Mieczysław Albert Krąpiec

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MIECZYSŁAW ALBERT KRĄPIEC OP: PERSON AND WORK

TABLE OF ABBREVIATIONS

The selected works by Mieczysław A. Krąpiec OP

AFC "U podstaw rozumienia kultury" [At the Foundations of an Understanding of Culture], in M.A. Krąpiec, *Dzieła*, vol. 15. Lublin: Redakcja Wydawnictw KUL, 1991.

DEE *Byt i istota. Św. Tomasza "De ente et essentia." Przekład i komentarz* [*On Being and Essence: St. Thomas' "De ente et essentia." Translation and Commentary*], pp. 7–47. Lublin: Redakcja Wydawnictw KUL, 1994.

DMB "Decision – a moral being" [Decyzja – bytem moralnym], *Roczniki Filozoficzne* 31, no. 2 (1983), pp. 47–65.

ETM "Etyka jako teoria moralności" [Ethics as a Theory of Morality], in *Powszechna encyklopedia filozofii*, vol. 3, eds. A. Maryniarczyk et al., pp. 284–290. Lublin: Polskie Towarzystwo Tomasza z Akwinu, 2002.

HFL *Ludzka wolność i jej granice* [*Human Freedom and its Limits*]. Lublin: Redakcja Wydawnictw KUL, 2000.

IM *I – Man: An Outline of Philosophical Anthropology*. Translated by M. Lescoe and others. New Britain, CT: Mariel Publications, 1983. Abridged edition by F.J. Lescoe and R.B. Duncan. New Britain, CT: Mariel Publications, 1985.

MEE "Przeżycie moralne a etyka" [The Moral Experience and Ethics], *Znak*, no. 9(135) (1965), pp. 1129–1146.

Met *Metaphysics: An Outline of the Theory of Being*. Translated by M. Lescoe, A. Woznicki, Th. Sandok. New York: Mariel Publications, 1991.

PNL *Person and Natural Law*. Translated by M. Szymańska. New York: Peter Lang, 1993.

RHC "Realizm ludzkiego poznania" [Realism of Human Cognition], in M.A. Krąpiec, *Dzieła*, vol. 2. Lublin: Redakcja Wydawnictw KUL, 1995.

TAB "Teoria analogii bytu" [Theory of the Analogy of Being], in M.A. Krąpiec, *Dzieła*, vol. 1. Lublin: Redakcja Wydawnictw KUL, 1993.

TMM "Z teorii i metodologii metafizyki" [On the Theory and Methodology of Metaphysics], in *Dzieła*, vol. 4. Lublin: Redakcja Wydawnictw KUL, 1994.

UMB "O rozumienie bytu moralnego" [Understanding the Moral Being], *Roczniki Filozoficzne* 31, no. 2 (1983), pp. 91–102.

Other abbreviations

AP   *Roczniki Filozoficzne* [*Annals of Philosophy*].

EPP   *Encyklopedia filozofii polskiej* [*Encyclopedia of Polish Philosophy*], vols. 1–2, ed. A. Maryniarczyk. Lublin: Polskie Towarzystwo Tomasza z Akwinu, 2011.

EWS   *Encyklopedia „białych plam"* [*Encyclopedia of the "White Spots"*], vols. 1–20. Radom: Polskie Wydawnictwo Encyklopedyczne, 2000–2008.

PTTA   Polskie Towarzystwo Tomasza z Akwinu.

STh   S. Thomae Aquinatis, *Summa theologiae*.

UEP   *Powszechna encyklopedia filozofii* [*The Universal Encyclopedia of Philosophy*], vols. 1–10, eds. A. Maryniarczyk et al. Lublin: Polskie Towarzystwo Tomasza z Akwinu, 2000–2009.

1.

LIFE AND
SCHOLARLY ACTIVITY

Mieczysław Albert Krąpiec was a philosopher, theologian and renowned humanist, the main figure behind the founding of the Lublin School of Philosophy. He was born on the 25th of May 1921 in the village of Berezowica Mała (located in the Zbaraż region of the Tarnopol voivodship, now in Ukraine) and he died on the 8th of May 2008 in Lublin. In 1931, after four years of elementary school (in his home village), he began his education in the Wincenty Pol Classical Gymnasium in Tarnopol. It was a school where the basis of teaching were classical languages (four years of Ancient Greek, eight years of Latin) as well as reading works by classical authors. In June 1939, after graduating from the gymnasium and passing the final exams (in Polish: *matura*), he joined the Order of the Dominican Fathers in Krakow. There, during the Nazi German occupation, he participated in clandestine academic courses in philosophy and theology at the Dominican Philosophical-Theological College (1940–1945). In June 1945 he was ordained as a priest. He wrote his doctoral dissertation in philosophy entitled *On the Natural Love First and Foremost towards God* in Latin[1] and defended it under the supervision of Fr. Prof. Jacek Woroniecki OP. The defense of this work was confirmed by the Angelicum, the Pontifical University of Saint Thomas Aquinas in Rome, and he was granted the degree of Doctor of Philosophy. In the years 1946–1948, while already working as a lecturer at the Krakow Dominican Fathers College, he prepared a second doctoral dissertation (also in Latin) in theology: *On Personal Love in the Holy Trinity according to Saint Thomas*

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[1] The original title reads *De naturali amore Dei super omnia in creaturis*.

Aquinas[2] (under the supervision of Rev. Prof. Antoni Słodkowski). He defended it in 1948 at the Catholic University of Lublin.[3] In 1951 he started his post-doctoral degree procedure (habilitation) at the philosophical department of the Faculty of Theology at the University of Warsaw. After it was closed down by communist authorities he presented his post-doctoral dissertation *Egzystencjalne podstawy transcendentalnej analogii bytu* [*Existential Foundations of the Transcendental Analogy of Being*] at the Faculty of Christian Philosophy at the Catholic University of Lublin and he received the title of associate professor. In 1962 he received the title of university professor and in 1968 he became a full, titular professor.

Krąpiec was connected with the Catholic University of Lublin from 1951. There, at the Faculty of Christian Philosophy, he started his teaching (lectures on metaphysics, the philosophy of God, epistemology) and scholarly work (shaping a vision of philosophy and culture alternative to that of Marxism, based on so-called perennial philosophy as well as "returning" from Augustinism presented by Rev. Pastuszka to Thomism).[4] In that academic community he encountered a number of renowned thinkers (Stefan Swieżawski, Jerzy Kalinowski, Stanisław Kamiński, Marian Kurdziałek, Karol Wojtyła), for whom the main purpose of all intellectual activity was discovering the truth about reality and saving it from the Marxist ideology that was being institutionally promoted at the time. The academic cooperation and research unity with a group of professors inspired by the best traditions of classical philosophy (Aristotle, Saint Thomas Aquinas) based on the realistic method of practicing philosophy contributed over the years to the establishment of the so-called Lublin School of Classical Philosophy. The foundation of this school was the realistic trend within 19th and 20th century neo-scholastics, with its main representatives Étienne Gilson and Jacques Maritain.

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[2] The original title reads *De amore hipostatico in Sanctissima Trinitate secundum St. Thomam Aquinatem*.

[3] The current name of the university is The John Paul II Catholic University of Lublin.

[4] M.A. Krąpiec used the term "perennial philosophy" in reference to realistic-metaphysical philosophy in the Aristotelian-Thomistic current reaching back to the schools at Miletus, Athens, Roman as well as medieval schools. See *Porzucić świat absurdów. Z Mieczysławem A. Krąpcem OP rozmawia ks. Jan Sochoń* (Lublin: PTTA, 2002), pp. 50–51.

Between 1958 and 1961, as well as between 1969 and 1970, Krą-piec held the position of Dean at the Faculty of Christian Philosophy three times at the Catholic University of Lublin, whereas between 1970 and 1983 he was elected to be the rector at that university five times. While holding this position, he prevented the closing down of the Catholic University of Lublin (the communist regime wanted to merge it with the Catholic Theological Academy in Warsaw into one Catholic university) and he contributed to its development, scientific renewal and international recognition.

Krąpiec was a member of many scholarly associations in Poland and abroad, among others of Pontificia Accademia di San Tommaso d'Aquino, Academia Scientiarum et Artium Europea, Société Interna-tionale pour l'Étude de la Philosophie Médiévale, Görres Gesellschaft, Societas Humboldtiana Polonorum, Pontificia Academia Theologica, Società Internazionale Tommaso d'Aquino, the Learned Society of the Catholic University of Lublin, the Lublin Scientific Society, the Polish Academy of Science, the Polish Academy of Learning, the Polish Philo-sophical Society. He received doctor honoris causa degrees from the following universities: Pontifical Institute of Mediaeval Studies in Toronto (1989), Universitas Catholica Lovaniensis in Belgium (1990), Ternopil Experimental Institute of Pedagogical Education in Ukraine (1993). He received numerous awards for his outstanding scholarly activities, among others, the Order of Academic Palms from the French Government, the Order of Leopold II (Belgium), the Knight's Cross of Polonia Restituta with a Star, Premio Internazionale Salsomaggiore Parma (Italy), Medal of Merit for the Catholic University of Lublin, the "Polonia Mater Nostra Est" Medal.

The most important works by Krąpiec are: *Realizm ludzkiego pozna-nia* [*Realism of Human Cognition*, 1959], *Teoria analogii bytu* [*Theory of the Analogy of Being*, 1959], *Dlaczego zło? Rozważania filozoficzne* [*Why Evil? Philosophical Reflections*, 1962], *Z teorii i metodologii metafizyki* [*On the Theory and Methodology of Metaphysics*, 1962; co-authored with Stanisław Kamiński], *Struktura bytu: Charakterystyczne elementy syste-mu Arystotelesa i Tomasza z Akwinu* [*Structure of Being: Characteristic Elements of Aristotle's and Thomas Aquinas's System*, 1963], *Arystotelesa koncepcja substancji: Ogólna teoria i wybór tekstów* [*Aristotle's Conception of Substance: General Theory and an Anthology of Texts*, 1966], *Metafi-zyka: Zarys podstawowych zagadnień* [*Metaphysics: The Outline of Basic Problems*, 1966], *Ja – człowiek: Zarys antropologii filozoficznej* [*I – Man:*

An Outline of Philosophical Anthropology, 1974], *Człowiek i prawo naturalne* [*Person and Natural Law*, 1975], *Język i świat realny* [*Language and the Real World*, 1985], *Kim jest człowiek?* [*Who is Man?*, 1987], *Człowiek w kulturze* [*Man in Culture*, 1990], *Suwerenność… czyja?* [*Sovereignty—Whose?*, 1990], *U podstaw rozumienia kultury* [*At the Foundations of an Understanding of Culture*, 1991], *O rozumienie filozofii* [*Towards the Understanding of Philosophy*, 1991], *Wprowadzenie do filozofii polityki* [*An Introduction to Philosophy of Politics*, 1992], *Wprowadzenie do filozofii* [*An Introduction to Philosophy*, 1992; co-authored with Stanisław Kamiński, Zofia J. Zdybicka and Piotr Jaroszyński], *Odzyskać świat realny* [*Back to the Real World*, 1993], *O ludzką politykę!* [*Toward a Human Politics!*, 1993], *Poznawać czy myśleć: Problemy epistemologii tomistycznej* [*To Cognize or to Think: Problems of Thomistic Epistemology*, 1994], *Psychologia racjonalna* [*Rational Psychology*, 1996], *Ludzka wolność i jej granice* [*Human Freedom and its Limits*, 1997], *O chrześcijańską kulturę* [*Towards the Christian Culture*, 2000]. Above and beyond that he published more than 400 articles, studies, dissertations as well as numerous reviews of post-doctoral and professorial dissertations. He supervised 60 doctors of philosophy and 300 MA graduates. A number of his disciples work in various academic centers in Poland and abroad, continuing or modifying their master's concepts and ideas. The magnificent crowning of his career was initiating the work on publishing the first Polish *Universal Encyclopedia of Philosophy* (*Powszechna encyklopedia filozofii*). He served as the head of its academic committee and during the last nine years of his life he successfully brought this ten volume oeuvre to completion.[5]

Topics of inquiry

Krąpiec's scholarly interests spanned eight main fields:

(1) General metaphysics (the questions of the internal structure of being, the cause-and-effect relations between beings and the reasons for pluralism and the analogical unity of the entire existing reality);

(2) Methodology of metaphysics (the method of distinguishing the object of metaphysics; the construction and the contents of these

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[5] Volume 10 (*Supplement*) was published a year after Krąpiec's death.

concepts; issues with proofs and justification as well as types of meta-
physical statements; the possibility of axiomatizing and formalizing
metaphysics);

(3) Metaphysics of cognition (the object of intellectual cognition
and the affirmation of its existence; the rules of the rational cognitive
order; the issue of the truthfulness of cognition; analogical-transcen-
dentalist epistemology; the question of truth);

(4) Philosophical anthropology (the issue of the experience of in-
ternal human subjectivity and agency as well as the soul organizing
the human body; the transcendence of the human subject with re-
gards to nature and society; the interpretation of human cognition,
morality and freedom; the theory of personal being; the human being
in social relations as well as in the perspective of the fact of death);

(5) Philosophy of law (the human person as a sovereign being
and the subject of law; the analysis of natural rights—*ius* and the leg-
islated law—*lex*; the concept of the common good; forms of social
life);

(6) Philosophy of politics (the primacy of nature and morality
over the order of the state and its effectiveness; the common good as
the purpose of politics; the concept of the social being);

(7) Philosophy of culture (analysis of the main domains of culture:
cognition, morality, art and religion; the sign character of culture;
typology of civilizations; culture as a place where the human being
develops, flourishes and is being prepared to a new mode of existence
in eternity);

(8) Philosophy of language as a system of signs (the nature of
concepts; analysis of judgements; subjective and objective factors
of using a language; analogical language).

The characteristic features of Krąpiec's philosophy were: cognitive
realism (the object of cognition is the really existing being); maximal-
ism (taking on all of the existentially significant issues); methodolog-
ical autonomy in relation to the natural sciences and theology; tran-
scendentalism of metaphysical assertions (assertions which relate to
the entirety of reality); methodological-epistemological unity (the
same method as the one utilized in the objectively practiced philosoph-
ical disciplines); consistency (guaranteed by the internal congruency

of the object); objectiveness (achieved thanks to the self-tacking veri-
fiability of assertions which is accomplished by referring them every
time to objective obviousness). This consistent program of philoso-
phizing conducted by the Lublin School of Classical Philosophy led to
the emergence of a new and original philosophical synthesis which
went beyond the hitherto binding historical and scholastic limitations.
Thanks to this the school was able to engage in a dialogue with the
most important currents of contemporary philosophy (Neo-Posi-
tivism, Neo-Kantianism, phenomenology, analytical philosophy, exis-
tentialism). Krąpiec himself, on the other hand, formulated a coherent
array of views which encompassed with its metaphysical explanations
the entirety of reality available to human cognition.

2.

AN OVERVIEW OF
THE ERA

The period in which Krąpiec was active, after World War II, belonged to the most difficult in the history of Poland, also with respect to every-day existence. The war also wreaked havoc in the sphere of culture and scholarship where apart from destroying and plundering goods of material culture their creators or the intelligentsia in general were systematically exterminated. This was the effect of the actions of both occupying powers which combined their forces in their murderous efforts.[6] One can ponder whether those were not the hardest times in the history of Poland in terms of intellectual and cultural circumstances. Ultimately, because of World War II, Poland was pulled into the sphere of influence of the Soviet Union, which by all possible means propagated in the territories under its jurisdiction a Marxist,[7]

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[6]   See A.L. Szcześniak, EWS, s.v. "Akcja AB," vol. 1 (Radom: PWE, 2000), p. 64; A.L. Szcześniak, EWS, s.v. "Katyńska zbrodnia," vol. 9 (Radom: PWE, 2002), pp. 163–182; A.L. Szcześniak, EWS, s.v. "Einsatzgruppen," vol. 5 (Radom: PWE, 2001), pp. 228–235; A.L. Szcześniak, EWS, s.v. "Generalny Plan Wschód," vol. 6 (Radom: PWE, 2001), pp. 293–311; A.L. Szcześniak, EWS, s.v. "Gestapo," vol. 6 (Radom: PWE, 2001), pp. 318–320; M. Trzcińska, EWS, s.v. "KL Warschau," vol. 9 (Radom: PWE, 2002), pp. 208–211.

[7]   It was sometimes called communism (See J. Bartyzel, EWS, s.v. "Komunizm," vol. 9 [Radom: PWE, 2002], pp. 282–295) or Marxism-Leninism due to acknowledging the role of one of the "fathers" of the communist revolution of 1917 in Russia and his contribution to the modification of this ideology and its adaptation to the circumstances of Russia at the time (See S. Kowalczyk, EWS, s.v. "Leninizm," vol. 11 [Radom: PWE, 2003], pp. 55–56; S. Kowalczyk, EWS, s.v. "Marksizm," vol. 11 [Radom: PWE, 2003], pp. 276–282). Analogically, the times since Stalin's power grab in the USSR and the modifications introduced by him, as well as the style of governance was called "Stalinism" (see S. Kowalczyk, UEP,

materialistic,[8] naturalistic[9] and deliberately atheistic[10] ideology with all of the intellectual trends and currents that corresponded with it, such as evolutionism[11] or secularism.[12]

Scholars who survived the desolation of war and opposed the new ideology were removed from their universities, promptly being replaced by appointed lackeys of the system, while the universities themselves were subject to ideological pressures and theological departments were removed from universities. In their place, theological academies under the patronage of the Catholic Church were established, e.g., the Academy of Catholic Theology (ATK) in Warsaw (with the exception of the Christian Theological Academy [ChAT], which was created from the merger of the faculties of Orthodox and Protestant theology at the University of Warsaw). Pre-war scholars from the field of philosophy, who were able to remain at their universities, escaped from the ideology into translational, historical-philosophical or logical-methodological endeavors. The few exceptions were scholars with an international reputation, such as Izydora Dąmbska,[13] Maria and Stanisław Ossowski[14] or to a certain degree Tadeusz Kotarbiński,[15]

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s.v. "Stalin Józef," ed. A. Maryniarczyk, vol. 9 [Lublin: PTTA, 2009], pp. 166–168). Due to the instrumental way of understanding philosophy, this ideology was called "Marxist philosophy."

[8] See A.B. Stępień, EPP, s.v. "Marksistowski materialism," vol. 2 (Lublin: PTTA, 2011), pp. 54–64.

[9] See S. Kowalczyk, EWS, s.v. "Naturalizm," vol. 12 (Radom: PWE, 2003), pp. 318–320.

[10] Or even murderously atheistic, taking into account the number of destroyed churches and monasteries (c. 14 thousand) as well as murdered clergymen (ca. 43,000). See A. Zwoliński, EWS, s.v. "Ateizacja," vol. 2 (Radom: PWE, 2000), pp. 53–71; S. Kowalczyk, EWS, s.v. "Ateizm," vol. 2 (Radom: PWE, 2000), pp. 71–78.

[11] See M. Giertych, EWS, s.v. "Ewolucja," "Ewolucjonizm," vol. 6 (Radom: PWE, 2001), pp. 22–34, 34–37.

[12] See P. Mazanka, UEP, s.v. "Sekularyzm," vol. 10 (Lublin: PTTA, 2009), pp. 391–394.

[13] See K. Wójcik, EPP, s.v. "Dąmbska Izydora Helena Maria," vol. 1 (Lublin: PTTA, 2011), pp. 277–280.

[14] See T. Biesaga, EPP, s.v. "Ossowska Maria," vol. 2 (Lublin: PTTA, 2011), pp. 290–293; B. Wiśniewska-Paź, EPP, s.v. "Ossowski Stanisław," vol. 2 (Lublin: PTTA, 2011), pp. 293–297.

[15] See W. Gasparski, EPP, s.v. "Kotarbiński Tadeusz Marian," vol. 1 (Lublin: PTTA, 2011), pp. 726–731.

as well as the phenomenologist Roman Ingarden,[16] who was permitted a certain degree of autonomy (until the time, when between 1950 and 1957 he had to leave his university; but then he was allowed to return) and the continuation of his inquiries together with a group of thinkers from his circle at the Jagiellonian University in Krakow.

The regime imposed on Poland by the USSR operated from behind the so-called Iron Curtain, an intellectual and physical barrier whose purpose was to separate the bloc of Soviet-controlled states from any Western influence: whilst primarily political and economic, it was also social and cultural. This led to the almost complete intellectual isolation of the countries of East Central Europe. A significant symptom of that was even the (quite effective) jamming of all foreign radio stations broadcasting in Polish for Poles living under the new political and ideological occupation (a similar situation existed in other occupied countries). All personal contacts, international exchanges and trips abroad as well as visits of guests from Western countries were drastically limited. It was only possible under strict control within the realm of socialist countries, artificially bound with each other by means of the ideology of international socialism. The only exceptions were meticulously selected people, most frequently collaborators of the secret police, who had additional special tasks entrusted to them. All of those who wanted to come to Poland were selected in a similar way. In such a situation, the cultural and intellectual currents existing and emerging in the "free world" played a marginal role, at least during the first twelve years of the regime imposed on Poland. The dominant, forcefully imposed Marxism became the main "ideological opponent" of Polishness and Catholicism. The situation improved slightly after the protests in Poznan in 1956, when a change in power took place and a process of abandoning Stalinism in politics and ideology was started, which was called the "October thaw." After a decade or so and after the 1970 riots on the Polish coast and the subsequent change of power, further liberalization of social and political life took place and a gradual opening up of contacts with Western Europe and North America was permitted. It was during this period that Krąpiec began his post as the rector at the Catholic

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[16] See Z. Majewska, EPP, s.v. "Ingarden Roman Witold," vol. 1 (Lublin: PTTA, 2011), pp. 524–528; and also P. Duchliński, EPP, s.v. "Fenomenologia polska," vol. 1 (Lublin: PTTA, 2011), pp. 369–378.

University of Lublin and those were the times of the greatest flourishing of the university in its entire, already more than 100 year-long history.

The Catholic University of Lublin was an absolute exception at the time of the post-war "deluge" of the Marxist ideology. In hindsight it was quite remarkable that it was able to function at all. On the one hand, a decisive factor might have been the initial weakness of the communist authorities (out of necessity supported by the USSR's Red Army and NKVD), but also the uncertainty of how society would accept the communist regime if it were imposed by force. On the other hand, a significant factor was the prewar prominence of the structures of the Catholic Church as well as a strong underground military resistance in the Lublin region aimed at the new authorities, and in fact at a new occupation against which partisans fought for a number of years, conducting numerous actions.[17] Thirdly, most probably propaganda-image factors were decisive: if the new authorities allow a Catholic university to function, then they could not be as bad as their opponents depicted them. The university was reopened already in October 1944 when World War II was still going on and its final results were still uncertain. It was perhaps meant to be one of the arguments to gain favor of Polish society and the outside world, along with other measures, such as initiating cooperation by the new authorities with prewar artists, political activists, intellectuals, senior officers, Home Army soldiers, actors, poets, clergymen and other persons of authority endowed with social prestige.

The Catholic University of Lublin was an elite place which enjoyed the greatest degree of freedom in terms of scholarly activity, despite the limitations resulting from the ruling ideology: the aforementioned

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[17] See "Józef Franczak," https://en.wikipedia.org/wiki/Józef_Franczak (access: 19.11.2019): "On 21 October 1963, 35 functionaries of a ZOMO (paramilitary riot police) unit surrounded a barn in Majdan Kozic Górnych, the village where Franczak was in hiding. They demanded his surrender; Franczak presented himself as a local peasant, but after having been asked about identity documents, he opened fire and was mortally wounded in the ensuing firefight." Also: "Józef Franczak codename 'Lalek' was the last partisan of the anticommunist resistance who fell in combat on Polish territory. He spent 24 years in the underground (1939–1963)." L. Pietrzak, *Zakazana historia. 4* (Warszawa: Wydawnictwo "Penelopa", 2012), p. 89; See V. Gut, *Józef Franczak ps. „Lalek". Ostatni partyzant poakowskiego podziemia* (Toruń: Wydawnictwo Adam Marszałek, 2004).

lack of possibility to travel to Western countries and to host scholars from there, limitations in the access to academic literature and journals, lack of permission to expand the university campus, threats of closing down the university, limited admissions, continuous surveillance by communist secret police etc., not to mention the generally difficult postwar material conditions. Krąpiec, with a group of his closest colleagues at the Faculty of Christian Philosophy (later called the Lublin School of Philosophy),[18] decided to take advantage of the relative autonomy of the Catholic University of Lublin and create a center of scholarly reflection, the achievements of which could oppose the influx of Marxist ideology as well as the dominant tendencies of positivist philosophical thinking beyond the country's borders perceived as a threat to philosophy itself.

The program of action included the development of a realistic philosophy based on Thomism in its variation renewed by Gilson and Maritain (i.e., more faithful to the texts and thoughts of Thomas Aquinas himself). Over time, the term "existential Thomism" was accepted due to its basis in the newly devised theory of existential judgements which cognitively apprehend the fact of the real existence of beings. Krąpiec also significantly contributed to its formulation, since he understood that all the basic domains of philosophy require including this new discovery in them.[19] He successfully accomplished this during the long period of his scholarly activity, as the many volumes of his *Dzieła* [*Works*] testify. Thomistic realism opposed the absolutism of Marxist materialism, considering matter as an important element of things which surround us, but not as the only one. It ascribed a dominant role in being to the act of existence which actualizes the form of being together with its matter to be a real being. On the other hand, by pointing to the fact of the real existence of beings, it opposed phenomenology,[20] that is the current based on the analysis of cognitive data of experience, as well as the developing currents of analytical philosophy and philosophy of language which limited themselves to analyses of structures and the use of language and terms

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[18] See A. Maryniarczyk, M.A. Krąpiec, EPP, s.v. "Lubelska Szkoła Filozoficzna," vol. 1 (Lublin: PTTA, 2011), pp. 894–912.

[19] See A. and D. Gondek, EPP, s.v. "Sąd egzystencjalny w ujęciu Krąpca," vol. 2 (Lublin: PTTA, 2011), pp. 497–504.

[20] See H. Kiereś, UEP, s.v. "Fenomenologia," vol. 3 (Lublin: PTTA, 2002), pp. 397–403.

contained within them.[21] A similar danger was posed by structuralism,[22] which though departing from the analyses of linguistic structures, was not limited only to them, but used the analogical method of discovering and identifying adequate structures in other domains of reality, situating itself in the formal aspect similar to formal logic.

The existential understanding of being also guaranteed its objectivism in confrontation with existentialism, which was extremely popular in the West at that time[23] and which was based on variously anthropologically practiced analyses of human existence, as if of necessity, because of the utilized methods (mainly of a phenomenological or hermeneutical nature[24]) descending into subjectivism. The realistic understanding of being based on the experienced fact of the real existence of an entity, apprehended in existential judgments, provided bases for the autonomy of the object of philosophy as an independent one from the constructed objects of particular sciences, but also for using a method of practicing philosophy adjusted to it (so-called decontradictification of the analyzed states of affairs in opposition to the empirical method in the sciences, supplemented by logical-mathematical or statistical analyses), as well as discovering, formulating and justifying claims in philosophy. The autonomy of the object and method enabled fending off positivism (especially logical[25] and neo-) in philosophy, which postulated the use of logical methods (formal logic) in philosophical inquiries and basing them on the particular sciences. This posed the threat of limiting the role of philosophy to the systematization and generalization of the results of various sciences, as well as formulating pseudo-ideological, eclectic visions referring to fragments of reality dependent on them and limited by them instead of a real and ultimate explanation of the true

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[21] See M.A. Krąpiec, UEP, s.v. "Filozofia," subchapter: "Postmodernizm," vol. 3 (Lublin: PTTA, 2002), p. 477.

[22] See M.A. Krąpiec, UEP, s.v. "Strukturalizm," vol. 9 (Lublin: PTTA, 2008), pp. 229–234.

[23] See J. Jusiak, UEP, s.v. "Egzystencjalizm," vol. 3 (Lublin: PTTA, 2002), pp. 34–45.

[24] See P. Bytniewski, P. Pasterczyk, UEP, s.v. "Hermeneutyka," vol. 4 (Lublin: PTTA, 2003), pp. 383–391.

[25] See H. Jakuszko, UEP, s.v. "Pozytywizm," vol. 8 (Lublin: PTTA, 2007), pp. 404–412; A. Koterski, UEP, s.v. "Pozytywizm logiczny," vol. 8 (Lublin: PTTA, 2007), pp. 413–417.

reality of persons and things. A similar cognitive minimalism, justified by the effort to maintain the strictness or precision of thinking, characterized the inquiries of Ingarden's school of phenomenology and the Lvov-Warsaw School[26] of logical analysis, which "already at the point of departure closed themselves off to existentially profound human problems."[27]

A very strong emphasis in the research conducted there was placed on historicism and the role of the history of philosophy as an auxiliary field of knowledge for philosophy, treated as a peculiar "laboratory" showing the consequences of various thought experiments, assumptions, intellectual currents as well as their sources and developmental phases. History of philosophy as such is a valuable tool for a philosopher.[28] Another important basis for scholarly activity were logical and methodological inquiries on the methodological status of metaphysics as a fundamental philosophical field of study, the particular branches of metaphysics which spring from it or else are based on it as well as philosophy itself and its relation to the particular sciences and theology. After loosening the iron curtain, so to speak, and reviving contacts with academic centers in the West, deliberations were conducted with the leading academic centers on the methodological status of the particular sciences and the character of the cognition acquired in their realm, the leader in this field being Stanisław Kamiński.[29] Based on these experiences, a stronger methodological self-awareness of realistic philosophy as an autonomous domain of inquiry was shaped, with an object and method independent from the particular sciences.[30]

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[26] See J. Woleński, UEP, s.v. "Lwowsko-Warszawska Szkoła," vol. 6 (Lublin: PTTA, 2005), pp. 590–598.

[27] See A. Maryniarczyk, M.A. Krąpiec, s.v. "Lubelska Szkoła Filozoficzna," p. 896.

[28] See K. Wójcik, "Zarys dziejów historii filozofii na Katolickim Uniwersytecie Lubelskim," in AP 17, no. 1 (1969), pp. 171–208.

[29] See S. Majdański, A. Lekka-Kowalik, EPP, s.v. "Kamiński Stanisław," vol. 1 (Lublin: PTTA, 2011), pp. 621–626.

[30] See P. Gondek, *Projekt autonomicznej filozofii realistycznej* (Lublin: PTTA; Wydawnictwo KUL, 2015).

3.

THE CENTRAL CONCEPTS IN HIS PHILOSOPHY

Philosophy for Krąpiec meant rational knowledge, the object of which is being in the general existential aspect, which means that everything that exists, the entire world of real beings, i.e., things, persons, events, facts, processes, in reference to which the Greek question "why" (*diá ti*) something is the way it actually is, remains valid and in the formal order it can be the appropriate object of philosophy. This is a traditional object of philosophical cognition opposed to various forms of subjectivism which reduce philosophy to the analysis of cognitive signs: concepts, the language or data of consciousness. Such an apprehension of the object of philosophy delineates a mode of its explanation which excellently characterizes metaphysics. This is why the basic manner of understanding of philosophy is identifying it fully with metaphysics.

The adequate method for metaphysical philosophy thus understood is metaphysical separation, one which indicates ultimate reasons for understanding being, the negation of which shall result in the rejection of that being. As an autonomous method, separation allows not only to distinguish the object of metaphysics, but also to cognize it deeper in the so-called process of clarification. Its purpose is to reach such factors within an analyzed being, event, fact, process or product, due to which they exist. It is not, therefore, a method parceling the object into parts which are cognized in isolation, but temporarily and theoretically separating specific essential compositional factors for the purpose of better noticing and understanding the entirety of the existing being, occurrence, event or creation.

Separation understood and applied analogically is also the method of a particular metaphysics, and therefore of all realistic philosophy. The result of using it in metaphysical philosophy is a new, existential understanding of being, the understanding of which is the most important task of philosophy. Being is perceived in a variety of ways, but the name "being" itself emphasizes the objective, independent (substantial) mode of understanding real existence. Without referring to the existence (*esse*) of being, one cannot practice philosophy (metaphysics), because it then becomes a mythology or ideology.[31] From this perspective one can notice that the philosophy of the real being is maximalist. It is not limited to some particular fragment of reality, but it pursues an element thanks to which the whole reality is real. That element is the act of existence which, although it is different in every being and individual, it analogically fulfills in every being the same function—it actualizes the content of being. Krąpiec believed that such an approach establishes in philosophy the adequate relation of thinking to cognition, where thinking (logical operations on ideas) belongs rather to the domain of art, while cognition (agreeing cognitive acts with reality which provide its understanding) belongs to philosophy.

If the object of philosophy is the really existing being (in the general existential aspect), then the various particularizations of this being are analyzed by the differentiated particular metaphysics which explain such beings as: the human being (philosophical anthropology); modes of human action (rational psychology; metaphysical psychology); human moral action (ethics); human veridical cognition (theory of knowledge, epistemology); human language (philosophy of language); human productive actions (art); interpersonal relations marked by the obligation to act or to stop acting in a certain way on account of a personal good (philosophy of law), etc. Also nature (animate and inanimate) as well as its various ontic states may be the object of metaphysical explanations. This is possible, because in all of the aforementioned areas of philosophical cognition we apply the same method of metaphysical explanation, we use the same concepts

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[31] See W. Chudy, "Dziedziny badań i wykaz publikacji M.A. Krąpca" in *Wierność rzeczywistości: Księga pamiątkowa z okazji jubileuszu 50-lecia pracy naukowej na KUL o. prof. Mieczysława A. Krąpca*, ed. Z.J. Zdybicka et al. (Lublin: PTTA, 2001), pp. 19–20.

and laws elaborated within metaphysics, and we express the results of our inquiries in an integrated, natural language. This guarantees the unity and congruency of philosophical explanation: i.e., a unified type of philosophizing in which every domain of philosophical cognition concerns only a specifically particularized one and the same object of metaphysics. The differences result from the fact that in the realm of metaphysics we generally analyze the structure of being, while in particular philosophical disciplines we take into consideration important, for specific reasons, domains and aspects of the real being.

In his typology of philosophical disciplines Krąpiec did not distinguish philosophy of God (so-called theodicy) as a separate particular metaphysics. He believed that since at the point of departure metaphysics operates only with the experience of the being as a being or a particularized being and neither God, nor the experience of God are available at this point, the issue of the Absolute Being (God) can appear only as an ultimate reason for metaphysical explanation, i.e., as the fulfillment of the rational and ultimate cognition of the world of persons and things. Nevertheless, if in theoretical practice we come across distinguishing the philosophy of God as a metaphysical discipline, it has only a purely didactic purpose.

Krąpiec also had his own view on the relation of general and particular metaphysics to the particular sciences (mathematical and natural). He claimed that there is no reason why a metaphysicist should not use the results of adequate sciences, but he should only treat them as an erudite basis (in a negative way) point of departure for the determination of his own object of inquiry. Such a position does not negate the need for an inspiration for a new set of metaphysical issues, or the cognitive value of scientistic philosophy (of an epistemological or critical-ontological type). Nonetheless, he rejected the possibility of linking these modes of practicing philosophy methodologically, as well as the irrefutability of philosophies other than metaphysics for natural non-dogmatic philosophizing (that is what meta-philosophy is for). He also strongly emphasized that there is no possibility of replacing the theory of being by scientistic philosophies.

Along with general and particular metaphysics, Krąpiec also distinguished: history of philosophy, logic, methodology and epistemology, which constitute a group of auxiliary disciplines in the practice

of metaphysics, and he described their status in the categories of meta-philosophical disciplines.[32]

He attributed a special place and task for the history of philosophy as it provides metaphysics with an experience of history which is indispensable for adequately choosing the mode of practicing it. Therefore, the history of philosophy is, in a way, an introduction to metaphysics since it refers to various solutions to philosophical problems which have occurred throughout the ages. It also constitutes a platform for solving epistemological problems and it helps choose the adequate type of metaphysics in which the explanation of the world of persons and things was objectively and historically checked and verified. Apart from that, the history of philosophy guarantees cognitive progress; i.e., discovering novel—philosophically profound—cognitive aspects. Securing the rationality and purposefulness of decisions concerning the present and the future, it shapes a tradition and provides a depository for cognitively significant experiences.

Another important topic for Krąpiec was the relation between metaphysics and logic. He saw all of the problems with adapting contemporary logic to metaphysics in the attempts at reducing metaphysical cognition to a logical-mathematical level. He believed that the tools provided by contemporary logic—due to their construction and structural accessibility—provide cognition of a combinatorial or operationalist sort. And since metaphysical cognition is concretistic, transcendental and based on the analogical language, the tools of contemporary logic are not capable of encompassing and improving metaphysical cognition. Therefore, whoever would completely reduce all argumentative-systematizing reasonings of metaphysics to operations directed exclusively by the rules of logic would not only impoverish metaphysics that way, but also deform it.

Theory of the analogy of being

An important key to the philosophical cognition of the world of persons and things, according to Krąpiec, is the analogy, to which he

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[32] See S. Kamiński, *Dziedziny teorii bytu*, in *Studia z filozofii Boga*, ed. B. Bejze, vol. 3 (Warszawa: Akademia Teologii Katolickiej, 1977), p. 93. The concept of philosophical cognition according to Krąpiec is discussed more in the present book in chapter *Realistic epistemology*.

dedicated his first monograph. In ordinary language we understand it as a "dissimilar similarity." That is why we speak of analogy when we deal with plurality of things which are basically different, and yet similar in certain aspects. In his works *Teoria analogii bytu* (1959) and *Język i świat realny* (1985) Krąpiec demonstrated that analogy in the realm of philosophy refer mainly to the mode of the way things are and, subsequently, to, the modes of cognition, predication and inferencing. And thus he distinguished four main types of analogy: of being, cognition, predication and of inference (*heuresis*). The opposite to the analogy of being is monism (everything is the same), variabilism (nothing is stable and identical with itself) or isolationism (radical individualism: everything is different). Oppositions for the analogy of cognition (predication) are: univocity (a name has only one referent, e.g., the name "capital of Poland") or ambiguity (a name has many referents, e.g., "lock"). Krąpiec stressed the fact that ignorance of analogy results in an absence of philosophical culture and most of all in the devastation of the autonomy of philosophical cognition. This fact is most often revealed in methodological monism: i.e. transferring the method of the mathematical and natural sciences to philosophy as the only proper scientific method which necessarily leads to cognitive reductionism.

The basis for the analogy of cognition is the analogy of being. This is the case because things in their beingness are analogical; i.e., despite its multifold complexity each thing also constitutes a (analogical) unity. However, it is not a uniform whole and unity. For example, the human being does not exist as an eye or as an ear, although those are elements of his or her being—and later—he or she also does not exist as an aggregate of diverse elements which would be assigned to some whole. Krąpiec, by expanding this fact to the entirety of reality (which we can cognize), showed that it is not some sort of monolith and that it not a scattered assemblage of completely different things either, but that it creates an analogical whole. That is why he pointed to different types of analogies: intra-ontic, inter-ontic, metaphorical, attributive, and of general as well as transcendental proportionality.

Krąpiec stressed the fact that every being is comprised of numerous components-factors. All of these components-factors, mutually assigned to one another, form one, relationally bound, essential whole of a particular being. Due to the network of real, specific

relations[33] in an existing being this being is prone to various changes and at the same time—despite all of the possible changes—it remains the same thing, identical and relationally equivalent. It is the relational identity of the being, with all its changeability, which is called an intra-ontic analogy in which significant ontic compositions are distinguished, such as: substance–accidents, matter–form, act–potentiality, essence–existence. An important intra-ontic composition in a being is also the relational unity of its corpuscular components, i.e. material composites which are quantifiable and are the basis for research in mathematical and natural sciences. Apart from the being is analogical in itself, it is simultaneously analogical in reference to other real beings, constituting a universe of contingent beings. This occurs, because beings are connected with each other by a countless number of relations which—taken altogether—we call reality, the world, the cosmos—a relational unity and mutual inter-dependence.

This network of intra-ontic and inter-ontic relations is so great, that for some thinkers it veils their analogical expression and it directs the reflection towards a monistic unity and identity. Thus three types of relations are particularly significant for the metaphysical understanding of reality: (1) the actualization of the essence which decides about the factuality of the being; (2) the decipherability of the being for the intellect (the intelligibility of the being), the relation of the intellect to the being, i.e., the truth; (3) the relation of the being to the will-love which constitutes the order of the good and purpose. The consequence of relations occurring in beings and between beings is the analogical character of cognition and the predication connected with it. For human cognition can focus only on some of the properties of real being or on the real relations within the being or else on the concrete relations occurring between all beings. But in our cognition we can also focus on the concrete relations coursing through all beings, i.e. within the entire ontic universe.

