate from this being, but cannot cancel it or fail to be conditioned by it. There are many such primal forms [*Urbilde*]. In the case of promising, entitlements and obligation, this view opens up the domain of an extensive *a priori* doctrine of law. Pure essences and essential connections compose this domain. The "relation of possession" implicit in property, in transfers of right, granting of a right, delegation, etc., becomes particularly clear. The attempt to work out "originary juridical laws" is worth noting, as is the section on "fundamental legal competence" in particular, which "is not further reducible and has its ultimate origin in the person as such."

*Scheler* pursues a similar objective in his *Ethics*. The psychological difficulties that stand in the way of *apriorism* are of course far greater here. A critique of Kant forms the point of departure and reaches the conclusion that an ethics of disposition and of autonomous self-determination does not necessarily need to be "formal" in the Kantian way at all, and that every material ethics does not lead to eudaimonism, hedonism, or ethics of success. The evidence for this conclusion consists in the correct formulation of the phenomenon of value. Values are "material," substantive primal forms of the ethical sphere, not merely forms of volition. They are independent of their bearers, the goods, as well as from actual volitions, and are *a priori* intuited. Desiring and willing are always already determined through them, not the reverse. Kant construed every material ethic as heteronomous, simply because he did not know of any *a priori* material. Of greatest interest here is Scheler's initiative to develop a system of values. Along with "value height" and their essential relations to value bearers, he describes the "modalities of value" and the "series" or dimensions of value. It turns out that the higher ranks of values (such as the "spiritual values") show, in contrast to the lower (e.g., vital values) a clear independence and detachment. The final chapter is devoted to disposition and deed. The latter is particularly closely analyzed. An abundance of important insights is engendered here, of both a psychological and ethical nature; hard to access aspects of phenomena are demonstrated with striking evidence, e.g., the selective value of "being able to do," the significance of situation and

of constitutive factors in resistance, which can themselves belong to different phenomenal spheres. Here too the determining role of *a priori* values really becomes clear. ---Scheler's analyses are perhaps not sufficiently careful in their details. Particularly in his critique of Kant he sometimes goes too far. Kant's formal principle does not stand in such crude opposition to *a priori* material value as we are led to believe. However, the positive contents are entirely independent of this historical question: their strength lies in the great wealth of what is actually intuited (*tatsächlich Geschauten*), in their abundance of ideas and stimulating insights. It would be petty to argue over details here.

*Pfänder's* tidy analysis of "effective dispositions" teaches us with gratifying lucidity what is to be understood by psychology on a phenomenological basis. The investigation proceeds with a many-sided comparison of similar phenomena, other intentional experiences and feelings. Then the positive traits of disposition are determined, the centrifugal stream of feelings, the polarity of positive and negative—typically in love and hate—the inner unification with (or detachment from) the object that supports the stream of feelings, and finally the act of affirmation (or negation) which superforms the whole. The last two factors throw a completely new light on the peculiar complexity of the phenomenon of disposition: it is a "three pronged structure," as it were, in its aim at the object. The meaning of this is of course only assessed through the comparison of different forms of disposition: the upward looking, straight ahead, and downward looking disposition. It is shown that the inner difference between these forms is expressed most clearly in the structure of the dominant undercurrent (unification and division). The concluding observation regarding phony dispositions, as well as the perspective on psychical artifice in general, is quite informative. ---*Pfänder* proceeds with great care in the work. Nowhere does he claim too much. Sometimes we expect to see more consequences than he shows. Without question, his results render an immediate benefit to ethics.

*Geiger* presents himself with a very difficult task: to tackle aesthetics from the subjective side of enjoyment. This is a completely new treatment; it does not have the intention of providing a foundation for aesthetics, but is limited to a—quite necessary to be sure—preliminary study. *Geiger* proceeds from the universal psychological phenomenon of enjoyment in order to extract "aesthetic enjoyment" specifically from it by virtue of its peculiar traits. In this way, it is shown that much of what we usually ascribe to the latter is in actuality common to all enjoyment. It turns out that all enjoyment is without motive, presupposes an intuitive abundance in the object, and consists in an inner "giving oneself to the object," which excludes all critical stance-taking. But the central point concerns the condition of the ego. Enjoyment is "centered on the ego," it is "affectedness of the ego;" it shows the quiet keeping-to-itself of the ego, but at the same time the tendency to fill up the ego completely, to penetrate to its depths. In fact, enjoyment can be deeply experienced in very different ways. All of its particular qualities and distinctions depend on the point of departure in the ego.—The specific attributes of aesthetic enjoyment are clearly extracted from these common traits. It is conditioned by a kind of observation that "keeps-the-object-at-a-distance." The section on often-invoked aesthetic disinterestedness is particularly successful (through an excellent *Auseinandersetzung* with Kant). "The observation must be disinterested, not the enjoyment." It consists in "an enjoyment in the disinterested observation of the abundance in the object." Of course, an "orientation toward depth" must attach to this, which is not shown in the other types