That is why the analogy of cognition can occur as: (1) an analogy of metaphor; (2) an analogy of attribution (mutual ordering); or (3) an analogy of general or transcendental proportionality. Krąpiec

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[33] The most interesting and complex issue of relations and their role in the structure of being was described extensively by T. Duma, *Metafizyka relacji* (Lublin: PTTA; Wydawnictwo KUL, 2018), whereas their role in Krąpiec's concept of metaphysics was presented there on pp. 428–430 (transcendental relations) and 581–584 (categorial relations).

noticed that when we transfer a name of one referent to another for which it is not adequate, and in this way we express the similarity in reference to some property, action or effects, then we are dealing with an analogy of metaphor. Since we frequently encounter it in literature, it may seem to go beyond strictly realistic cognition and be an expression of the subjective (experiential) sphere of the human being. In the analogy of attribution to the "chief *analogatum*" (e.g. Adam), on account of a particular property (e.g. healthy) and by principle of efficient, formal, final or material causality, the lesser *analogatum* becomes assigned (e.g., atmosphere, food, sport). In this way, when we understand what the expression "Adam's health" means, the phrases "healthy atmosphere," "healthy food," "healthy sport" acquire a new meaning. Therefore, Adam's health constitutes a fundamental point of reference for understanding various statements about health. In the analogy of proportionality, thanks to which we can cognize intra- and inter-ontic relations formulating an analogical unity, there are: an analogon (common analogical perfection), an *analogatum* (a concrete being which is the subject of the analogon's realization) and the relation connecting the analogon and *analogatum* into a whole, which is at once different in relation to every *analogatum*. A good example of this analogy are the following, inter-connected correlates: the human being *John* is in relation with his soul in the same way as animal *X* is in relation with its soul, or plant *Y* is in relation with its soul, where the term "soul" is understood analogically, because the soul is connected to the relation of organizing the body, although this relation is different in every concrete being. When we apprehend general concepts in an analogy, which constitute the essence of a thing, but not the existence of a thing, then the analogy of proportionality is general. However, if we apprehend transcendental concepts (concerning every contingent being) which constitute the being as a being, then the analogy is transcendental. Basically, it can be reduced to three general types of relations: between the essence and existence, being and intellect as well as being and will (of the Absolute or the contingent person being).

Krąpiec stressed the fact that cognition may be articulated and thus passed on and communicated to another person. This is why the analogies of predication and inferencing are important. Analogical inferencing is situated between univocal and ambiguous predication. It may be reduced to: (1) the analogical character of propositional

predicates (general ones, but assigned to a particular concrete entity); (2) the analogical character of the function of predication itself (analogical character of the variously understood propositional "is"). Realizing the fact that predication is analogical, makes it possible to avoid many misunderstandings and leads to the appropriate predication about the real world. The extension of the analogy of predication is the analogy of inferencing thanks to which in the particular sciences we can "guess" new laws and formulate "alleged" principles. According to Krąpiec it is important to be aware that analogy itself is analogical and its general understanding opens the possibility of understanding ontic pluralism and at the same time it demonstrates the necessity of the existence of such a being, which is the ultimate reason for the pluralistic reality. This ultimate reason is the Absolute Being—a being completely free of all the relations that we encounter in contingent beings.

Maximalism and transcendentalism in philosophy

The maximalist strain of metaphysical philosophy is specifically expressed in Krąpiec's transcendental characteristic of being, cognition and language. The basic cognitive structures of metaphysics within which the cognition of concrete beings as well of the entire existing reality takes place are transcendentals referred to by these abbreviated names: "being," "thing," "the one," "something," "the true," "the good," "beauty." Since they relate to necessary intra-ontic relations, they demonstrate in what way being exists and they even constitute the criterion of what is a real being and what is not. The transcendentals (*transcendentalia*) may assume the form of linguistic phrases. They then have a propositional structure: i.e., they are abbreviations of existential judgements with an unlimited range of predication.

The transcendentals also reveal the foundations of the rational order verbalized in the metaphysical primal principles, such as: the principle of identity, non-contradiction, excluded middle, reason of being, finality and integrality. Their articulation demonstrates the unity of the fundamental logical and ontic laws. This means that the structure of metaphysical cognition is designated by the internal ordering of the mode of existence of beings as well as external causal relations which decide about the ontic dependencies of things. On

account of that, formally metaphysics has the character of a system, the point of departure of which are existential judgements about existing, experienceable concrete beings, and the target point is the judgment about the existence of the Absolute Being (the absolute source of all contingent existence). The remaining contents of the system are filled out by metaphysical assertions connected with each other by logical-transcendental relations.[34]

[34]   M.A. Krąpiec, *O filozofii* (Lublin: PTTA, 2008); Met; RHC; "Poznawać czy myśleć: Problemy epistemologii tomistycznej," in M.A. Krąpiec, *Dzieła*, vol. 8 (Lublin: Wydawnictwo KUL, 1994); TAB; "Język i świat realny," in M.A. Krąpiec, *Dzieła*, vol. 13 (Lublin: Wydawnictwo KUL, 1995); M.A. Krąpiec, S. Kamiński, "Z teorii i metodologii metafizyki," in M.A. Krąpiec, *Dzieła*, vol. 4 (Lublin: Wydawnictwo KUL, 1994); UEP, s.v. "Analogia," vol. 1 (Lublin: PTTA, 2000), pp. 210–220; A. Maryniarczyk, "Przełom w dziejach polskiej filozofii: Koncepcja filozofii metafizycznej Mieczysława A. Krąpca," *Człowiek w Kulturze*, no. 19 (2007), pp. 73–97; *Prawda istnienia: Ku rozumieniu metafizyki M.A. Krąpca OP*, ed. J. Tupikowski (Warszawa: Wydawnictwo Misjonarzy Klaretynów Palabra, 2009).

REALISTIC METAPHYSICS

CONTEXT FOR THE EMERGENCE

The concept of metaphysics elaborated by Krąpiec within the Lublin School of Philosophy was a response to the criticism of the discipline on the part of some of the other philosophical currents present in Poland in the 1950s. Criticism towards metaphysics especially came from Marxism, a materialist philosophy that was imposed administratively on Polish academic centers. Also Neo-Positivism was critical, because it propagated a program of minimalist philosophy, lacking full autonomy. It was characterized by the reduction of the description and explanation of the world of persons and things to a narrowly understood way of scientific explanation based on the model of explanation derived from mathematical and natural sciences. There were also other philosophical currents at the time which, although they did not directly attack metaphysics, they nevertheless tried to modernize it, which did not bring the expected effects. And so, for instance, there were attempts to combine realistic philosophy with phenomenology, especially in Roman Ingarden's version. This could not bring the desired results due to different objects of inquiry: in phenomenology these are intentional objects existing in the cognizing subject while in realistic philosophy—really existing beings. Moreover, the attempts to combine realistic philosophy with analytical philosophy turned out to be ineffectual on account of the differing objects of inquiry as well as different methods and cognitive objectives applied. Finally, the attempts to "scientify" realistic philosophy, which appeared in the works of certain logicians, such as, Jan Salamucha, Jan F. Drewnowski

or Józef M. Bocheński, and were aimed at formalizing its language, ended in failure. Krąpiec opposed all of this and with a team of his colleagues he elaborated a commonsensical, precise and justified theory of reality, called realistic, existential or classical metaphysics.

Defining metaphysics

Metaphysics, as well as the entire philosophical program devised by Krąpiec, had two essential features apart from its characteristic realism: (a) historicism, that is an in-depth study of the history of philosophy (ancient, medieval, early modern and contemporary) and in particular the return to classical philosophers, i.e. to their original source texts, with the conviction that it is philosophers that have the most to say in and about philosophy[35]; and (b) a reflected, modernized methodological, logical and epistemological awareness, including drawing attention to the very manner in which philosophy is defined and the way philosophical assertions are explained and grounded in argumentation.[36] As he put it:

> While we are aware of the fact that human thought undergoes historical progress and that the human being as such is a historical being, we try to draw close attention to the entire history of philosophy, especially those of its periods in which new philosophical currents had emerged. At the same time, being aware of the great multitude of philosophical currents and the diverse ways of practicing philosophy, we place particular emphasis on methodological issues. It turns out that philosophy, in spite of being one of the oldest cognitive domains, still has not elaborated a satisfactory methodology for itself.[37]

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[35] "The goal was, therefore, to include an in-depth historical experience of the thoughts of significant philosophers, especially Thomas Aquinas, in order to avoid the deformations made by his commentators and later representatives." See Z.J. Zdybicka, "O wierność rzeczywistości i pełną prawdę o człowieku – Polska Szkoła Filozofii Klasycznej," *Summarium* 9 (1980), p. 110.

[36] A. Maryniarczyk, "Rola Mieczysława A. Krąpca w Lubelskiej Szkole Filozoficznej," in *Prawda istnienia. Ku rozumieniu metafizyki M.A. Krąpca OP*, ed. J. Tupikowski (Warszawa: Wydawnictwo Misjonarzy Klaretynów Palabra, 2009), p. 50; W. Chudy, "Dziedziny badań i wykaz publikacji M.A. Krąpca," p. 17.

[37] M.A. Krąpiec, "O filozoficznej szkole lubelskiej," in M.A. Krąpiec, *Człowiek – kultura – uniwersytet*. Selected and edited by A. Wawrzyniak (Lublin: Redakcja Wydawnictw KUL, 1982), p. 249.

The point of departure for the construction of a new metaphysics was the so-called existential understanding of being as an object of philosophy. It was noticed that the act of existence (*esse*) itself constitutes the most important factor in being, maintaining it in the real dimension; without the act of existence all substance (*essentia*) would remain only pure potentiality. Being apprehended in the aspect of existence ensures the realism and objectiveness of cognition as well as the language used by the human being. This existential concept of being was the point of the new concept of being which revealed fundamental differences compared to classical philosophy in the Aristotelian, Scholastic and neo-scholastic versions.

Krąpiec defined metaphysics as the rationally justified and intellectually verifiable cognition of the really existing world (including the affirmation of the Absolute Being), directed at the pursuit of the ultimate reasons of its existence, the traces of which the human intellect discovers in things that are available to empirical experience. Metaphysics is synonymous to the term "philosophy," understood as the basic scientific discipline delivering knowledge about reality; it is a description of the "first philosophy" formulated by Aristotle, the purpose of which is *theoría*: that is the unveiling, understanding and observing the truth in of itself (*scire propter scire*).[38] Metaphysics, therefore, is such a mode of cognition in which the intellect using universal laws of being and thinking, strives to unveil the primal and only factors, reasons which decontradictify that what exists and what is initially given to us in the empirical intuition of the material world.

The objective of classical metaphysics is to ultimately explain the domain of both unitary (concrete) beings and beings in general, by pointing to the necessary factor which is embedded in them and which would explain both their existence and diversity. It analyzes that what constitutes the essential core of philosophy and what concerns the really existing reality, such as the transcendental properties of being (the thing, unity, the diverse, the true, the good, the beautiful), the structure of being (composition of the being from the act and potentiality, substance and accidents, matter and form, essence and existence) and the causes of being.

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[38] M.A. Krąpiec, A. Maryniarczyk, UEP, s.v. "Metafizyka," vol. 7 (Lublin: PTTA, 2006), p. 102.

A NEW UNDERSTANDING OF BEING

Krąpiec emphasized that the character of metaphysics relies entirely on the concept of being, which is its object. The first and fundamental question of metaphysics is the question about being, while its understanding and elaborating its concept is its most important, seminal task. Subsequent assertions in metaphysics are only the consequence of primal assumptions accepted in a justified way. It is worth noting the authors of traditional textbooks and studies were not fully aware of this. In the past, scholars were not fully aware of the concept of being and they did not research it sufficiently.

In order to avoid mistakes while constructing the object of metaphysical inquiries, Krąpiec postulated that the object should meet the conditions deriving from the nature of the philosophical cognition of the world: (1) This object is supposed to concern the real world, that is the one existing transcendentally in relation to the cognizing subject, independently from acts of consciousness; (2) The proper object should encompass the entirety of reality, i.e., it should concern everything that exists; (3) The proper object should be neutrally apprehended, i.e., it should not adjudicate previously determined issues, but enable a steady contact with reality and allow for its objective philosophical interpretation.

In light of these postulates, the object of philosophy is being, i.e., everything that exists, and metaphysics provides the definitive explanation of the structure of reality. The fundamental structures of being constitute the basis for real justifications. It is, therefore, about cognizing reality from the perspective of the ultimate justifications of being and thought and, therefore, philosophically apprehended principles of identity, non-contradiction and sufficient reason. It is the classical object of philosophical cognition juxtaposed with various forms of subjectivism which reduce philosophy to the analysis of cognitive signs: concepts, language or data of consciousness.[39]

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[39] Ibidem, pp. 106–107.

Distinguishing the object of metaphysics

Krąpiec noticed that:

> ... for the sake of a new metaphysics one should elaborate such a theory of metaphysical cognition which would, on the one hand, guarantee the realness and the concreteness of the object of metaphysics, and, on the other hand, its generalness, based not on abstraction, but on analogy. Only in such a perspective can one attempt to reconstruct the entirety of metaphysics, describe many of its specific issues, e.g., the theory of the analogy of being itself, the *transcendatalia*, internal and external "reasons" (more precisely: decontradictifying factors) of being, etc.[40]

One is capable of distinguishing the appropriate object of metaphysics, which meets the condition of realness, universalness and generalness, and therefore, of forming the metaphysical understanding (or concept) of being as being and indirectly also all the other transcendental concepts and primal principles of metaphysics connected with them, basing on the special method called metaphysical separation. This method which was outlined already by Aquinas is completely different from Aristotle's "abstraction," that later scholastics referred to. Among the activities constituting metaphysical separation one can discern three stages: (1) collecting data of experience; (2) the intellectual analysis of the contents of this data; (3) the intellectual apprehension of this data, i.e., intellectual intuition. The activity of collecting data is the most primal activity in metaphysics. With its aid empirical material is supplied, which constitutes the direct basis for this cognitive operation and through that an empirical basis for the existential version of metaphysics. It consists of the data of ordinary sensual experience. The action of collecting data of experience is determined by the task of the realistic construction of the atheoretical understanding (or else concept) of being.

Empirical data is expressed in the form of existential judgements. They constitute the point of departure for separation. Existential judgments are cognitive acts in which the object's specific features are not apprehended and, consequently, the attribution of a given

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[40] M.A. Krąpiec, *O filozoficznej szkole lubelskiej*, pp. 251–252.

property is not ascertained to the cognized object, but its existence is apprehended. In the existential judgement "Peter exists" only the existence of Peter is apprehended and ascertained. These sorts of judgments are the most primal cognitive acts contacting the subject with the object which is transcendent in relation to it. These judgements are completely realistic and atheoretical. Chronologically they are first, if one considers them from the aspect of the contact of the cognizing subject with the transcendental reality in relation to it. The redoubling into subject–object is excluded in this case; this can appear only in acts of reflection, whereas the existential judgement is a result of spontaneous pre-reflective cognition.[41]

The second stage of separation is the analysis of the substance of the empirical data which manifest themselves in existential judgements. These are activities which are methodically selected in such a way so as to lead the subject to become aware of what it means to be a being, and thus, to creating such a concept of a being which—when verbalized—could be predicated about every real being. Among these activities particular attention should be drawn to: intellectual reflection on the substance of existential judgements, which are accompanied by such activities as: juxtaposing existential judgements, comparing the substance of existential judgements as well as the intellectual reflection on the substance of existential judgements.

At the third stage of separation, using intellectual intuition, the transition from the categorial apprehensions of entities (of Peter, a tree, etc.) as well as their components (Peter's "existence" and Peter's "essence") to transcendental apprehensions occurs, that is, to such elements within Peter which constitute the existence of "this here concrete Peter," but also constitute his existence as a being, that is something which is real. Therefore the presence of two "sides" in existing entities is perceived: the existence and a specific essence. The relation between these two sides of being is transcendental, present in every existing being. Omitting one of them leads to the negation of the being. Krąpiec stressed the fact that this moment of separation is a cognitively profound act which decides about the understanding of the really existing being. The reality of the being cannot only be seen in its essence, because there are other beings, the existence of which is not exhausted in one being and one essence.

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[41] Ibidem, pp. 252–253.

Therefore, every being with different ontic content exists in its own way, proportionally to its own essence. Such a cognitive assertion that being a "this here" concrete being, means being an internally determined essence which exists in a way that is proportional to its act of existence, completes the second stage of separation which is described here. Since the subject cognizing a concrete being (e.g. John) already knows that the assertion "John exists" means that John is a being, the existence of which is proportional to its essence, he or she should now consider which elements in the being of John are necessary for him (in order to be John), and which are necessary for him to be a being at all. In other words, at the third stage of metaphysical separation, the cognizing subject should (based on an analogy) recognize the universal properties of being, i.e. in what way does any being exist at all. This recognition takes place in the transition from categorial apprehensions of being to transcendental ones, which point to: the absolute and relational transcendentals of being, metaphysical laws governing the being of entities, internal ontic compositions, as well as the causal way entities exist. We achieve the transcendentalization (universalization) of this apprehension through referring to the analogy in the existence of entities. At this stage of analysis, the understanding of what a being is occurs. It is expressed in a judgement which states that to be a being means to be something substantially determined and existing.[42]

Krąpiec believed that due to metaphysical separation the philosophy of real being (metaphysics) is maximalist. It ultimately explains both the domain of unitary beings (concrete entities) and beings in general. It accomplishes that through pointing to such a necessary factor within it, which simultaneously explains their existence (source of existence) as well as their diversity (ontic pluralism), complexity and contingency, mutual dependency and ontic connections. This necessary element, thanks to which all of reality is real, is the act of existence, which analogically performs the same function in every being: it performs the essence of the being. Such an approach establishes in philosophy the proper relation of thinking to cognition, where thinking (logical operations on ideas) rather belongs to the domain

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[42] M.A. Krąpiec, *Metafizyka* (Lublin: Redakcja Wydawnictw KUL, 1978), pp. 106–115; E. Morawiec, P. Mazanka, *Metafizyka klasyczna wersji egzystencjalnej* (Warszawa: Wydawnictwo UKSW, 2006), pp. 143–144.

of art and cognition (corresponding cognitive acts with reality, of which it is its understanding) belongs to philosophy.

Metaphysical separation comprehended analogically is also the method of the particular analogical metaphysics and thus of all realistic philosophy. Their differentiation is justified by the function of the act of existence which in every being analogically performs its individual essence. However, since the really existing being comprehended in the general existential aspect is the object of metaphysical philosophy, various particularizations of that being must be dealt with by specific particular metaphysics which explain beings such as: the human being (philosophical anthropology), modes of human action (rational psychology, metaphysical psychology), human moral action (ethics), human veridical cognition (theory of knowledge, epistemology), human language (philosophy of language); human creative acts (art); interpersonal relations marked by the obligation to act or to stop acting in a certain way on account of a personal good (philosophy of law) etc.

Nature (both animate and inanimate) and its various ontic states are also the object of metaphysical explanations. According to Krąpiec this is possible because in each of the areas of philosophical explanation mentioned here we apply the same method of metaphysical explanation, we use the concepts and laws devised within metaphysics and we express their results in a natural, integrated language. This guarantees the unity and congruency of philosophical explanation, i.e., a unified type of philosophizing in which every domain of philosophical cognition concerns only a specifically particularized unitary object of metaphysics. The differences are outlined in the fact that in the realm of metaphysics we generally analyze the structure of being while in particular philosophical disciplines we take into consideration only domains or aspects of the real being which are important for specific reasons.

The language of metaphysics

Krąpiec drew attention to the fact that the language of metaphysics is not an autonomous creation governed by its own autonomous laws and rules which are independent from the structure of the world of things to which it refers us, but its structures are also

grounded in the structure of reality. The language of classical philosophy is characterized by the fact that its constitutive terms and assertions do not have a univocal character, but a transcendental-analogical one. By using the term "transcendental" in reference to language, one would like to say that in some cases the language of classical philosophy goes beyond the generality of the meanings of terms or assertions and becomes a meta-categorial language. Just as the expression "transcendental concept" is derived from the fact that in these concepts the meta-categorial aspects of that what exists are apprehended, regardless of the category they belong to. Such apprehensions are possible only when that which exists is considered in the aspect of its existence. Transcendental cognitive apprehensions, and consequently also linguistic expressions which correspond with them, are juxtaposed with general apprehensions and linguistic phrases. General concepts express contents which are specific only of particular categories of being, from a particular point of view.

The natural consequence of metaphysical inquiries of reality in the aspect of existence is that the acquired cognitive content constituting concepts and judgements is neither univocal, nor ambiguous, but has an analogical character. The analogicity of the language is considered to be something "intermediary" between its univocity and ambiguity. When one says that a given name has an analogical meaning, one wants to say that the content of the name is not identical with the set of features which exist in its various referents. The analogicity of names manifests itself in the act of predication about really existing entities. Names assume an analogical character when they are located in statements and function as predicates. The language of metaphysics which describes the aspect of the existence of the being is analogical by design. The analogicity of the language of classical philosophy is the direct and natural consequence of the existential aspect of inquiries. Hence in metaphysical descriptions there is no place for a univocal manner of predication. The language used in this case does not operate with concepts and names with univocal contents corresponding to them like in the case of particular sciences.[43]

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[43] M.A. Krąpiec, *O rozumienie filozofii* (Lublin: Redakcja Wydawnictw KUL, 1991), pp. 127–132, 228–229.

Metaphysics and other domains of philosophy

Krąpiec drew attention to the unity of classical philosophy which is constituted by general metaphysics and detailed metaphysics among which he included: the philosophy of nature (animate and inanimate), philosophy of the human being, philosophy of morality (individual and economical ethics as well as politics) and the philosophy of culture and art. At the basis of the view which claims the unity of philosophical cognition and treats classical philosophy as one, indivisible field of inquiry, he placed the conviction that the formal object of philosophy—the existential aspect—is common for all divisions within that philosophy. Philosophy has one analogical object (everything which exists), generally apprehended transcendentally and analogically, which is explained in general metaphysics.

In principle, the method of explanation is also commonly shared, because in each of the philosophical disciplines, explaining that which is supposed to be explained takes place in the ontic aspect, that is essential or existential. One points at properties which occur in every object of these disciplines on account of their essence or existence as well as because of their reasons for existence and the reasons due to which and for what they do exist. Krąpiec stressed that all philosophical disciplines, as far as the determination of the formal object and type of method is considered, can be reduced to the philosophy of being, i.e., metaphysics. In this concept of the unity of philosophy, even epistemology is a specific sort of metaphysics and placing it beyond the boundaries of metaphysics is groundless. One says that epistemology, if it is supposed to be a philosophical discipline, should have a similar formal object and method of explanation to that of metaphysics.

Summary

The specificity and originality of metaphysics elaborated by Krąpiec consists of, among others, the following elements:

(1) The objective manner of practicing philosophy which for this reason should be presented as general or detailed metaphysics. The

specificity of the metaphysical approach is the general existential aspect of explaining being.

(2) The practice of metaphysics engages the historicist perspective which allows us to notice the context of the emergence of a given philosophical problem and its historical development.

(3) The analyses of metaphysical disciplines are accompanied by the awareness of the methodological autonomy. The basic method of realistic metaphysics is separation. In order to prove the obviousness of metaphysical assertions, the method of objective explanation (so-called decontradictification) of analyzed facts is used by pointing to such real factors the rejection of which carries with it the negation of those facts.

(4) Including in philosophy of the integral language, i.e., its semantic, syntactic and pragmatic side. It is an analogical and transcendentalizing language due to which it contains and passes on the knowledge about the entirety of reality.

(5) Metaphysical explanation leads to the liberation of human cognition from a variety of a priori categories, thanks to the indication of subjective reasons (causes) for the existence of the analyzed facts; it delivers philosophical tools for interpreting the world and the human being as well as for revealing the bases for the rationality of human cognition and action.

(6) The culmination of Krąpiec's metaphysics is the issue of the Absolute Being. The reference to the analogy of being plays a special role within it, which is based on the similarity of all beings in the aspect of essence and existence. Noticing the analogy of beings allows us to set up a hierarchy of beings and enables replying to the question about the ultimate source of existence, about the being which is the reason for all of reality. The answer is contained in the theory of the Absolute Being which manifests itself as the ultimate reason for the existence of contingent beings.[44]

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[44] A. Maryniarczyk, EPP, s.v. "Metafizyka realistyczna w ujęciu Krąpca," vol. 2 (Lublin: PTTA, 2011), p. 128.

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REALISTIC EPISTEMOLOGY

According to Krąpiec, realistic philosophy is directed at cogniz-
ing really existing persons and things; it is a rational justifying cog-
nition which points to the ultimate reasons of everything that exists,
including human cognition itself. It is a classical concept of philos-
ophy, different from the various forms of subjectivism which reduce
philosophy to the analysis of cognitive signs: concepts, the language
or data of consciousness.

In response to the critique of neo-scholastic philosophy, Krąpiec
with his colleagues from the Lublin School of Philosophy took on the
task of not only the formulation of a new concept of being, but also
to elaborate a new theory of philosophical cognition, which on the one
hand would guarantee the realness and concreteness of the object of
philosophy (which he understood generally as metaphysics), and on
the other hand, its generalness based not, however, on abstraction,
but on analogy. Krąpiec treated human cognition in a new light as
a distinct sort of being, justifying that it must be, as such, the object
of metaphysical analysis. The reconstruction of metaphysics carried
with it, therefore, the reconstruction of epistemology which is most
exactly linked with it and which, in fact, should be a specific branch
of metaphysics.[45] The purpose of philosophy has been thus subjected
to the metaphysical aspect; i.e., the rational, necessary and ultimate
explanation of human cognition. That is why epistemology in this per-
spective can be described as the metaphysics of human cognition

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[45] M.A. Krąpiec, "Człowiek – kultura – uniwersytet," in M.A. Krąpiec, *Dzieła*,
vol. 12 (Lublin: Redakcja Wydawnictw KUL, 1998), pp. 251–252.

which at the same time is a part of metaphysics of the human being. It analyses cognition as a being of a particular kind, considering its structure, mode of existence and historical conditions. Epistemology thus understood belongs to the domain of general metaphysics.[46]

In his studies *Realizm ludzkiego poznania* [*Realism of Human Cognition*, 1959] and *Poznawać czy myśleć: Problemy epistemologii tomistycznej* [*To Cognize or to Think: Problems of Thomistic Epistemology*, 1994], Krąpiec demonstrated that philosophical cognition is based on commonsensical cognition and constitutes its expansion. Thinking about reality or logical operations alone will never grant us knowledge about reality, because the object of logical operations is a mental being which is not a real being, i.e., its analysis never leads us to the real being. On the other hand, commonsensical cognition links us to the existing world. Therefore, the point of departure in philosophy stems from ordinary cognition which is the natural intuition of the real world.

According to Krąpiec—who opposed the idealistic and agnostic positions as well as the radical form of empiricism—the objectives of epistemology, which are convergent with those of metaphysics, are performed due to the assumption of a broad concept of experience. Its foundation is the primal cognitive act which is at the same time (from the metaphysical perspective) the "contact spot" of the human intellect with the existing reality and (from the perspective of the cognizing subject) the undoubtable reason for all cognition. This act was called the "existential judgement." This judgement ascertains the existence of something *prima facie* and directly, it constitutes the primal (genetically and structurally) cognitive act in the system of metaphysics, performing in it at the same time (as an ontic-cognitive condition) the function of an organizing principle and criterion of justification. According with this theory of absolutely direct experience, the (ontic and epistemic) condition of all cognitive subject-object relations is the spontaneous and pre-reflective act of cognition (accessible only in accompanying reflection, so-called *in actu exercito*), in which no intermediaries of an emotional or sign (*quo* or *quod*) type participate.[47]

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[46] A.B. Stępień, *Wstęp do filozofii* (Lublin: Towarzystwo Naukowe KUL, 2007), p. 68.

[47] W. Chudy, "Dziedziny badań i wykaz publikacji M.A. Krąpca," pp. 20–21.

This act—being "the human being's most primal cognitive experience"[48]—is filled in with the factuality (the perspective of being) as well as the affirmation of existence (the perspective of the human intellect) and it does not yet express the redoubling into the subject and object. Only in the subsequent structural phase of cognition a reflection is built upon it, and so are awareness, objective reference, criticism of cognition as well as veracity; the existential judgement itself does not have a veridical characteristic (in the classical understanding), although it constitutes the condition for true cognition.[49] Hence existential judgements are sometimes called "meta-veridical," because they are more primal than acts of conceptualization. Krąpiec observes:

> In the description of the concept of realistic cognition we drew attention to the fact that there are acts of direct cognition in which we are not aware of the juxtaposition: subject–object. These, indeed, are the most primal acts in which we experience existence itself. They are expressed in existential judgments which are referenced to in metaphysics. The very fact of existence "grabs us by the throat" in such a way that at that moment there is not yet room for doubt or cognitive distance.[50]

When cognizing/ascertaining the existence of anything in an existential judgement, the human being does so directly and the act of cognition/ascertaining itself is the most primal cognitive experience. The existential judgement contains the essence of that which exists as well as the affirmation of that essence's existence. At this stage of cognition there is no place yet for doubt or cognitive distance. It is not possible to differentiate here between the subject and object of cognition either. Only at the subsequent phase of metaphysical cognition such acts as: reflection, awareness, subjective reference or the critique of cognition, are built upon the act of the existential judgement. Krąpiec distinguished two types of direct existential judgements: an existential judgement ascertaining the existence of a being external in comparison with the cognizing subject ("something is/exists") and an existential judgement reflective in relation to the subject

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48   TMM, p. 194.

49   W. Chudy, "Dziedziny badań i wykaz publikacji M.A. Krąpca," pp. 20–21.

50   M.A. Krąpiec, "Filozofia i filozofie," in M.A. Krąpiec, *Dzieła*, vol. 12 (Lublin: Redakcja Wydawnictw KUL, 1998), p. 253.

("I am/exist"). The first one is the foundation of metaphysical and epistemic realism as well as the objectivity of philosophy, and both of them are the (ontic and epistemic) condition of the cognitive relation subject–object.

Among the methods of realistic cognition available, the types of reasoning known to contemporary methodology of science are present; nevertheless, one always deals here with a specific type of cognition which does not fit fully into the disjunctive formal classifications. The return to the Thomistic understanding of separation and its clarification were very important for Krąpiec's concept of cognition, because this makes it possible to extract the understanding of being and to cognize it within the so-called process of clarification. The point of metaphysical separation is reaching such factors of beings (an analyzed event, fact, process or creation) due to which they exist. Separation understood analogically is also the method of particular metaphysics and, therefore, of entire realistic philosophy.

The method of justifying assertions in philosophy which was devised by Krąpiec and Kamiński, is the intuitive-reductive method. It was developed in opposition to the deductive methods used in the exact sciences and to attempts at construing metaphysics like a deductive system. The analogical character of being and cognition limits the application of univocal methods in objective cognition, including deduction. The reductive method in metaphysics is a specific form of cognitive decontradictification; i.e., indicating in the being itself such an element, the negation of which would result in negating the very fact subject to explanation. The culmination point is the ultimate explanation of all beings in the light of the deepest factor which constitutes them.

Krąpiec broadly described the theory of the analogy of being which stands at the basis of metaphysical assertions. The analogy of being, both intra- and inter-ontic, which is present in the entirety of reality, is to some extent the source of the validity of metaphysical assertions, providing them with a reliable foundation. The culmination of metaphysical considerations, on the other hand, is ontic participation. It is a method which explains not only the causal relations of beings with the Absolute Being, but it also highlights the complexity of being and the exceptional character of the existence of being. The theory of participation which was broadly discussed by Zdybicka and supplemented by Maryniarczyk, also stresses the

prudential character of philosophy, because it shows the deepest reasons for the existence of the world.[51]

When discussing methods of philosophical cognition according to Krąpiec it is worth mentioning the role of logic, which is comprehended in this case as a theory of improving cognition, as opposed to improving thinking. However, the tools with which contemporary logic operates are not capable of apprehending and improving metaphysical cognition which is a concretist and transcendental cognition, expressed in analogical language. This sort of cognition cannot be reduced to combinatorial or operationist cognition.[52]

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[51] T. Mioduszewski, *Spór o realizm w lubelskiej szkole filozoficznej* (Ząbki: Apostolicum. Wydawnictwo Księży Pallotynów Prowincji Chrystusa Króla, 2013), p. 197.

[52] A. Maryniarczyk, M.A. Krąpiec, s.v. "Lubelska Szkoła Filozoficzna," p. 901.

PHILOSOPHICAL ANTHROPOLOGY AND THE CONCEPT OF THE HUMAN BEING

ANTHROPOLOGY AS A PHILOSOPHICAL DISCIPLINE

Krąpiec's most mature philosophical views, including his anthropological ones, are contained in *Powszechna encyklopedia filozofii* [*The Universal Encyclopedia of Philosophy*], which he co-edited as the Head of its Scholarly Committee; he also personally wrote many entries that are fundamental for metaphysics and philosophical anthropology. He understood philosophical anthropology itself[53] as an area of inquiry which constitutes a specific continuation of metaphysical research concerning every being; however, it is particularized in a distinct way through the application of its results to further inquiries on this unique being, which is the human being. This way philosophical anthropology becomes one of the particular metaphysics. Therefore, it is not a cultural, natural or theological anthropology, but at most it uses the results of other disciplines, treating them as a source of inspiration to pose specific questions or for a closer description of the human fact and its crucial features at the point of departure as an object for further analyses. As such, similarly to realistic metaphysics,

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[53]   The basic anthropological works by Krąpiec are: *Ja – człowiek. Zarys antropologii filozoficznej* (Lublin: Towarzystwo Naukowe KUL, 1974); "Psychologia racjonalna," in M.A. Krąpiec, *Dzieła*, vol. 20 (Lublin: Redakcja Wydawnictw KUL, 1996); *Człowiek jako osoba* (Lublin: PTTA, 2005).

philosophical anthropology is autonomous in relation to the results of the particular sciences or theology and it has its own method, its distinct understanding of the human being as a being as well as an objective, which is the explanation of the fact of being a man through the pursuit of ultimate ontic reasons for the human being and all of its crucial aspects.[54]

The transition from practicing general metaphysics to philosophical anthropology occurs through the indication of the specificity of the human being as well as distinguishing its personal properties, i.e. the ones that are essential and necessary to be a human being, differentiating the human being from other living beings, especially animals. This occurs in two ways: (1) negative: excluding random properties which are not connected to being a human being in an essential or necessary way that is supposed to facilitate reaching these properties which characterize him/her as a person; (2) positive: analyzing the actions of the human being as a person and distinguishing the actions which decide about his/her perfection and uniqueness as well as indicating his/her individuality, indivisibility, subjectivity and rationality.

The most basic qualities of the human being turn out to be the ability to cognize, be free, love, be religious and also dignity, subjectivity in relation to law and completeness. These properties indicate the transcendence of the human being as a person in relation to the world of nature and society, and they reveal the specificity of his/her existence as a personal being.[55] From a realistic perspective, philosophical anthropology, similarly to metaphysics, is characterized by historicism and, thus, drawing from the history of philosophy, it conducts an overview of hitherto acquired results, assertions, conclusions and consequences of accepted solutions, and based on that it formulates its own solutions, striving for their veracity, testability and finality; it also formulates problems which still require solving or clarifying. "Thus understood, philosophical anthropology can most simply be defined as a branch of philosophy which investigates the human being, his/her actions and creations, as long as they indicate a particular ontic structure and existential position in the world."[56]

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[54] See A. Maryniarczyk, A. Gudaniec, EPP, s.v. "Metafizyka człowieka w ujęciu Krąpca," vol. 2 (Lublin: PTTA, 2011), pp. 108–120.

[55] See ibidem, pp. 111–112.

[56] See ibidem, p. 114.

The human being as a personal being

Krąpiec made the analysis of the basic human personal experience consisting in experiencing one's own subjectivity the point of departure in formulating his philosophical theory of the human being. It was already noticed and recognized by Thomas Aquinas; however, in his texts it appears as just one of the arguments justifying the ontic unity of the human being. Krąpiec, analyzing the history of philosophy (historicism) and placing his analyses in the context of the contemporary developments in the particular sciences, reached the conclusion that experience could and should be the point of departure for philosophical anthropology:

> Saint Thomas referred to the internal intellectual experience available for every human individual. … Aquinas (*Summa theologiae* I, q. 76, a. 1, resp.) he stressed: *Experitur enim unusquisque seipsum esse qui intelligit et sentit, ipse idem homo est, qui percipit se et intelligere et sentire* (For each one is conscious that it is himself who understands; for this reason, that it is one and the same man who is conscious both that he understands, and that he senses).[57]

This basic human experience, according to Krąpiec, contains in itself all moments which are essential for being a human-person and a large portion of philosophical anthropology is about revealing them and explaining them in the context of the system of realistic metaphysics elaborated by Aquinas and perfected by his numerous continuators up until contemporary times. Such a position on the question of how to develop a theory of the human being was also inspired by Wojtyła's seminal philosophical treatise *Osoba i czyn* [*The Acting Person*],[58] published not long before Krąpiec's work, in which he concentrated on the analysis of the act of action as a specific sort of personal experience of the human being, an act emerging from the human person, but understood as a subject of (moral) action.[59] This constituted

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[57] See M.A. Krąpiec, UEP, s.v. "Człowiek," vol. 3 (Lublin: PTTA, 2002), pp. 371–372.

[58] First edition: Kraków 1969. English edition, translated by Andrzej Potocki, published as vol. 10 of the *Analecta Husserliana* series (Dordrecht: D. Reidel, 1979).

[59] See M.A. Krąpiec, "Książka kardynała Karola Wojtyły monografią osoby jako podmiotu moralności," Analecta Cracoviensia 5–6 (1973–1974), pp. 57–61.

a distinct *novum* in relation to the philosophical anthropology which was traditionally practiced in an objectivist way, because this introduced a conscious, subject related element to it, which, nonetheless, was devised in the objectivist spirit with the use of classical metaphysical tools.[60]

The first crucial moment of analyses is drawing attention to the very fact of the human being's existence and the way this fact is experienced: "The experience concerns *esse* and *seipsum esse*; our internal experience is, therefore, the experience of the existence of ourselves (*seipsum*) or more precisely: 'of myself,' which while existing, simultaneously cognizes intellectually and sensually."[61] This explanation is compatible with a system of realistic metaphysics which is based on the primal role of the act of existence in a being. This experience contains the moment of cognizing oneself as an existing subject which cognizes itself and which at the same time is self-aware and rational as well as manifests its essential unity and sensual-intellectual identity:

> The human being is "the same entity" that intellectually and sensually cognizes. Existing as a subject which acts both at the spiritual level as well as the sensual one, the human being experiences that the "I" given in experience (*se esse, seipsum esse*) exists as a subject of actions that he considers to be "his" (*intelligere* and *sentire* is undoubtedly an action, not a subject, but at the same time they are such an action that reveals the existing subject in both of these types of action).[62]

The fact of the subjectivity of existence manifests itself in the emergence of adequate actions which most generally characterize the nature of that subject. There are two types of them, for they refer to the sensuality and corporeality as well as the spirituality expressed in acts of intellectual cognition—understanding and making decisions

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[60] One of the most recent books presenting the common platform of anthropological inquiries in the Lublin School of Philosophy is the work by A. Gudaniec *U podstaw jedności bytowej człowieka* (Lublin: PTTA; Wydawnictwo KUL, 2016), which juxtaposes the anthropological analyses by K. Wojtyła and M.A. Krąpiec. See especially p. 397 ff., containing the summary of the existential concept of the ontic unity of the human being.

[61] See M.A. Krąpiec, UEP, s.v. "Człowiek," pp. 371–372.

[62] See ibidem.

respectively. However, cognition does not by itself reveal the concrete properties of that nature.[63]

Another relevant moment of this basic experience is the immanence of the personal subject's "I" in "my" actions, thus its own. This assertion is akin to the interpretation of the human being according to Boethius's definition of the person as an individual (indivisible—*individua*, in contrast to the understanding of types of nature as universals) substance with a rational nature:

> My nature is given to me only from the perspective of the subjectiveness of my acts. As a subject I emerge (and feel) my spiritual actions (in the form of, for instance. intellectual cognition) as well as sensual activities. "I" is immanent in "my" acts, because I am the subject of these acts (*experitur enim unusquisque seipsum esse qui intelligit et sentit*). ... The presence, i.e., the immanence of "I" in all of my actions is undoubted, because it is constantly experienced by me.[64]

Krąpiec also pointed to the personal subject's experience of substantiality which is the condition of being a person, as well as its identity, the experience of which accompanies the human being despite the passage of time, manifesting its temporal constancy and unceasing continuance:

> The internal experience of one's own "I" is given to us as the experience of the subject of "my" actions. The subject (*sub-stantia*) is constantly experienced as the same one in all of its actions, both biological and mental, sensual and spiritual—cognitive, volitional, appetitive.[65]

Together with the immanence of the subject in its own acts, its transcendence over its own actions also reveals itself, because they do not exhaust the subject in such a sense that always a new act may

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[63] See ibidem: "In the internal experience we register, therefore, our own subjectivity as identical in its spiritual and sensual-material actions. This 'I' is given to me from the side of the fact (act) of existence and not from the side of the essence of that 'I'. This means that I experience that I exist, I am alive, but I do not know the content of that experience, I do not know my concrete nature."

[64] See ibidem.