of enjoyment.—We only need to take a quick look at these sober, substantive analyses in order to see that an aesthetics oriented to matters of fact cannot afford to do without them.—

As much as the substantive side of these four treatises deserves our undivided attention, we can learn even more important things from them. Their placement together in the *Jahrbuch* is not arbitrary; the mode of research in them forms their inner unity. In educated circles today, an ambiguity prevails about what phenomenology is and strives to be. If anything can lift the veil from the essence of this method, then it is the opportunity offered here to see it directly at work. An introduction to it through praxis is more effective than theoretical-methodological explanations. The authors are also well-aware of this; none of them neglects to shed light on the method itself. *Scheler's* and *Geiger's* remarks of this kind are particularly worth thinking about.

When we, as outsiders, apply ourselves to characterizing the unifying conceptual structure that recurs here in very different domains, then, put briefly, we have to say that we are dealing with a lavish expansion of the descriptive method. The object of description here is not merely the object of perception, the contingent individual case, but is just as much universally valid aspects or laws, in short, the *a priori*. And the emphasis lies on them. The claim that that *a priori* and descriptive method have to work together is not anything new, of course. But that they together form one simple method; that there is a simple, plain demonstration of *a priori* elements, and that such a thing is possible in all domains of philosophical research, and indeed, forms the basis for all further research, this is a novel achievement for systematic philosophy in the contemporary context. The *a priori* is not disclosed on the basis of something given; it is itself immediately given. We need only correctly direct our view to it in order to intuit it and to reveal it. Evidence is the indicator of what is clearly beheld. We encounter it everywhere as first and last authority for judgment.—This method has the great advantage that it places the researcher directly before the object (*Sache*), whether it is material or ideal (essence), and not before concepts, definitions, and judgments. In this way, a whole series of epistemological difficulties is excluded; phenomenology does not need to busy itself with them, and in principle stands entirely “this side” of all theory. It remains to a certain extent purely empiricist—even in the sphere of the *a priori*. This naturally contradicts the conventional concept of the empirical and *a priori*. It agrees just as little with the traditional concept of givenness. However, these contrasts with the dominant epistemology are perhaps precisely the most important thing that phenomenology gives us the opportunity to think about. Are these very concepts of givenness and empiricism perhaps false and in need of revision? Why should there not also be givens in the sphere of *a priori* experience and a simple description revealing them? By what other means would we get them unless there is an immediate evidential grasp of the *a priori*! In whatever way we answer these questions, we cannot set aside a very thorough consideration of them; and in doing so we cannot avoid orienting ourselves by the labor actually accomplished by phenomenology.

No one would seriously consider it a shortcoming that the phenomenologists themselves do not have the necessary theory to complement these studies. First comes the thing itself (*Sache*), then the theory of the thing itself follows. The fundamental intention to not construct a “standpoint” in advance is something everyone who understands the matter knows is a wise limitation. An empirically descriptive method can always get away with this. That said, we should not think that all the implicit elements of a standpoint are completely lacking

here. We do not even need to look at Husserl's new methodological developments, which are, in any case, not as purely phenomenological as they are meant to be. It will suffice to look at the tacit presuppositions of the treatises just discussed. They include assumptions such as these: 1. all *a priori* essences are also *a priori* evident, i.e., may be brought to immediate intuition; 2. each *a priori* piece of evidence actually corresponds to an existing essence; 3. these essences are conceivable in isolation from the context of the individual facts dependent upon them; 4. all evidence has the same claim to factuality and objectivity—and a series of other easily detectable assumptions. This is not the place to investigate their soundness more closely. However, a fruitful discussion of these and similar questions is to be expected, and by its means the hoped-for reconciliation between phenomenology and its still numerous opponents would be initiated.

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