[65] See ibidem.

emerge and the human being is aware of that, as he or she is aware of controlling these acts and being their perpetrator:

> I simultaneously experience that none of my acts—spiritual, sensual or vegetative, although some of them tend to be quite intensive—exhausts and engulfs the entire essence of "I", because I constantly transcend myself, i.e. all of my acts (in particular and altogether), and I experience that—even during the greatest suffering, the human being can think and love as well as to transcend oneself in other acts. ... The human being does not exhaust himself entirely in these acts; he can always extract new, different acts from himself.[66]

The ontic structure of the human being

After settling the basic elements of being a person, which are accessible directly in experience, Krąpiec defined the conditions for interpreting this experience and including it into the system of metaphysical explanations. The basic problem consists in the fact that:

> The same subject of different acts is basically given to us from the side of existence itself and not from the side of internal essence. This means that I experience that I am alive, but I do not experience my own nature and that is why I do not know my own essence. I guess who I am, but in order to delve into my essence I have to perform another cognitive process ... and analyze "my" acts which spring out of the same source: from the "I" that I experience as an existing entity.[67]

This basic juxtaposition "I"–"mine" is, in turn, the basis for performing systemic metaphysical analyses. For only the "I" as an existing object is directly given and in a signless manner:

> I do not need the mediation of any signs to get to know that I am the same living subject from which my acts emerge. Cognizing the nature (essence) of the experienced "I" cannot occur directly, but only through the mediation of signs-images acquired through my actions. I have to analyze the structure and functioning of "my"

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[66] See ibidem.
[67] See ibidem.

cognitive acts (sensual, intellectual, spiritual) as well as appetitive, emotional and volitional, in order to draw conclusions on its basis (by principle of the proportionality of the act to potentiality) and to assess the nature of the subject from which these acts emerge. This is a roundabout way, but the only accessible one, to cognize the nature of the human being.[68]

Krąpiec made a reference here to classical concepts of the soul as the factor which explains the fact of life and the actions of living beings, as well as their identities, despite being constituted of many parts and their changeability both in their developmental phase as well as during the rest of their lives:

> When we register in our internal experience our actions, we ascertain our identity and unity. Identity is the same thing as unity, which is indivisibility. The experience of unity, despite heterogenous, mutually irreducible types of "my" actions, points to a single source of various "my" actions which emerge from the "I". This source of action in living beings is the soul (Greek *psyché*), which simultaneously is the source of the being's identity and inseparability, i.e., unity."[69]

Another element which reveals itself in the experience of the "I" is the character of this ontic factor and, as if, its scope of action in the being. It points to the basic function of the soul: organizing the body, and at the same time due to the ontic advantage—ruling over it, encompassing the entirety of the being.[70] The intellectual character of the manifested actions points to the immaterial character of the soul as the subject of these actions and as such it must be created by God. In this aspect, Krąpiec is the continuator of the Thomistic tradition, where the soul is a spiritual subject existing in itself and capable

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[68] See ibidem.

[69] See ibidem, p. 373.

[70] See ibidem: "Since the human being experiences the unity and identity of the "I", which functions in actions that are mutually irreducible, as well as their ontic structures (because the acts of the vegetative, sensual and spiritual functions: intellectual, volitional, i.e., acts of love, are not the same thing), it means that the factor called the soul, which encompasses the entirety of the being and all of its parts at the same time, is one form—the organizer of the human body, it dominates that body, transcends it, since it initiates spiritual activities in the form of cognition, consciousness and self-awareness."

of existing independently, but at the same time it functions as the form of the body: organizing the matter to be that body according to its genetic code[71] and at the same time granting it its existence.

This unique concept differs from the solutions encountered among other authors which are based on the influence of the genetic code alone on the matter of the body or by a formal structure imposed by the soul[72]; therefore, Krąpiec follows some embryologists,[73] postulating that there must be one particular factor which organizes the body throughout its life, whereas the DNA code essentially plays a passive role. Thus the soul plays an active role—it deciphers the DNA code, because how else can one interpret the words: "receiving from the fertilized ovum the complete genetic code" and "it organizes in itself (according to the genetic code) the matter to become the human body"?[74] The simplest image, which simply suggests itself here, is the idea of a carrier, matrix (e.g., CD/DVD) which by itself is useless, because in order to function (have its encrypted code deciphered), it requires the cooperation of a deciphering device. And it is thanks to its own structure and ability to function that it is capable of extracting the information encoded on the carrier, to adequately transform it and subsequently "present" it as music, film, the functioning of a computer program etc. Conserved, monotonous biological structures[75]

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[71] See ibidem: "Since the soul extracts from itself cognitive-volitional spiritual acts, this means that it exists as a being. Its beingness is not exhausted only in being a form, i.e., the organizer of the body and the actions through the body, because spiritual actions are in their structure (in their structure and not in their functioning) independent from the matter of the body. The soul which can extract from itself immaterial (accidental) beings [these are actions attributed to the immaterial subject: the acts of the will and intellect—Z. Pańpuch's comment], must exist in itself as a being which is at the same time the form-organizer of its own body. The soul, which exists in of itself as in the subject of its own existence, cannot emerge as a result of the action of the forces of nature, because it transcends nature. Therefore, since it exists in such a way—then it is created by God, i.e., summoned into existence by a special act."

[72] See Z. Pańpuch, *Spór o cielesność* (Lublin: PTTA, 2015), chapter: "Opinie wybranych tomistów na temat ludzkiej cielesności," pp. 107–190.

[73] See e.g., E. Blechschmidt, *The Beginning of Human Life* (Heidelberg: Springer, 1977).

[74] See M.A. Krąpiec, UEP, s.v. "Człowiek," p. 374.

[75] Although, of course, the DNA code itself is not "simple": it is extremely complex just like the organism itself, since it constitutes a form of a blueprint of its structures and functions as it has been hitherto indicated.

of variously combined, repetitive arrays of four nucleobases, suddenly, under the baton of the concert master—the soul—in effect provide an incredibly complicated compositional masterpiece of structures and life functions, even multi-dimensional, extending up until eternity. In this image the idea of separating this information "carrier" from its corresponding adapter (i.e., its purpose-sense) is present, and so is the idea of the mutual irreducibility of these forms of existence, because this distinct "adapter" is not only something mechanical which reproduces and processes the genetic code, but it models itself in accordance with it, and thus, it is distinctly "reflective," self-controlling, self-regulating, self-reflective, self-creating (obviously, only in structural-corporeal aspects).

Another important aspect of Krąpiec's thought, which was stressed by Milcarek,[76] is the functionalist concept of the body which expresses the dynamism and activity of both the soul itself and the dynamic (indeed: current) character of the human act of existence.[77] In such a case the corporeal structures would be "fluid" as a result of constant organization of matter, despite their observable relative stability and durability; however, even such body parts as bones remain somewhat "in motion" through the buildup of certain layers and the dissolution of others. The principle of identity in this vital variability is the immaterial principle of existence: the human soul—the form which organizes the perpetual flow of the matter. Yet most probably it has a corporeal equivalent of its durability and immutability,

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[76] See P. Milcarek, *Teoria ciała ludzkiego w pismach św. Tomasza z Akwinu* (Warszawa: "Adam", 1994), p. 41, where the author, while presenting the concept of Krąpiec's body, emphasizes the dynamic, indeed, functionalist character of the body: "… he defines the body as 'matter organized by the human soul.' The existence of the body is about organizing and shaping it by the soul, which means that matter bereft of that organization does not exist as a human body."

[77] A sign and symptom of dynamism is the manifested finality of the organism: "The soul, therefore, as a substantial form, organizes matter, makes this organization sensible and purposeful; hence it establishes static finality in the organism, subsequently it acts together with the organism, manifesting its action in the form of dynamic finality. Naturally, the soul is a living substantial form and because of that it is fundamentally different and superior to substantial forms of inanimate entities." See M.A. Krąpiec, "O życiu w ogólności," in *Spór o początek i koniec życia ludzkiego*, ed. A. Maryniarczyk et al. (*Zadania współczesnej metafizyki*, vol. 17) (Lublin: PTTA, 2015), p. 29.

only relatively durable and identical, of course, such as possibly the genetic code.[78]

Krąpiec in his *Psychologia racjonalna* [*Rational Psychology*][79] broadly analyzed biological life and described the soul as the principle of life:

> The soul, therefore, as a substantial form, organizes the matter, makes this organization sensible and purposeful; hence it establishes static finality in the organism, subsequently it acts "together" with the body, revealing its action in the form of dynamic finality. Naturally, the soul is a living substantial form and because of that it is fundamentally different and superior to substantial forms of inanimate entities.[80]

An interesting remark explaining the relation of the soul and organized matter is in the following fragment: "The principle of conservation of energy in the hylomorphic theory, accepted by us, is completely beyond the problem, because the soul does not function as such, but it processes powers inside the matter."[81] One can add that through organizing and supervising an adequate body, it simultaneously generates within it conditions (static finality) for its adequate functioning (dynamic finality); i.e., among others, processing this energy in accordance with the laws of physics, biology or chemistry.[82]

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[78] Recent discoveries suggest the existence of a parallel system of transmitting hereditary information: http://lubimyczytac.pl/ksiazka/113610/drugi-kod-epige netyka-czyli-jak-mozemy-sterowac-wlasnymi-genotypami (access: 27.12.2019): "Are we the slaves of our own genes or can we modify them by living a healthy life, keeping fit and maintaining a healthy diet? Will many illnesses be treatable in the future? Peter Spork, doctor of neurobiology, explains these issues in an interesting and convincing way. The title of the book illustrates the most important claim of epigenetics: the primal code, the DNA double-helix, does not resolve everything. There is another biological information system, thanks to which our every cell gets the information from whence it came, what it experienced and where it is heading." See P. Spork, *Die zweite Code: EPIGENETIK – oder Wie wir unser Erbgut steuern können* (Berlin–Hamburg: Rohwolt, 2009).

[79] Lublin 1994. Fragments of this work were published in the form of an article entitled "O życiu w ogólności," in *Spór o początek i koniec życia ludzkiego*, ed. A. Maryniarczyk et al. (*Zadania współczesnej metafizyki*, vol. 17) (Lublin: PTTA, 2015), which book will be the basis for the citation.

[80] See ibidem, p. 29.

[81] See ibidem, p. 31.

[82] The hitherto part of this section is a shortened version of the chapter "Opinie wybranych tomistów nt. ludzkiej cielesności," subchapter: "Koncepcja M.A. Krąpca," in Z. Pańpuch, *Spór o cielesność*, pp. 166–182.

The human being existing in this way as a spiritual-corporeal *compositum* is at the same time a personal being,[83] because the act of existence that makes him or her real, generating at the same time the subjectivity of the human being, enables the manifestation of characteristic actions for all personal, and thus rational and free, beings. The main and fundamental personal experience of the human being is, indeed, the self-cognition of one's own existence and the ascertainment of one's own subjectivity, the "I," which Krąpiec calls "the manifestation of the personal being."[84] Comprehending the human being as a person and the symptoms of his or her personal life expressed in acts of intellectual and volitional cognition (rational desire for goods, decisions and personal love) influenced Krąpiec's understanding of human culture (creativity), religion, social relations and death.

Culture as a deed of person

Thus all of human culture is, on the one hand, an expression of the personal life of the human being, since he/she is its subjective creator (either by performing acts of cognition, action, creativity or religious practice), but also, on the other hand, he/she is the subjective (conscious and free) recipient of it. In this sense it serves interpersonal communication and the improvement of the human being (or rather it should, as long as it is not anti-culture), because thanks to its creations, addressed by some people to be received by other people, the latter can be improved thanks to the communication of truth, good and beauty. This constitutes the normative condition for culture itself, because everything that degrades the human being is anti-culture which destroys him/her in one aspect or another.[85] The basic domains of culture are connected with the main manifestations of personal life: theoretical reflection, acting, creativity and religion simultaneously constitute distinct modes of human improvement, and thus in accordance with the etymology of the term: cultivating

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[83] See M.A. Krąpiec, UEP, s.v. "Osoba," vol. 7 (Lublin: PTTA, 2006), pp. 873–887; and I. Dec, EPP, s.v. "Personalizm metafizyczny Krąpca," vol. 2 (Lublin: PTTA, 2011), pp. 330–334.

[84] See M.A. Krąpiec, UEP, s.v. "Człowiek," p. 376.

[85] See AFC.

human personhood. Krąpiec ascribed a special role to religion, under-standing it as a distinct sort of keystone of the three other domains in which they align in a characteristic manner and unite, because that is what is required by the personal nature of God, as the infinitely perfect object of human religious references, in relation to whom the actualization of all personal potentialities occurs. In this sense reli-gion is the ultimate justification—the purpose of all human culture.

From the objective side, Krąpiec defined culture as the "intellec-tualization of nature," because everything the human being does is permeated by his/her rationality. The main objective of the human being is living a rational life; first of all he/she as a being which has its nature marked with rationality, should constantly manifest that rationality and at the same time develop it as well so as to, more and more perfectly, implement it into his/her actions. Such an under-standing of culture reveals itself in a special way in human creativity, where an idea, design or project of that which is to be produced, must be implemented in some material found in nature. In the process of creation, the material becomes processed according to the idea of its creator and, consequently, it is marked by his/her intellect and be-comes a sign for others which expresses his/her thoughts.

THE HUMAN BEING IN SOCIAL RELATIONS

Thus understood culture both reveals and justifies the fact of the human being's social life.[86] For the human being exists in a potential-ized manner, by the way of possessing powers-potentialities; i.e., the ability to act in a variety of ways which can be improved and by which the human being him/herself can improve. Since antiquity the most perfect of all possible ways of acting in a given domain has been de-scribed as virtues. The potency, however, to one's own action requires an actualizing factor which consists in various beings that cause the actualization of adequate powers of action. Various aspects of the ex-istence of beings (e.g., truth, good, beauty) generate a response

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[86] See M.A. Krąpiec, UEP, s.v. "Antropologia filozoficzna," chapter: "Ku spo-łeczności," vol. 1 (Lublin: PTTA, 2000), pp. 255–256; UEP, s.v. "Społeczeństwo," vol. 9 (Lublin: PTTA, 2008) pp. 137–143; *Ja – człowiek*, chapter: "Człowiek a społeczeństwo," pp. 319–355.

in various human powers, and the human being, as a rational and free subject may shape their actions in such a way that they are concordant with the decoded truth, good and beauty in order for them to fulfill, in the most perfect manner, the human being's objectives. Obviously, the most perfect among available objects of cognition or action are other human persons and the personal relations between them (thus, based on mutual cognition and voluntary acceptance, love in various forms) are the adequate environment for the human being's existence.

Human social life is generated in a natural way, starting from its elementary forms: ordinary acquaintance with somebody, friendship or love, and, subsequently, initiating family life which constitutes the basic human community.[87] It is in the family where new human persons come into this world and are introduced to the fundamental context of social life. Krąpiec considered monogamous marriage as a particularly important issue for family life.[88] Families, in turn, form settlements, municipalities, cities and, ultimately, nations,[89] countries or their unions. All these forms of social life are supposed to serve the fulfillment of persons by enabling them to actualize their personal powers or providing necessary means for that purpose, especially material ones, as well as rules of rational functioning within a community. The ultimate fulfilment of the human being through the most perfect acting of his/her personal powers from the natural perspective is his/her happiness,[90] and since it constitutes the natural purpose of every member of the community, one can speak of the common good of the entire community.[91] Everything else is only a means to that end and only by analogy can be described as "the common good"; e.g., as in the common use of some natural resources, such as parks, forests, lakes or public property, such as roads, schools, libraries, theaters, etc. The common good, thus understood, constitutes the purpose and principle of people organizing themselves in various forms of social life

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[87] See M.A. Krąpiec, UEP, s.v. "Rodzina," vol. 8 (Lublin: PTTA, 2007), pp. 796–800.

[88] See ibidem, subchapter: "Monogamia małżeńska," p. 799.

[89] See M.A. Krąpiec, UEP, s.v. "Naród," vol. 7 (Lublin: PTTA, 2006), pp. 510–514.

[90] See M.A. Krąpiec, UEP, s.v. "Optimum potentiae," vol. 7 (Lublin: PTTA, 2006), p. 843; UEP, s.v. "Szczęście," vol. 8 (Lublin: PTTA, 2007), pp. 299–302.

[91] See M.A. Krąpiec, UEP, s.v. "Dobro wspólne," vol. 2 (Lublin: PTTA, 2001), pp. 628–639.

and, consequently, the ultimate explanation of the fact of human so-
cial beingness: without social relations human life would not have
chances to be fulfilled,[92] because everything that is less perfect than
the human being cannot adequately and fully mobilize his/her per-
sonal powers which act proportionally to the nature of the objects
that mobilize them. Thus, the personal nature of the human being
also constitutes the norm which indicates appropriateness of actions
performed in the social realm of economics, politics or legislation.[93]

Religion as a personal relationship

Discovering the existence of the Absolute Being, the personal
God, and on the other hand the fact of His revelation to people, con-
stitutes the religiousness of the human being; therefore, the specific
personal relations are directed at the personal God.[94] In this sense re-
ligion is a continuation and the ultimate fulfillment of social relations,
because neither human persons, as contingent beings, nor personal
relationships with them can entirely fulfill the human being, also in
the eschatological dimension, that is, until eternity.[95] The human
being as a spiritual being is by nature open to the infinitely perfect
God and, therefore, is capable of understanding Him and freely en-
tering a relationship with Him as the supreme Truth and Good as
well as Purpose in life. The relationships made with the Divine per-
sons constitute the essence of religion, guaranteeing the human
being which persists in them the ultimate fulfillment: salvation in
the perspective of eternity.

In this way, personal relationships established with other people,
being contingent and in part imperfect, find their ultimate fulfillment

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[92] See M.A. Krąpiec, "Rozwój osoby w państwie," *Społeczeństwo i Rodzina* 2,
no. 4 (2005), pp. 4–14.

[93] See PNL; *O ludzką politykę*; UEP, s.v. "Prawo," vol. 8 (Lublin: PTTA, 2007),
pp. 466–468.

[94] See M.A. Krąpiec, UEP, s.v. "Wiara," vol. 9 (Lublin: PTTA, 2008), pp. 750–751.

[95] See "Religia wrogiem czy zwieńczeniem polityki: rozpad wspólnej kultury
Europy," in *Polityka a religia*, ed. P. Jaroszyński et al. (Lublin: Fundacja "Lubelska
Szkoła Filozofii Chrześcijańskiej," 2007), pp. 7–13, and "Religia ogniskową kul-
tury," in *O życie godne człowieka*, ed. B. Bejze (Warszawa: Wydawnictwo Sióstr
Loretanek, 1990), pp. 194–227.

in the relationship with the most perfect partner—the personal God. The natural dimension of religion is becoming aware of one's contingency and imperfection (as well as of others' and their relationships with them) and the pursuit of the ultimate fulfilment in some perfect "Thou." Nonetheless, without a response to that human desire from God himself through His revelation,[96] it would be blind and futile, because the transcendent God, and thus existing beyond the world of contingent beings, would be unattainable for the natural cognitive and volitional powers of the human being.

Hence, throughout history, the creation of various natural, ethnic religions within human communities, based on various imaginary projections, myths and poetic representations was rather the expression of that desire than a real religion as such. Therefore Christianity as the result of God's Revelation in history in the form of the incarnated Son of God, His life on Earth, death and resurrection, is a unique religion, on account of teaching people about God's intention towards them, their ultimate destiny and vocation to be in communion with Him, as well provides them with all the necessary conditions (means) for: redemption from evil (salvation) and access to God (grace)—the supernatural assistance from God Himself.

Death as a personal experience

According to Krąpiec, "The most important problem of philosophical anthropology (as well as of the really existing human being him/herself) is the fact of human death."[97] The basic fact of the immateriality of the human soul as the principle of the human being guarantees its immortality as well as the preservation of the personal identity of the human being. From this point of view, the biological aspect of the death of the human being which consists in the decomposition of the body and the cessation of its functioning (Krąpiec called this the passive way of comprehending death), loses its significance and is treated as a certain natural necessity resulting from

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[96] See M.A. Krąpiec, UEP, s.v. "Chrześcijaństwo," vol. 10 (Lublin: PTTA, 2009), pp. 99–107.

[97] See M.A. Krąpiec, UEP, s.v. "Antropologia filozoficzna," vol. 1 (Lublin: PTTA: 2000), subchapter: "Spełnienie w akcie osobowej śmierci," pp. 256–257; and also in UEP, s.v. "Śmierć," vol. 9 (Lublin: PTTA, 2008), pp. 334–339.

contingency and the fleetingness of human existence from the material-corporeal perspective.

It was countered by an active way of comprehending death which stresses the personal life of the human being. It undergoes constant development during his/her biological life, manifesting itself in the continuous enrichment of one's cognition (spontaneous or consciously directed and developed) as well as acquiring proficiency in action and deciding about oneself and one's own action, especially in the context of other people and relationships established with them, in particular friendship and love. From this perspective, the directions of changes in the spiritual-psychological and material-corporeal spheres of the human being, are initially compatible during the duration of one's life, because both of them are subject to dynamic development; however, as time passes, after achieving the top possibilities of action in the corporeal sphere, gradually degradative and dysfunctional processes take place which lead to the weakening of the capabilities of the body to act and function, and, eventually, to the complete termination of metabolic functions and, ultimately, death which ceases (ends) one's biological life.

If one considered this to be the end of the life of the entire human being, then his/her personal life would remain unfulfilled in its basic aspects; i.e., from the cognitive, volitional and creative ones, and he/she would turn out to be an absurd being, because the natural inclinations towards cognizing truth and achieving new goods as well the desire for creating ever newer works would remain unfulfilled. The human being in his/her cognition naturally strives to attain more and more truth which in his/her case as a contingent being leads to a specific paradox: namely, the more one starts to cognize and understand from the surrounding reality, the more one starts to understand how much one still does not know and how much remains to be cognized. In this sense, not infrequently, at one moment of one's life, the famous Socratic assertion becomes pertinent: "I know that I know nothing." From the practical-existential perspective, more and more questions accumulate during one's life: in the context of relationships with others, about their motivations and reasons for such and not another action in relation to him/her, the sense of such and not another situation to occur "here and now," with such particular parents, with such a particular heritage, natural endowment and conditions of economic and political life.

From the volitional aspect, through the improvement of one's skills to acquire various goods, the human being discovers in oneself an unlimited desire to possess more and more of them; with time he/she turns to personal life and its intensification, discovering that in relation to other people it constitutes an appropriate life purpose. Nonetheless, contingency and the limitations of human nature connected with it, impede its fulfilment even in the most perfect possible acts of friendship and love. The human being him/herself discovers one's own limitations and those of many other beings as well as one's own material environment. In this sense the natural desire for obtaining unlimited good and achieving happiness, which is pursued by the human being throughout his/her life, is ultimately impossible to fulfill in the temporally and biologically limited life. The desire itself to experience the fulness of intellectual and volitional-appetitive life is natural and indicates the real possibility of fulfilling it, because otherwise by having aspirations that would be impossible to satisfy the human being would be an absurd being.

Such an anthropological-ontic situation indicates that in connection to the possibility of the continued existence after biological death, due to the indestructible, for immaterial principal principle of his/her life—the human soul—there must be a possibility of the ultimate fulfilment of human aspirations, albeit beyond the limits of biological-temporal life. According to Krąpiec, who also followed the suggestions of other thinkers, and in the context of the Christian doctrine, of decisive significance is the act of personal experience which takes place during the process of death, or after it; it is called the "ultimate decision," when the human being as-if "accounts for" his/her hitherto life and decides about its further shape in eternity. The aforementioned contingency of one's being indicates that one is not able to accomplish that himself, just as he or she could not overcome various limitations in the hitherto duration of one's life.

The discovery of the personal Absolute Being thanks to realistic philosophy (metaphysics) as well as Christian Revelation, points to the possibility of support for the human being in this decisive experience from the almighty God, when one acquires such assistance that will make him or her understand the meaning of one's life in the context of every situation in which one has found oneself in as well as the reason why God summoned him/her into existence. "The ultimate decision" concerns, precisely, the utterly free acceptance of that fact

in the context of the entire life of the human being as well as the choice of the mode of the afterlife: either becoming reconciled with the will and plan of God or rejecting Him. The choice of further life with God opens up the human being to ultimate fulfilment, because as a perfect partner of the personal life of the human being—as the supreme Truth and Good—He is bereft of all human limitations and also—in accordance with Christian Revelation—grants the human being supernatural aid supporting his/her limited nature. The necessity of "the ultimate decision" is justified by the rational and free nature of the human being, because as he/she is summoned into existence *ex nihilo* (from nothingness) he/she cannot be asked for his/her consent regarding this fact before coming into being. Moreover, the fact that the development of personal life occurs practically from scratch (the famous image of the intellect of the human being initially being a "clean slate") indicates that it is not possible for it to be completed in a mature and responsible manner during his/her biological life, determined by contingency and subjected to numerous limitations which the human being constantly needs to learn to overcome.

The authors of the encyclopedic entry on Krąpiec's metaphysics of the human being summarized his accomplishments in this field in the following way:

[His] concept of anthropology constitutes one of the most original proposals for a reflection on the human being in contemporary philosophy. It presents a holistic, coherent and autonomous … theory of the person. It has its autonomous object (human fact), method (explaining the human fact through demonstrating its objective reasons: decontradictification) and purpose. The philosophical anthropology devised by Krąpiec provides a neutral vision of the human being that may constitute a point of reference for the broadly understood humanities which out of necessity have to assume in their research some vision of the human being.[98]

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[98] See EPP, vol. 2 (Lublin: PTTA, 2011), p. 119.

The realistic approach to ethics

Ethics was a part of Krąpiec's philosophical system to which he returned on numerous occasions,[99] examining its foundations and exploring its key elements. The system itself was aimed at deciphering a reality which was independent of human beings, and Krąpiec pursued the same objective in the field of ethics, opposing any forms of subjectivisation in the realm of morality. The model of ethics functioning within classical philosophy was his point of departure, but he clarified it using methodological, metaphysical and anthropological tools which he devised himself. He also distanced himself from the schematism and superficiality of the approaches to ethics in textbooks

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[99]   See MEE; IM (chapter III: "Człowiek wobec dobra i zła moralnego"; "Funkcja refleksji w analizie czynu moralnego (na marginesie pracy K. kard. Wojtyły, *Osoba i czyn*)," AP 28, no. 2 (1980), pp. 114–118; DMB; UMB; *Dlaczego zło?* (Kraków: Znak, 1962); "O tomistyczną koncepcję prawa naturalnego," in *W nurcie zagadnień posoborowych*, vol. 2 (Warszawa: Wydawnictwo Sióstr Loretanek, 1968)2, pp. 11–37; *Ludzka wolność i jej granice* (Warszawa: Guttenberg-Print, 1997) (chapter: "Moralność w granicach wolności" and chapters: "Czy człowiek bez celu?; "Etyka a moralność," in *Codzienne pytania Antygony*, ed. T. Styczeń (Lublin: Instytut Jana Pawła II KUL, 2001); ETM; "Poznanie praktyczne źródłem działania i moralności," in AFC; PNL; "Afirmacja Boga w ludzkiej moralności," AP 43–44, no. 2 (1995–1996), pp. 37–48; *O obiektywne podstawy moralności*, AP 32, no. 2 (1984), pp. 187–195; "Prawo naturalne a etyka (moralność)," in *Filozofia prawa a tworzenie i stosowanie prawa*, ed. B. Czech (Katowice: Katowice: Instytut Wymiaru Sprawiedliwości; Ośrodek Terenowy przy Sądzie Wojewódzkim w Katowicach, 1992), pp. 41–49; M.A. Krąpiec, *O etyce. Z ojcem prof. Mieczysławem A. Krąpcem rozmawia Piotr Jaroszyński* (Lublin: PTTA, 2014).

on neo-scholastic moral theology. He was critical of some contemporary attempts at rejecting or reforming this tradition which was undertaken within so-called ethical personalism.[100]

Systemic apprehension of ethics

Krąpiec considered ethics to be dependent on the concept of science, concept of philosophy as well as metaphysical findings.[101] Therefore, he postulated, its systemic analysis within the classical concept of science and the model of classical philosophy inscribed in it, using more precise findings, also from the realm of general metaphysics and philosophical anthropology.[102] This constituted an intellectual challenge also for those ethical milieus in Poland which rejected a systemic explanation of moral reality (e.g., Józef Tischner).

Krąpiec defines ethics as the "philosophical interpretation of morality,"[103] which provides its ultimate explanation.[104] Although, traditionally it was considered to be a "practical" discipline (which was supposed to help the conscience in directing human actions[105] with its central problem being: "what is morally good and what is evil, and why?"), Krąpiec considered the following question to be central: "what is moral good and why?"[106] In his view ethics is "the basis for expressing concrete judgments of how one should behave in relation to the object-entity."[107] Therefore, the ultimate explanation of morality is supposed to serve the appropriate moral evaluation of various human acts.

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[100] For more on M. Krąpiec's ethics see: A. Karaś, "Struktura aktu moralnego w ujęciu Mieczysława Krąpca," *Studia Philosophiae Christianae* 47, no. 2 (2011), pp. 157–173.

[101] See ETM, p. 285.

[102] See IM, p. 257. See MEE, p. 1144.

[103] See ETM, p. 284.

[104] See DMB, p. 20; UEP, p. 289; IM, p. 270; UMB, pp. 99–100; HFL, p. 91; AFC, p. 144.

[105] Such an ideal of ethics was presented already by Aristotle: See *Nicomachean Ethics*, 1103b 27–29; J. Woroniecki, *Katolicka etyka wychowawcza*, vol. 1 (Lublin: Redakcja Wydawnictw KUL, 1986), pp. 328–329.

[106] See K. Wojtyła, "Problem teorii moralności," in *W nurcie zagadnień posoborowych*, vol. 3, ed. B. Bejze (Warszawa: Wydawnictwo Sióstr Loretanek, 1969), p. 222.

[107] See IM, p. 271.

Phenomenology of morality
and metaphysics of morality

Krąpiec based ethics on the experience of morality, because in the practice of this discipline he distinguished the "phenomenological description" of a moral experience, which is the initial stage of practicing ethics, from the "general and necessary philosophical analysis of that experience."[108] He accused traditional ethics of omitting that distinction.[109] Nowadays, however, what poses a threat is "the other extreme which limits itself to the very description of the fact without conducting a philosophical interpretation in the field of ethics that would ultimately justify the entirety of the experience or else its important moments."[110] And thus Krąpiec combined the tradition of the philosophy of consciousness with the philosophy of being in the field of philosophy of morality,[111] but he warned against forgetting about the distinction between "the act of decision itself from being aware and feeling obligated to perform that act."[112] Consequently, "in the analysis of the moral act they would not use the 'existential fact' as a point departure … Ultimately they would just remain in the domain of consciousness and the consciousness-related clarification of that which is happening 'within me'."[113]

Krąpiec claimed that "he did not present anything particularly new, but only stressed assertions known from tradition and important to this day." in his ethics.[114] Overall, he described Aquinas's ethics to be the most complete explanation of human moral activity and because of that "his reflections on this issue cannot be omitted

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[108] See MEE, p. 1139. See ibidem, p. 1140. According to Krąpiec it is necessary "to place the phenomenological description of the moral experience as the essential introduction to and as if basis for it and at the same time, in the second part of this description to elaborate a philosophical analysis of the moral act." This distinction of "theory of morality" from ethics is present also in Wojtyła's works: "Problem teorii moralności."

[109] See MEE, p. 1139.

[110] Ibidem, p. 1140.

[111] In this regard, he agrees with Wojtyła's postulates. See K. Wojtyła, "Problem teorii moralności," pp. 248–249.

[112] IM, p. 223.

[113] Ibidem, p. 224.

[114] UMB, p. 91.

by anybody who wants to say anything of value on this topic."[115] Aquinas "synthesized the philosophy of his predecessors and solved the difficulties that occurred in the philosophical systems of later centuries, when the foundations for understanding reality-being and the human being as such were established *a priori*."[116] Krąpiec believed that one had to first undertake its complete "philosophizement," since it was theology that was developed in the Middle Ages, not moral philosophy,[117] and that hitherto no consistent teleological moral philosophy had been elaborated, so most probably he wanted to fill that void.

Krąpiec described the history of ethics in greater detail in some of his works, indicating the reasons for the departure from classical ethics and its paths to subjectivism,[118] which began at the end of the Middle Ages (Occam's nominalism and Suarez's distinct form of essentialism[119]). Krąpiec considered models of ethics connected with nonclassical concepts of philosophy (e.g., positivistic) to be "*a priori* in relation to the pre-existing human personal action,"[120] "derived from *a priori* subjective assumptions with an as-if monistic foundation,"[121] and consisting in "striking at the actual good, recognized by the normal human intellect,"[122] which in the case of Kantian ethics

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[115] See M.A. Krąpiec, "W 700-lecie śmierci Tomasza z Akwinu i Bonawentury," AP 22, no. 1 (1974), pp. 5–12 (p. 10).

[116] HFL, p. 96.

[117] See MEE, pp. 1139–1140. See ibidem, p. 1142.

[118] Under the influence of Occam and Suarez (as well as John Duns Scotus, see HFL, p. 105) ethics "begins to slowly move towards subjectivism—focusing on the way humans cognize as well as understand and justify, rather than on making an effort to objectively decipher the moral good of the deed. ... Therefore, the emphasis in the understanding of the moral act was moved from deciphering the truth about the good to the understanding of the moral prescriptions and norms" (HFL, p. 99). Hobbes and Kant followed this trend (see ibidem, pp. 99–103) as well as M. Scheler's and N. Hartman's "value ethics" (see ibidem, pp. 104–107). In yet another place these types of ethics were described as ones that resulted from the rejection of the final cause "as the justification of the moral act" (HFL, pp. 200–201).

[119] See HFL, p. 98.

[120] ETM, p. 285. See AFC, p. 143. He has in mind here the establishment of the moral fact "with the help of a theory that is *a priori* in relation to the observed fact," and that fact is—according to Krąpiec—human action.

[121] M.A. Krąpiec, "Etyka a moralność," p. 192.

[122] Ibidem, p. 194.

"reduces the justification of morality not to the order of objective good one must perform, but to the order defined by subjective obligation."[123] Marxist ethics is equally subjectivist, because "it destroys the ultimate purpose and meaning of human life and proposes meaning in the perspective of temporality as well as the negation of God and humanity."[124] Therefore Krąpiec primarily criticized ethical subjectivism (in various forms) for not acknowledging that moral good is an actual good, and consequently, morally good action relies on the practical coordination of acting with reality, recognizable by the human intellect. He was also critical of the personalist model of ethics which had been accepted by Wojtyła's disciples, accusing them of departing from classical ethics.[125]

The object of ethics

The object of ethics is the human decision, comprehended as a moral being, the culminating element of the human act, that is the conscious and free action. From this perspective Krąpiec criticized other descriptions of the object of ethics, especially treating it as an obligation,[126] because then the realm of morality is limited to a field regulated by the virtue of justice, because only there does obligation appear.[127] Apart from that, in this formula he saw the danger of the influence of the Kantian ethical tradition, initially with its a priori, consciousness-related, and ultimately agnostic point of departure.

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[123] Ibidem, p. 193.

[124] Ibidem, p. 194.

[125] See chapter "Discussions and polemics" in this volume.

[126] In most general terms Krąpiec describes this approach to the object of ethics as "the consequence of the absolutization and reisation of the aspect." See AFC, p. 143: "sometimes ... the realm of wisdom is placed in some aspective apprehension of this fact [moral fact], e.g., the *a priori* understood 'moral experience,' when the conscious-related experiences of possible interpersonal relations featuring obligations are considered to be experience *per se*."

[127] See UMB, p. 96.

Morality as a personal fact

Krąpiec treated morality in accordance with classical morality as a personal fact,[128] because it engages the human person. Outside of this context it would be non-existent and incomprehensible. For this reason, Krąpiec in his metaphysical explanation of the fact of morality also revealed the distinct structure of the human being which justified it. Only moral good is the good of the person as a person, while all other goods (e.g., economical or aesthetic) do not concern personal humanness, because one can be a rich, and yet an evil person.[129] Hence one of the directions of the ultimate explanation of the fact of morality reveals the personal structure of the agent and subject of the moral good and evil.[130] The essential structure common to all people constituting the human being (human nature) is in every case "a unique copy of the unitary pattern of personhood"[131] of a contingent being dependent in its existence and substantive endowment from the Absolute Being.[132]

In the context of ethical considerations, Krąpiec primarily analyzed the activity of cognitive and appetitive powers which play a substantial role in moral action; therefore, he focused on an analysis of the supervisory function of practical reason as well as the participation of mental aspirations (the will) and sensual aspirations (emotions). In his characteristic of the function of reason in moral life—both theoretical and practical (including also the practically-practical, that is the conscience)—he stressed its receptivity in relation to the being.[133] The human intellect does not create reality, but deciphers it, also in the aspect of good and evil. However, in the case of decisions we deal with practically-practical cognition (phronetic)

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[128] Cf. IM, p. 257; HFL, p. 91.

[129] Cf. Aristotle, *Nicomachean Ethics* 1106 a 15: a moral virtue is "... a settled disposition of the mind determining the choice of actions and emotions, consisting essentially in the observance of the mean relative to us, this being determined by principle, that is, as the prudent man would determine it."

[130] See IM, p. 258.

[131] Ibidem, p. 258.

[132] Cf. MEE, p. 1143.

[133] See IM, p. 265, 266; MEE, p. 1144; HFL, pp. 97–98.

which concerns that what is concrete, changeable and optional.[134] This is different from theoretical cognition which concerns that what is necessary, general and unchangeable.[135] The distinct practically-practical cognition is adjusted to the purpose of forming (bringing into existence) a new being (human decision) in changing and particular circumstances.[136] From this perspective Krąpiec criticized the principle of universalization in Kant's ethics, because it can be a "recommendation of the theory of moral action itself, namely ethics, and not the type of cognition that refers to the moment of the decision itself. The moment a decision is made is particular and as such it cannot become a general, even formal, norm."[137] In its practical managing of action the practical intellect relies on theoretical cognition, because it is "on the basis of theoretical judgements that concrete supervision of action through practical judgements occurs about what one should or can do 'here and now'."[138]

Krąpiec also conducted a broad analysis of the functioning of the human will, its various acts, as well as its freedom conditioned by the appropriate use of the intellect, clarifying the findings of classical philosophical anthropology.[139] On account of the significant participation in human decision of the sensual aspiratory powers (the emotions), he included their analysis in the metaphysics of human action, postulating at first to "improve them, for them not to disrupt human personhood," which he calls "the sublimation of these emotions to the level of rational life."[140] This is accomplished by positive moral skills (moral virtues) concerning appetitive (the virtue of temperance) and combative (the virtue of fortitude) powers, but also by developing practical reason (prudence) and will (justice).[141]

Thus Krąpiec also took on the issue of ethical aretology in his normative anthropology,[142] recalling the findings of the classical theory

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[134] See MEE, p. 1131; AFC, p. 84 ff.

[135] See MEE, p. 1131; ETM, p. 286; MEE, p. 1136; AFC, pp. 84–98.

[136] See MEE, p. 1131.

[137] Ibidem, p. 1133.

[138] ETM, pp. 286–287; cf. IM, p. 259.

[139] Cf. MEE, pp. 1134–1135.

[140] ETM, pp. 287–288; cf. AFC, pp. 91–93.

[141] See ETM, pp. 287–289.

[142] See AFC, pp. 135–142.

of moral skill (moral virtues and vices) and suggesting innovative merging of moral virtues with the theological virtues, because according to him they had not been sufficiently merged earlier. First of all he points at the "connate" sense of the virtues of love, hope and faith, referring them to the human life as an existential fact "which must be strengthened by these virtues," whereas the other moral virtues are supposed to concern "the essential, as if horizontal" side of our life.[143] And thus "theological" virtues also "concern human existence which is fragile and transient, because the human being as such is contingent,"[144] whereas usually these virtues were referred to relations with God.[145] He also postulated supplementing the catalog of moral virtues and vices in connection with new areas of human experiences.[146]

Teleological ethics

Krąpiec considered the teleological explanation (except for the efficient and formal one)[147] as the most fundamental in the philosophy of morality, because "when analyzing human moral functioning, we notice first the purpose of the action … which is as if the source and beginning for human moral action, if it is that factor because of which the action occurred rather than did not occur."[148] Purpose is the motive of human action, i.e. the reason for pursuing good.[149] The negation of teleological ethics[150] leads to "the ethical subjectivism of a convention," and the "negation of the finality of action—on account of a possible fear of eudemonism—is equivalent to the negation of ontic contingency in action and order in the world—in the form of the real pursuit

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[143] See ibidem, p. 138.

[144] Ibidem.

[145] See ibidem. According to Krąpiec, "faith, hope and love determine the way the human being lives and coexists with other people" (ibidem).

[146] See ibidem, p. 142.

[147] See ibidem, p. 65.

[148] HFL, p. 111; cf. AFC, pp. 58 and 60; MEE, p. 1136.

[149] See AFC, p. 58.

[150] One must remember that the term "teleologism" has assumed a different meaning in contemporary ethical debates.

of the good."[151] In his opinion, however, no convincing teleological philosophy of morality has been presented so far.[152] He warned of an erroneous concept of purpose which entered into philosophy because of Descartes who treated the purpose as a fulfilled result (end) of an action.[153]

Admittedly the principle of finality concerns the actions of all beings, but it is fulfilled differently in the case of the human being, a rational and free being, because he/she "chooses a purpose-good for him/herself," and, therefore, what occurs is the "freedom to choose a purpose,"[154] because it is a choice based on the cognitive "noticing of the good;"[155] such "noticing" is a distinct type of intellectual cognition, although concerning a concrete good. The teleological analysis of action (conducted already by Aristotle) also indicates that the being, through becoming the purpose of the other being, "really enriches it,"[156] and in case of a personal being this means fulfilling it on the path of the participation of cognition and free will of the contingent acting subject.[157] What serves the determination of the personal level of action is the subsequent explanation of its finality which indicates the necessity of accepting the so-called ultimate purpose of action (and its specific substance), i.e. such a purpose that justifies the pursuit of all other goods. "God is the ultimate Purpose-Good of His creation which in its action strives towards God,"[158] since human

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[151] AFC, p. 73: "The human being using reason should, indeed, decipher this natural state of affairs rooted in the very nature of contingency. It cannot be considered as a form of eudemonism; oppositely, separating the human being from the purpose-good and his/her metaphysical understanding is the destruction of the entire natural order of action."

[152] According to Krąpiec "a justified doubt arises, whether there ever were teleological or exemplarist ethics, because ... nowhere in Aquinas's works is there a reasoning conducted on the final connate purpose of human moral life, but only an analysis of the purpose which is presented in light of the virtue of supernatural faith" (MEE, p. 1141). He accused Aristotle of his ethics also not being entirely teleological, because "he did not know such a good which on its own would fulfill all of the conditions of a perfect good that could ultimately make a person happy" (p. 1143).

[153] See HFL, pp. 192–194; cf. ibidem, p. 200.

[154] See AFC, p. 59.

[155] See ibidem.

[156] Ibidem, p. 70.

[157] See ibidem, p. 71.

[158] ETM, p. 289.

potentiality "is infinite and it 'demands' an infinite good, proportional to human 'transcendence,' or else actualizing personal potentiality."[159] This moment of classical ethics which assumes that "through the moral value of one's actions the human being may get closer to the purpose of his/her life or farther,"[160] does not signify, however, the position of so-called ethical eudemonism which considers the relation of the act to the ultimate purpose of the human being (happiness understood as the perfection of the subject of action) to be the essence of morality, the constitutive measure of good and evil (the norm of moral conduct). Some scholars attribute such a position to Aquinas and Krąpiec. However, he himself rejected the assertion that morality is "a process in achieving happiness,"[161] and that the moral evaluation of acts is based on determining their relation to their own ontic completeness. He also ruled out treating other people only as a means to an end. He considered the accusation of eudemonism to be also inaccurate in relation to Aquinas's position,[162] because the dispute on eudemonism is "a secondary matter, dependent on the concept of moral being and the character of the language of ethics (i.e., the psychologizing or philosophical language)."[163] Krąpiec treated accusations addressed at ethical eudemonism as a misunderstanding connected with an erroneous concept of the purpose as the end (effect) of action; as a result it was noticed that "a loving and rational being cannot concentrate on oneself and one's happiness-generating experiences, because it is not worthy of a human," but "finality (the final cause) was thus discarded as a justification of a moral act."[164]

The objective criterion of moral evaluation is the truth about the good of the situation of action recognized by the intellect. Admittedly among the normative elements—apart from the "truth about the good" deciphered by one's own intellect—Krąpiec distinguished also the ultimate purpose of the human being as the one that is present in the normative function of the conscience, but he did not treat it

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[159] Ibidem, p. 56.

[160] See K. Wojtyła, "Problem teorii moralności," p. 236.

[161] See UMB, p. 93.

[162] Krąpiec agreed, nevertheless, that Aristotle's ethics is eudemonistic, because: "Eudemonism, as one of the theories explaining human action, was, in light of his system, crucial for Aristotle" (UMB, p. 101).

[163] Ibidem, p. 91.

[164] HFL, p. 200.

as something independent and directly normative.[165] He defined happiness as "an effect" of action.[166] When performing a moral evaluation of a particular class of acts, he did not use the concept of happiness as the ultimate purpose of human action, or measure of good and evil, the accordance with which would decide about the moral value of the act.

The analysis of the finality of moral action points to the necessity of also analyzing the formal cause, because "the good stimulating our desire is not vapid" and this "rich concrete essence of the good can be intellectually deciphered and understood ... The point is whether the good that I choose, is in fact a good for me. When we decipher it and come to believe that the good which we crave is a real good for me, and not merely illusive, then I can decree a practical judgement, in order to do that good." And further, "the substance of the practical judgment about the good ... is deciphered and assimilated as 'the truth about my good' ... The purpose of action, the good, should be 'the truth,' that is a real good and not merely illusive." Krąpiec did not determine the norm of moral conduct on the level of a teleological explanation of morality, but within the analysis of the formal cause, because it is the

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[165]   See ETM, p. 286. Krąpiec claims that "one cannot evaluate the harmonization of these actions without taking into consideration the ultimate purpose of the human being." And further: "The human being in his/her conduct has a choice between good and evil and should choose good, that is such a practical judgment which dictates good in the perspective of the theoretical judgments at one's disposal, that is personal convictions about reality as well as in the perspective of the ultimate purpose (ultimate good) which cannot collide with the good suggested by the practical judgment. The intellect perceives all of that" (ibidem, p. 287). These assertions require expanding, because the "perspective of the ultimate purpose" is presented here as co-provided for the normative function of the intellect and not as its coordinate element. The author, therefore, morally defines a good decision as one that is compatible "with a system of personal theoretical judgments about reality as well as their ultimate good as the purpose of the human life" (ibidem, p. 287). In the voice of conscience the cognition of good is supposed to be present "which must be fulfilled in the perspective of the ultimate purpose, the good of the human being—merged with theoretical judgments that are systems of human understanding of people and things" (ibidem, p. 287). Wojtyła, too, claims that "we cannot align with each other finality specific of moral values with the finality of all other objective values. The difference lies ... also in the character of the pursuit or desire. To desire some good or to desire to be good are two dynamic realities of various depths in the subject" (ibidem, p. 237). See M.A. Krąpiec, *Elementarz etyczny* (Lublin: PTTA, 2017) (chapter: "Właściwa interpretacja nauki o szczęściu").

[166]   See UMB, p. 99.

form (design) that "determines and directs action. And without determining the source of action it is not possible to initiate a real action."[167]

The principle of realism

Krąpiec linked defining the essence of the moral good with the compatibility of the decision with the intellect of the subject,[168] that is its own practically-practical judgment (albeit based on theoretical judgements) about reality within which the subject functions. This assertion is commonly accepted in the tradition of classical ethics, but it is differently understood in post-Cartesian ethics, because it grants creative character to practical reason or else subjugates it to the sensual powers. In the tradition of classical ethics, the requirement to act in accordance with reason is the consequence of recognizing one's endowment with reason (the power of intellectual cognition) as the distinctive feature of humanness, and therefore also the driving force in the human being.[169] Hence the human being should always and everywhere be guided by one's own intellect (conscience), while acting against reason is wrong at all times and places. This is in accordance with the entirety of classical ethics. Krąpiec, however, stressed the receptive character of the human intellect, also in its practical function, because the intellect "does not create and does not construct essences in the act of cognition, but 'extracts' them from entities," or else "it lives by the objective essences and principles of being."[170] This fact is

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[167] HFL, p. 195.

[168] See HFL, p. 97; cf. IM, p. 274. Krąpiec defines the essence of the moral evil as the incompatibility of the practical judgment with the theoretical one (See MEE, p. 1145). This requirement of compatibility between acting and reason is at times encompassed by a broader formula, because the chief rule of conduct is defined as "a structure of being which manifests itself in the theoretical judgment" (UMB, p. 95). Cf. ibidem, p. 92 (the norm of moral conduct is defined as "a structure of being, deciphered as my truth about the good which is the object of my action").

[169] Aquinas claims that "... Now in human actions, good and evil are predicated in reference to the reason. ... For that is good for a thing which suits it in regard to its form; and evil, that which is against the order of its form." (*Summa theologiae* I–II q. 18, a. 5).

[170] IM, p. 266; cf. HFL, p. 97 ("... human reason—*ratio recta*—is directed by essences of the real being. ... That is why reason in its cognition is directed by the assembly of substances of real beings"). Cf. AFC, p. 69.

the basic argument against ethical subjectivism[171] which is also sometimes concealed in some versions of classical philosophy.

Yet treating the conscience as a subjective norm of moral conduct, Krąpiec referred its judgments to an objective criterion, namely a reality independent from human cognition, deciphered by the human intellect in the aspect of the good. Therefore his ethical theory fits in the trend in classical ethics in which the chief principle of moral life is at times called the principle of realism, i.e. the principle of coordinating action with the objective, ontic-axiological reality. Since the intellect (reason) is "empowered to decipher true good in that what it does, and not only seeming good," then "deciphering 'the truth in my good,' which became the motive and object of my action, is the rational rule for my conduct."[172] He defined the moral good as a "real good," because it is "in accordance with my understanding of reality," and "the practical judgement which is not compatible with my understanding of reality (and consequently also the real good) is a judgment about an apparent good, a false good, because it is incompatible with the state of my understanding of reality."[173] Therefore "I decipher and assimilate" the substance of the judgment of conscience as "the truth about my good."[174] Acting morally is "taking into consideration the truth of the being." By approaching the object of intellectual cognition more specifically, Krąpiec clarified the "truth about the good" as one based on deciphering the necessary structure of reality (the nature of the object of action), and thus the norm of conduct is "the structure of being, deciphered as 'my truth' about the good, ... real nature (structure) of the being, and thus the human being and other natural creatures."[175] Hence he also defined morality as "a human decision ... which out of necessity—by virtue of the decision's structure itself (in the very nature of things)—is with 'all itself' in a transcendental relation to the nature of being deciphered in the theoretical judgment."[176] However, if the nature of being indicates its inclinations to a particular action, then also the moral obligation to respect the nature

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[171] See IM, p. 266; cf. MEE, p. 1144; IM, p. 265.
[172] See HFL, p. 98.
[173] Ibidem, p. 114.
[174] Ibidem, p. 112.
[175] UMB, p. 92.
[176] Ibidem, p. 93.

of beings[177] deciphered by the intellect is appliable to the obligation to respect their inclinations, and in the case of the nature of the human being—the subject and the addressee of our action—the inclinations of human nature. This way Krąpiec reached the classic theory of natural law. By virtue of the ontic dependency of reality from God,[178] on the other hand, respecting the real, intelligible structure of being is respecting "the assembly of divine ideas on a given entity, … that is the eternal Divine law"[179] which is "the supreme rule of moral conduct."[180] The principle of realism is, therefore, the principle of respecting the entirety of reality, including its being rooted in the Absolute Being.

If the main object of action is the human person[181] that Krąpiec described as "the main object of moral conduct,"[182] and the objective moral order is a personal order,[183] then one can say that its objective structure (nature) is an objective norm of conduct, deciphered by the human mind when the addressee of action is the human person. Such a position is, therefore, congruent with ethical personalism according to which the essence of moral good is respecting the non-instrumental (inherent) good of a person, grounded in its specific ontic structure.[184] Hence Krąpiec stressed that "I cannot … 'use' the object-good contrary to its nature, purpose, inclinations, especially—and in the realm of morality most of all—when that object is a human person: I myself or my neighbor."[185] Within the moral obligation of respecting

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[177]   See IM, p. 267 ("… in our conduct … we need to take into consideration the nature of a given being, or class of beings, with their inclinations and purpose"). Therefore Krąpiec defines the essence of moral evil as "the incompatibility between human action and the nature of reality itself" (IM, p. 274).

[178]   Krąpiec accurately presents aspects of this dependency in a variety of contexts. See ETM, p. 289; cf. AFC, p. 71; IM, pp. 265, 266, 268, 270.

[179]   Ibidem, p. 273.

[180]   Ibidem, p. 268; cf. HFL, p. 118.

[181]   "The object of action can … be anything: from material objects to the world of persons, even ourselves" (IM, p. 267).

[182]   IM, p. 274.

[183]   See ibidem, p. 268.

[184]   The notions of "affirmation" in the description of the chief principle of referring to the person was first used by Wojtyła in *Love and Responsibility*. Krąpiec criticized such a use of the term, because in the tradition of classical philosophy "affirmation" is an act of the intellect and not the will (See AFC, p. 56).

[185]   IM, p. 273. Wojtyła differentiates two types of ethical argumentation in classical ethics: "based on natural law" and "personalistic" (See K. Wojtyła, *Człowiek w polu odpowiedzialności* (Rzym–Lublin: Ośrodek Dokumentacji Pontyfikatu

the nature of beings Krąpiec consistently distinguished the obligation to respect the nature of the human person, including one's own nature.[186] Hence he sometimes defined morality as essentially connected "with the experience of the person as a being for the other 'you,'[187] and the human being-person is the object and motive of our human action. He used this personalist criterion when morally evaluating various concrete human acts, including adultery, as harm dealt to a woman, consisting in "subordinating a person to be the embodiment of a function."[188] When taking on the problem of human rights, he drew attention to the fact that they "point to the human person as a purpose, to which they are assigned,"[189] whereas the analogical common good of each community is "the real purpose-good of particular people, such as their versatile personal development."[190]

Additionally, Krąpiec deliberated whether "the essential object of human moral action is the human being as a person as such?"[191] He responded to the question affirmatively and extended his analysis of the paths for cognizing the human person, reaching the assertion that:

> The personal being manifests itself as a being that exists in itself as in the subject and for itself as a purpose of action … Therefore, thus understood personal being is the only being-person in nature, in itself and for itself, and thus a being-purpose of action … Therefore, the personal good as a good is an object and purpose of human action … This does not mean, however, that another person completely exhausts the order of practical cognition, which

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Fundacji Jana Pawła II; Instytut Jana Pawła II KUL 1991), pp. 82–87). The first type of justification of norms of morality is considered by him necessary to be supplemented with "personalist" argumentation which would be complementary in relation to the former (See ibidem, p. 84 and 87). He claimed that the lack of "an explication of the personalist component … is a lack, albeit from the perspective of natural law as well as its traditional understanding" and for this reason "this argumentation will be incomplete or even biased and partially erroneous" (K. Wojtyła, "Zagadnienie katolickiej etyki seksualnej: Refleksje i postulaty," AP 13, no. 2 (1965), p. 18).

[186] See IM, p. 267.

[187] PNL, p. 29.

[188] DMB, p. 22.

[189] M.A. Krąpiec, "Wolność w świetle i cieniu polityki," in M.A. Krąpiec, *Dzieła*, vol. 18 (Lublin: Redakcja Wydawnictw KUL, 2000), p. 151.

[190] Ibidem.

[191] AFC, p. 74.

is essentially connected not with a person, as a human person, but with a good that finds its most complete expression and fulfillment in the personal Absolute Being.[192]

Sometimes, however, nonpersonal beings are the object of action[193] and then one must also behave reasonably and well, that is humanely. Yet "among concrete goods-objects of human action, an essential motive is the personal good and the ultimate motive is the Absolute Good."[194] Krąpiec recalled in this context the distinction *bonum honestum* accepted in classical ethics,[195] and he ascribed the status of such a good to the human being, because "only a human being holds a special place as a subject which independently exists in a special manner" For this reason "one can and should treat the human being, as a substantial and personal being, as a moral good which is the purpose of human action."[196] Hence also "among all contingent beings only the human personal being can become a purpose of action, although not an absolutely ultimate one."[197]

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[192] Ibidem, p. 75.
[193] See ibidem.
[194] Ibidem.
[195] See ibidem.
[196] Ibidem, p. 76.
[197] Ibidem, p. 77.

EXISTENTIAL PHILOSOPHY OF LAW

INTRODUCTION

Krąpiec's philosophy of law[198] was approached systemically,[199] that is with the application of the findings from within the system of realistic metaphysics and personalist philosophical anthropology. Apart from the substantive significance of this topic, one of the main reasons for focusing on it was ousting the philosophy of law from ideologized university law courses in communist Poland. This process took place either by replacing the philosophy of law with the "theory of law" understood in a positivistic way or by combining it with

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[198] Krąpiec's main works on the philosophy of law are: PNL; "O tomistyczną koncepcję prawa naturalnego," in *W nurcie zagadnień posoborowych*, ed. B. Bejze (Warszawa: Wydawnictwo Sióstr Loretanek, 1968); *O ludzką politykę!* (Katowice: Wydawnictwo Tolek, 1993); *Ludzka wolność i jej granice* (Warszawa: Guttenberg-Print, 1997); *Suwerenność... czyja?* (Łódź: Diecezjalne Wydawnictwo Łódzkie, 1990); s.v. "Filozofia prawa," UEP, vol. 3 (Lublin: PTTA, 2002), pp. 500–512; s.v. "Prawo," UEP, vol. 7 (Lublin: PTTA, 2007), p. 466; s.v. "Ius," UEP, vol. 4 (Lublin: PTTA, 2003), pp. 115–126.

[199] See PNL, p. 8; cf. M. Piechowiak, "Mieczysława Alberta Krąpca koncepcja filozofii prawa," in M. Piechowiak, *W trosce o godziwe prawo* (Lublin: PTTA, 2013); T. Duma, "Egzystencjalne podstawy prawa naturalnego według Mieczysława A. Krąpca," *Studia Philosophiae Christianae* 48, no. 2 (2012), pp. 5–25; K. Stępień, K. Wroczyński, "Filozofia prawa w ujęciu Krąpca," in: EPP, vol. 1 (Lublin: PTTA, 2011), pp. 378–382. J. Janowski, "Filozofia prawa w nurcie tomizmu egzystencjalnego Mieczysława Alberta Krąpca," *Annales UMCS. Sectio B* 47 (2000), pp. 107–120; M.A. Krąpiec, *O prawie. Z ojcem prof. Mieczysławem A. Krąpcem rozmawia K. Wroczyński* (Lublin: PTTA, 2011).

nonclassical "philosophy." This had the same results as far as the understanding of law is considered. Based on the only, allegedly, science generating question "what is the way things are?" (which is aligned with the positivist concept of science as well as the idea of "philosophy" understood only as a supplement to the particular sciences) it is impossible to reply to the questions "What is law?" and "Why is law valid?" Although right after World War II the legal communities realized the dire need to depart from legal positivism with its characteristic methods of understanding, creating and applying laws (Gustav Radbruch), the zeal to accomplish that quickly died out or faded. Introducing substantively determined so-called general clauses, that is moral concepts, into positive law, has been criticized also in the Polish legal community: this mainly refers to human dignity, justice, the value of human life, etc., because being as-if arbitrary constructs, they conceal a totalitarian attempt to impose upon everyone someone's peculiar religious views. No wonder that in contemporary philosophy of law there is a place for the postmodern theory of law, which treats law a social construct that must be subjected to "deconstruction." On the other hand, there are frequent attempts to exclude classical philosophy of law as a partner for discussion.

It was symptomatic that the revival of the philosophy of law at Polish faculties of law was undertaken after 1989 by the lawyers themselves and even the special credit is ascribed to a Supreme Court judge, Bronisław Czech, in this context. He understood correctly that we did not need Marxism, the Frankfurt School or postmodernism, but he invited, as a collaborator, Fr. Prof. Krąpiec.[200] During the communist regime in Poland, Krąpiec prepared himself for an intellectual confrontation and left behind an impressive—also as far as the scope of the discussed issues is considered—monograph referring to the philosophy of law. It is based on the critical analysis of earlier philosophical treatises on this topic (especially those by Thomas Aquinas, but also Czesław Martyniak, Feliks Bednarski, Jerzy Kalinowski) as well as concepts of contemporary legal scholars (among others Eugeniusz Jarra).

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[200]   See M.A. Krąpiec, "Prawo naturalne a etyka (moralność)," in *Filozofia prawa a tworzenie i stosowanie prawa*, ed. B. Czech (Katowice: Instytut Wymiaru Sprawiedliwości; Ośrodek Terenowy przy Sądzie Wojewódzkim w Katowicach, 1992), pp. 41–49.

The concept of the philosophy of law

In contemporary philosophy of law, one usually does not focus on substantial differences between concepts of philosophy within which legal analyses are conducted. Nonetheless, for Krąpiec this was a crucial matter, because nowadays we have to deal not only with one concept of philosophy, but with its opposing approaches that lead to various cognitive results, including different types of justifications for the formulated assertions. He defined classically understood philosophy as "purely theoretical cognition—in light of the first principles—of being as an existing entity which is first accessed by us in sensual-intellectual empirical data in order to discover the ultimate factors that decontradictify the very fact of real existence."[201] He also stressed the fact that classical philosophy made use of "transcendentalizing" cognition, and, therefore, strictly analogical cognition, which had fundamental significance in the philosophical theory of law.[202] He distinguished from the classical ideal of philosophy its nonclassical variations,[203] which currently have their representatives in analytical, hermeneutical and postmodern philosophy of law. Its classical version is the ultimate "explanation of the fact and the essence of law itself"[204] (or "a theory explaining the ontic character of the law and pointing to the foundations of its binding power") together with particular issues such as: Does a universal human—natural—law exist? What is the relation of positive law to natural law? Does positive law have to be always binding?

Krąpiec inseparably linked philosophy of law with philosophical anthropology,[205] since different concepts of the human being lead

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[201] See PNL, pp. 20–21.

[202] See PNL, p. 12. He stressed the J. Kalinowski's contribution to noticing this issue, but: "he too loosely connected the issue of truth with the propositional-transcendental sort of cognition which in pre-theoretical and philosophical cognition is essentially a carrier of truth, since the transcendentalizing sort of cognition is based on existential judgments and these judgments fundamentally affirm existence" (ibidem). On the other hand, he criticized C. Martyniak's work for not noticing the specific, analogical, character of philosophical cognition. For critical remarks on F. Bednarski's work see PNL, p. 197.

[203] See ibidem, p. 21.

[204] Ibidem, p. 20.

[205] See ibidem, p. 21. Hence a large part of the considerations in PNL concerns the concept of the human person.

to modifications in the understanding of the law itself and one of the directions of the decontradictification of the fact of law reveals a specific concept of the human being.[206] In order to properly understand law, a proper understanding of the human being is necessary, because it constitutes the subject and the limit of a legal relation and his or her good (personal development as the common good of all people) serves as the basis for law. He also linked philosophy of law with ethics, and the latter is supposed to be both its "part" and its "foundation."[207] Since ethics is a theory which evaluates human actions by the measure of our humanness, also in ethics the issue of so-called natural law appears as well as of the moral evaluation for creating positive law. Ethics, on the other hand, was described as a "foundation" of the philosophy of law, because natural law constitutes the foundation for understanding the binding power of any sort of law.[208]

An element of Krąpiec's philosophical method is historicism and on account of this he broadly presented the tradition of the philosophy of law. For this purpose he questioned some interpretations, looking critically at the works of such historians of philosophy of law as Werner Jaeger, Leo Strauss as well as the forgotten eminent Polish scholars from the inter-war period: Eugeniusz Jarra,[209] Edmund Krzymuski,[210] Antoni Peretiatkowicz,[211] Czesław Martyniak[212] and Jerzy Kalinowski.[213]

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[206] See ibidem, p. 127.

[207] See ibidem, p. 20. (Philosophy of law "is the integral part, the foundation" of moral philosophy).

[208] See ibidem, pp. 217–219 and p. 42.

[209] E. Jarra, *Historia filozofii prawa* (Warszawa: Skład Główny w Księgarniach Gebethnera i Wolffa, 1923).

[210] E. Krzymuski, *Historia filozofii prawa* (Kraków: Krakowska Spółka Wydawnicza, 1923).

[211] A. Peretiatkowicz, *Filozofia prawa Jana Jakóba Rousseau'a* (Kraków: Nakładem autora, 1913).

[212] C. Martyniak, *Moc obowiązująca prawa a teoria Kelsena* (Lublin: Wydawnictwo KUL, 1938).

[213] J. Kalinowski, *Teoria reguły społecznej i reguły prawnej Leona Duguit* (Lublin: Towarzystwo Naukowe KUL, 1949).

Concepts of law

In his historical overview of various positions, Krąpiec distinguished five concepts of law. In the ancient Greek cosmic-theological concept of law, philosophical thinking is still mixed up with mythology.[214] He criticized the "psychological-theological concept of natural law (Plato, Saint Augustine, Franciscan scholars in the Middle Ages and the Jesuit scholars in the Renaissance)" of using an essentialist concept of being as well as a universalizing cognition instead of an analogical-transcendentalizing one, which leads to grave theoretical consequences.[215] The early modern "school of natural law" (among others Hugo Grotius, Thomas Hobbes, John Locke) bases its conclusions on an erroneous rationalist concept of cognition[216]; consequently, "they believed that it was possible to construct a complete system of natural law as a ready-to-use code binding all nations forever after,"[217] in this way provoking a reaction to reject natural law. Krąpiec himself supported Aquinas's concept of law, but supplemented with precise clarifications and corrections elaborated with the use of the intellectual tools that he himself devised.

Krąpiec juxtaposed these four concepts of law that assume the existence of a natural law independent from the human being to legal voluntarism,[218] which has diverse variations, and among them a positivist and neo-positivist reaction to the "school of natural law." It rejected the existence of the natural law as well as the issue of its essence, replacing it with the question: "How is law formulated?,"[219] because only a problem stated in this way could be accepted by the Positivist concept of science. Legal voluntarism considers the law to be the will of the sovereign of the community and not a work of his cognizing intellect. Krąpiec also treated as a part of this group the so-called psychological theory of law (Leon Petrażycki), which treats law as distinct emotional experiences, thus reducing law to irrational

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[214] See PNL, p. 61.
[215] See ibidem, p. 56.
[216] See ibidem.
[217] Ibidem, p. 78.
[218] See ibidem, pp. 96, 97.
[219] Ibidem, p. 91.

phenomena.[220] Therefore, either one treats law as the work of r(R)eason or blind will, but in the realm of the first solution one not infrequently understands this "reasonableness," like e.g., in the early modern "theory of natural law" which treats it univocally and not analogically.[221]

Krąpiec sided with Aquinas's solution, consistently defending the treatment of the law as a reality essentially connected with the concept of the human being as a person that is, most of all, rational, free and social (open to other people). Therefore he rejected legal voluntarism, i.e. treating the law as the result of divine or human willfulness or irrational emotions. He enriched Aquinas's position with the distinction into the existential and essential aspects of the law.[222]

The existential aspect of law

In accordance with Aquinas's concept of being, the fact of the existence of every entity is fundamental for philosophical analysis, also within the philosophy of law, because existence is a moment which constitutes the being, therefore also legal relations, which is commonly unrecognized in contemporary theories of law.[223] Law from the existential perspective is a distinct relational being[224] which exists

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[220] See ibidem, pp. 95–96. Apart from that, he criticizes this last concept—typical of the psychologism in science at the beginning of the twentieth century, yet up until this day very warmly treated by Polish legal scholars—mixing up the experiences with their object, and after correcting this mistake, appealing to human mentalism is, therefore, a reference to human nature—and at the same time, stopping half way, because this is the psyche in its cognitive aspect that functions in such a way that it is directed by cognitively apprehended, but objectively real essences of things.

[221] One of the most recent publications covering this issue from Krąpiec's realist perspective is the work by K. Stępień, *W poszukiwaniu podstaw racjonalności prawa* (Lublin: PTTA; Wydawnictwo KUL, 2015).

[222] See ibidem, p. 37. Krąpiec also suggests a terminological distinction: "ius" is an existential legal fact and "lex" is its essential aspect (pp. 37 and 38). See M.A. Krąpiec, "Wolność w granicach prawa," p. 156.

[223] See PNL, p. 37 (the exclusiveness of treating the law in its substantial aspect "... became the reason for misunderstandings"). According to Piechowiak: "The broad application of the aspect of existence and the deliberate placing of it in the center of philosophical reflection makes Krąpiec's thought unique in comparison with contemporary philosophy of law" (p. 32).

[224] Relation is a type of being "in view of" (PNL, p. 30). This apprehension of the law as a relation is a fact of experience (see ibidem, pp. 25–27). Cf. M.A. Krąpiec,

"among acting persons, the action (or inaction) of which is mutually due to one another on account of the proportional common assignment of these persons to the common good as an objective of personal action."[225] Every component of this definition of law emerged by way of analyzing three elements present in every relation: the subject, the object and the basis for its occurrence.

The legal relation is subjectified in necessary elements of the human person (especially in the person's rationality, freedom and openness to the other); i.e., the subject and the adequate object of that relation (incidentally its objects may be entities or their states), which "he/she has in necessary relations which constitute human personhood, its direct justification."[226] Its object is, indeed, also a personal being, because of "the natural inclination of the human individual to another person. From the personal being this relation to other people, 'being towards a person,' as a proportional purpose—good, is 'inferred'."[227] This personal structure and mode of the human being's existence is, therefore, an object of broad anthropological analysis to which Krąpiec frequently returned, because without understanding the concept of the person it is not possible to understand the legal relation.[228] The basis of the legal relation, on the other hand, is the common good,[229] in relation to which persons are jointly and proportionally assigned as co-subjects of the legal relation. "The common good"[230] (resulting from the contingency of the human person) is "the existential fullness of being, understood as the ultimate personal activity directed towards others, with others and 'through others'," and

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"Wolność w granicach prawa," pp. 156–158. Krąpiec emphasized that law is a categorial relation, and it is not a necessary relation as "… it seems to be suggested by the theories that place law above the human being" (ibidem, p. 32).

[225] PNL, p. 35.

[226] Ibidem, p. 32.

[227] Ibidem.

[228] See ibidem, chapter III: "Dramat osoby i natury." See p. 33: "[if] "the law … is a being which is subjectified in rational nature and the activity of that nature manifests itself most of all in the acts of the intellect and free will … then the personal being is also the objective of acts of cognition, love and free choice."

[229] See ibidem, p. 34.

[230] See ibidem, pp. 178, 187. This "common good," however, is understood in a personalist manner (see ibidem, p. 44; it is such a good "that is connected with the development and ennoblement of human personhood." In this study we also come across criticism of other concepts of the common good).

ultimately "the common good … is equated with the Absolute Being, that is the Supreme Good."[231]

The essential aspect of law

Krąpiec differentiated the essential aspect of law from the existential one, referring to the definition from Aquinas's *Summa theologiae*: "*lex est qaedam rationis ordinatio ad bonum communune, ab eo qui curam communitatis habet, promulgata.*"[232] He acknowledged this definition (although he sometimes pointed to its narrower meaning concerning *lex*, i.e. as legislation) as an explanation of law from the perspective of the so-called four causes.[233]

Considering law as "an ordinance of reason," Aquinas opposed the voluntarist (or irrational) concepts of law. In his justification of this position Krąpiec pointed to the fact that law is an "order and orderliness," where the ordering factor can only be the intellect (reason).[234] A second element of the Thomistic definition is the essential connection of the law with the common good,[235] which is "the clarification of the character of the 'reasonableness' of the law."[236] Krąpiec distinguished two aspects of "the common good": objectively comprehended these are the Absolute Being, and "functionally approached and from

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[231] Ibidem, p. 35.

[232] *Summa theologiae*, I–II q. 90, a. 1–4. (in s.v. "Filozofia prawa," UEP, vol. 3 [Lublin: PTTA, 2002] Krąpiec uses the following translation of this excerpt from Aquinas: "it is nothing else than an ordinance of reason for the common good, made by him who has care of the community, and promulgated."). In *Summa contra gentiles* we have only one element of law exposed: its rationality, because: *lex nihil aliud sit quam ratio operis, cujuslibet autem operis ratio a fine sumitur* (*Summa contra gentiles*, lib. 3, cap. 114, 2880, n. 5).

[233] Cf. PNL, p. 39; cf. F. Suarez, *Tractatus de legibus ac Deo legislatore*, Lib. I, Cap. 13, 1 (London: Sumptibus J. Dunmore, T. Dring, B. Tooke & T. Sawbridge, 1679); cf. E.J. Damich, "The Essence of Law According to Thomas Aquinas," *American Journal of Jurisprudence* 30, no. 1 (1985), pp. 79–96; cf. C. Martyniak, *Moc obowiązująca prawa a teoria Kelsena*, p. 18.

[234] See PNL, p. 40: "… only reason is an ordering factor and that, all the more so, refers to human action." Cf. C. Martyniak, *Moc obowiązująca prawa a teoria Kelsena*, pp. 16–17.

[235] See PNL, p. 43.

[236] Ibidem.

the perspective of the subject, the actualization of the potentiality of the human potentialized personality."[237]

The third important feature of the law is its origin from "the subject which has care of the community." Aquinas links this "binding power" with the fourth requirement, i.e. "promulgation" ("public announcement"), which Krąpiec did not deliberate about in any detail,[238] claiming that promulgation does not belong to the essence of law, but is its irrefutable condition.[239] Therefore, also the fourth crucial property of law is the extension of the first one which treats law as binding people by the power of their intellect (reason).

The existence and essence of natural law

The very core of Krąpiec's philosophy of law is the philosophy of natural law, because law created by people (positive law) has its binding power only due to being subject to natural law, i.e. the normative order uncovered by the human intellect in the reality which is decipherable for it. Without that, the entire legal system created by human beings is the result of the action of some authority's power.[240]

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[237] Ibidem.

[238] Some other commentators express similar views. See D.O. Lottin, "La définition classique de la loi," *Revue néo-scolastique de philosophie*, no. 6 (1925); according to Krąpiec promulgation is not part of the essence of law, but it is only its irrefutable condition "without which the law cannot formally become a law-norm" (PNL, p. 44). The point is that the legislator "… should refer to reason. A mandate of reason that would not be promulgated, and despite that, applied, would be blind and brutal coercion for the subjects." It would not recognize their rational nature and as a result "… such a regulation would not correspond with the nature of the regulated entity and because of that it would not be rational." (C. Martyniak, *Moc obowiązująca prawa a teoria Kelsena*, p. 28). According to Martyniak, Aquinas's reasoning here is "very concise and requires a broader expansion," ibidem, p. 25. He personally expands on this on the basis of *De veritate* (q. XVII, a. 3). Aquinas explains here that "… we are bound by some regulation as long as it reached the attention of the person to whom it was directed" (*De veritate*, XVII, 3, c).

[239] See PNL, p. 44.

[240] See: "[E]very juridical methodology, be it on the local or international level, ultimately draws its legitimacy from its rooting in the natural law, in the ethical message inscribed in the actual human being. Natural law is, definitively, the only valid bulwark against the arbitrary power or the deception of ideological manipulation." *Address of His Holiness Benedict XVI to the participants in "The International Congress on Natural Moral Law." 12 February 2007*, Rome. Lateran

Yet it is not only the creation of legislation which should be based on natural law. The latter provides a fundamental inclination to the whole of human activity, since it is "the first and fundamental—obviously in a certain way apparent—inclination of human acts."[241] Although natural law is known to every human being "by virtue of the humanness of every human being (a personal-rational being),"[242] Krąpiec also systemically justified its existence (referring to Aquinas's philosophy) on the basis of the assertion about the world being governed by God, its Creator. In the case of the human being this "governing" is based on the rational nature of the human being in which "the eternal Divine law is 'reflected' … And that participation of the Divine law in human rational nature is indeed called natural law."[243]

This inclination of the human being to fulfill the fullness of humanity manifests itself in the generally analogical[244] (but not univocal) judgment that "good should be done and evil should be avoided,"[245] considered by Krąpiec as the basic, or even the only and absolute, principle of natural law. In this judgment, on the one hand the rational character of the human person is expressed,[246] and on the other hand, its contingency[247] and assignment to the common good,[248] as a result of which the human being out of necessity pursues his/her fulfilment. However, the refinement of the substance of natural law takes place, on the path of the insight into important elements of human nature (called natural inclinations).

The concept of "natural law" is also present in some of the modern philosophical currents; however, in them it has undergone peculiar transformations; it was rejected many times, although one can notice in literature its subsequent "renewal" or else a new understanding of it is proposed, e.g., alterable essence natural law (Franz Böckle) or "new natural law" (John Finnis). Krąpiec drew attention to the

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University, http://www.vatican.va/content/benedict-xvi/en/speeches/2007/february/documents/hf_ben-xvi_spe_20070212_pul.html (access: 08.10.2019).

[241]   PNL, p. 200.

[242]   Ibidem, p. 196.

[243]   Ibidem, p. 199.

[244]   See ibidem, p. 244.

[245]   Ibidem, p. 102.

[246]   See ibidem, p. 202.

[247]   See ibidem, p. 204.

[248]   See ibidem, pp. 202–203.

issue that this concept caused particular difficulties for those legal scholars who based their views on a minimalist scholarly program, because they reject the existence and the possibility of cognizing the essences (natures) of entities, including the essence of the human being.[249] There is a fairly common fear among legal scholars (even those defending the "new theory of natural law") of accepting natural law, because it presumably leads to a logical fallacy called "Hume's guillotine," i.e., a fallacy of deducing prescriptive statements (and axiological ones) from positive statements (relating to facts), in this case referring to the human being's essence. According to Krąpiec it is

> ... a pseudo-problem which emerged due to logical operations being separated from the cognition of real being ... Such a subject matter could only emerge on the experience of the Kantian separation of the domain of being from the domain of values: *sein* from *sollen*. In the realistic metaphysics of being, as well as in the everyday moral experience, the separation of these domains is seen as artificial and unreal.[250]

Krąpiec's theory of natural law is a broad (covering a wide range of specific problems) explanation of Aquinas's position, based, however, on precise metaphysical as well as anthropological analyses, which are modified substantially in some aspects. He also draws detailed conclusions from it referring to "natural" communities (family, nation and country, and he even analyses "human rights" from that perspective, contained among others in *The Universal Declaration of Human Rights*). He grounded it in the theory of the human person since natural law is designated by its nature.

However, there is still a problem with the assimilation in legal milieus of Aquinas's classical concept of natural law. We know that it comprises a part of the Catholic Church's doctrine, as John Paul II recalled in *Veritatis splendor*. He warned about those interpretations of Aquinas which distorted his position on natural law leading, e.g., to various types of "biologisms," that is a groundless reduction of natural law to biological regularities which are supposed to bind a human

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[249] Krąpiec indicates the basis for negating natural law in erroneous epistemological assumptions: "empirical nominalism," that is the negation of the possibility of deciphering the necessary essence from empirical data (ibidem, p. 9).

[250] M.A. Krąpiec, "Człowiek i wartość," AP 27, no. 2 (1979), p. 54.

person in absolute terms. What is more, even in respectable milieus it is necessary to remind people—as Benedict XVI did in his famous speech to the Bundestag—that "natural law" is a philosophical concept (in its classical understanding). Therefore, it is a universal philosophical notion, rather than a theological or ideological one which allegedly helps Catholics to impose their "phobias" on everyone.

Yet Krąpiec distanced himself from some of the elements of Aquinas's theory of natural law, because he thought that St. Thomas sometimes took an erroneous position with regard to an essential concept of law,[251] which consequently leads to an overly expanding interpretation of the unchangeability of natural law. Only the general analogically formulated principle "good must be done" is unalterable (is natural law[252]), and the discerned necessary elements of human nature ("natural inclinations") only designate general directions for appropriate actions.[253] The issue is still debatable, because Krąpiec himself pointed to norms that are absolutely crucial (e.g., the principle "do not kill") which are a safeguard for the inclination to preserve human life.

Krąpiec's philosophy of law is a consistent concept fitting into his scholarly program of deciphering the truth about reality and it is also a solution that allows us to reject legal positivism and crypto-positivism which still dominate the legal sciences, as well as contemporary philosophy and legal theory.

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[251] See PNL, p. 220.

[252] See e.g., ibidem, p. 244. However, "the formulations of chief natural rules of human conduct … cannot be formally considered to be natural law *per se*" (Ibidem).

[253] See ibidem, p. 221.

9.

DISCUSSIONS
AND POLEMICS

Discussions and substantive polemics on account of the general situation of philosophy in post-war Poland initially took place mainly within the Lublin School of Philosophy, whereas in relation to the almost omnipotently ruling Marxist ideology one could fairly objectively conduct its analysis and argue with the assertions on which it was based as well as attempt to engage in a dialogue with it.[254] Aside from certain internal methodological discussions on the character of the methods of philosophy and metaphysics, the most cognitively interesting disputes concerned the domains of epistemology and ethics.

EPISTEMOLOGICAL DISPUTES

These disputes primarily concerned the way realism is justified, that is the point of departure in philosophy.[255] Antoni B. Stępień claims that the dispute concerned six topics: (1) determining the point of departure in philosophy, especially the role of experience and existential judgments; (2) the division of the domain of philosophy

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[254] See S. Kowalczyk, *Z problematyki dialogu chrześcijańsko-marksistowskiego* (Warszawa: Ośrodek Dokumentacji i Studiów Społecznych, 1977); A.B. Stępień, s.v. "Marksizm polski w dialogu," EPP, vol. 2 (Lublin, PTTA, 2011), pp. 64–72; *Wobec filozofii marksistowskiej: Polskie doświadczenia*, ed. A.B. Stępień (Rzym: Fundacja Jana Pawła II; Polski Instytut Kultury Chrześcijańskiej, 1987).

[255] See A.B. Stępień, "Rola księdza profesora Stanisława Kamińskiego (1919–1986) w rozwoju środowiska filozoficznego KUL," in A.B. Stępień, *Studia i szkice filozoficzne*, vol. 2 (Lublin: Redakcja Wydawnictw KUL, 2001), pp. 188–189.

with the distinct case of the relation of metaphysics to epistemology; (3) the problem of the existence of the purely intentional being; (4) applications of phenomenological methods in classical philosophy; (5) applying tools of formal logic for clarifying philosophy; (6) the point of departure and character of ethics. The most important discussions concentrated on the first two problems.

All of the philosophers within this community declared themselves to be realists. Realism is understood in a broad manner as "a view on the basis of which we acknowledge the existence of beings external to the cognizing subject. It is also assumed that the world available to direct experience really exists, that is independently from the acts of our consciousness."[256] The philosophical realism of the Lublin School consists of the fact that, at the point of departure, philosophical cognition apprehends that what really exists. However, despite emphasizing the profound significance of apprehending the act of existence in being, not all philosophers from the Lublin School of Philosophy accept distinct ways of cognizing that existence. The main adversaries in the dispute on the justification of realism were Krąpiec and Stępień.

Discrepancies between the two representatives of the school became visible already in understanding the ambiguous term "point of departure." Krąpiec strongly and consistently stressed the primacy of the apprehension of being in spontaneous pre-scientific commonsensical cognition which is the point of departure for all cognition. Within this primal cognition the affirmation of existence of things is expressed in imprecise existential judgments, such as "something exists." For realistic cognition this is a fundamental type of contact with the existing reality.[257] As it was already mentioned, this judgment is a primal act, spontaneous, direct and supra-veridical. The radicalism of the non-reflexivity of the apprehension of being at the point of departure of cognition manifests itself in the exclusion not only of the reflection on the act, but the one that accompanies it. Reflection thus occurs at a later stage and it begins from the affirmation of being. It is worth noting, that in this primal cognitive contact the

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[256] A. Maryniarczyk, *System metafizyki: Analiza „przedmiotowo-zbornego” poznania* (Lublin: Redakcja Wydawnictw KUL, 1991), pp. 280–281.

[257] See S. Majdański, "Między 'ontologią,' 'metafizyką' i 'realizmem': Szkic metafilozoficzny," AP 50, no. 1 (2002), p. 394.

substantive aspect is not omitted. In this first contact with being the human being receives both sides of the concrete entity: its existence and essence, that it is and the way it is. But it is the contact with existence that guarantees the realism of cognition.[258]

On the other hand, Stępień claims that the cognition of the existence of a being is not radically direct and he stresses the role of the transparent intermediary which, nonetheless, does not weaken the realism of that cognition. He places more emphasis on the role of reflection in the existential judgment and argues that the existential judgment is epistemologically secondary compared to primary perception. In the case of the contact with the concrete entity, existing independently from the subject of cognition, it is an act of external observation. The original apprehension of the object presents it in an ontic position and the existential judgment is a theoretically advanced act built upon the data of perception.

Krąpiec upheld his postulate of the radical directness of cognition at the point of departure as the necessary condition of epistemological realism: "Only cognition which excludes intermediaries excludes the possibility of an error. And such sorts of cognition exist and ultimately guarantee realism which is a more valuable thing than the semiotic concepts presented by Stępień derived from idealizing currents."[259] Publications by Bogdan Bakies and Andrzej Maryniarczyk clarify analyses on the point of departure in cognition, but they do not resolve the problem and do not help bring Krąpiec's and Stępień's views closer to each other. The sources of this argument about the point of departure in cognition seem to lie in the various apprehensions of cognition: in the case of Krąpiec it is a structural apprehension of cognition understood as a being and analyzed in the metaphysics of cognition, whereas in the case of Stępień we are dealing with a functional approach, where cognition is treated as an informer about reality and it is investigated within the field of epistemology.

The meta-theoretic outlook on the entirety of philosophy and its structure as well as its uniqueness and multiplicity generated another

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[258]   See M.A. Krąpiec, "Analiza 'punktu wyjścia' w filozoficznym poznaniu," in M.A. Krąpiec, *Dzieła*, vol. 11 (Lublin: Redakcja Wydawnictw KUL, 1994), pp. 101–102.

[259]   M.A. Krąpiec, "Uwagi o 'O doświadczeniu ponownie'," AP 24, no. 1 (1976), pp. 147–148.

dispute in the Lublin School on the question of first philosophy: is it metaphysics or epistemology? Two positions emerged. On the one side there were the proponents of the metaphysical "option" (Krąpiec, Kamiński, Maryniarczyk), who stressed not only the central place of the theory of being in the entirety of philosophy, but also identified philosophy with metaphysics which takes on the form of general and particular metaphysics. These scholars stand on the position of the unity of philosophy understood analogically and not univocally. Kamiński explained: "This unity of cognition in the theory of being is accomplished thanks to the acceptance of objective philosophizing as well as the final explanation based exclusively on the internal structure of being."[260]

The main representative of the opposing view was Stępień, who claimed that there are two first philosophies: the theory of being and epistemology. Epistemology, similarly to metaphysics, refers in its analyses to that what is cognitively primal, what is given. Metaphysics treats that what is given objectively as something that exists, as a being, whereas epistemology treats that what is given meta-objectively, as something that is given, revealed and revealing itself in a specific way. Hence, he terms his proposed concept of epistemology meta-objective (in contrast to the metaphysical concept).[261] Therefore, Stępień postulates an autonomous epistemology which treats human cognition as an informer, while metaphysics treats it as a type of being.

Such a position has been criticized by its opponents: "Who, however, assumes that nondogmatic clarification of philosophy must be meta-objective (of a reflective or interpretative type) or that one can ultimately adhere exclusively to qualitative structures of reality, establishes epistemology as a fundamental (first) philosophical discipline and divides metaphysics into methodologically varying disciplines. And yet metaphysical cognition in the theory of being decomposes into particular disciplines due to their different points of departure (a separate type of object of empirical data) and not due to the manner of their ultimate explanation."[262]

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[260] S. Kamiński, "Osobliwość metodologiczna teorii bytu," in S. Kamiński, *Jak filozofować? Studia z metodologii metafizyki klasycznej* (Lublin: Towarzystwo Naukowe KUL, 1989), p. 76.

[261] See A.B. Stępień, *Wstęp do filozofii*, p. 69.

[262] S. Kamiński, *Osobliwość metodologiczna teorii bytu*, p. 76.

To conclude, it is worth noting that, although these disputes did not draw a unequivocal "winner," they undoubtedly contributed to increasing the methodological precision in developing and presenting the philosophy practiced at the Lublin School of Philosophy.[263]

Discussions on the concept of ethics

Krąpiec's concept of ethics was criticized by the representatives of the Lublin School of Ethical Personalism (Tadeusz Styczeń and Andrzej Szostek). Krąpiec replied to these accusations and also rejected their point of departure, i.e. the personalist model of practicing ethics.[264] After subsequent stages of this dispute attempts were made to discuss it.[265] According to Wojciech Chudy, this debate led "to the self-clarification of both positions, making the systems clearer and the concepts more precise."[266] According to Styczeń and Szostek, some of the contentious issues were resolved and, in Szostek's view, "both sides are allies in one, particularly crucial matter: where the issue is the defense of the rational character of morality."[267] In other words: both positions defend the principle of realism as the fundamental principle of conduct, because they ground ethics in the apprehension of a human being as an entity that is opened to the truth and obliged to protect it. Conversely, the views on ethics which are currently dominant: ethical nihilism (or emotivism) and utilitarianism (meta-ethical naturalism), negate the rational character of

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[263] See T. Mioduszewski, *Spór o realizm w lubelskiej szkole filozoficznej*, pp. 25–27.

[264] The dispute was initiated by the discussion on: DMB. A subsequent part of it was included in AP 32, no. 2 (1984), pp. 149–194; and after ten years there was another part: A. Szostek, "Spór o przedmiot etyki," in A. Szostek, *Wokół godności, prawdy i miłości* (Lublin: Redakcja Wydawnictw KUL, 1995), pp. 64–82.

[265] See W. Chudy, "Spór w szkole lubelskiej o podstawy i punkt wyjścia etyki," AP 45, no. 1 (1997), pp. 200–210; E. Kaczyński, "Etyka powinności czy etyka decyzji? Spór T. Stycznia z A. Krąpcem. Próba zrozumienia," *Studia Theologica Varsaviensia* 29, no. 2 (1991), pp. 61–77. Also the direct participants of this dispute published their reflections on it at the subsequent stages of the discussion.

[266] W. Chudy, "Spór w szkole lubelskiej o podstawy i punkt wyjścia etyki," p. 210. Clarification of one's own position: A. Szostek in "Wokół afirmacji osoby: Próby uściśleń inspirowane dyskusją nad koncepcją etyki ks. T.S.," AP 32, no. 2 (1984), pp. 149–166.

[267] A. Szostek, "Spór o przedmiot etyki," p. 82.

morality, that is—overall—they strike at the concept of the human being as a rational entity, capable of cognizing the truth and obliged to protect it. These negative meta-ethical positions are based on the minimalist philosophical program, and especially on the omission of metaphysical and anthropological resolutions concealed within them, because that allegedly leads to the "naturalistic" error (George H. Moore). Nevertheless, Fr. Krąpiec noted the negative consequences of that program, because without situating ethics within the framework of the entire system of classical philosophy, it must remain bereft of ultimate justifications.

The problem of the decision as the object of ethics

Krąpiec's succinct definition of ethics as the philosophical theory of the human decision (act) initially evoked a strong critical reaction, but over time an agreement between different positions had been reached. According to Szostek and Styczeń, without defining the formal object this definition of ethics generates many difficulties, because if the decision is a moral being, then "it is so only through its reference to the norm of moral conduct which is external in relation to it." The lack of this clarification could lead to including Krąpiec's moral philosophy rather among anthropological analyses than ethical ones.[268] But he agreed that the material object of ethics is the act: however, it investigates its distinct aspect, i.e. is its moral goodness and malevolence. According to Chudy "a certain conciliation of positions on this issue [was reached here]. Namely, the formula expressed by Fr. Krąpiec that the decision rereferred to the norm of moral conduct is the object of metaphysical ethics was accepted."[269] Also, according to Szostek, Krąpiec "has been convinced from the very beginning about such a necessary reference of the act (decision) to the moral norm" and, therefore, "the heart of the dispute does not lie there."[270]

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[268] See T. Styczeń, "Spór z eudajmonizmem czy o eudajmonizm w etyce?" AP 31, no. 2 (1983), pp. 68–71.

[269] W. Chudy, "Spór w szkole lubelskiej o podstawy i punkt wyjścia etyki," pp. 204. Also T. Styczeń in "O przedmiocie etyki i etyce," AP 32, no. 2 (1984), pp. 169 agreed that this point of the dispute was positively resolved.

[270] A. Szostek, "Spór o przedmiot etyki," p. 78.

But a contentious issue remained Krąpiec's accusation of personalist ethics that it considers the object of ethics to be an "obligation," because it occurs in such a way that, first of all, the realm of morality becomes narrowed down to a domain regulated by the virtue of justice, as only there does obligation appear.[271] This accusation was questioned by Edward Kaczyński, who pointed at the place of obligation also in Aquinas's ethical system. Although "St. Thomas never conducted an analysis of the concept of obligation for its own sake," we find the concept of obligation all over in his texts, because

> … in St. Thomas's works we can find hundreds of terms such as *debitum, obligatio debet, oportet* or *licet*. To be true to the word we should ascertain the existence of not only the term *debitum legale*, but also *debitum morale*, which is a notion encompassing not only the domain of justice or social relations, … but all relations of the human being with other people, God or even with oneself.[272]

Above all, Krąpiec was apprehensive about placing the notion of obligation into the definition of the object of ethics, perceiving in it the influence of the Kantian ethical tradition, with its *a priori* for consciousness-dependent and agnostic point of departure.[273]

According to Styczeń there is no such threat.[274] And when putting in order various concepts of ethics, he drew attention to the fact that the "obligational" definition of the object of ethics is translatable both into a praxeological formula (the act as an object of ethics), axiological one (moral good and evil as the object of ethics) as well as aretological (moral vices and virtues as the object of ethics).[275] Nor did Wojtyła link the notion of obligation with the Kantian ethical

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[271] See UMB, p. 96.

[272] E. Kaczyński, "Etyka powinności czy etyka decyzji?" pp. 73–74.

[273] "I omit perhaps less significant reservations, and, initially, the remark that 'the consciousness of one's own obligation' is probably a very rare occurrence and because of that ethics cannot be a theory of obligation" (UMB, p. 97).

[274] See T. Styczeń, "O przedmiocie etyki i etyce," p. 169: "I do not see a substantive reason for disputing whether the object of ethics is the decision or the obligation, since the reply … 'the decision as a moral obligation' imposes in of itself."

[275] Also Wojtyła claimed that this is the inclination to the good important for the will that is expressed in obligation: "Moral obligation is linked with the will, refers to it and simply is its obligation." (K. Wojtyła, *Elementarz etyczny*, p. 74). In *Człowiek i wartość* Krąpiec assumes Wojtyła's formula: "the obligation is a distinct intra-personal reality." AP 27, no. 2 (1979), p. 53.

tradition, because the moment of obligation "constitutes the very essence of morality."[276] Nonetheless, this issue remained contentious.

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The central accusation in reference to Krąpiec's ethics was that he committed the "ethical eudemonism" error which was also referred to Aristotle's and Aquinas's ethics. Ten years after initiating this discussion, Szostek perhaps softened the tone in his accusations addressed at Krąpiec's ethics, because he pointed at anti-eudemonist notions of the norm of moral conduct present in it. And yet he continued to appeal to adequately stress this position, which is supposedly lacking in Krąpiec's texts, because "he puts great emphasis on the norm deciphered from the nature of the acting subject"; that is he interprets that "attributing to the human being a 'good that is assigned to him/her' … only in the categories of dynamism which characterize every being."[277] It is necessary, however, "to take into consideration that a person recognized as a good—the person of the other human being, the person of God, or even the person of the subject of action itself—demands respect for itself as a purpose due to the good which that person is."[278]

Krąpiec considered the accusation of committing an "eudemonist error" to be inaccurate not only in reference to his own ethics—because eudemonism is "a secondary issue, dependent on the concept of the moral being and the character of the language of ethics (i.e., the language of psychology or philosophy"[279]—but also in reference to Aquinas).[280] He treated these accusations as the result of a misunderstanding connected with the erroneous concept of the purpose as the limit (effect) of action, on account of which it was noticed that "the loving and rational being cannot concentrate on him/herself and his/her happiness-generating experiences, because that is unworthy

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[276] K. Wojtyła, "Problem teorii moralności," p. 240; K. Wojtyła, *Elementarz etyczny*, chapter entitled: "Znaczenie powinności."

[277] A. Szostek, "Spór o przedmiot etyki," p. 80.

[278] Ibidem.

[279] UMB, p. 91.

[280] Krąpiec agrees, however, that Aristotle's ethics is eudemonistic, because "Eudemonism as one of the theories explaining human action was, in the light of his system, necessary for Aristotle" (ibidem, p. 101).

of a human being," but "finality (the final cause) was, therefore, discarded as the justification of the moral act."[281]

Criticism of ethical personalism

Despite also using personalist descriptions of the measure of moral good and evil (norm of moral conduct), in his works Krąpiec criticized Styczeń and Szostek's personalist ethics, considering it to be "akin to Kantianism and his obligatory mode of moral action."[282] By defining this ethics as stating that "the formal object of human morality is the human being or even the human being apprehended in his/her personal dimension,"[283] in his critical remarks Krąpiec first referred to the fact that "I do not always act in the perspective of another person, nor as 'my own person as another,'[284] despite of the fact that I am in the realm of morality."[285] Apart from that, he noted that even when the addressee of moral action is the human person, this still does not mean that it is the formal object of moral conduct:

> Indeed, it is such, but on account of the good which is fulfilled within it, and it is moral good, that is the good-purpose of action; nevertheless, the motive of action is the reality of good fulfilling

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[281] HFL, p. 200.

[282] Ibidem, p. 201. Krąpiec criticized using the term "affirmation" in a volitional, instead of cognitive, meaning as it is done in the tradition of classical philosophy (UMB, p. 188; por. AFC, p. 56).

[283] M.A. Krąpiec, *Ludzka wolność i jej granice* (Warszawa: Gutenberg-Print, 1997, p. 107). Sometimes Krąpiec narrowly defines personalism, because as a theory justifying moral obligation "in reference and by referring to the other person, this reference gains the name of the 'affirmation' of the other person. This affirmation of the other person was supposed to be the fundamental, supreme justification of the moral act" (HFL, p. 201) and it poses an accusation: "[A]dmittedly there are human actions which do not refer to the other person, but their object tends to be the acting subject itself." And thus, if the other person is not always the motive and object of our human action, then it is hard to call ethics, as the theory of human action, personalist ethics." But in PNL it is stated that "Morality is connected with the experience of the person as a being for another 'you'" (p. 29).

[284] HFL, p. 108.

[285] In response, personalists indicate that we always remain in the axiological field of one's own person. They also agreed that a relation with an animal also has a moral dimension.

itself in the person. The person does not go beyond the good and conversely, the good is not exhausted in the person. There is no actual reason not to recognize the good as an object of human moral actions, but to focus them on a particular person.[286]

Another difficulty with personalist ethics in Krąpiec's opinion is that it must acknowledge the fact that being a person "is not something common, because John and Mary are the ultimate formation of the being as an "I", but there is no commonness in "I". Therefore, the object and motive of personal (personalist) action is John as John and Mary as Mary, and not all people as people."[287] This remark is very interesting and, it seems, it has not been noticed by critics and those describing the dispute, because in realistic ethics it is necessary to emphasize "the separateness" of the human person as the addressee of action, which does not exclude the duty to respect the common nature ("nature of the human person"). In virtue of that, Wojtyła claimed that in the domain of sexual ethics, normative requirements encompass the inclusion of the uniqueness of the human person, because one must consider him/her as "a gift of a person for a person." What is more, Wojtyła also proposed making the "gift of a person for a person" the normative principle of the entirety of ethics (ethics including the "separateness" of a person), because "a gift from oneself" constitutes

> ... as if a synthetic expression of human morality. One could, in turn, analyze this synthetic expression. And then it would be shown that the way in which the human being can and should make a gift of oneself, in order to fully find oneself, is fulfilled by the particular virtues and through every one of them separately. It would also be shown in what way this gift of a person is shattered and thwarted by the particular vices and sins that a human being commits. It would be a new, perhaps more personalistic perspective on aretology.[288]

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[286] Ibidem, p. 109. This fact has probably been taken into consideration by the representatives of ethical personalism who treated the principle of personalism as the particularization of the "principle of axiologism," which demands respect for every objective good according to its measure.

[287] Ibidem, p. 108. He expresses the same doubt on the axiological level: "'the good' of Mary is not the 'good' of Eve, if e.g., one of them is a wife and the other a lover" (ibidem, p. 109).

[288] K. Wojtyła, "O znaczeniu miłości oblubieńczej (Na marginesie dyskusji)," AP 22, no. 2 (1974), p. 168. He conducted such a personalist reconstruction of

Therefore, the positions of the co-founders of the Lublin School of Philosophy are congruent in this regard, but their proposal to reconstruct realistic ethics in this spirit has not yet been implemented.

Krąpiec also reported a difficulty that in order to morally evaluate an action it is not enough to consider persons to be the ultimate criterion of this evaluation, because then a question arises: how would one measure the relationship "to Satan or degenerates?" "It is true that one should treat everyone well, but only by virtue of them being a person or, ultimately, because the motive of every act is the good and, indeed, it is that good which one must perform for oneself and the other."[289] And another difficulty of ethical personalism is: "the human person can never become the connector of all human actions and that what is called the ultimate purpose which binds into one all life-related human activities."[290]

A number of the charges formulated by Krąpiec were probably initially acknowledged in the acceptance of the "principle of personalism" being only a (justified) specification of the "principle of axiologism" (principle *bonum sunt affirmanda*),[291] because overall the chief principle of personalist ethics is the principle of fidelity to the truth recognized and acknowledged by the subject. This is how this principle was formulated in the last stage of Rev. Styczeń's writings.[292]

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classical ethical aretology in reference to the virtue of chastity in *Love and Responsibility*.

[289]   HFL, p. 201. Krąpiec, responding to this question, indicates that only the Person "which is the fullness of BEING and the FULLNESS OF THE GOOD—GOD—and only that Person is and can be the ultimate motive and criterion of morality. Stopping at the human person ... to ultimately understand reality is insufficient." (Ibidem, p. 202).

[290]   HFL, p. 202.

[291]   See T. Styczeń, "O przedmiocie etyki i etyce," p. 174 ff.

[292]   "Therefore, what manifests itself for us as the direct reason for: 'I mustn't do that'? The obvious reason for that here ... is the truth about the ascertained object as well as ... the truth about me as a subject ascertaining that truth, while going deeper: the truth about me as an eyewitness and trustee of that what I ascertain about myself." T. Styczeń, *Rozum i wiara wobec pytania: Kim jestem?* (Lublin: Towarzystwo Naukowe KUL, 2001), pp. 112–113). See ibidem, p. 117: "the truth about the really transcendent ... object together with the co-ascertained ... truth about oneself ... I should affirm for itself, that is categorically, and, therefore, exclusively on account of its normative power, adequate for a truth."

10.

LOCAL AND INTERNATIONAL IMPACT

The main area of Krąpiec's influence, not only in intellectual and scholarly terms but also personal, was the Lublin School of Philosophy, also called the Polish School of Realistic (Classical) Philosophy[293] which was founded and developed largely under his supervision at the Catholic University of Lublin.[294] Initially, it was founded by Krąpiec, Stefan Swieżawski and Jerzy Kalinowski and, over time, it expanded to include other famous figures, who enriched and significantly contributed to its scholarly reputation, among others Cardinal Wojtyła (ethics and philosophical anthropology), Sister Prof. Zofia J. Zdybicka (philosophy of religion), Marian Kurdziałek (history of philosophy), Stanisław Kamiński (methodology of sciences).[295] In this way, the school became a significant center for educating Polish intelligentsia in the field of philosophy, uncontaminated by Marxist ideology, where the main feature were the metaphysical foundations of every significant philosophical domain devised by Krąpiec, published in numerous monographs and elaborated in reference or in opposition to them. This way Krąpiec's scholarly activity became the axis or reference point, and thus an inspiration for numerous post-war Polish philosophers.

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[293] See A. Maryniarczyk, M.A. Krąpiec, s.v. "Lubelska Szkoła Filozoficzna," pp. 894–912.

[294] The current name is "The John Paul II Catholic University of Lublin."

[295] Also renowned professors of philosophy who did not succumb to the ideologization administratively imposed by the communist authorities and were periodically removed from their home universities, e.g. W. Tatarkiewicz, R. Ingarden, T. Czeżowski or I. Dąmbska. See ibidem, p. 896.

Under the influence of these significant achievements, textbooks by Krąpiec became the basis for lectures on philosophy held at Polish seminaries. Alumni of the Faculty of Philosophy at the Catholic University of Lublin were employed at nearly all of the main Polish academic centers, and also abroad.

The inquiries of the school were continued by subsequent generations of philosophers, who designated the next stages of its functioning and expanded the scope of elaborated topics in the spirit of the school. Four periods of the school's functioning can be distinguished: the first (1950–1966) when the program of the school was formulated and the first disciples were educated: Antoni B. Stępień, Zofia J. Zdybicka, Stanisław Kowalczyk, Stanisław Majdański, Kazimierz Kłósak (they remained at the Catholic University of Lublin), Mieczysław Gogacz, Franciszek Wilczek, Marian Jaworski, Władysław Stróżewski, Bronisław Dembowski, Tadeusz Kwiatkowski (they became leaders at other philosophical centers in Poland or else their significant representatives).[296] It is worth stressing the fact of the transfer of some of the alumni of the Lublin School of Philosophy, in particular those influenced by Krąpiec's philosophy, to other academic centers in Poland, but also abroad, which was linked to extending its influence beyond the Catholic University of Lublin. A very interesting case was that some (though few in numbers) of the alumni were employed at the neighboring Maria Curie-Skłodowska University, which was established after World War II and was intended to be a secular counterweight to the Catholic university.

The second stage of the development of the school took place between 1967 and 1980, and was connected with broadening of the scope of research and the expansion of the particular types of metaphysics, attempts at clarifying them and extending them. This gave autonomy to the research at particular departments and led to the appearance of new disciples: Tadeusz Styczeń, Jerzy Gałkowski and Andrzej Szostek (ethics), Elżbieta Wolicka (philosophy of art), Stanisław Wielgus, Edward I. Zieliński, Kazimierz Wójcik (history of philosophy), Józef Herbut, Andrzej Bronk (methodology of sciences), Stanisław Kiczuk and Anna Buczek (logic), Romuald Waszkinel (philosophical anthropology). They remained till the end of their lives

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[296] See A. Maryniarczyk, M.A. Krąpiec, s.v. "Lubelska Szkoła Filozoficzna," pp. 903–905.

or till their retirement at the Catholic University of Lublin while others, including Andrzej Woźnicki, Bohdan Bejze, Edmund Morawiec, Tadeusz Żeleźnik, Franciszek Krauze or Andrzej Wawrzyniak after some time moved to other academic centers.

The third stage of the development of the Lublin School covered the years from 1981 to 2004. It was characterized on the one hand by the continuation of the main currents as well as expanding them, but it was also linked with the autonomization of research at particular departments and moving onto contemporary methods and trends in philosophizing. A new generation of disciples became the continuators of the school. The currents defined by Krąpiec have been continued and developed at the Catholic University of Lublin by: Andrzej Maryniarczyk (metaphysics), Henryk Kiereś (philosophy of art), Piotr Jaroszyński (philosophy of culture), Krzysztof Wroczyński (philosophy of law), Piotr Moskal (philosophy of religion), Włodzimierz Dłubacz (philosophy of God), Wojciech Chudy (applied ethics), whereas, Ignacy Dec and Jan Sochoń moved to other academic centers. Krąpiec's first foreign M.A. student, Hugh McDonald (from Canada), translated numerous texts of the School into English and about half of the entries from *Powszechna encyklopedia filozofii* [*The Universal Encyclopedia of Philosophy*], the final magnum opus of Krąpiec, one which was particularly significant for Polish philosophy and culture and which he was the initiator and spiritual patron, as well as the author of a number of entries.[297] One can say that this publication has perhaps the most universal impact on the broadly understood philosophical community, not only philosophers linked to specific institutions, but also students and everybody interested in philosophy. The English edition of this work shall give an international range of influence to the key elements of Krąpiec's perspective on philosophy.

The fourth stage of the school's development linked with Krąpiec's influence that started in 2005 was possible thanks to the emergence of the youngest generation of disciples employed at the Department of Metaphysics: Imelda Chłodna-Błach, Wojciech Daszkiewicz, Paweł Gondek, Arkadiusz Gudaniec, Zbigniew Pańpuch, Katarzyna Stępień

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[297] See the last chapter of the following book: "Bibliography of selected, most important works by Mieczysław A. Krąpiec OP." Rev. Prof. Andrzej Maryniarczyk—Krąpiec's successor as Chair of the Department of Metaphysics—was the editor-in-chief and main coordinator of this undertaking.

(they have remained at the Catholic University of Lublin), Arkadiusz Robaczewski, Bogdan Czupryn, Paweł Tarasiewicz and Paweł Skrzydlewski (over time they moved to other universities and scholarly institutions). Two direct disciples of Krąpiec: Andrzej Maryniarczyk (his successor as Chair at the Department of Metaphysics) and Piotr Jaroszyński (Head of the Department of the Philosophy of Culture) organize annual international symposia entitled "Zadania Współczesnej Metafizyki" [Tasks of Contemporary Metaphysics] (since 1998) and "Przyszłość Cywilizacji Zachodu" [The Future of Western Civilization] (since 2002), in which the philosophy of the school is promoted and enters into discussion with contemporary philosophical and cultural trends and currents in the context of realistic philosophy devised by the school.[298] Another undertaking organized for many years by the Faculty of Philosophy (with a several-year hiatus during the Martial Law) is the annual Philosophical Week which currently is a commemoration of the times when the Catholic University of Lublin constituted the only center of free exchange of thought independent of communist ideology. Within its framework, the accomplishments of the School are presented, and various problems are discussed with scholars from other centers. Several dozen articles and books dedicated to Krąpiec's philosophy have been published so far.[299]

The reception of Krąpiec's philosophy abroad was notable mostly among the Polish communities abroad, especially at the time when he began to travel abroad as a scholar with significant academic achievements and Rector of the Catholic University of Lublin in order to raise funds for the expansion of the university, which the communist authorities for obvious reasons did not want to provide, or even tried to diminish in their attempts to bring the Catholic University of Lublin to bankruptcy and closure by imposing taxes on it. Thanks to the foreign translations of his subsequent works, he was able to influence a broader group of philosophers abroad. The translations of the following works have been published: *Dlaczego zło?*,[300] *Metafizyka*,[301]

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[298] See A. Maryniarczyk, M.A. Krąpiec, s.v. "Lubelska Szkoła Filozoficzna," pp. 907–911.

[299] See "Bibliography of selected, most important works by Mieczysław A. Krąpiec OP."

[300] *Pourquoi le mal?*, trans. G. Roussel (Paris: Éditions du Dialogue, 1967).

[301] *Metaphysics: An Outline of the Theory of Being*, trans. Th. Sandok et al. (New York: Mariel Publications, 1991).

Ja – człowiek,[302] *Człowiek i prawo naturalne*,[303] a transcript of the interview *Rozmowy o metafizyce*,[304] an abridged version of *Teoria analogii bytu*[305] as well as articles published in philosophical journals abroad.[306]

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[302] *I – Man: An Outline of Philosophical Anthropology*, trans. M. Lescoe et al. (New Britain, CT: Mariel Publications, 1983).

[303] *Person and Natural Law*, trans. M. Szymańska (New York: Peter Lang, 1993).

[304] *Besedy o metafizike. S Mečislavom A. Krompcom besedujet Andžej Marynjarčik*, trans. A. Gordecki (Lublin: PTTA, 1999).

[305] "The Theory of Analogy of Being," in *Theory of Being to Understand Reality*, eds. S. Kamiński, M. Kurdziałek and Z.J. Zdybicka (Lublin: Towarzystwo Naukowe KUL, 1980), pp. 31–106.

[306] See in this book "Selected most important works by Mieczysław A. Krąpiec OP."

11.

GLOSSARY

Absolute Being: (1) primal, autonomous, independent being, containing within itself the reason for its own existence and its own properties; **(2)** a being, which is not conditioned or limited in any way —the fullness of being and perfection.

Abstraction: (1) an act of the intellect where the separation and holding of some property of a being occurs, on the basis of which its cognitive image (concept) is formulated; **(2)** the method of construing the object of intellectual cognition in general, and in particular, the object adequate for specific sciences (natural, mathematical and philosophical).

Accident: a modification of the substance (property, feature, skill) which does not exist by itself, but is attributed to a substance and is subjectified in it in an unnecessary way.

Being: that what concretely exists as a determined essence which is "this here" concrete entity (e.g., Adam, a cat, a plant, an element, a chemical compound, etc.). However, "this here" given concrete entity is not called a being, because it contains in itself "this here" concrete essence (e.g., Adam), but on account of having its own, distinct, proportional existence.

Cause of being: (1) the reason for the emergence and change of the really existing being; **(2)** a factor (or factors) which allow us to rationally explain the structure of an entity (what it is, what it is

composed of) as well as its functioning, its motive (reason) and manner of fulfillment. In metaphysical cognition the being is explained by reference to its four causes: material, formal, efficient and final.

Civilization: human culture in its social dimension, which consists of the material and spiritual heritage of human collective life fulfilled in five categories of human beingness (morality, knowledge/cognition, health, property/wealth and the domain of proportion, order, harmony called beauty) as well as the so called "triple law" (family, property and inheritance law).

Clarification of being: the process of extracting from the content of primal metaphysical experience (unclear and indistinct) ever newer properties referring to the universal and necessary aspects of the manner of being of that what is real and rendering them in appropriate linguistic expressions called transcendentals. Clarification is completed with the formulation of the understanding of what a given really existing being is and what constitutes its nature.

Common good: (1) the real objective pursued by every person, as well as the entire community, to which the person belongs to and with which he/she identifies; **(2)** the fundamental factor of social life, motivating the members of a particular community to act in the community. The common good may be understood as a personal common good or an objective common good. In the first meaning the development of the concrete individual's own personal potentialities is the common good (non-conflicting) for the entirety of society which becomes more perfect with the perfection of its members. The common objective good, on the other hand, concerns the hierarchy of material goods which enrich particular individuals and this way the entire community or they are its means to the realization of personal (higher) purposes of the members of the community and the community itself.

Contingency (ontic): **(1)** an unnecessary mode of existence of particular beings and the entire world; **(2)** the frailty and fragility of existence of persons and entities; **(3)** participation of beings in the existence of the Absolute Being; **(4)** the lack of a reason for one's existence in a unitary being.

Culture: the reality created by the human being on the basis of what is available in nature, through his/her personal experiences and actions (individual and social), the integral elements of which are: science, morality, the realm of art and technology as well as religion understood as the personal relationship with God, recognized as the source, purpose and guideline for human life.

Custom: the first manifestation of law spontaneously experienced by the human being which is a verified mode of conduct.

Death: (1) in the traditional understanding, it is the moment of the specific separation of the body from the human soul, which is the principle of its organization and life, connected with the irreversible cessation of the duration of the flow of matter in the human organism and the beginning of its decomposition. In the passive understanding of death, the human being is more of a "thing" than a "person," i.e., he/she undergoes decomposition like every other destructible entity; **(2)** the moment when the ontic bonds of psychophysical unity are destroyed as well as the actual destruction of the human being's existence in its hitherto form takes place, although without annihilating entirely his/her being (this is not the complete destruction of the human "I"); **(3)** the ultimate fulfillment of the purpose of being human expressed in the complete realization, culmination and conservation of personal acts of cognition, love and decisions which so far were partial and imperfect due to the limitations of matter and lack of contact with the perfect object of cognition and action. A complete confrontation of human cognition, desire and love may occur only at the moment of the encounter with the source of all being (The Fulness of Truth—God) as well as the concrete and eternal Good (the Absolute Good). Without the perspective of the potentiality of the perfect fulfillment and conserving forever the personal acts of cognition, love and decision, the human being would not be a rational and natural being, but a pointless and accidental one. It would lack the crucial fulfilment of the purpose of the personal being which is striving to the completion of the potentialized human nature.

Decontradictification: the liberation from contradiction through the indication (in metaphysical cognition) of such a factor (or factors), due to which a given fact rather is than is not. The lack of such a factor

(factors) makes the being itself absurd, i.e. contradictory, and negates the very fact of the being. In contingent beings decontradictification occurs through indicating the so-called four causes which explain the contingent being's existence (and essence).

Dignity: the quality of the human personal being which manifests itself in such a way that the human being, as the purpose of all action (of other people and society), is not ultimately explained in his/her existence by an array of substantive relations, the natural world or by society, but through a necessary (for its being) relation to the person of the Absolute Being, of which he/she is derivative in its existence and to which he/she strives by virtue of his/her personal structure. From the metaphysical perspective, personal dignity is connected with the very structure of the human being and his/her human action. The human being as a personal being holds the highest position in the hierarchy of beings known to us from experience; i.e., constitutes a specific epitome of being, because: (1) he/she is self-aware, which he/she expresses by calling him/herself "I"; (2) he/she is immortal in his/her personal structure, thanks to his/her immaterial soul which exists in itself as a subject, in his/her acts of cognition, decision and love; (3) he/she transcends all of the natural world and on account of that (4) decides about him/herself (freedom) and, as such, is a personal subject (aware and free) and cannot be reduced to the role of an object.

Evil: a perceived or experienced absence of good in being and action. Evil (absence) cannot concern constitutive elements of being, because then it would be a negation of being, but only the integrating (e.g., lack of a body part) or perfecting ones (e.g., lack of knowledge or skill). In the case of human action, the absence concerns the recognition of the purpose (the so-called bad intention—the morally evil action occurs) and the choice of means (the incorrectness of action occurs then). In relational systems (e.g., the weather) this lack pertains to the harmony (adequate proportion) of elements or the harmony of its actions.

Freedom: the voluntary choice of one of many practical judgments which is the synthesis of the cognitive-intellectual and appetitive-volitional sides of the human being, as well as the self-determination with

this judgement to act. A voluntary choice does not directly concern some external good, but a practical judgment relating to the achievement of that good. After accomplishing self-determination, all subsequent activities are only a psycho-physical implementation of the action in the external world in which one must take into account one's own strengths and natural dispositions as well as the surrounding world in which the human being acts.

Human being: (1) an autonomously existing substance which by virtue of its independently existing substantial form (rational soul) exists and constitutes one real being, i.e., a spiritual-material *compositum humanum*; **(2)** an independent, individual spiritual-corporeal being living because of the existence of his/her immaterial soul that experiences him/herself in internal experience as an "I" transcending all of his/her acts (emanating from the "I" and causally attributed to it); **(3)** an independently existing personal being which receives its existence through an immaterial soul: a form which vivifies and perpetually organizes for itself its "own" unitary nature. Thus understood personal mode of existence is manifested by the fact that it has the power to control its "own" nature as well as the necessity of organizing matter, without which the human being cannot express him/herself in his/her personal action (especially in rational and volitional acts). This means that being a human is not reducible to being an exemplar of the species *homo sapiens*, because being an exemplar of a particular species means to receive one's being-existence by virtue of the nature to which one is assigned. The individual, personal ontic existence of the human being is, in turn, a unique existence, because it is linked with the soul (the immaterial form which vivifies and organizes the body) that supersedes the species-specific onticity of the human being. Therefore, human nature is not given as such to a human being, as rather the human being constitutes this nature due to the soul which also uses pre-existing elements of matter, shaping a body from it, which is the material expression of that nature; **(4)** an autonomous subject (substance) existing in itself and for itself.

Hylomorphism: the philosophical theory concerning the ontic structure and activities of material beings which claims that material substances are composed of two components: matter (*hyle*) which has a potential character, and form (*morphé*) which has an actualizing

character. The scope of the description of this theory covers the following issues: (a) defining what the prime matter and substantial form are as the structural factors of the being; (b) demonstrating the reasons for distinguishing the prime matter and the substantial form in material beings; (c) the problem of the origin of the substantial forms.

Law: (1) the interpersonal relation featuring the obligation to act for the good of a person; **(2)** an order established by a legislator, which is a regulation based on interpersonal relations. It occurs in the form of *ius* and *lex*.

Life: a set of immanent (inherent) and purposeful actions subordinated to the development of the subject (in case of beings that have matter in their structure), which through acts emerging from its internal source actualizes its good (in the case of contingent beings). In the Absolute Being its life is equivalent to the eternal existence as a Person which consists in an internal mutual activities of the Divine persons, as well as their manifestation "externally" through the creation of the world.

Metaphysics: (1) the cognition acquired by the naturally transcendent intellect (making use of universal principles of being and thinking) searching for the first and only decontradictifying factors of that what exists and what was initially given to us in the empirical intuition of the material world; **(2)** analogically understood, it is the manner of scientific cognition which constitutes an epistemologically-methodologically homogenous way of practicing classical philosophy.

Mind: (1) the term describing the most perfect spiritual powers of the human being (the intellect-reason, and the will) and their acts which constitute the foundation of the human personal life which—not identifying itself with the essence of the human soul (i.e. with that thanks to which the soul exists)—point to its incorporeal, autonomous and rational nature; **(2)** a cognitive power superior to the senses which is also called "the intellect."

Nation: a form of human collective life characterized by the feeling of "one community" with regard to: (a) a bond of common origin; (b) the land of common inhabitance; (c) common history of subsequent

generations; and (d) identifying with a common (precisely: national) culture, built over generations.

Nature: a being that exists autonomously (substance), understood as the source of determined action which reveals its nature; the same being apprehended as the object of valuable cognition, i.e., in the necessary aspects and, thus, connected by stable properties, is also called "the essence." The array of phrases "substance—nature—essence" demonstrates the necessary aspects of every entity's beingness.

Participation: the theory explaining the ontic relations between the Absolute Being and real unnecessary (contingent) beings. According to the theory of participation the Absolute Being is the efficient (ultimate source of existence), formal (it acts through cognition and the thought which constitutes the blueprint, project) and final (motive, ultimate purpose-end) cause of the world and all of the really existing beings within it, towards which all of them—consciously or unconsciously—strive. Absolute Being thus understood is the most perfect Person and free Creator of the world. It has no relation with any point in space (omnipresent) or time (eternal), but it is fully autonomous, functioning by itself as an intellect and will (Truth and Good). The Absolute Being—as the free Creator of the world—is also radically different from the world, transcendent in existence and cognition. At the same time it is, as the ultimate Source of existence and the ultimate Purpose of the world, immanent in relation to that world; however, it does not identify with it. The world of unnecessary beings exists by virtue of the participation in the Absolute Being's existence. In realistic metaphysics, thus understood Absolute Being is recognized as the Fullness of existence and perfection, the Supreme Person, and is equivalent to the God of religion. It is worth stressing that despite the equivalence of the referents of the terms "Absolute Being" and "God," metaphysics notices a difference in their contents. The detailed depiction of God comes from supra-rational sources; i.e., from Revelation. This formulates the religious understanding of God, investigated in theology, where the metaphysically understood Absolute Being constitutes the rational basis for monotheism. In realistic metaphysics the theory of participation is the keystone of the entire philosophical system, a perspective which integrates more detailed theories with a synthesis of metaphysical cognition.

Person: the most perfect form of a substance's being as a subject which is not only a unitary being existing within itself, internally undivided, but it is a subject that is aware, conscious and capable of emerging from itself autonomous (free) acts of action. Its manner of existence in the case of the human person reveals itself in the capacity for cognition, love, freedom and religiosity as well as in dignity, subjectivity in reference to the law and completeness.

Ratio recta: **(1)** a description of human intellect which in the process of theoretical, practical and technical cognition is by its own nature directed by the truth, the good and the beauty of cognized entities and due to that it becomes a righteous, proper and improved intellect; **(2)** a description of the eternal (divine) law, the law of nature or divine ideas which, as true (righteous), become guidelines for the appropriate functioning of the intellect.

Religion: **(1)** a conscious reference of the human being to transcendent reality (or Transcendence) which is revealed fundamentally and primarily in special behaviors called religious experiences or acts; **(2)** a cultural entity which encompasses a particular domain of human cognition and action, aimed at some Transcendence, which is characterized by a set of truths and directives concerning the religious behavior as well as the identification with a religious institution/organization/group; **(3)** an existential, inter-subjective, dynamic and reflexive relation between the human "I" and the absolute "You" which is expressed in religious acts and is necessary for the complete fulfillment of the human person.

Science: **(1)** in a subject-focused sense: such cognitive acts of the human being which, by converging together and being organized adequately, provide in return some knowledge (*scientia*) that is the adequate cognitive amplification of the mind in order to understand things in the light of their causes; **(2)** in the object-focused sense: a system of methodically organized statements about a specific object with respect to purpose of cognition as well as intersubjectively sensible manner of justifying it; **(3)** in the functional sense: cognition distinguished by its methodical character; **(4)** in the cultural (sociological) sense: these are social forms and institutions which systematically perform cognitive activities with the use of rational means

and adequate scientific or scholarly staff; **(5)** in a general sense: human, methodically organized, rational cognition of the world of entities and persons in their various actions and activities.

[the] **Self:** direct internal experience of the factuality of one's existence and, therefore, that existence as well as one's own constantly existing rational and free subjectivity: the "I" present in "my" material and mental act, which as-if emerge from the "I", but are not equivalent of "I" and in which the "I" is not exhausted (the so-called fact of immanence and transcendence).

Society: a form of cohabitation of people connected with each other by natural and conventional relations in order to fulfill a common good (essentially the personal development of each of its members as well as securing the necessary means to provide for it) as well as for the actualization of a specific mode of human existence (potentialized human nature).

Soul: the principle of the life of a living organism which at the same time constitutes the substantial form of that organism and exists together with that organism as well as creates a unity with it, unable to exist without it (an exception of the rule is only the human soul!). As a specific substantial form, which is the principle of life, the soul grants a particular organism a specific existence, organizing its matter and manifesting its action within it in the form of dynamic finality.

[human] **soul: (1)** self-being subject (so-called incomplete substance) which provides the body with existence, shapes it as well as constitutes with it one psycho-physical *compositum*, acquiring at that point complete perfection (completeness) of one's own being; **(2)** an individual act of the human being's existence (substantial form) as a human being that, not being a derivative of material elements or their composition, organizes the matter of the body, granting it and the entire human being particular (human, personal) existence.

Substance: (1) a concrete entity which exists unitarily, autonomously and is the synonym of the being (composed of matter and form); **(2)** a constitutive and necessary element in the being which is stable, unchangeable and as such it constitutes the synonym

of the substance (the subject for accidents; the basis for identity; the object for a definition) and nature (a source of an action determined in the being); **(3)** a subject in a statement to be predicated about.

Transcendentals: (1) analogically understood universal and necessary properties of really existing beings which demonstrate the ways in which they exist; **(2)** cognitive structures or linguistic expressions with an unlimited scope of predication which in the process of metaphysical cognition provide knowledge about the existing reality. Transcendentals are divided into absolute ones, attributed to every being in itself: "the thing," "unity," "diversity," as well as personal ones, which are discovered in relation to the functions of personal being: "the true," "the good," "the beautiful." All of them are interchangeable with being and for this reason being itself is the primary transcendental.

Voluntas recta: **(1)** description of the real capability (potentiality) of aligning (adjusting) human appetitive powers with the indications of the human intellect as a guide deciphering reality, its relations and shortcomings; **(2)** a coordination of the intellect and will, truth and good in a human being which makes the human being act "humanely," i.e., with rational (genuine) freedom.

Work: fulfilling the personal potentialities of the human being (for cognition, action and production) for the sake of strengthening oneself in one's own beingness (in the vegetative-material and rational-personal aspects).

II.

Mieczysław Albert Krąpiec OP: Selected writings

Selected and edited by Zbigniew Pańpuch
Translated by Marcin Garbowski

Metaphysics
and Epistemology

Metaphysics—but what kind?

Nearly every generation assimilates the philosophical achievements of previous centuries, at times enriching them—albeit very rarely—with a new vision, new issues or new aspects for examining old issues, or at least with a new context for problems that have been already disputed in the past.

Being convinced, on the basis of the study of the history of philosophy, that philosophical cognition is the collective accomplishment of humanity rather than of a select number of brilliant or original thinkers, primarily one must pay attention, without omitting any problems, to those issues which have absorbed humanity throughout the ages and which can still fascinate people nowadays.

It is perhaps no coincidence that certain metaphysical questions have been formulated, albeit in an imprecise form, at the very dawn of philosophical contemplation, in ancient Greece. First of all, it was the question of what is the αρχή (*arché*) of the cosmos, which was initially formulated by Anaximander and developed by subsequent philosophers, especially Plato and Aristotle, who wove it into a general concept of science. This way philosophy was constituted as a (rational) science. This determined the fact that Western European culture became based to a large extent on science.

Aristotle was dubbed the father of explanatory philosophy for the way he addressed reality, cognition and human action with the systemic question: δια τί (*diá ti*—wherefore, why). He developed his

thought on a broad historical foundation, through an attempt to carry out a systematization of questions and theories pondered by his antecedents, but most of all he formed it through an aporematic fashion of philosophizing, which is a vivid way that does not assume any a priori complete systematic models or accepted arguments, but amounts to formulating question-problems for the sake of submitting them to multilateral discussion, showing in this way the path leading to solutions and gradually outlining the "open" philosophical system. The entirety of Aristotle's *Metaphysics* is conceived as a study of 14–15 crucial problems, formulated in the initial part of volume *B*. The Stagirite at the same time takes care of the justified posing of the problem, as well as the direction in which the solutions go and he points out the diversity of argumentation and (what is no less important) the reflective way of reasoning and justifying. Thanks to the nature of the method, philosophy became a vivid type of cognition, engaging the thinker in the perpetual examination of one's thinking process.[1]

This way of philosophizing was practiced in the golden period of the Middle Ages, especially in the thirteenth century, by the great scholastic masters and in the most accurate manner by Thomas Aquinas. It is enough to take a closer look at his works to notice the extent to which he incorporated the aporematic method of philosophizing in his writings. This was expressed both in his *Quaestiones disputatae,* as well as *Summa theologiae*, where there are continuous discussions carried out around clearly formulated questions and in the context of various sharply formulated approaches taken from the history of philosophical and theological thought, he delivers an array of versatile answers, usually full of nuances.

This type of philosophy, which examined traditional metaphysical issues, underwent a process of schematization and verbalization in the neo-scholastic period. It transformed into an epigenetic model of scholasticism that formulated philosophical problems as so-called "arguments," to which supporters and opponents were ascribed to—as if there could be any supporters or opponents of an argument that are not entangled in the entire system—and then formally carried out its syllogistic proof—the larger premise of which was usually an a priori definition and the inferred conclusion was supposed to be

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[1]   See M.A. Krąpiec, *Arystotelesowska koncepcja substancji* (Lublin: Redakcja Wydawnictw KUL, 2000), pp. 7–13.

an existential statement, but actually it was just a definitional statement, equivalent to the larger premise. In this manner, with a certain skill of constructing a priori definitions and carrying out syllogistic operations, one can practically prove anything. It is enough to analyse the method of justification by contemporary neo-scholastic authors from this perspective, such as: Charles Boyer, Joseph Gredt, Paolo Dezza or their Polish epigones, to become convinced how the actual, dominant problems of human thought can become banal, schematic and verbalized.[2]

Despite all these later distortions, one cannot simply disregard the scholastics. For it was they who explained and specified many philosophical problems, many of which it has magnificently developed, as well as it has shown the absurdities of some approaches, influencing therefore progress in philosophical inquiry.

Taking this under consideration, one cannot practice rational philosophy without also drawing upon the achievements of scholastics. Without being acquainted with scholastic philosophy one cannot comprehend the problems of modern philosophy, for they are rooted in the philosophy of René Descartes, which was developed in the context of late scholastics.

The classical philosophical problems formulated in antiquity, developed by scholastics and passed on to the contemporary generation in a verbalized version by neo-scholastic authors, must be undertaken over and over again, trying to place them in context, on the one hand reflected in the theory of the philosophy of the subject of metaphysics as "being as being" and on the other hand—within the conscious metatheoretical consideration of the concept of rational philosophical cognition.

This was precisely the direction of inquiry undertaken by the Department of Metaphysics at the Catholic University of Lublin from 1951.[3] First of all one had to realize the significance of the concept

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[2] I carried out a methodological critique of neo-scholastic metaphysics in my article "Zastosowanie w metafizyce," in M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki*. Third revised edition (Lublin: Redakcja Wydawnictw KUL, 1994), pp. 233–244; S. Kamiński, *Struktura systemu scholastycznej metafizyki ogólnej*, in ibidem, pp. 315–326.

[3] This is a reference to the Chair of Metaphysics, which was held by M.A. Krąpiec. At one period there were two such chairs at the Catholic University of Lublin; see A. Wawrzyniak, Z.J. Zdybicka, "Z dziejów metafizyki i nauk pokrewnych

of the being as an object of philosophical inquiry. Particularly illuminating in this regard are the historical works of É. Gilson, especially the *L'être et l'essence*.[4] Apart from reading Gilson, studying during World War II the texts of Thomas Aquinas and then commentaries by Cajetan, especially to Saint Thomas's *De ente et essentia*[5] (on the topic of abstraction and forming the notion of being as being), made me aware that the original thought of Thomas Aquinas is different, simpler and deeper than the one, which had been passed on by the so-called Thomistic school stemming from Giles of Rome, D. Bañez and Cajetan. The existential concept of being began to form even before the aforementioned work of Gilson made it to Poland, for it was articulated in 1951 in M.A. Krąpiec's post-doctoral dissertation *Egzystencjalne podstawy transcendentalnej analogii bytu*.[6] The works of Gilson confirmed the metaphysical inquiries of the current head of the Department of Metaphysics and hence the turn in the teaching of philosophy at the Catholic University of Lublin took place to a large extent under the influence of Gilson's texts. The idea of publishing them in Polish translation was put forward by professors from this university.

The analysis of the concept of being as the subject (aspect) of metaphysical inquiry had to go and actually went in two basic directions: the theoretical analysis of fundamental metaphysical issues, especially those referring to the transcendentals, and the issues connected with metaphysical cognition: comparing the proposed theory of being and the concept of the subject of philosophy-metaphysics to other philosophical systems.

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na Katolickim Uniwersytecie Lubelskim 1918–1968," *Roczniki Filozoficzne* 17, no. 1 (1969), pp. 63–121; E. Wolicka, "Studium filozofii teoretycznej na Katolickim Uniwersytecie Lubelskim w latach 1968–1972," *Roczniki Filozoficzne* 21, no. 1 (1973), pp. 94–106.

[4] See É. Gilson, *L'être et l'essence* (Paris: J. Vrin, 1948). Polish translation: *Byt i istota*, trans. P. Lubicz, J. Nowak (Warszawa: Pax, 1963). No English translation available.

[5] See Thomae de Vio [Caietani], *De ente et essentia D. Thomae Aquinatis commentaria*, cura et studio M.-H. Laurent (Taurini: Marietti, 1934); Thomae de Vio [Caietani], *De nominum analogia. De conceptu entis*, ed. curavit P.N. Zammit (Romae: Angelicum, 1934).

[6] The article published as "Egzystencjalne podstawy analogii bytu" [Existential Foundations of the Analogy of Being], in M.A. Krąpiec, *Teoria analogii bytu*. Second revised edition (Lublin: Redakcja Wydawnictw KUL, 1993), pp. 13–171.

First of all, taking into consideration the actual and singular existence of entities, it was necessary to revise the traditional concept of abstraction (in particular the metaphysical one)—since it reaches back to the times of Aristotle—and its usefulness in the realm of philosophy, which explains the actually existing reality.

These efforts coincided with historical research conducted in the West, where the new, critical edition of *In librum Boethii de Trinitate* by Aquinas[7] was published, as well as works analysing the methodological and epistemological issues of abstraction and the so-called separation as a distinct metaphysical method for singling out the aspect of inquiry were developed.[8] The analysis of the analogous real entity has clearly shown the uselessness of the concept of abstraction in the realm of metaphysics. Abstracting primarily refers to the very contents of the entities and from the start it omits existence as such. That which is abstract is not something that exists. Hence it was necessary to construe a concept of such a metaphysical cognition that on the one hand would guarantee the realness and concreteness of the subject of metaphysics and on the other hand would not be abstract, but analogous in its generalness. The first Polish works from the perspective of this new, existential philosophy of being were connected to the analyses of the concept of analogy and its ontological foundations as well as a description and analysis of the way of singling out the entity as an existing being in itself.[9]

The concept of the being as an existing essence is essentially linked with all the problems within the realm of metaphysics, if only they are a clarification of the fundamental "notion" of a transcendentally and analogously comprehended entity. Therefore, a great variety of metaphysical problems acquire their full meaning as well as deeper understanding when they are clarified and grasped in the context of the concept of the being as being.

The attempts to design a general theory of metaphysics anew go in that direction, integrating it around the dominant "concept" of the

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[7] See S. Thomae Aquinatis, *Super Boetium De Trinitate*, cura et studio Fratrum Praedicatorum (Romae–Parisiis: Commissio Leonina; Cerf, 1992).

[8] See especially the study by L.B. Geiger, "Abstraction et separation d'apres saint Thomas," *Revue des sciences philosophiques et théologiques* 31, no. 1 (1947), pp. 3–40.

[9] See M.A. Krąpiec, *Teoria analogii bytu*.

being as being.[10] This concerned also the issue of the special being, which is human "being-cognition." For in the light of reconstructed metaphysics epistemology appears from a different perspective, because a number of its problems, which arise due to the erroneous paths of the epistemological subject, become nonsensical from the perspective of realistic metaphysics. This does not mean, however, that questions referring to the value of cognition are not supposed to be discussed, but it means that they should be discussed in the context of philosophy adequate to existential reality, tracing in the meantime the philosophical thought after Descartes as it was detached from being.[11]

Metaphysics, stressing the concept of being as an existing essence, simultaneously serves as a specific and analogous "pattern" for deciphering other philosophical systems, in which often enough the dominant notion of being is concealed. Clarifying the subject matter of different philosophical systems is to a large extent the basis for establishing a common ground for inter-systemic discussions.

Apart from the concept of the entity as an (existing!) essence, it was necessary to focus some attention to the theory of rational cognition, that is the general theory of science. For it turns out that the second factor guaranteeing simultaneously the inter-systemic discussion as well as—perhaps most importantly—the rationality of metaphysics itself is reflected in the concept of rational cognition.

Despite philosophy already having been in existence for about three thousand years, it has not to date gained a refined theory that would be adequate to its objective considerations in its classical and traditional vein. Although Aristotle outlined the model of such a science in *Posterior Analytics*, he never fully applied it in his philosophical inquiries. And he could not accomplish that due to the incompatibility of the model of science he proposed with actual metaphysical cognition. In the Middle Ages, philosophy as it was then practiced was perceived as an ideal fulfilment of the concept of scientific cognition as formulated by Aristotle and that is why there are not many texts

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[10] See M.A. Krąpiec, *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York: Peter Lang, 1991); M.A. Krąpiec, *Struktura bytu*. Second revised edition (Lublin: Redakcja Wydawnictw KUL, 1995).

[11] See M.A. Krąpiec, *Realizm ludzkiego poznania*. Second revised edition (Lublin: Redakcja Wydawnictw KUL, 1995); M.A. Krąpiec, "Problem wartości poznania," *Więź* 1, no. 4 (1958), pp. 5–19.

dedicated to the theory of philosophical cognition. In the modern era and nowadays, although treatises have been published on the classically understood philosophical method, overall there were not many methodological analyses, and, moreover, they generally referred to the three-degree model of objective abstraction. And without explaining the metatheoretical problems one cannot speak of a rational and inter-subjectively sensible practice of philosophy.

Thus, a need arose to develop the theory of metaphysical cognition. And this issue became the object of research conducted by the Department of Metaphysics for several years. One result of this work was the book published by the author of this article together with Professor Stanisław Kamiński entitled *Z teorii i metodologii metafizyki* [*From the Theory and Methodology of Metaphysics*],[12] where so-called analogous and transcendental metaphysical notions are analysed and their distinct character and irreducibility to universal concepts are demonstrated. Subsequently, the structure of propositional cognition was examined, as well as the issues of philosophical induction and philosophical experience, types of reasoning in the field of philosophy were characterized together with rules for recognizing metaphysical propositions were laid out in order to outline the theory of building a philosophical system. The works of this sort, to the best of my knowledge, are unique in the literature created in the realm of classical philosophy.

In light of those studies, it transpired that metaphysical cognition within the scope of an existential philosophy of being is a specific realm of inquiry, with a method irreducible to any other methods known in the field of the exact sciences, although they share certain analogous traits.

Therefore, the reconsidered notion of being as an existing essence apprehended as an object adequate to philosophy, as well as the clarified concept of rational cognition applied in the realm of metaphysics, not only allowed the comprehension of a philosophical system or systems, but—what is more—to realize the scope of metaphysical cognition, the value of philosophical inquiry and the soundness of philosophical arguments.

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[12] See M.A. Krąpiec, "Transcendentalia i uniwersalia (Próba ustalenia ich znaczeń)," *Roczniki Filozoficzne* 7, no. 1 (1959), pp. 5–39; M.A. Krąpiec, S. Kamiński, "Specyficzność poznania metafizycznego," *Znak* 13, no. 5 (1961), pp. 602–637.

It transpires that philosophy is an indivisible discipline of cognition, with its own specific method and purpose. If the object of philosophical cognition is the entity in the aspect of its existence, then the immanent task of this cognition is to indicate the fact of the world's existence (*resp.* its fundamental fields of interest), the negation of which is absurd or leads to nonsense.

Hence the leading and fundamental philosophical discipline is metaphysics and all other disciplines are simply particularizations (not-exemplifications) of metaphysical cognition. For the adequate (formal) object, which is distinct for philosophical cognition, is solitary and it is the entity grasped in the aspect of its existence. This singular formal object is present in a variety of material objects, which are of interest, e.g. for philosophy of nature, anthropological philosophy, ethics, philosophy of culture, etc. These subdivisions of philosophy do not differ from metaphysics as far as the method of research is concerned. The method is always the same, yet while in metaphysics we examine the entity as an existing being and its decontradictifying factors—be they internal (after clarifying the general concept of the being as a being and transcendentals grant more focus to internal factors which make up the entity, such as essence and existence, substance and accidents, etc.) or external, especially the Absolute—the ultimately decontradictifying reason for the existence of real being, so in specific philosophical disciplines we take into consideration particular realms of being, e.g. the human being, nature or cultural creation, as well as the human decision and after the initial description we examine it more meticulously, keeping in regard the fundamental "existential facts" linked with them. Thus, a separate philosophical discipline is created, connected nonetheless with metaphysics as the dominant discipline. Therefore, one can interchangeably use the terms philosophy and metaphysics. Philosophy has an analogous singular object of its inquiries, but this analogously singular object can be particularized and singled out, e.g. for sociologically significant reasons. In this manner new philosophical disciplines are formed, e.g. in our (twentieth—ed. note) century—philosophical anthropology as a complete philosophy of the human being.[13]

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[13] See my works: *Realizm ludzkiego poznania*, p. 54; *Struktura bytu*, pp. 225, 283–284; "Właściwy tok dowodzenia," in M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki*, pp. 244–256; "Układ problematyki filozoficznej w metafizyce," in ibidem, pp. 275–279; *Metaphysics: An Outline of the History of Being*,

We once more emphasize that the condition for the development of metaphysics is the awareness of the specifics of philosophical cognition or, more generally speaking, a metatheoretical reflection on philosophical inquiry.

This is why the Department of Metaphysics cooperates on the one hand with the Department of the History of Philosophy, which delivers the so-called philosophical experience,[14] and on the other hand, perhaps even more actively, with the Department of the Methodology of Science, which aids us in the rationalization of the metaphysical explanation of reality. The cooperation of these three main departments within the Faculty of Philosophy is something necessary for the development of philosophy itself.

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trans. Th. Sandok (New York: Peter Lang 1991), pp. 39–42, 100–103, 132–144; *Ja – człowiek. Zarys antropologii filozoficznej*. Second edition (Lublin: Towarzystwo Naukowe KUL, 1979), pp. 425–439, 235–236; "O rozumienie metafizyki," *Znak* 15, no. 9 (1963), pp. 1077–1082; "Filozofia i Bóg," in *O Bogu i o człowieku. Problemy filozoficzne*, vol. 1, ed. B. Bejze (Warszawa: Wydawnictwo Sióstr Loretanek-Benedyktynek, 1968), pp. 11–55; "Metafizyka i problem Boga," in *Studia z filozofii Boga*, vol. 1, ed. B. Bejze (Warszawa: Akademia Teologii Katolickiej, 1968), pp. 347–379. See also the works of S. Kamiński: "Wyjaśnianie w metafizyce," *Roczniki Filozoficzne* 14, no. 1 (1966), pp. 43–70; "Teoria bytu a inne dyscypliny filozoficzne," *Roczniki Filozoficzne* 23, no. 1 (1975), pp. 5–18;"Osobliwość metodologiczna teorii bytu," *Roczniki Filozoficzne* 27, no. 2 (1979), pp. 33–49.

[14] See *Streszczenia rozpraw doktorskich, magisterskich i seminaryjnych pisanych na Katolickim Uniwersytecie Lubelskim pod kierunkiem prof. dra Stefana Swieżawskiego (historia filozofii) i prof. dra Alberta Krąpca (metafizyka)*, ed. M. Gogacz (Poznań: Pallottinum, 1956). See especially introductory chapter.

Experience
and metaphysics

We gladly use a variety of terms which seem to be trustworthy due to them being used sensibly in particular areas of life. They usually refer to some determined object. However, when one takes a closer look at them, this determination turns out to be shaky or—to be more precise—analogous. For these terms are used in various semantic contexts and as labels for various objects. One term of this sort is "experience." It has been used in the history of human thought with various meanings ascribed to it; even nowadays, the use of this term is deliberately ambiguous, that is—analogous.

Thus, it is worth reaching for—against the background of a historical illustration[1]—a fundamental understanding of "experience" which guarantees the understanding and recognition of other derivative senses of this very phrase.[2] This basic understanding of experience

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[1] The historical overview presented here basically serves as an illustrative backdrop for the argument presented in this article.

[2] For more on the topic of experience in metaphysics and direct cognition see A.B. Stępień, "Rodzaje bezpośredniego poznania," *Roczniki Filozoficzne* 19, no. 1 (1971), pp. 95–127; A.B. Stępień, "Rola doświadczenia w punkcie wyjścia metafizyki," *Zeszyty Naukowe KUL* 17, no. 4 (1974), pp. 29–37. In both articles Stępień uses a broader concept of experience in relation to the proposed dominant understanding. Also the "directness" of cognition described by him is extended and derivative in relation to the directness of the cognition presented here. Unfortunately, the author did not emphasize the directness of the cognition of the "ego" (presented on p. 106, point 5). Only that point, if it were developed, would be convergent with the analyses carried out here. Other issues refer not as such to the direct cognition of the object, but the description of various moments of observation and the perception of the object.

is linked by necessity with the fundamental realm of human rational cognition which is metaphysics in its classical understanding.

Therefore, it is necessary to carry out a historical overview of the concept of "experience" in order to subsequently outline the basic theory of this type of cognition.

I.

Philosophy before Aristotle was characterized, among other things, by a twofold approach to cognizing the world in a valuable manner: the empirical and the intellectual. Prior to his work, philosophers did not know how to reconcile these two types of cognizing reality and these two modes of cognition were considered mutually contradictory. This conundrum became most apparent in the thought of Parmenides, according to whom there are only two ways of understanding being: the path of truth, that is the path of the mind, and the path of falsity, deceit, illusiveness, that is the path of the senses. Only intellectual cognition, devoid entirely of empirical stimuli is valuable, whereas empirical cognition, the knowledge of what is unitary as well as changeable, is worthless.

Similarly in the case of Heraclitus—the world appearing in human cognition is radically changeable and that is why one must resort to PHRONESIS, a special type of cognition, so that in its light the eternal consistency of the LOGOS within the data delivered by the radically changing reality is noticed.

Cognizing that which is unitary, changeable, contingent could not constitute even in Plato's eyes the foundation for a valuable, scientific cognition of true reality. This is why, although he greatly appreciated the value of common beliefs (DOXA), he based his metaphysics on the intellectual understanding of the senses of general phrases in the natural language. Necessary, general and eternal knowledge could not be derived from that which is unitary, changeable and contingent.

The issue was treated differently by Aristotle, who for the first-time combined methodological rationalism with genetical empiricism meaning that all cognitive contents have their source in sensual impressions that gain the form of intellectually cognitive contents after intellectual "processing."

In Aristotle's thought, sensual cognition—EMPEIRIA—is the starting point for all human cognition. It is the foundation for all general concepts. How does that happen? Aristotle explains this problem in two places. In *Metaphysics* 980 b to 981 a 30 he writes:

> The animals other than man live by appearances and memories, and have but little of connected experience; but the human race lives also by art and reasonings. Now from memory experience is produced in men; for the several memories of the same thing produce finally the capacity for a single experience. And experience seems pretty much like science and art, but really science and art come to men through experience; for "experience made art," as Polus says, "but inexperience luck." Now art arises when from many notions gained by experience one universal judgement about a class of objects is produced. For to have a judgement that when Callias was ill of this disease this did him good, and similarly in the case of Socrates and in many individual cases, is a matter of experience; but to judge that it has done good to all persons of a certain constitution, marked off in one class, when they were ill of this disease, e.g. to phlegmatic or bilious people when burning with fevers—this is a matter of art. With a view to action experience seems in no respect inferior to art, and men of experience succeed even better than those who have theory without experience. (The reason is that experience is knowledge of individuals, art of universals, and actions and productions are all concerned with the individual; for the physician does not cure man, except in an incidental way, but Callias or Socrates or some other called by some such individual name, who happens to be a man. If, then, a man has the theory without the experience, and recognizes the universal but does not know the individual included in this, he will often fail to cure; for it is the individual that is to be cured.) But yet we think that knowledge and understanding belong to art rather than to experience, and we suppose artists to be wiser than men of experience (which implies that Wisdom depends in all cases rather on knowledge); and this because the former know the cause, but the latter do not. For men of experience know that the thing is so, but do not know why, while the others know the "why" and the cause.[3]

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[3] Aristotle, *Metaphysics*, trans. W.D. Ross (Oxford: Clarendon Press, 1928), pp. 980b–981a, http://classics.mit.edu/Aristotle/metaphysics.mb.txt (access: 07.10.2019).

At the end of *Posterior Analytics* Aristotle once more tries to present the theory of the origin of general concepts from specific experience:

> So out of sense-perception comes to be what we call memory, and out of frequently repeated memories of the same thing develops experience; for a number of memories constitute a single experience. From experience again—i.e. from the universal now stabilized in its entirety within the soul, the one beside the many which is a single identity within them all—originate the skill of the craftsman and the knowledge of the man of science, skill in the sphere of coming to be and science in the sphere of being. We conclude that these states of knowledge are neither innate in a determinate form, nor developed from other higher states of knowledge, but from sense-perception. It is like a rout in battle stopped by first one man making a stand and then another, until the original formation has been restored. The soul is so constituted as to be capable of this process.[4]

Aristotle appeals to human nature—the soul is by design capable of undertaking such processes—in order to explain the empirical origin of intellectual-conceptual cognition. It relates to explaining the connection of empirical data with intellectual conceptual cognition. Explaining, however, is not logical, but psychological-descriptive process. Empirical cognition is present among both animals and humans, because only those beings make use of memory to assemble the contents of the sensory cognition (perception) of similar beings into a cluster, which enables them to notice general contents. Despite the fact that the intellect can notice such general contents not only in the group of perceived similar objects, but in an individual notion, without empirical data based on memory there shall be no general cognition assigned to action and craftsmanship. The formation of concepts (their heuristics) on the basis of empirical data is Aristotelian induction, called EPAGOGE, which is reducible to the intellect extracting a general factor from the unitarily grasped sensory impressions stored collectively (or not) in one's memory. EMPEIRIA is Aristotle's ARCHE (principle) for: (a) abstract thinking through TO KATHOLOU and (b) for craftsmanship TECHNE or the non-effective—GNOSIS TON KATHOLOU.

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4   Aristotle, *Posterior Analytics*, trans. G.R.G. Mure (online edition), http://classics.mit.edu/Aristotle/posterior.2.ii.html (access: 07.10.2019).

It was necessary to present a longer analysis of Aristotle's concept of experience, for he became an inspiration for many later thinkers, as the only theoretician in history who reconciled genetical empiricism with methodological rationalism in human cognition in which the primordiality and precedence of notions are emphasized.

When one presents Aristotle's concept of experience, one usually encounters the view as if he narrowed down experience to a specific sensory cognition based on memory which would be reminiscent of the popularly understood "experienced person," that is one who has had a rich life and remembers many individual events from his or her life Aristotle, however, has something else in mind. His point is to explain the origin of our concepts. He wants to answer the question on what is the ARCHE for general concepts, which can be understood as the ARCHE of deductive reasoning. And if we realize that in principle for Aristotle all intellectual cognition came down to producing a concept, the genesis and the heuristics of the concepts themselves are something profoundly important. Aristotle states that going by the path of logical analyses, the answer for the question of the heuristics of our general concepts is unobtainable. One must resort to the description of mental states, that is to the disposition of human nature which is capable of grasping general contents deciphered by the intellect in the given sensually cognized (empirical) units of data. To sum up—within the units of sensory data the general, necessary content is concealed in a virtual manner: *sensibile per se est intelligibile per accidens*. This becomes the common good of all those who consider themselves Aristotelian.

This concept is referred to by Albert the Great:[5] *fit ex memoria prius acceptorum per sensus et cum sensu experimentum eiusdem rei secundum speciem. Multae etenim memoriae in effectibus similibus acceptae faciunt in honiinibus potentiam experimenti*, Thomas Hobbes: *memoria multarum rerum experientia dicitur* as well as Christian Wolff: *cognitio singulariorum*.

Yet with Francis Bacon *experientia* becomes not only a cognitive process, but a method of acquiring certainty. He discerns the so-called *experientia vaga* derived from *ex occursu rerum*—from *experientia*

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5 The cited texts by Albert the Great, Bacon, Kant, the empirio-critics, Husserl and others come from *Historisches Wörterbuch der Philosophie*, vol 2, ed. J. Ritter, K. Gründer, G. Gabriel (Basel: Schwabe Verlag, 1972), cols. 609–619.

ordinata. This is precisely the *interpretatio naturae, quae fit non ab experimentis ad axiomata, sed ab experimentis ad experimenta*. Precisely such an *experientia ordinate* was the basis for the scientific-cognitive operations of Torricelli and Galileo. It is also linked with Bacon's induction and the *diversificatio*, which is present within it.

A new aspect in the concept of experience was introduced by John Locke, according to whom all our concepts and so-called contents of rational cognition are ultimately reducible to experience, which is equivalent to "perception." And this is not the repetition of Aristotle's argument, according to which *nihil est in intellectu, quod non fuerat prius in sensu*—although equiform statements are accepted by Locke himself. Yet, according to Aristotle, intellectual-cognitive contents were not reducible to sensory-cognitive contents but had their exclusive foundation in them. That which in the empirical data was not decipherable for the senses, was legible and understandable for the intellect whereas, for Locke, the intellectual-cognitive contents ultimately amount to sensory-cognitive contents.

It seems that Rudolf Carnap refers precisely to Locke's concept of experience when he writes: "In meinen Buch handelt es sich um, die These, dass es grundsätzlich möglich sei, alle Begriffe auf das unmittelbar Gegebene zurück-zuführen." This is the direct data, which are the sensual qualities that have not yet been described by the human cognitive apparatus.

Similarly, the empirio-critics, Richard Avenarius and Ernst Mach, refer to a world of sensory qualities unprocessed by a cognitive apparatus—understood as the *Lebenswelt*. It also seems that Edmund Husserl in his later works had the same thing in mind when he wrote: "Der Rückgang auf die Welt der Erfahrung ist Rückgang auf die Lebenswelt d.i. die Welt in der wir immer schon Leben, und die den Boden für alle Erkenntnisleitung abgibt und für alle Wissenschaftliche Bestimmung."

Indeed, reducing all intellectual-cognitive contents to contents that are accessible for us in sensory perceptions is a major simplification of the issue, even in comparison to Aristotle, since the fact that conceptual contents originate from empirical data is not an argument for the reducibility (ultimate reduction) of one of the types of contents to another, just like a melody is not equivalent to the vibrations of a particular instrument or environment. Aristotle avoided the oversimplifications of the empiricists, being exposed to Plato's analyses

of experience in the Academy. English empiricism and its consequences postulate so many additional irrational assents that by explaining the process of cognition in a simple manner, they ultimately fall into contradictions: identifying what is necessary with that what is contingent.

A sharp division appeared in Kant's mind between a priori rational cognition and empirical a posteriori cognition. Kant, aware on the one hand of the achievements of mathematics and, on the other, knowing the critique of human cognition carried out by David Hume, wanted to save the value of real scientific cognition. However, acknowledging the achievement of English empiricism, he was convinced that all actual real contents came from "experience." How did he understand that "experience"? He differentiated judgements registering accidental experience (*Wahrnehmungsurteile*) from judgments registering non-accidental experience (*Erfahrungsurteile*). The latter are linked with adequate a priori categories indeed enabling "experiential" cognition. For cognitive material grasped in a priori categories of time and space becomes legible for the intellect, which can adequately group this experiential data, forming new cognitive unities based on a priori categories of reason. Of course, the intellect cannot reach beyond the data given to it by experience and can continually utilize actual cognitive contents. Any departure beyond experienceable contents ceases to be strictly analytical cognition, but becomes a dialectical process leading to antinomy. "Pure" experience per se—in the sense of detaching it from a priori categories—is unacceptable, for the value of the experienceable cognition is warranted solely by a subjective a priori category that enables rational cognition.

Nowadays, the concept of experiencing undergoes clarification mainly in the analyses of the scientific method of the natural and empirical social sciences. Appealing to "experience" appears to be a general rule that enables checking and assessing methods of cognition as well as statements which do not belong to the so-called formal sciences. If earlier logical empiricism recognized synthetic sentences as purely given base sentences, then after Karl Popper's critical rationalism, the concept of purely empirical protocol sentences was perceived to be impossible. For to a smaller of greater extent every observational term relies on a particular theory.

This brief look at the more significant concepts of experience which have arisen in the history of human thought shows that the

separation of sensual cognition and acknowledging its primordiality in some pure and distilled form is a futile act that is scientifically as well as cognitively impotent as a form of pure intellectualism detached from the base of empirical cognition. At any rate, the most renowned theoreticians always tried to link and somehow synthesize empiricism with rationalism.

II.

The metaphysics of human cognition, which is the ultimate rational and necessary explanation of a very complicated being, that is of human cognition, points to primal and fundamental acts of cognition in this realm of being. And if a specific binding of the cognizing subject and the cognized object takes place in this cognition, so the primal situation of cognition postulates both the presence of the cognizing subject as well as the cognized object and finally a simple (non-reflective!) act of cognition reaching the present object which frames that very cognitive act. Thus, the cognition relating to the directly present object (actually existing) constitutes the foundation of all other cognition as well as the epistemic reason for it. This applies to both the sensual act of cognition as well as the intellectual one. And although in human cognition there are no isolated acts of cognitive and intellectual cognition, usually sensual and intellectual cognition are discussed separately due to the diversity of the cognitive structures of one or the other. Yet the otherness of cognitive structures cannot eliminate one of the human being's cognitive functions: it is the human being that cognizes using its sensual and intellectual "tools." The cognitive result is entirely for one person. Therefore, one can more adequately speak of one cognitive human act taking place in various structures. The same cognitive act may be more saturated at its various stages by sensual and intellectual moments. The separation of one cognitive moment from others in the act of actual cognition and acquiring pure qualities, whether sensual or intellectual, is not possible, if a human being is a physical and spiritual being. Apart from that, it must be emphasized that in the act of the actual cognition of the existing and present object—that which frames our cognition—is precisely the present object. It is the objective contents that are given to us in the act of cognition, not sensual or cognitive qualities. One can speak of them in reflective cognition, in a sort

of meta-cognition of an appropriate level, not in the cognition relating directly to an object that is present.

The fundamental and primal cognitive act presented here used to be referred to in two ways: cognitive intuition, in its classical understanding, or experience (*experientia*), especially then when traits of cognitive cognition dominated in an act of cognition, and so when the act was fundamentally a sensual intuition, undertaken in reference to an actually existing, present, material object. Under the influence of English empiricism, the notion of experience is linked with sensual cognition, although, as we saw, even Aristotle did not narrow down experience to exclusively cognitive experience, but in it (experience) he sought the explanation of the heuristics of our intellectual cognition.

It is worth noticing that in the writings of yet another renowned, classical philosopher—Saint Thomas Aquinas—the term "experience" (*experientia*) is present as an indicator of the most basic cognitive as well as intellectual acts. And these are some of the important texts, which escape the attention of historians of philosophy: *Experitur enim unusquisque seipsum esse qui intelligit...* (I, 76, 1). *Ipse idem homo esf qut percipit se et intelligere et sentire* (ibidem). *Illa, quae sunt per. essentiam sui in anima cognoscuntur experimentali experientia: inquantum homo experitur per actus principia intrinseca; sicut voluntatem percipimus volendo et vitam in operibus vitae* (I–II, 112, 5, 1m). *Effectus experientiae duplex est; certitudo intellectus et securitas affectus...* (*In Ps* 35; *De Malo* 7).

These texts indicate that the concept of experience with regard to the cognized present object, and not only a material one, appeared already in Aquinas's works. They also signify the consciousness of the cognition of that object, that is the experiencing of the act of cognition which can be reduced to cognizing *in actu exercito*.

Intuitive cognition, both sensual and intellectual—more precisely an act of cognition of the present object, saturated with sensual and intellectual moments—can be either indirect or direct. Obviously only direct cognition can be a basic situation—"maternal" for all justified cognition. Strictly direct cognition is the ultimate epistemic reason for the truthfulness of subsequent cognitive frames. That is why the character of direct cognition particularly attracts the attention of the metaphysician.

What does direct cognition actually mean? Let us limit ourselves to enumerating the essential conditions of direct cognition, omitting

secondary traits, so-called "directnesses." In its original meaning "direct" cognition indeed excludes various "intermediaries" of our rational cognition. These intermediaries are reducible to either subjective emotional states, or to objective sign systems, organically linked with our human cognition.

In all rational cognition—especially in scientific cognition—we try to avoid emotional intermediaries since to a large extent they prevent cognitive optimism. That is why emotional attitudes, when they become intermediaries of cognition, make the latter biased, adjusted to a priori, non-cognitive attitudes.

Besides emotional intermediaries, there are also sign type intermediaries in our cognition. It is known that signs are naturally connected with our cognition, especially with its communicability. That is why the basic human cognitive situation is simultaneously a sign-creating situation, for the sign enables us to realize—tell ourselves—something about something. This is accomplished, most of all, through natural signs and also through conventional ones, called (in scholastics) instrumental signs. Our spoken and written language consists of such conventional signs; it must be learned in order to be used, especially to communicate our own cognitive contents to another person. In the realm of conventional symbols mediating human cognition, a specific role is played by systemic, or doctrinal, mediation, the symbol of which are syllogistic premises in relation to a conclusion. Bearing in mind the role of the syllogism mediating in the acquisition of new theorems, it was common to call this type of cognitive mediation *ex quo*. Prior to that one must cognize the premises (the system and theory), in order to cognize and recognize the "suspended" statements against the system or theory. In the realm of scientific cognition this sort of mediation takes place constantly, for an array of theorems make sense exclusively when based on a particular theory, system or presumption conditioning the recognition of the adequate theorem.

In cognition, apart from the *ex quo* mediation, we constantly encounter sign mediation, *per quod* for short, that is sign mediation which postulates prior understanding and cognizing the appropriate conventional sign enabling our understanding of the sense of the sign. First and foremost, the language of a given nation as such is this sort of intermediary; an array of signs used in a particular cultural circle plays the same role of mediating cognition. And this matter is

clear. When I want to achieve understanding of the contents a given book, I must first learn the language in which the book was written. Language directly catches our attention and is a reason for cognizing the indicated sense. Similarly, using symbols is a clear form of mediating cognitive contents. And although using language and symbols can become incredibly effective, nevertheless, cognition of the sign character of the language or signs enables the cognition and understanding of the signified sense. This is why we always deal here with the *per quod* type of mediation, for cognizing the symbol is the reason for cognizing the senses of the sign.

Finally, there is a mediation which manifests itself by natural, transparent signs, called *quod*. We are rarely aware of this in our cognition, but it plays an important role both in the process of cognition as well as in its cognitive value. This means that without this mediation it would not be possible to accomplish human cognition. For if our cognition refers to the being as it is, then we realize that our cognition can be carried out under a particular aspect and with the mediation of a created concept. We cannot comprehensively grasp the being at once, for it is unusually rich in contents and the possibility of comprehensively grasping the particular entity exceeds our cognitive capacities. The aspect perception is thus by necessity connected with the mode of human cognition. Seeing before us an actual dog, horse or human I can cognize it from the point of view of my interests (or the "imposing" of that very object upon me). I then choose only a selection of traits of the object and construct for my purpose the adequate "sense," which when realized becomes the notion of a given thing. An array of notions is necessary for the multi-aspect cognition of a given thing. The notion created in our mind mediates in my actual cognition of an object. This mediation is spontaneous to such a degree and essentially connected with the nature of our cognition that usually our cognitive attention does not focus on the transparent intermediaries of that cognition, but at the very thing being cognized. This is the natural order of things, for we do not intend to construe concepts, but to cognize the entity itself. Nevertheless, this mediation exists, and we can always become aware of it when we reflect upon our cognition and assume as its object the cognitive act itself. We then notice that precisely that cognitive act usually finds its outlet in the coining of a concept, which is the reason for cognizing a thing through the aspect included in that concept. The mediation

of concepts in cognizing things is so common and natural that there were theories on the impossibility of the accomplishment of the act of cognition without the natural mediation of notions.

Keeping in mind the aforementioned types of intermediaries, one must also notice that it is a complete list of any possible intermediaries, since it relates to that what is essential in relation to cognition—sign mediation as well as that what is connected with cognition, accompanying simultaneously as a stimulus and as a restraint for cognition. All types of mediation can be reduced to one of the aforementioned.

Finally, wat must be noticed is that the concept of experience maintained by various thinkers, did not exclude various types of mediations in cognition, but only emotional mediation or the sign *ex quo* mediation, and therefore the mediation of some theory, doctrine or system. However, under no circumstances did it exclude the symbolic mediation of language and even less so the mediation of the senses. Experience grasped in such a way was considered as the basis of our cognition and the element adjudicating its value. And yet any mediation introduces with itself the possibility of an error, for there is within it the possibility of selecting an intermediary inadequate to our cognitive intentions, even if it were only a natural, transparent one. It is always the cognizing subject that is responsible for selecting—even spontaneously—an intermediary of cognition. In it the personal character of cognition manifests itself, and not only the passive, "offprint," impersonal process. And precisely because of using the appropriate intermediary, cognitive truth is possible, which is a truth that always contains a personal character, the truth of the cognizing human being. This does not mean, that it—the truth—has to be something subjective, the matter of my "whims," for it is simultaneously the truth of the cognized object and as such it is inter-subjectively verifiable. Nevertheless, truth is always somebody's truth which belongs to some person's intellect, who perceived it, selecting adequate intermediaries of cognition.

Nevertheless, I propose to radicalize the concept of experience, binding it exclusively with direct cognition, excluding all possible intermediaries, as a basis for a fundamental type of cognition: for cognition of basic realistic metaphysics. Such a type of experience will exclude the possibility of either error or truth in its colloquial understanding. It shall be the epistemic reason for veridical cognition and

as such it will be "superveridical" cognition, or "surintelligible," as Maritain described the intuition of the being. Of course, this sort of cognition is very narrow by virtue of its nature, and its acts are very few. And yet such a type of cognition is necessary, for the lack of its presence in the human cognition would prevent the real, conscious contact with the being, with the essence, and—just the opposite—it would postulate necessary idealism.

Does such a type of cognition exist? Yes!—in the cognition of the external world, we then affirm reality in our direct existential judgements as well as in the cognition of oneself, when we affirm the "I" present in "my" acts.

The issue of existential judgements, as a point of departure in metaphysics, has been presented and formulated several times. In principle it is known in Polish philosophical literature. However, it is necessary at this point to remark that cognizing reality which takes place in existential judgements, is the starting point in the process of singling out the object of metaphysics and the primal—both in a genetic sense and in epistemic justifications—human being's cognition in his or her colloquial and natural cognizing. For being "immersed in the world" we first cognize that something exists in actuality, before we discover, more or less precisely, the contents of that which exists. This happens both in the genesis of human consciousness and in the genesis and the process of subsequent acts of cognition. A child initially reacts to its mother's presence or its lack "before" it starts to deal with "processing" present—EXISTING contents. Similarly, in the act of cognition reality strikes us with the cutting edge of existence and that precisely is the reason of our immediate responses to the contents delivered to us "under the actual existence" of the being, which works on us. This is clear, because otherwise the conditions of actual human existence, understood as human per se, would be eliminated, expressing itself principally in cognition and the cognitive "processing" of the world.

Obviously existential judgements do not appear in our lives in some "pure" and "distilled" logical form. They have (the process of judging!) their intense moments and phases of clarification. The path is very long, from simply reacting (human cognition precisely!) to the object in our presence, that is an actually existing one, to the clarified affirmation of the act of existence and formulating that in the judgement "'A' exists." Nevertheless, we always deal with the affirmation

of the existing world and it is the foundation of our subsequent cognitive act as well as activities based on cognition. This does not mean that the perception of contents is separated from the affirmation of existence. The contrary is true: it is constantly suspended, for there is no existence without "something"; and that "something," some essence that constitutes the object of our actual life reactions, is always an existing thing.

It is important to realize here that we cognitively affirm an essence with respect to its existence in existential judgements. Our cognitive act directly encounters the being and not a cognitive impression, understood or grasped in any way. Philosophers and epistemologists have sought primal cognitive impressions in "experience," whereas all content impressions are given to us indirectly by various types of physiological and cognitive stimuli. And yet in direct cognition we interact in existential judgements with the existence of the being, and the existence of the being does not cause any—even transparent—offprints, being the natural sign of an entity. And we cannot, even with strong reflection, discover the "sign" of the affirmation of existence, while that very reflection reveals to us the "sign" nature of our sensual perception or intellectual contents of things. Existential judgements, that is the human cognitive affirmation of existence, are thus the direct cognition of things acting upon us due to their existence. And that is why the affirmation of the existing being, with respect to its existence, is a superveridical form of cognition. It is the reason for veridical cognition, which is at once later and prone to errors. The affirmation—in existential judgements—of the actual being is therefore the purest human experience; pre-reflective experience, which is not subjectable to error (unless due to illness!), it is direct cognition and because of that it is one that guarantees both real life and everything, that a human does in real life with respect to cognition and what he or she does as a consequence of cognition.

If the cognitive frame of the existing being in existential judgements is the fundamental human experience of the real world, then it is complementary with the direct internal experience of oneself, when we are directly cognizant of the "I" present in "my" acts, i.e. when we constantly experience that the "I" cognizes, desires, loves, hates, suffers, rejoices and works. All "my" acts flow from the "I" as if they were from the subject, which is immanent in all acts spouting from the "I": it is simultaneously transcendent in relation to "my" acts,

because I constantly experience that none of "my" acts can by equivalent to the "I" and neither can the sum of all of "my" acts be equivalent to my "I." In brief—the "I" is both immanent and transcendent towards my acts, being the subject in the act of subjecting precisely those acts. And this is a vernacular situation for being a human being—the experiencing of oneself. It is an experience which is also a direct mode of cognition; an experience, which is constantly granted to us as a fundamental "cognitive fact" that must be explained. And all explanations, as an indirect type of cognition which vanquish the primal cognitive fact—the primal situation of being a human being—disqualify themselves as a potential theory of human nature. This direct cognition of oneself is the cognition of a being in a special situation, for it is the cognition of the being perceived "from within," from the perspective of the subject and not only from the point of view of an object. Experiencing the self, we simultaneously experience transcendence, the existential side of being in contrast to the essential one. I always know that I exist, although I do not know what I contain; I do not know who I am. In order to acquire knowledge of oneself, I must, on a circular road, by way of analysing the structure of "my acts," slowly begin to discover my own nature, my own essence, as a source of action.

The two types of experience outlined here as types of direct cognition constitute the foundation for human cognition in general, for all subsequent experience makes use of intermediaries, or at least those, which are the result of cognizing human nature—that is using transparent symbols, cognitively grasped by senses of things. The data coming from direct cognition cannot be undermined; they constitute the epistemic reason for subsequent cognition; they are superveridical. The data from direct human cognition also constitute the foundation for metaphysical cognition. Although the results of cognition acquired in existential judgements are sufficient for the cognitive processes singling out the being as (an existing!) being, the data coming from the direct internal cognition supplement in an essential way the understanding of the being, for they put us in a unique situation, in which we can "see" the being "from the inside," for while cognizing "I" that subjects "my" acts we grasp the being not only as an object, but actually as a subject, that is in the act of subjecting. Grasping the being as a subject in itself and for itself is grasping the being in its most significant position.

EXISTENTIAL THOMISM

TOWARDS THE PROPER CONCEPT OF BEING

The main subject of philosophical inquiry, as of all human thought in general, is the reality to which we give a concise name—being. What is being? What is its nature? This question makes the existence of philosophy meaningful. Indeed the exact sciences grant us unending descriptions, classifications and formulations of laws of the given reality; admittedly everyday life provides us the practical skill of "using" it, nevertheless these answers are detailed, referring to a particular fragment of reality and they do not satisfy the needs of the intellect which desires to cognize the internal structure entitled proportionately to each and every being.

In this desire of cognizing the internal structure of being, a serious danger emerges which affects the immense majority of philosophers. For by wanting to discover the structure of being he or she submits it to the possibly most rigorous analysis which a philosopher is able to do, however, with that implicit and perhaps not entirely conscious thought or belief that the analysis of the real being should lead to the discovery of some individual element, some solitary principium—the principle (αρχή [*arché*])—which automatically shall become the key to deciphering the world's mystery. Approaching the examination of reality with such a perhaps unconscious, philosophical "dogma," one determines such a single principle-element and with its aid one cognitively arranges the world. Yet such a monistic system does not adhere to the real being and common sense does not seriously consider its truths either. Great monistic systems are rather

elaborate works of art, to which the harmony is introduced by the light of reason, and not by the true explanation of what exists.

A cursory glance at the history of philosophical thought convinces us that this is so.[1] The philosophical thought which emerged upon the shores of the Aegean Sea posed the following question: what constitutes reality? And it has delivered essentially two different replies that laid the groundwork for philosophical positions that still remain timely.

Heraclitus distinguished existence, real existence, as independent from thought. And yet existence is, according to him, something unstable, constantly changing, subject to constant evolution, it cannot be conceptually grasped. Hence πάντα ῥεῖ (*panta rhei*): the perpetual evolution of everything. This may sound like a contradiction, but in reality this contradiction is the mother of everything. Evolutionary thought, although repeatedly eclipsed by great rational systems of thought, has nevertheless lasted until today and functions in material dialectics, French existentialism and Henri Bergson's philosophy of the evolution of creativity.

Heraclitus's answer and position are unquestionably a rock of offence for reason. No wonder that this idea evoked a reaction from the rational side. For if a human is to cognize reality, undoubtedly he has to cognize it with his main cognitive capacity—reason. Only reality grasped by reason and notions becomes understandable. That is why a human being must fully trust the intellect, even if its truths were not empirically verifiable. Having the choice between the testimony of reason and experience which is delivered by sensual cognition, the human being should definitely choose the strict conceptual analysis and not the illusive, precarious, mutable sensual impressions which are not in agreement with pure thought and cannot become a foundation for pure thought. And that is what Parmenides, the great father of metaphysics, did.

He posed a similar question to that asked by the Ionian philosophers: what is the most important principle of reality? What is being?

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[1]   G.M. Manser drew attention to that in *Das Wesen des Thomismus* (Freiburg: St. Paulus Druckerei, 1932), as well as É. Gilson in *L'être et l'essence*. See also: M.A. Krąpiec, *Teoria analogii bytu* (Lublin: Towarzystwo Naukowe KUL, 1959), pp. 175–185; M.A. Krąpiec, *Struktura bytu*. Second revisited edition (Lublin: Redakcja Wydawnictw KUL, 1995), pp. 27–40; M.A. Krąpiec, *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York: Peter Lang, 1991), pp. 57–98, 203–208.

And he replied: being is that, what exists. That, what exists—is the object of thought. Parmenides inseparably connected being with thought. Only pure thought can state anything about being. And in its light, there can only be one being. How can beings differ between each other and consequently constitute a multitude? If everything is being, then the situation is clear from the perspective of the intellect: the element which differentiates reality is being or its contradiction: non-being. Non-being is nothingness and it per se cannot introduce any variables. Therefore, nothingness is not valid as an element differentiating reality. And yet, even being does not differentiate it. For being is that what is and everything is that what it is; every essence is being. Thus, being on its own does not differentiate anything. Hence for the pure thought it becomes clear that there is only one being, unchangeable, always the same. Only after we get rid of illusory sensual impressions, the intellect fathoms that reality is a kingdom of harmony and undisrupted order.

What did Parmenides do? He dissociated himself from the data of the concrete sensual cognition and, consequently, he separated himself from existence. He conceived being as the object of pure thought. Although he defines it as something, which is, the word "is" does not signify existence here at all. It rather performs the function which Plato became aware of—the function of identifying (being) with itself. Being exists, which means that being is identical with itself. The problem of the existence of being does not play a role here. The most important issue is that in this way being became understandable, it became conceptualized. Henceforth pure thought becomes independent and unshackled, ruled solely by its own internal laws. From that time on, since Parmenides, the life of "metaphysics" begins, the object of which is being as it was conceptualized by the sage of Elea, the broadest, overwhelming essence, fully exhausting itself in one notion. Accepting this definition, limiting being to essence, discarding existence beyond the brackets, becomes the classic mistake of "metaphysics" as understood by Plato, Plotinus, Avicenna, John Duns Scotus, René Descartes, Christian Wolff and many other philosophical currents. And even Aristotle did not entirely avoid (at least in some of his conclusions) committing this mistake. Nevertheless, he is the philosopher who indicated the way forward from monistic theories through the introduction of the theory of potentiality and the act, the two main, correlative principles—traits of being, and

even more by formulating a method of philosophical thinking relying in its point of departure not on argumentation based on dogmatic preconceptions, as was the case with Heraclitus and Parmenides, but on cognizing reality as it actually is.

Despite these contributions, Aristotle was not able to cope with existence and that is why he alluded to it only in *Posterior Analytics;*[2] he preferred to base his metaphysics on the analysis of movement and its connection to being, rather than existence which constantly evades attempts of conceptualization.

One thinker who was aware of the rich contents describing being as that which is was St. Thomas Aquinas. Although he remains faithful to Aristotle in his method of metaphysics, nevertheless, content-wise he changes its foundations by the emphasis on existence in real being.[3] This thought has not appeared in St. Thomas's works *deus ex machina.* On the one hand it was the result of his healthy realism and thorough analysis of reality, on the other hand—Biblical antiquity with it concept of God ("I am, who I am"), and later Arabic scholastics with Avicenna at its head, as well as the neo-platonic and Arabic currents contemporary to Aquinas, cherished by William of Auvergne and Albert the Great, contributed in a significant way to highlighting the existential contents of the concept of being.

It became clear for Thomas Aquinas that being, that is—reality, in its deepest structure—is not simple, uncomplex, containing only one element. We must notice in being that what actually is in it. If philosophy is to be the explanation of reality, so it cannot—under the threat of losing meaning—be detached from that reality, taking into consideration only the more cognitively operative element, whereas omitting the element that is harder to apprehend cognitively. The cognition of the real being, as it actually is, reveals two primal

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[2] See Aristotle, *Posterior Analytics*, 89 b and especially 92 b, trans. G.R.G. Mure (online edition), http://classics.mit.edu/Aristotle/posterior.2.ii.html (access: 07.10.2019). In this text, where Aristotle differentiates the manner of cognizing existence from the manner of cognizing essence, he confused many Thomists, who were looking for a substantial difference between essence and existence in Aristotle.

[3] For more on Thomas Aquinas's method of philosophizing see M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki.* Third revised edition (Lublin: Redakcja Wydawnictw KUL, 1994); for the critique of Aristotle's model of argumentation in philosophy see: M.A. Krąpiec, "Analiza rozumowania: problem uzasadnień w filozofii," in ibidem, pp. 205–233.

and co-reliant elements, which when taken separately do not exhaust reality.

For every being contains particular (cognizable) contents; it is something determined, identical with itself; it simply constitutes some sort of essence that our mind does not have to immediately cognize in detail. It is enough that it recognizes it as a "something." Such a (cognitive) content does not however "exhaust" real being, although in many philosophical currents metaphysical cognition is limited to it.

This very cognitive content, the essence, does not exist of itself. Therefore, the second constitutive element of being is its existence. Hence Parmenides's description of the being as "that which is," in Thomas's understanding gains a new, mystical meaning. "Is" means here actual existence and does not play the role of a linking verb, stating the identicalness of the subject with itself.

And thus the concept of the real being consists of "that what," that is of some essence which is the (cognitive) content, as well as "is," that is of "real existence, independent of cognition."[4] Taking into consideration only existence in being leads to absolute, evolutionary monism, that is to the contradiction of being-wise pluralism, to the absolute unrecognizability of real being. In order to explain this reality, grasped only in the aspect of existence, one has to revert to extraordinary forms of cognition, to a somewhat Bergsonian intuition or to dialectics that combines contradictions.

On the other hand, disregarding existence and accepting only essence as the object of thought, leads straight to idealism that which is limited to analyses of cognitive apprehensions, detached from reality. Consequently, a gap occurs between the order of thought and the order of reality, which more sober minds are trying to breach by laying a cognitive bridge in the form of a variety of "critical" epistemological theories. The further consequences of only relying on essence leads either to doubt in the cognitive abilities of the human mind or to monistic ontology. The history of philosophical inquiry delivers ample evidence of this fact.

By contrast, the realistic statement which Thomas Aquinas proposed on the presence of two elements in being, transforms philosophy

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4   This can be understood as: (a) contents as it is, existentially neutral; (b) essence as an element of the real being; (c) notion, a cognitive apprehension of the essence. See M.A. Krąpiec, *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York: Peter Lang, 1991), pp. 91–99.

into a field of knowledge that explains actual reality. Indeed, thinking becomes slightly harder then, because we have to take into account the possibility of a greater complication within being, but in return we are more rooted in reality and we truly explain it instead of just "playing around" with our own notions.

Assuming a double element in being, essence and existence, Aquinas continuously establishes their mutual relations in order to determine its recognizability.

The relation of essence to existence in being "expresses itself" in the Aristotelian relation between potentiality and actuality. And at this point Doctor Angelicus invariably declares the transcendence and the primacy of existence over essence. The very origin of the term "being," coming s from "to be" (Lat. *ens* from *esse*), brings to mind existence. Existence is an act, the perfection of being, what is more—it is the main perfection, because it is the act of all the other perfections within the being. For every entity has some sort of value as long as it is something real, as long as it exists. Hence more is created in the simplest existing atom, than in the infinite possible universes. In short, the root of being is not possibility as Wolff stated, but existence. Without existence which perfects there are no actual possibilities.

Existence does not exclude the essence in being, but positions it in the appropriate place. Essence in relation to existence is pure potentiality. Although it has contents and constitutes a particular perfectness, it is conditioned in the aspect of being by existence. Is then the essence something unreal? No, it also is reality, but together with existence and based on existence. As of itself, beyond existence, it does not constitute any reality; beyond existence it is nothing and—conversely—it is something real as long as it exists.

And thus, having in front of oneself the "definition" of being: being is that which is or can be—we always imply existence in this notion.[5] In short: the notion of being implies existence. When we say that "is" "implies," it does not mean yet that real being is identical to existence or that it is existence, but that existence is the sufficient

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[5] The "definition" of being presented here is connected, at least linguistically, with the typical neo-scholastic term for being (what for: "what can be?"), although the context of the article excludes its understanding in the spirit of Wolff. For more on the topic of the existential concept of the being see my works: *Teoria analogii bytu; Z teorii i metodologii metafizyki; Metaphysics: An Outline of the History of Being*, and *Studia*, in Thomas Aquinas, *De ente et essentia*, pp. 49–162.

reason for the realness of being and that real being cannot be grasped without relating it to existence.

Thomas Aquinas succinctly and precisely captures the role of the essence in being: "Existence is the most perfect of all things, for it is compared to all things as that by which they are made actual; for nothing has actuality except so far as it exists."[6]

The method of cognizing being

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The intellectual cognition of being which assumes the normal functioning of the senses takes place on the level of two parallel mental operations, namely simple apprehension (*simplex apprehensio*) and judgement (*iudicium*).[7] Each of these activities is, in some respects, the first action —not, as far as the temporal sequence, but as far as its nature is concerned. On the one hand, simple apprehensions and the notions created as their result condition judgements, on the other hand, the condition for these notions are specific intellectual judgements.[8]

In the order of cognition, as the "reflection" of particular traits of a concrete thing, we initially encounter a simple apprehension.

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[6] "... *ipsum esse est perfectissimum omnium, comparatur enim ad omnia ut actus. Nihil enim habet actualitatem, nisi inquantum est* ..." S. Thomae Aquinatis, *Summa theologiae*, cura et studio P. Caramello, vol. 1 (Taurini: Marietti, 1963), I, q. 4, a. 1, ad 3; see ibdem, q. 3, a. 4, resp. In order to comprehend the meaning of the term "esse" in the writings of Saint Thomas it is enough to glance at the columns entitled Esse, in *In opera Sancti Thomae Aquinatis index seu Tabula Aurea eximii doctoris F. Petri de Bergomo*, ed. fototipica (Alba–Roma: Editiones Paulinae, 1960), pp. 372–375.

[7] See idem, *Summa theologiae*, I, q. 85, a. 5, resp.

[8] Existence, being the sufficient reason for the being's intelligibility must by cognized prior to contents (*prioritate logica!*). In a way Wilhelm Wundt would be right teaching about the precedence of judgements before notions. However when considering "representation"—notions condition judgements—Gilbert Rabeau in the ninth chapter of his work *Le jugement l'existence* (Paris: Vrin, 1938) claims that in cognition concepts *quoad specificationem* come first and judgements *quoad exercitium*—come later. More on cognizing the being and existence see my *Teoria analogii bytu*, pp. 78–142; *Analiza pojęć jako pierwotnych elementów myślenia*, in M.A. Krąpiec, S. Kamiński, "Z teorii i metodologii metafizyki," pp. 47–99; *Metaphysics: An Outline of the History of Being* and *Studia*, in Thomas Aquinas, *De ente et essentia*.

What is it? The activity of the intellectual cognition, in which the intellect "reflects" the nature of things, is called by Thomas Aquinas the simple apprehension. This "offprint" is not some sort of recalculation in the cognitive order of all of the traits of the concrete, but only a particular similarity of its constitutive features.[9]

Just like a similarity to the photographed object appears on photographic film, so does an entity emerge in the mind as a result of simple apprehension of an intellectual similarity that we call a notion. It is only a simple "rendering" or "representation" of the real object. Through the construed notion and through its framework the object becomes intelligible. We can read it in relation to the notion which exists between the traits constituting reality. These necessary "inter-trait" relations constitute the contents of being i.e. its essence; hence we say that in our notions we express the "essence of things."

However, it is necessary to notice that in the process of conceptualization we separate ourselves from existence. Undoubtedly real existence is the reason for our existence and as is conceptualization, nevertheless the concept itself disregards existence. Conceptualization is abstract thinking, that is detached from concrete reality, from existence. Thus, "abstraction" is another term for simple apprehension; exclusively "abstract" thinking is thinking about "non-reality." What do the content of schemas of the "essence" signify without that, which is the core of all reality, without its sufficient reason, that is existence?

Conceptualization as such does not put me in touch with reality, but rather pulls me away from it and raises me to the realm of pure possibilities, which at times is almost equal to so called fantasizing. Reality is constituted by existence and it is precisely notions that omit existence and thus the abstract notion of the being does not bring me into contact with real being that implies existence. And here the old myth of Cajetan vanishes (although he himself understood it correctly, it was deformed by many "minor spirits [*imitators*]"), the myth of the "abstract" cognition of the being. Such an "abstract"

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[9] "Intellectus ... habet apud se similitudinem rei intellectae, secundum quod rationes incomplexorum concipit." S. Thomae Aquinatis, *In duodecim libros Metaphysicorum Aristotelis expositio*, ed. M.-R. Cathala, exarata retractatur cura et studio R.M. Spiazzi (Taurini–Romae: Marietti, 1950), lib. VI, lect. 4, no. 14). See M.A. Krąpiec, *Realizm ludzkiego poznania*, pp. 55–56; M.A. Krąpiec, "Pojęcie – słowo," *Roczniki Filozoficzne* 26, no. 1 (1978), pp. 83–112.

being is in fact just a pseudo-being, "pure" notion, a mental structure unverified by reality.[10]

Cognitive action is therefore necessary, an action that will supplement abstract conceptualization, grasp and confirm existence—the element omitted in the simple apprehension. A judgement is this sort of an act of reason. Only in it and through it can one reach self-conscious intellectual cognition. The judgement, among other things, ascertains the realness of cognition performed in the simple apprehension. It is based on the complete, conscious statement that "it is so" or "it is not so."[11]

The mind reflects in the judgement upon the "fruit" of simple apprehension—the notion—and consequently it ascertains (*affirmando vel negando*), affirming the compatibility of cognition and reality.

But what authorizes it to do that? In fact—the very structure of the judgement, cognitive reflection, which is carried out onto the direct cognitive functions which are objectified and as a result of that it is dependent on the existing, real concrete being.[12]

Therefore, a judgement does not deliver any new cognitive contents to the contents delivered by the simple apprehension, but only ascertains its compatibility with the existing reality. This is why a judgement affirms cognitive content—it affirms notions "existence-wise." "*Iudicium respicit esse*."[13] And thus, complete cognition is not carried out exclusively by the simple apprehension—abstracting or through the judgements themselves, but by the human, who in equal proportions uses notions and judgements that supplement each other in the integral cognition of being, as well as condition each other simultaneously.

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[10] Cajetan and the Thomist school when speaking of "abstraction" of the notion of being, always linked it with *comparatio*, that is with judgements. For a more critical account on Cajetan see M.A. Krąpiec, *Teoria analogii bytu*, pp. 163 and 210.

[11] See S. Thomae Aquinatis, *In Aristotelis libros Peri hermeneias expositio*, in idem, *In Aristotelis libros Peri hermeneias et Posteriorum analyticorum expositio*, cura et studio R.M. Spiazzi, ed. 2 (Taurini: Marietti, 1964), lib. I, 1. 5.

[12] See S. Thomas Aquinas, *Quaestiones disputatae de veritate*, q. 1, a. 9, resp. I write more broadly and more precisely about judgmental cognition in "Analiza sądów," in M.A. Krąpiec, S. Kamiński, "Z teorii i metodologii metafizyki," pp. 101–147; *Studia*, in Thomas Aquinas, *De ente et essentia*, pp. 98–100, 116–123, 140–162.

[13] S. Thomae Aquinatis, *Super Boetium De Trinitate*, cura et studio Fratrum Praedicatorum (Romae–Parisiis: Commissio Leonina; Cerf, 1992), q. 5, a. 3.

When we ascertain that a judgement, thanks to the word "is", is focused on existence, we do not close the issue of cognitive realism. Existence can be understood in various ways. For "is" can ascertain actual existence, but it can also represent the implication of two notions, and then that "is" is expressed in the judgement, it plays the role of a regular linking verb (*esse ut copula*).

As a result, two types of judgements emerge: the first, in which "is" plays the role of a linking verb, and the other, in which it ascertains the actual existence of an entity.[14] The former judgements are called predicative, the latter—existential.

A fundamental difference exists between them. For predicative judgements are "normal" judgements (constructed from a subject "S", predicate "P" and connector "is") which are the subject matter of classical logic. They ascertain existence which is indicated by the linking verb "is", but this is existence understood in a specific way. Essentially we state the fact of the inherence of traits in a particular subject which does not necessarily actually exist.[15] Therefore, a predicative judgement does not ascertain real, actual existence. Indeed in this judgement, when apprehended psychologically, we are aware of the concrete and actual existence, but the "classic" judgement does not affirm it, affirming only "existence" in the form of the inherence of a trait (e.g. "a poet") in a given nature (e.g. "Homer"): "Homer is a poet." Predicative judgements which are the subject matter of logic essentially do not confront the human being directly with the real existence.

Nevertheless, a second type of judgements exists—existential judgements, which affirm real existence. An existential judgement is expressed in the simple sentence: "something is," "*x* exists." This is undoubtedly a strange judgement, which has only one element in it—the subject, but it does not have a predicative expression. Admittedly, it has been attempted to identify the one-phrase existential judgement with the judgement *de secundo adiacente* known from classical logic, e.g. "Peter writes." Such a judgement can easily be reduced by "splitting" the word "writes," into predicative expression—"writing" and linking verb—"is", to a regular predicative judgement and

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[14] See: É. Gilson, *L'être et l'essence*, chapter IX.

[15] See: P. Hoenen, *La théorie de jugement d'après St. Thomas d'Aquin* (Romae: Universitatis Gregorianae, 1946), chapter II.

as a result we receive the sentence: "Peter is a writing being." In this sentence we ascertain the inherence of "writing" in the subject "Peter."

However, it is not possible to act with an existential judgement in such a manner. It cannot be reduced within the realm of logic to a predicative judgement (just as the predicative judgement cannot be identified with an existential judgement). In the existential judgement the word "is" or "exists" cannot be a predicative expression and it does not "refer" to the subject (in the sense of Platonic identity: *x* is, means—*x* is itself), because the affirmation of real existence is contained in this word . It is hard to accept a word, which is not the sign of some kind of notion, for existence cannot be conceptualized.

However, since being contains something more than just the essence, our cognition should also be broader than our notions and definitions. If cognition is supposed to bring us at all in touch with reality, it must also apprehend the act of existence. Yet since this act evades conceptualization, only one possibility remains: apprehending it in such a judgement which is not based on combining or splitting notions, but on the affirmation or negation of the real existence of an object. The judgement: "Peter is" does not mean at all that "Peter is a being," which one could just as well say about a real Peter or a possible one, but that Peter really exists. The existential judgement is an (mental) act, which affirms another act: the act of an object's existence. And although in this case the judgement does not affirm the predicative expression on the subject as it consists of the notion and "something else," nevertheless it is a real judgement, because it affirms the composition of the object with its act of existence and mentally combines that what is combined in reality. Thanks to this, existence is accessible to the intellect.

And thus, if real being constitutes a particular content which is subordinate to existence, then our notion of being, which we are supposed to use in philosophy, must also imply existence. Since the simple apprehension "produces" only an abstract "essence," devoid of existence, then our concept of being must be elaborated on the basis of the existential judgement. A "real" (objective!) concept of being emerges as a result of ascertaining existence in existential judgements and conceptualizing essential contents; it might be less operative, but entirely realistic. Only a concept of being thus elaborated becomes a tool for reasoning in the predicative judgements which constitute philosophy. Then, the predicative judgements which are

used in philosophy, implying such a concept of being or else containing any other "transcendentale" (which, unfortunately, was not noticed by either Gilson, or Garrigou-Lagrange), are reducible to existential judgements.[16] As a result, human thinking is realistic.

Consequences

A small mistake committed at an initial stage often enough causes tragic results (Aristotle). Therefore, one should not be surprised that the main effort of the philosopher must be concentrated on verifying the rules which he assumes. That is why Thomist thought, just as its master, puts so much emphasis on the appropriate elaboration of the fundamental problem of philosophy, that is why primal notions are elaborated in a strenuous cognitive effort.

What is the significance of the fundamental theorem of existential Thomism on the primacy of existence in being?

The problem of the realism of metaphysics comes to the fore. The mistrust of philosophical thinking originates from here, especially towards metaphysics which is often treated as equivalent to cognitive mystification. It is enough to take a close look at essentialist metaphysical currents, regardless of whether those shall be scholastic currents, which as a result of identifying essence and existence lost sight of non-conceptualizable existence, or idealistic currents, starting from Descartes, in order to really understand the aversion to metaphysics in general. For essentialist philosophies have undergone the powerful temptation to use exclusively conceptual schemas, which do not apprehend existence and do not submit to the result and necessity of constant adaptation to reality in the process of thinking.

No attention has been paid to the fact that essence is only a part of a concrete reality and cannot be taken as a whole, as an adequate

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[16] Transcendental notions always imply existence, because existential judgements are imbedded in their structure (see: M.A. Krąpiec, "Zasadnicze reguły semantycznego sensu zdań metafizycznych," in M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki*, pp. 273–275). For a more detailed comparison of existential and predicative judgements see ibidem. Predicative judgements construed from of universal concepts are not reducible to existential judgements (see É. Gilson, *L'être et l'essence*). See my works on transcendentals: "Miara i jej granice," in M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki*, pp. 58–72; *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York: Peter Lang, 1991), pp. 109–190.

object of philosophical thought. We do not abstract essence in order to cognize it on its own, but in order to cognize real being, a component of which is the essence. Indeed, one cannot cognize being without its essence. For it is the essence that constitutes the being the way it is. And yet one cannot claim that the essence is the being. In short, the object of philosophical cognition cannot be a concept-idea, but an existing thing. In order for the cognition of being not to only be a speculation remaining in the realm of possibility, it is necessary to affirm existence with the aid of a judgement and as a result to create a realistic, objective notion of being, defining the object of realistic metaphysics, not having anything to do with the "metaphysicists" from the essentialist currents.

The existential-essential concept of being "points out" in general the first object of thought. Being is at the bottom of every reliable cognition, so it can never depart beyond its limits, because beyond them nothing exists. This is well illustrated by an old example. Looking at a given thing from a greater distance, we know about it only that it is an existing thing, in other words a being; when it comes closer to me I recognize that it is a living essence, in a further phase I recognize in it a human being and, finally, I ascertain that this is my friend. These subsequent cognitive definitions of the object are only ever more precise definitions of the being which stand at the foundation of all cognition. The justification of real being is its existence. From this it is inferred that cognition on its own rests more on the existential judgement than on the concept of the essence. To cognize something is first of all to cognize that something exists.

For cognition as so tightly linked to existence as the cognized object itself: the being that implies existence. The initial act of the real being is to exist and thus—to cognize—that is to act as an existing being. Cognition is the extension of the cognizing subject's existence itself. That is why I can say: if know that I think, I know that I exist. However, this does not infer: I exist, because I think; the opposite is true: I think, because I exist. Because thinking is existence itself revealed in the garment of action. The existential judgement: "I am" or "something is," does not petrify itself in the notion of existence, but apprehends itself non-conceptually in the act of judgement.

This does not mean that such an approach eliminates notions, cognitive contents, but it only means that in order to pay respect to reality, we position the essence in existence itself, and not before

existence, as all of the essentialist and idealist metaphysics do, nor after existence as contemporary existentialism does. Organically connecting the apprehension of contents with the affirmation of existence, we have the real perception of being. And then the laws of logic are simultaneously laws of ontology, laws that effect the realm of existing thought as well as its organic object—the realm of the existing being. The delineation to laws of logic and laws of ontology is equally artificial as pure abstract thinking.[17]

The composition of the being from essence, which is not existence, and from existence, which is not essence, with firm consistency sets before our eyes the Absolute Being—God, whose essence is precisely existence. The actual composition of the two elements: essence and existence, irresistibly requires the non-composite reality, the necessity of pure existence, as its sole reason, without which there would only be nothingness.

The fact that complex beings constituted of essence and existence appear in the natural world guarantees the realness of the ontological principles of the rules of identity and non-contradiction, and at the same time explains the fact of the mutability and development of nature. For from the side of concrete and changeable existence horizons of evolution open up, which nevertheless does not contradict the essential identity of the composite concrete beings.

And, finally, in order to draw attention to a purely epistemological problem: in the light of the existentially apprehended being the difficulties connected with classical definition of truth which states that truth is the agreement of cognition and reality (*adaequatio intellectus et rei*)[18] are dispelled.

To a large extent under the influence of "abstract" metaphysical currents, there have been attempts to reduce *adaequatio* (agreement) to *similitudo* (conceptual similarity). Similarity is comprehended as

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[17] More precisely discussed in *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York: Peter Lang, 1991) pp. 195–216.

[18] The discussion on the classical definition of truth has been commented upon, among others, by K. Ajdukiewicz, *Zagadnienia i kierunki filozofii. Teoria poznania, metafizyka* (Warszawa: Czytelnik, 1949), pp. 18–36 and A.B. Stępień, *Teoria poznania* (Lublin: KUL, 1971), pp. 67–71. For more on truth and cognition in philosophy see my works: *Realizm ludzkiego poznania*, pp. 134–154; *Sądy a prawda*, in M.A. Krąpiec, S. Kamiński, *Z teorii i metodologii metafizyki*, pp. 142–147; *Studia*, in Thomas Aquinas, *De ente et esentia*, pp. 118–119.

a mental photograph of a thing. However, how one can determine that a notion recreates precisely an object, since a given object is accessible for me only in the notion. The mind would have to come out of itself, from the realm of notions, in order to cognize the truthfulness of its apprehensions of reality.

And yet the definition of truth states something different. It essentially relates not to notions, but to existential judgements and establishes only one condition for cognition, as St. Thomas clearly signifies.[19] This condition is the unity of the cognizing subject with the cognized object, the unity on the grounds of existence. When the cognizing subject and the cognized object exist, then the existence of the object encounters cognition, which is a manifestation of the existing object. Combining these two existing beings is not a cognitive reflection, which has been sought after with the purpose of allocating truth. All cognition as such is true, it is complete cognition, accomplished within the framework of the judgements.[20]

From the point of view of realism, difficulties of the "critics" are based on the search for the conditions for cognition in cognition itself and justifying truth by cognition per se, whereas all of this should be sought for in being.[21]

Thomism, within its non-eclectic universalism, organically contains in itself all these elements which unilaterally draw attention to particularistic philosophical currents. They do this precisely because they are particularistic, not integrally encompassing real being, as it actually is.

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[19] "Cum autem in re sit quidditas eius et suum esse, veritas fundatur in esse rei magis quam in quidditate, sicut et nomen entis esse imponitur; et ipsa operatione intellectus accipientis esse rei sicut est, per quamdam similationem ad ipsum, completur relatio adaequationis, in qua consistit ratio veritatis." S. Thomae Aquinatis, *Commentum in quatuor libros Sententiarum Petri Lombardi* (Parmae: Typis Petri Fiaccadori, 1858), lib. I, d. 19, q. 5, a. 1).

[20] Por. É. Gilson, *L'être et l'essence*.

[21] I elaborate on this view in *Realizm ludzkiego poznania*, pp. 53–69; for more on the epistemic reason of veridical cognition see my *Studia*, in Thomas Aquinas, *De ente et essentia*, pp. 98–100, 156–157.

Philosophical Anthropology

M.A. Krąpiec, "O rozumienie osoby," in M.A. Krapiec, *Człowiek w kulturze*. Second edition (Lublin: Redakcja Wydawnictw KUL, 1999), pp. 155–164.

On the understanding of a person

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Such a situation of "being a human being" as well as such an "image of a human being" was countered some time ago by Pope Paul VI; later his thoughts were adopted, developed and emphasized by John Paul II in his pilgrimages to Latin America. It was he who when considering the dignity of the individual as a unique person developed the doctrine of the personal human being, its vocation and place in society as well as in the Church (which is emphasize especially in John Paul II's encyclicals).

Specifically, in order to memorize the basic formulations in the call for the new "civilization of love"—as the sphere of dignified human life—they were presented in the form of the already famous quadrinomial: (a) primacy of the person over a thing; (b) primacy of ethics (moral actions) over technology; (c) the primacy of being over owning; d) the primacy of mercy over justice.

Of course this quadrinomial, which emphasizes the fundamental primacy of the person, ethics, being and mercy, although at first glance seems to be simple and obvious, also presumes a particular "image of a human being" from which it draws its persuasive power and force. The fundamental aspect of such an image of a human being is the recognition of his or her personal face, which completes the understanding of the subjective being that exists in itself, for itself, through the social manner of the other person's action. The personal

being is the highest level of being formation in general. Therefore, it is a real being, a subject which exists in itself, and from which, as from the original source, all action springs, and the most perfect actions, such as cognition, love, freedom, or creative activity (which is a distinct coupling of cognition and love), are called precisely personal activities *par excellence*. The subjectivity of being radically opposes Max Scheler's concept of the "spiritual person," which is constituted in the fact that the objectification of cognitive functions, the ideation does not exist in itself as a subject, and thus a "non-being," but indeed as the "subject" of different thought. Actions springing from the subject that exists in itself—are actions which enrich the subject; they are "for itself," despite them being objectified for the sake of various purposes, because fulfilling these actions—most of all personal ones—"builds" by modifying them in the aspect of being, the subject that fulfils these actions. They as if form the "personal face" of the human being. And, finally, the distinctly human acts (cognition, love, freedom) are carried out in a social context and thus they address another person—towards another "thou." The formation of a personal life is not possible without the social context, without the other human being. We are not born of ourselves and we do not actualize our personal, cognitive and aspirational potentialities without the participation of the other person. Only thanks to the contact and cohabitation with other people do we learn how to speak and understand meaning within language. The process of intellectual development takes place within society and through society: in particular through other people. The same is the case with acts of love, whose primary addressee is the other person: the mother, the father, siblings. Moments of creativity can be actualized only as a result of stimulation and acceptance by other people. To sum up, the moral personal development of a human being is not possible without the social context, without the cohabitation with other people at various levels of kinship and affinity. Therefore, the personal being existing in itself as a subject—more precisely: existing in "itself" as a soul, which while existing on its own, in this way animates and organizes matter to become a human body—as well as simultaneously existing for "itself," cannot develop its personal potentialities in a different way than only by acting for the other person and thus in a social context.

However, when it acts for the other person, the personal being does not become a relational being, but to the contrary—all the more

does it strengthen its "substantiality," because it ultimately actualizes its potentialities in itself and for itself. This does not mean, however, that the other people are only "tools" for the sake of the personal development of a human being; we all mutually need each other and through that we create a human community in a very fundamental partnership, ultimately founded on the dynamic (and thus the actual-potential) nature of the human being. Thus, the personal character of the human being differs from other modes of personal being (e.g. pure spirits) in that its personal potentiality constitutes an indelible trait of a human being as the self of rational nature. The moment of *communio*—the unification of persons and personal partnership–belongs to the characteristic features of John Paul II's teaching (in his book *The Acting Person* Karol Wojtyła uses the term "participation" to signify interpersonal bonds). The issue was anyway emphasized in the post Second Vatican Council "Constitution on the Church" (cf. KK 49), especially in the "Decree on Ecumenism" (cf. DE 3), where *communio* acquires new accents signifying the supernatural manner of being.

By taking into consideration the fundamental doctrinal outline referring to the personal-being structure of the human being, one can and should clarify this outline by the aforementioned quadrinomial, indicating the primacy of the person over the entity, ethics over technology, being over owning and finally mercy over justice. The postulates of primacy themselves would remain "wishful thinking," if they did not emerge from the foundation of being. The properties characterizing being as such presuppose the adequate structure of the necessity of a given being. Also, the quadrinomial of the primacy of the person in this case presupposes the fundamental understanding of the personal being and its necessary structure. Therefore, using the terms "person" and "personal" does not mean much when the very concept of the person is anti-being by nature, just as it is the case with Max Scheler's concept from the *Die Stellung des Menschen im Kosmos* period (for more on this topic see my book: *I – Man*).

THE WESTERN AND EASTERN THREADS
IN THE UNDERSTANDING OF THE PERSON

Taking into consideration the generally deciphered personal structure of the human person, it is worth taking a closer look at both

threads used to interpret the personal being. They have appeared in the tradition of both Western and Eastern (Byzantine) Christianity. One can consider them to be mutually complementary perspectives on the same issue. Yet different aspects have been emphasized in its resolution. Both threads, seemingly enable us to reach a deeper understanding of the quadrinomial on the primacy of the human person in the creation of the so-called civilization of love.

In the Western tradition, we notice the emphasis put on the subjectivity of the personal being as a unique form of the being's existence in the entirety of the empirically given nature. Humans exist differently to all other natural beings. The unique manner of the human being's existence is linked with the human immaterial soul that exists in itself as in a subject, and not in the human body. In the hierarchy of spiritual beings, the human soul cannot exist differently than by the mediation of matter, which it organizes "to be" the human body. The human soul can become aware of itself only as a human being and thus within a human body, thanks to which it actualizes all of its potentialities, initially interiorizing in its acts of cognition the world as it is, and after that exteriorizing it in acts of love and pursuit of the good. This is why the decomposition of the human body does not cause the loss of being-existence, because human existence is not the effect of the arrangement of material particles, but to the contrary—the arrangement of matter in a particular way as the human body is the fundamental "acting"—the function of an independently existing soul. This unique manner of human existence is experienced by the human being constantly in all its acts when it registers that the "I" is present (immanent) in everything I do, in everything that I consider to be "mine" and at the same time it experiences that it towers over, transcends and is not exhausted in any of the acts emerged from oneself, or in the sum of all of its acts. This "I" is given to me solely from the existential side as the subject "in the act of subjectification" of "my" acts. Indeed this "I" as a subject that I know of and I experience the fact that it exists; the fact that it is—because it does not experience, who or what it is (its nature). This is the basic (maternal) experience of the personal being. "I" as immanent in everything that is "mine," reveals the side of tying the soul to the matter and its organization, whereas the "I" through transcending "my" acts reveals a spiritual side, an independently existing spiritual subject which is not and cannot be the consequence of only matter organizing itself, as is the

case in all other (except for human beings) living beings (in the realm of the natural world).

A personal being that exists in such a manner is open to various ways of actualizing itself through cognition and love. All other living beings are determined by nature and because of that they initiate determined acts of a natural living entity. In the case of a single human being, acting as a human being, one cannot talk about a distinct manner of its action, because it must determine on its own how to act through its decision acts, which also consist of cognition and love in the form of a free choice of this very practical judgement (specific cognitive content), through which I determines itself to act. A human being chooses various forms of activity and a variety of goals.

Through its action, on the one hand it "builds itself," because all actions, by actualizing human rational potentialities, improve the human being itself and on the other hand, through the products of its activity it builds a "cultural niche" in this world, one that is adapted to dignified human life. Unlike animals, humans are not fully adapted to the environment in which they are born into, and that is why they need to build onto it as if a new "cradle" of human life. In the construction of culture, both spiritual and material, seemingly two poles of one cultural realm exist, namely: on the one hand—the human being itself in his or her personal activity, and on the other hand—the pre-existing natural world, which consists of the human being itself as a psychophysical being, as well as its surroundings, called "natural beings" for short. This, broadly understood, pre-existing natural world is as if the substance of human activity. The human being—initially to live and subsequently to live with dignity—must adapt the natural world at hand to itself and construct on its foundation a distinctly human "cradle," enabling life as such and life with dignity in particular. Clothing, housing, settled life, using water and fire constitute the primary and fundamental cultural layer enabling survival. This comes down to the biblical passage: "fill the earth and subdue it." Taking advantage of the forces of nature and their "instrumentalization" for human needs is a constant and leading motive of human activity towards the pre-existing world.

This is possible, however, due to the cognitive capabilities of our mind. The very liberation of the activity of our intellect is an entirely new form of being in nature. The activity of the intellect is not—as every action—non-objectified, but, to the contrary, it is entirely

assigned to the object, that is the pre-existing world. The cognitive interiorization of the existing world endows it with a new form: intentional existence. Everything that is cognized already exists in our mode of existence; it exists in an incomplete fashion, as if in a continuous pursuit "to" the object that was grasped in the act of cognition. From the moment of cognitive apprehension of the really existing being it was endowed by the intentional form of being. It can be objectified and become a new "pattern" for creative (productive) activity. All human activity, both inherent and creative, presupposes the act of cognition that is the intentional interiorization of the pre-existing natural world. If we consider culture as a solely human action and its products, then it is undoubtedly the intellectualization of nature in the scope accessible (possible) for humans. As a result of this "intellectualization of nature" humans create for themselves a "cultural niche," in which they can live in a dignified manner as human beings by adapting the pre-existing world to their needs.

The intellectualization of nature (creating culture) does not, however, constitute the purpose of human life; it is not accessible to everybody to an equal degree and not everyone needs it to the same extent. Hence the nineteenth century Germanic myths about human happiness being derived from cultural activity cannot be considered as a truthful interpretation of the meaning of human life. However, in order to bring meaning to human life, a purpose-good is necessary, one that is achievable through love as an act of completion of human life and human activity—the foremost and ultimate act. Cognition on its own is only, as it were, the first part—one side of human life. The human spirit, as a blank slate, must "awaken" through "gaining consciousness" and thus cognitively encountering the entire world. It is the world that detonates the human cognitive act with the "keenness of its existence," objectifying it in the really existing reality, in the really existing being. The intentional interiorization of the really existing being causes the next step—the exteriorization of the human spirit, its "exit from itself" towards the really existing good for the purpose of the actual connection with it, and not only through the mediation of the intentional image which encompasses only specific relations between things from an abstract perspective or from a particular aspect, the pursuit of the real good is initiated in our appetitive inclinations, in the will. This perceived and (even fragmentarily) cognized good jolts our will from the state of passivity and

becomes the motivation for liberating the act of action. For if the will has not acted and then starts acting, there is some "reason" for this action. In Western tradition it is called the motive for action. This motive is nothing other than the initial act of love, as if the "first love" that constitutes the "point of departure" in the subsequent process of love and action, the life-giving power of which is indeed love understood analogously to all of its extent.

What is this initial act of love, this "first love" liberating further action? St. Augustine compares it to an object which by its weight stimulates the drift towards the center of the Earth: *ponderibus aguntur omnia; pondus meum amor meus, eo feror quocumque feror* ("The body by its own weight strives towards its own place; My weight, is my love; thereby am I borne, whithersoever I am borne").[1] Whereas St. Thomas Aquinas points out that the act of love is the permanent dynamicity of the will in the direction of a good. The act of love would be similar to the notion formed in the act of cognition, but it does not exist in us in a similar way to a motion, but rather as a motor that encourages acting in the direction of the good, towards which the love is driven.

Love occurs in a variety of forms and degrees: from the simple fancying of the cognized good (only in a fragmentary form), through a variety of modes of desire, to love, kindness, the addressee of which is always another person. It is on its own the purpose of love; it is perceived as an *alter ego*, and not as a thing. Hence "love of kindness" receives the name "love of friendship," which Gabriel Marcel describes as the "disposability" of one person towards another. In this "disposability" the other person never becomes merely a useful or pleasurable means exclusively for me, but on its own becomes a purpose of my action. Also in this sense one can say that through the love given a new mode of being, a new manner of living for "the other person" emerges. As a result, in love a particular bond-unification of people occurs—this is rightly called communio—as if a union-like mode of being.

Naturally, the ultimate and highest motif of love is the *Summum Bonum*—the Highest Good, the Personal God, who ultimately justifies all love, being good itself. The Divine Person constitutes the ultimate

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[1] *The Confessions of Saint Augustine*, Lib. XIII, cap. 9, trans. E. Bouverie Pusey [1909–1914], https://www.sacred-texts.com/chr/augconf/aug13.htm (access: 07.10.2019).

reason and motif of love of the other person, even if it—due to psychological reasons—did not constitute the human being's reason and motivation for love. And thus love, being the ultimate fulfillment of the human being in action (and all beings exist for the purpose of acting, that is for itself as an acting being), also constitutes the culminating point of personal action, and by that of the human manner of being. This fulfillment of the human being in love and through love constitutes the reason for which the human manner of social existence was called by Paul VI and John Paul II "the civilization of love." The point is to create such a cultural niche for the human being that could maximally liberate the entirety of the human being's personal creative potential, in which the human being shall not feel threatened by others due to the foremost motif of human (individual and social) action and due to the ultimate fulfillment of humanity in love and through love for the other person as well as ultimately for the personal Thou of the Absolute.

The "civilization of love" which is proclaimed as a goal for humanity by recent popes, contains its interpretational threads as well as doctrinal roots in the tradition of the Eastern Church. John Paul II was probably referring to this tradition in his sermon on the Victory Square in Warsaw during his first pilgrimage to Poland when he stated that "one cannot fully understand the human being without Christ." In the Eastern tradition, as well as in Byzantine theology, the "existential position of the human being" was emphasized, which generally speaking—according to the Holy Scriptures—was created "in the image and likeness of God," in the state of Divine filiation, and thus in a supernatural state, and it could never depart from this state, because through sin it did not descend into a state of "pure nature," but into a state of sin—and so it is a negatively supernatural state. Humanity was redeemed and saved through Christ—the LOGOS incarnate—and so called upon to participate in the life of God. Thus, according to the intellectual tradition of the East, the human being is not an autonomous being, a defined nature limited within itself, but a being that participates in God and has distinctly divine traits. Maximus the Confessor believes that among the traits granted to a human being, that is: existence, eternity, kindness and wisdom—the first two belong to the essence of humanity and the two subsequent ones are given to it (see the interesting analyses by John Meyendorff in *Byzantine Theology*). Against this background an attempt was made to link

the understanding of the biblical human "image and likeness" of God with the "natural participation" of the human being in God. The human being, by receiving "being and eternity," received from God the gift of the image of God and the goodness and wisdom granted to him was intended to be a task of the likeness of God to be fulfilled in the human being. This similarity—in Greek *homoiosis*—was not perceived as the return to the "state of nature—primal one"; moreover, this was associated with the neo-platonist doctrine of everything originating from a common source: the One. The intellectual heritage of Origen's neo-platonist thought, as well as of his student's—Evagrius Ponticus—has profoundly influenced this current. The formation of the Eastern episcopal thought was essentially connected with the overcoming of Origenism as a distinct form of "naturalism."

Christianity has always been interested in the issue of the creation, fall and salvation of man. From all this emerged the background of the concept of God and His life within the Trinity and His relation to the beings created by Him. The pre-existing Greek intellectual tradition of Plato, Aristotle and the stoics did not encompass the concept of free creation. The world was understood, in its structure or in its developmental phases, as something absolutely deterministic. So it either always deterministically existed in its current structures or it has been cyclically repeating its form of existence. In his vision presented in *On the Principles* Origen considered God to be an omnipotent and eternally existing Creator. "God cannot be called omnipotent unless there exist those over whom He may exercise His power."[2] Therefore, for ages God has been creating, but the created world is the world of "intellects," not matter, because only intellects are commensurable to God. The thus formed intellectual world, namely "all reasonable beings, that is, the Father, the Son, and the Holy Ghost, angels, powers, dominations, and virtues, and even man by right of his soul's dignity, are of one and the same essence."[3] This

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[2] Origen, *On the Principles*, II, 10, in *Ante-Nicene Fathers*, vol. 4, eds. A. Roberts, J. Donaldson, A. Cleveland Coxe (Buffalo, NY: Christian Literature Publishing Co., 1885), http://www.newadvent.org/fathers/04121.htm (access: 07.10.2019).

[3] St. Jerome, "Letters and Select Works," in *A Select Library of the Nicene and Post-Nicene Father of the Christian Church*, vol. 6, ed. P. Schaff, H. Wace, trans. M.A. Fremantle, G. Lewis, W.G. Martley (New York–Oxford–London: The Christian Literature Company; Parker & Company, 1893), p. 584.

monistic structure of the intellects, encompassing God and the intellects in one substance, becomes shattered by the Fall in the form of the sin of rebellion against God. Sin divided creation and the most severe sins of rebellion have changed the intellects into demons; the lighter sins have caused the creation of a group of angels and even lighter ones—a group of archangels. Other souls have sinned more seriously than angels and less than demons, which caused them to have the fate of human beings and thus merged, as a penalty, with the matter-body. The ultimate purpose of the human being is dematerialization and the return to unity with the substance of God.

Origen's doctrine thus delineated was condemned at the Council of Constantinople in 553, but it constituted a very distinct point of reference for the Eastern theologians who were raised in the neo-platonist spirit (as well as combating Neo-Platonism). It was necessary to oppose the neo-platonist understanding of matter as evil and to underline the dignity of the human being as a being that unifies the body (*sarks*) in itself as well as the soul (*psyche*) and the Divine element in the form of the natural inclination towards God and the connection with God (*pneuma-nous*). *Pneuma-nous* is not some "part" of a human being as such (just like the body and soul are), but rather it constitutes the capability to transcend oneself, in order to participate in the life of God. This capability of participating in the life of God belongs, however, to the real state of the human being, in particular it is an expression of freedom which can fully develop when one turns to God, but it can also be annihilated when the human being succumbs to the flesh.

The Eastern tradition—especially Maximus the Confessor—notices the place for the person in the human being's natural turn towards God, in the constant transcendence of oneself and in the participation in the life of God. This cannot be reduced to nature or a part of it. It is the central concept of theology and anthropology. Since the human being is not an autonomous being, but the image of God opened in the direction of what is "above," it therefore has a natural capability of transcending itself and reaching divinity which is accomplished through the internal cleansing of itself. The unification with God, as if deification, *theosis*, is the essential purpose for the human being and the limit of its dynamic structure.

The fallen nature of man is renewed and deified by Christ. The incarnation of the LOGOS shall become the historical Christ as well as a cosmic event

> ... both because Christ is the Logos—and, therefore, in God the agent of creation—and because He is man, since man is a "microcosm." Man's sin plunges creation into death and decay, but man's restoration in Christ is a restoration of the cosmos to its original beauty ... The glorification of man, which is also the glorification of the whole of creation, should, of course, be understood eschatologically. In the person of Christ, in the sacramental reality of His Body, and in the life of the saints, the transfiguration of the entire cosmos is anticipated; but its advent in strength is still to come. This glorification, however, is indeed already a living experience available to all Christians, especially in the liturgy. This experience alone can give a goal and a meaning to human history.[4]

The incarnation, death (Teopaschitism) and the resurrection of Christ transforms the human being into a new creation corresponding from the beginning, to God's plans for humanity. Especially Christ's resurrection signifies the end of the rule of death over humanity. It still exists as a physical phenomenon, but it has no power over humans as it is implied in the passage from Saint Paul: "For as in Adam all die, so in Christ all will be made alive" (1 Cor 15:22). Meyendorff wrote:

> ... through baptism, chrismation, and the Eucharist, man freely becomes a member of the risen Body of Christ.
> This element of freedom—and even of "consciousness"—is essential to the doctrine of salvation as understood by the Byzantine patristic, sacramental, and liturgical tradition. On the one hand, there are emphatic affirmations of the universality of redemption. Gregory of Nyssa, for example, assures us that: "As the principle of death took its rise in one person and passed on in succession through the whole of the human nature, so the principle of the Resurrection extends from one person to the whole of humanity... This is the mystery of God's plan with regard to His death and His resurrection from the dead." And his thoughts on the universality of redemption and "recapitulation" are echoed by Maximus the Confessor. On the other hand, the new life in Christ implies personal and free commitment. On the last day the Resurrection will indeed be universal, but blessedness will be given only to those who longed for it.

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[4] J. Meyendorff, *Byzantine Theology: Historical Trends and Doctrinal Themes* (New York: Fordham University Press, 1987), pp. 152–153.

... Byzantine theologians seldom devote much explicit attention to speculation about the exact fate of souls after death. The fact that the Logos assumed human nature as such implied the universal validity of redemption, but not the apokatastasis, or universal salvation, a doctrine which in 553 was formally condemned as Origenistic. Freedom must remain an inalienable element of every man, and no one is to be forced into the Kingdom of God against his own free choice; the apokatastasis had to be rejected precisely because it presupposes an ultimate limitation of human freedom—the freedom to remain outside of God.

But by rejecting God, human freedom, in fact, destroys itself. Outside of God, man ceases to be authentically and fully human. He is enslaved to the devil through death. This idea, which is central to Maximian thought and which made him profess so strongly the existence of a human, created will in Christ, serves as the basis of the Byzantine understanding of the destiny of man: participation in God, or "deification" (*theosis*), as the goal of human existence. ...

Deification is described by Maximus as a participation of the "whole man" in the "whole God": "In the same way in which the soul and the body are united, God should become accessible for participation by the soul and, through the soul's intermediary, by the body, in order that the soul might receive an unchanging character, and the body, immortality; and finally that the whole man should become God, deified by the grace of God-become-man, becoming whole man, soul and body, by nature, and becoming whole God, soul and body, by grace."[5]

The experience of oneself[6]

The human being due to being, as Martin Heidegger states, "immersed in the world," is capable of not only cognizing external reality, but also of the reflective cognition of oneself as a being acting on determined objects from the outside world, especially on other people, as independent rational subjects of action, and because of that our partners in life. It turns out that each one of us immediately and spontaneously notices in one's actions one's potentiality and simultaneously notices ways of actualizing it through appropriate action. Actualizing one's own personal potentiality in relation to one's corresponding

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[5] Ibidem, pp. 163–164.

[6] This excerpt was originally published in M.A. Krapiec, *Człowiek w kulturze*. Second edition (Lublin: Redakcja Wydawnictw KUL, 1999), pp. 139–140.

object appears in our phronetic (prudential) cognition—in the consciousness of our act, that it is in our conscience, as a distinct, obligating order, manifesting itself in the form of a practical judgement: "do this, here in such and such a way." This practical judgement, as a so-called moral obligation, is nothing other than the deciphering of the necessity of realizing and actualizing one's personal potentiality in relation to the appropriate, commeasurable object—the purpose of my action.

A pseudo-problem that emerged against the background of the separation of logical operations from the cognition of real being, is the nostalgic posing of the question: in what way is it possible to make the transition from "is" to "ought" cognitively justified? Such an issue could only arise—and in fact it did—on the basis of the Kantian separation of the sphere of being from the sphere of values: *sein* from *sollen*. In the everyday internal experience of human action, the severing of these two realms is artificial and unreal; that is why it lays the ground for the surreal issue of justified possibilities of normative statements. For in reality the phrase "he ought to," "I ought to" is only the deciphering of the necessary connection and assignment of my potentialities to their objectified realization, that is—actualization. This deciphering is something natural in each and every one of us, it is something as natural as understanding or the fact that the human being exists in a moral order. A human being simply must participate in a moral order, because the human being must use the mind as a factor determining (self-determining!) one's actions. Whereas determining one's action is nothing other than the precise determination of one's potentiality in relation to the distinct object and purpose for action specific to the human being. The human being through our potentiality or dynamism constantly "leans" toward the front, to the future, constantly planning future actions and the realization of his or her decisions. The planning of actualizing one's potentiality for action in a variety of realms is constantly present in human consciousness and this takes place to a greater extent than either the memory of one's life hitherto, or past accomplishments. It is even believed that the constant reminiscing of that which was, in fact enclosing oneself in the history of one's life, is a symptom of one's abnormality; whereas the preparation for the future realization of one's future potentialities constitutes a fundamental base of human life. Schools, education, training sessions, various exercises,

planning for the future—all of this constitutes evidence for the dynamic character of the personal being, for the possibility of self-realization, for the constant actualizing and enrichment of human nature.

In this entire human dynamism, the human self appears to be a stable medium or center. The constant presence of the human "I" in all of "my" acts—emerging from the "I" and fulfilled by the "I"—is in fact the revealing of the human person, transcending constantly (in our internal experience) over "my" acts.

The self as a subject (in the act of subjectification) of all that which emanates from it, is "open" for all of the acts emerging from the self and fulfilled by it, to such an extent that it perceives the fulfillment of future acts as an affirmation of itself, as a stronger foundation in the being, as a particular self-creation, in the sense of actualizing everything toward which it is "leaning," and most of all towards the constantly improving and reaching nearly infinity in cognition, love and freedom; more precisely—cognition and love fulfilled within internal freedom: cognition and love with their specific experience in freedom which signify the distinct human, indeed the personal realm of human activity. Cognition, love and freedom permeate and precondition each other to such a degree that they do not appear in a human in a "distilled" form, separated from the threads of two other personal experiences. This means that the same human cognitive act is preconditioned both by love and freedom when it fulfils itself as a personal act, in which the self is clearly present as a subject in the "act of subjectifying" that action. This is particularly visible in phronetic (prudential) cognition, that is in so-called practical cognition which constitutes human decision acts. Although moments of freedom can be encountered in a variety of cognitive acts and love (as a distinct inclination to the good) contributes substantially to the intensity of every cognitive act, yet in practical cognition, through which we determine ourselves to act and constitute ourselves as the efficient cause of rational action, a particularly clear coupling of human cognition, love and freedom takes place. In short—in the human decision act cognition and love become inseparably synthesized in the experience of freedom. The ultimate criterion of cognition is truth, of the love—the good, while of the synthesis of cognition and love in freedom—beauty.

Philosophy of law

Is not law indeed such a legislation, the foundation of which is the good, understood as the purpose of its realization?

What is law in general? There are many misunderstandings originating from departing from the grand tradition of understanding law. The being-nature of law is not emphasized enough, limiting discussion to the interpretation of legislative acts. And yet law is a reality in which the human being is born. The very fact of being born is the basic legal situation: namely the emergence of a real—to the other human being—being relation. Relations are beings!—indeed the weakest form of real being, but nonetheless a real being; an existing reality. Really existing beings form a specific hierarchy of being: (1) from the being—existing of oneself—of God; (2) through existence in itself—substances; (3) the existence of real being properties in the subject, such as quantity and quality; (4) to the weakest form of existence—existence subordinate to another being (a real relation is such a being, e.g. fatherhood, motherhood filiation). Real relations exist between really existing beings, human persons. However, there are also such real relations which are distinguishable from other ones through the obligation to act or to cease acting. Why? Because this is required by the good of the person, especially fundamental goods, such as the preservation of life, personal development in the form

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[1] The article in the original refers to the Polish term "prawo," which can be translated as "law" or "right" depending on the context. This ambiguity is discerned when the Latin differentiation is recalled, but not used consistently by the author throughout the text.

of expanding cognition, love and creativity. Interpersonal relations existing between people require that the other person shall refrain from action in case it threatens my essential good: I have the natural right that you refrain from such actions which destroy my good; I also have the right that you, at times, undertake actions which are crucial for maintaining my essential good (when I fall and break my leg, for you to help me to stand up). And thus, there is a natural law as an interpersonal relation of being obliged to act or cease to act for the benefit of a person. Such a law—in the basic existential meaning of law-*ius*—was not passed by anyone; it is a pre-existing form of being.

And such a law-*ius* should be—for the maintenance of the social order—elaborated in the form of a legal norm (*lex*), directing human action in a more unequivocal way. However, a thus understood legal norm is not independent from the basic law-*ius*. The legal norm, according to the Roman and medieval tradition, is a creation of practical reason, it is subordinated to the common good, it is issued by the legitimate authority and appropriately promulgated. All of the elements of the thus understood law refine that which is the law-*ius*. The fundamental element connecting the concepts of *ius* and *lex* (law as a right and law as legal norm) is the law's reason to be. The law's reason to be, that is that because of which the given law and legal norm exist—is the common good. It is the motive for realizing the law.

What is the common good? It is such a good that is specific for all human beings and because it is a real good, it is a purpose and motive of human action; it is therefore situated in the order of the so-called purposeful causality. And thus, it is the common good revealed in the legal activity. And what can be the common purpose for everybody? The good of the human being. The real good that everyone can benefit from and that does not diminish because of that. Therefore, it is the personal good, that is the human being's personal development, realized through the development of his or her cognition, improving his or her morality and, finally, the human being's creativity. If the human being shall be wiser in his or her use of reason, if in his or her moral conduct he or she shall be more perfect, if in his or her work and technical as well as artistic ideas he or she shall be more creative, then nobody loses out on this within society and everybody benefits. It is for the personal development (cognition, love, creativity), perceived as an individual and common good that the obligation to act or to refrain from acting exists. It is for the common good, for the personal good

of the human being and because of that for the entire society that rational rules of conduct are formed which flow from the deciphering of reality, which are the interpersonal relations marked by the obligation to act or to cease acting.

This rational formulation (as a deciphering of the relational reality) is carried out by the one who has the universal jurisdiction in a particular society. That is why a legislator that recognizes and deciphers appropriate interpersonal relations marked by the necessity of action for the sake of the common good is a legitimate authority acknowledged by this community. Hence the procedures issued by an illegitimate authority destroy law at its inception, unless they are accepted by society. It is understood that the issued norms of conduct (*lex*) must be promulgated in order for the community that is the addressee of the law to find out about them.

One can see that the connections between the law-*ius*, signifying interpersonal relations and the law-*lex* as a norm, are obvious. Law-*lex* as a legal norm makes interpersonal social relations unambiguous. The basis for these connections (in the law-*ius* as a right and in law-*lex* as a regulation) is the common good, that is the good which is the motive of human action. It is for the sake of realizing the human good (the common good) that the necessity of exercising law exists. And only because of the common good and the necessity of its realization can a legal constraint appear. However, if a legal constraint is motivated by a reason other than the necessity of the realization of the common good, then it is an abuse of the law. The sole elaboration of a law that is not motivated by human good (the common good) is not a binding law yet (unless one accepts the voluntarist concept of law which, as human history shows, leads to enslavement).

In light of the aforementioned remarks, one can see the ingenious intuition that the Romans had, seeing in the legal order *ordo boni ac recti*. *Ordo recti* is the order of the mind directed by the system of the content of being and not just any thought. It is reason that is directed (*ratio recta*) by the deciphered content of reality. This content is recognized as good for the individual human being as well as for every given community, hence the term "common good."

The common good as a motive for action and the motive of constituting the law manifests itself in the basic human inclinations: (1) to preserve life, that is the confirmation of being; (2) to the preservation of being by passing it on in a socially dignified and good manner

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(through marriage); (3) in order to complete and perfect life at its peak personal moments. Only personal acts have a chance of persevering eternally, although biological life has a limit, despite passing it on through reproductive processes. This is why the main principle for the deeper understanding of natural law is rightly expressed in the statement: "good should be done and evil should be avoided." This principle is the statement: "natural law is in order according to the order of inclinations" (*secundum ordinem inclinationis natural is datur ordo praeceptorum iuris naturae*). Everywhere good appears to be a motive and thus a purpose of moral and legal behavior. It generates the justification of the obligation to act and the possible enforcement of the just law. In no case—even by force of the constitution—can a human being be obligated to realize a legal norm that is evil in its content or permits evil.

The dominant deformation of law and the legal order is the defection from the good-purpose (common good) as a foundation of the mandate of the law and replacing it with a dictum originating exclusively from the fact of the construction and elaboration of the legal norm regardless of the good. As it was already mentioned, Marxism formulated the principle and the definition of law as the "dictum of the ruling class," the dictum which is obligatory due to the dictum itself. Humanity has paid the price of millions of lives for "law" realized in such a way.

When one hears nowadays about the ideal of the "state of law," one must constantly ask: law understood in what way? History recalls legal systems and states that strictly followed the laws, but there were also "laws"—both made and executed—which led to the "Nuremberg laws."

The being-character of law as a relation[2]

Since we have initially defined the being-ness of law in reference to the category of relation and thus being "because of..."—we must currently analyze the distinct nature of this relation in order to have a closer look at the being-character of law. One must therefore examine: (1) the subject and object of this relation—its limit of reference;

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[2] This article was originally published in M.A. Krąpiec, *Człowiek i prawo naturalne* (Lublin, Towarzystwo Naukowe KUL, 1975), pp. 35–42.

(2) its basis, that is the objective reason for its emergence; (3) its distinct character. From a philosophical perspective these three moments characterize the relational being.[3]

According to the metaphysical theory of relations there are two principal types of being "because of…," called relational beings: necessary relations that constitute spontaneous being-ness and unnecessary ones which become "added onto" a being constituted beforehand by necessary relations. Necessary relations constitute the internal composition of the being from elements which do not as such deserve independent existence, but which cannot exist without the essential, internal assignment to the correlate that is also self-sufficient. An example of this sort of necessary relation is the internal "binding" of the human body from integral parts, such as a head, arms, etc. They could not exist without being assigned in a necessary manner to the rest of the human body.

Other necessary relations also occur between elements constituting the being in an ontic sense, such as matter and form, essence and existence. (Apart from that a special type of necessary relation is also distinguished in metaphysics, namely so called transcendental relations that are realized specifically in every fortuitous being as well as they assign being to the commeasurable reason of its emergence.) Necessary relations and in a distinct manner (from the being-existential side) transcendental relations are the basis of the metaphysical explanation of nature and the real distinct existence of beings in the light of the ultimate non-contradictifying reasons.

Every being is ultimately explainable and understandable in the light of necessary relations, and ultimately—transcendental ones. In the sensually perceivable reality there are beings that exist not solely due to necessary relations; what is more, these relations could not be revealed, they could not come to exist in the form of a distinct being ("this particular being" with a determined nature-content), if not for the many different non-necessary, categorical relations "building upon" in a manner on the necessary relations and actualizing being potentialities.

Non-necessary, categorical relations, the content of which is "to be between…" or "to be for…", "to be because of…", etc. (*cuius totum esse est ad aliud se habere*), co-form the being as a distinct, content-wise

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³ For more on relations see M.A. Krąpiec, *Metaphysics: An Outline of the History of Being*, trans. Th. Sandok (New York, Peter Lang, 1991), pp. 304–309.

defined, determined, subject-unit. These relations modify the being-ness of things in a more or less stable way, depending on the character of the subject to which they refer and on the base on which they lean. A categorical relation can be more or less connected with a given being, similarly to all other properties of things that are linked to a smaller or lesser extent with the structure of a given being. For example, the relation constituting the human being as a woman or a man has one type of being-character and a different one for the re-lational being-ness of: "being a student," "being a monk," yet another: "being similar" or "tall," etc. Each of these types of relations differ-ently determines the nature of the human being. As long as the lack or the deprivation of one's physical sexual attributes is considered to be a defect of the person's nature—as something "unnatural"—then "not-being a student" or "not-being a monk," and even more so "not-being similar" or "not-being tall" usually is not called something "un-natural" and these properties are colloquially described as incidental. What is more, being-ness of the relation is commonly regarded as the weakest type of being-ness, for the categorical relation becomes en-tirely exhausted in the sole assignment, in the sole reference to the correlate and can be called a mode of being "between."

Therefore, an array of stronger as well as weaker being-wise rela-tions, ones that can be found in the world of fortuitous entities, emerges before our eyes:

(1) necessary relations that constitute the very being-ness of being, realized everywhere, where we are dealing with a fortuitous real being, e.g. a relation of existence to a commeasurable specific being; these are transcendental relations that take place there, where being-ness is fortuitous; they do not become exhausted exclusively in the mutual subjugation of the essence to existence, but also they encompass all forms of external causality;

(2) real necessary relations, but not transcendental ones, which exist in the assigning to oneself various ingredients and factors of being-ness; in such a state of affairs every being constitutes a "bundle of necessary relations" as long as it is the only one and simultane-ously it consists of various parts;

(3) real non-necessary relations, built up upon the existing being and emerging as a result of subjugating oneself to a variety of existing

beings; these are categorical relations that entwine every being with infinite ties.

In the light of these general remarks one should consider: what sort of relation is law? Between whom (or what) does law occur? What is its reason to be, i.e. why is the law in place, rather than not, why is it "binding"?

Is law included in the structure of the human person as such? Does "being a person" mean: being in a necessary manner determined by law?

Since we stated earlier that the law is a "regulator" of human activity, and we described this human activity—as specific to rational nature—as conscious and free, so from these findings—achieved by means of analyses of rationality, manifested in personal acts—one can only infer that human action, to the extent its purpose is the good specific to its nature, then it is undertaken in accordance with the law. What does not follow is that for a human being to exist as a person, a relation of law has to take place which would constitute him or her. It is the human-person that is the reason for the law to be as a relation and not the reverse.

On the other hand, just as it is possible to ultimately justify the existence of the human being in relation to the Absolute, so does the existence of the law, of which the human being is a subject, has an analogous, ultimate justification in the realm of metaphysics. What is important, when it comes to defining the nature of law as a relation, is that in the light of what has been said, the law is not a necessary relation, that it is one that constitutes the human being's being-ness in a formal, causal or purposeful manner. The human being does not exist only as a "legal person" in a sense that exhausts his or her nature, neither by virtue of the law, nor for the law, although such implications seem to be suggested by those theories which situate the law above the human being.

The law is thus a categorical relation subjectified in the human person, the action of which is realized and specified at times.

It is true, however, that "being a subject of law," which comes from the fact of "being in relation with others," modifies the human personality to a very large extent. If it occurs that a human being acts "unlawfully" then he or she, in a way, cripples his or her own nature, he or she becomes in a specific way "less human," especially that this

acting against the law, which is an unlawful activity, concerns human cognitive-volitional acts, personal acts in the strict sense.

The categorical relation of law which links the human being with other persons, is connatural for him or her, it results directly from his or her nature, that is it has in this nature—in necessary relations that constitute the human personality—its direct justification. The law is a categorial relation, the base of which are necessary relations, as it shall still be indicated below.

Since the law in human conditions is subjectified in rational nature and the activity of this nature is signified above all by acts of reason and free will, therefore the primary and proper object-purpose of acts of cognition, love and free will is also the personal being. Law therefore determines the relations of the person to another person due to the natural inclination of an individual to another human being. From the nature of the personal being one can "infer" this relation to other people, "being towards a person," as a proportional purpose-good.[4] We have already mentioned that the human person is as much a "being in itself"—a good "for itself"—to the extent he or she is turned in the direction of the proportional personal correlate; to the extent he or she is a "being for the other," good "for the other." Hence from the subjective side this fact manifests itself in the form of the "mental bond" and the obligation in relation to another person (other people), which appears in the human consciousness. It is the psychological expression of cognition and experiencing law as an interpersonal relation. Obviously this *debitum*, "obligation," is not only a mental category, but a real relation to another person.

Since the person is a "carrier" of the law in the sense that in the conditions of human existence the law appears when human rational—and thus conscious and free—nature is acting, then the relation between the person and an object (the more so between objects) cannot essentially be described as law, unless we mean it only in a derivative and metaphorical manner. When we speak of the right of a given human being to material goods—objects—we always pay attention to that person in reference to another person, who also "has the right" or "does not have the right" to own or use these goods. The indicator—rule—of the legal or illegal behavior, also towards objects,

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[4] The issue of the human being's relations to other people is a special topic for considerations in the next chapter.

is always the personal good in reference to another person. Law "happens" between persons, who for personal purposes dispose of material goods and indirect goods that are described as "spiritual culture." This does not "happen" in isolated systems nor does it take place in objects, because an object cannot become a subject of law. Only persons in reference to other persons can "assert their rights," "demand their rights" on the basis that due to the power of the human nature, related to another person, functioning specifically in the realm of distinctly personal acts, "because of" another person, this action or inaction of one person is due to another person by the power of the law. And this objective debt has its subjective expression in the human psyche, in the form of the mental sense of commitment and in the experiencing of an obligation towards the other person. This sense arises from the intellectual interpretation of the objective state of affairs—the state of mutual subjugation of individuals on account of their actions and voluntary acceptance of this state in the name of a common purpose—the good. This cognition and the acknowledgement of the fact of personal obligation—the acceptance of the law-rule—takes place within the person, in the act of so-called practical reason—the conscience. Hence the sense of being bounded by law has a principally moral character.[5]

The basis for the appearance of the relation of law—"the being between" human persons is therefore the fact of the relation of one individual in reference to another, that is the action of human beings, their mutual influence as well as cooperation, and all this ultimately moves towards the common good. Therefore, law takes into consideration the action or inaction of human beings who through the accomplishment of their actions, realize a common good.[6] The nature of this good and the nature of these subjects—human persons—is the real basis of binding power[7]: that is the binding of the law. The law is actually legitimate in so far as it is congruent with the nature

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[5]   According to Eugeniusz Jarra morality is understood as a distinct symptom of consciousness (see E. Jarra, *Ogólna teorja prawa*, p. 125), which is obviously a simplification of the issue made under the influence of nineteenth century psychologism.

[6]   We shall discuss the topic of "the common good" in the next chapter.

[7]   This "binding power" is the trait of obligation itself. For obligation, characterizing the legal relation, is a special type of moral binding, preconditioned by the structure of the personal being and the common good.

of the person and the observed common good. A person acting rationally and in accordance with his or her rational nature, because of the personal good observed in the act of practical cognition, which is simultaneously the common good of the entire community, acts according to the law.

If we emphasize in the law the moment of indebtment (*debitum*), then we shall notice that the action or inaction of some persons towards each other is mutually due because of their proportional assignment to the common good as a purpose.

Each human being, as a potentialized,[8] personal being, is internally assigned to the actualization and perfection of one's spiritual potentialities, especially intellectual and volitional ones. Indeed, human beings live for the sake of developing and improving to the maximal possible perfection (*optimum potentiae!*) their rich intellectual and volitional potentials. Improving cognition in any sphere, improving the volitional powers, makes not only the person and his or her works better, but it simultaneously enriches other people and human society. These are quite obvious issues.

Therefore, if every person is assigned to improving him or herself, that is the actualization of his or her personal potentialities, so it is his or her due—he or she possesses the "right"—for the other person not to prevent him from realizing that very good; he or she has that right and it is due to him or her for the other person to act or refrain from acting, if that prevents the fulfilment of the personal good.

And if—in human circumstances—the actualization of the potentiality of the personal being and the spiritual improvement requires the expenditure of a large amount of material resources, then material resources should be understood only as means, that is indirect purposes, and not as an ultimate goal, which is the common good. These material resources are also "due" to each self-improving (educating) person and that is why a social, proportional division of these resources is needed, in order to enable all people to realize their personal good to the greatest possible extent. Hence human action both in reference to others and to the material world is not something indifferent for the other person, but to the contrary—it always directly or indirectly keeps in mind the other human being.

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8 Potentialization, that is the dynamization of the personal human being, originates predominantly from the material circumstances of being.

Ultimately, the law should be understood as a real relation between acting persons, whose action (or inaction) is mutually due to them, because of the proportional assignment of these people to the common good as the purpose of personal action.

As we have mentioned a number of times before, this common good ultimately—not from the side of the object-good, where a hierarchy and an essential assignment exists—is identified with the Absolute, that is the Highest Good, to which all goods are ontically assigned as goods and which through the realization of the potentiality of their nature that every human being has the right to, and should, pursue.[9]

Such a concept of the law is a finalistic concept. Within it the human being-ness—the good of human nature and the right of the human being to that good—has a dynamic perspective: the good is revealed not as an object that a human being must attain once and for all, but as an existential completion of being, understood in the sense of the highest personal activity turned to others and together with others as well as "through others" ("through"—metaphorically speaking, of course!) to the ultimate and "inexhaustible" completion, that is to the Absolute in which every existential fact, each existence, achieves its ultimate justification. Thus understood, purpose-good simultaneously determines the happiness of the person.[10]

It is worth indicating that the term "happiness" used by Saint Thomas Aquinas, referring to the Aristotelian tradition, gains a new meaning in the light of his existential metaphysics. The person's subjective happiness is not the formal purpose of his or her action, but it constitutes the inseparable "property" of personal acts in which the "being-ness for the other" becomes revealed. Therefore, the human

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[9]   Assuming the stance of cognitive realism as well as a transcendentalizing mode of cognition—one has to acknowledge that there is an objective arrangement of entities and that there is an objective hierarchy of being and good (real values). This means that in the order of being and good there is an objective gradation that the human mind can decipher and that not everything is reducible to the subjective point of view and subjective assessments. If the being and the good are interchangeable, it means that the hierarchy of being corresponds with the hierarchy of good. As a result The Primal Being—the Absolute—as the real reason for all being is simultaneously the ultimate purpose of all striving, that is the objective real good.

[10]   See Thomas Aquinas's analyses in *Summa theologiae*, I–II, q. 1–3. All of Saint Thomas's analyses constitute the *magna charta* of the meaning of human life.

being is "happy in his or herself" so far as he or she "is for the other person," and ultimately "for" the Absolute as a person, that is for the transcendental Thou. In this perspective of personal happiness everything that is not the personal being is only a medium, not a purpose of action, and the satisfaction of biological or mental urges is a moment subjugated to the holistic personal life.

Therefore, the proportional assignment of all people to the common good, understood subjectively (but not excluding the objective and ontic understanding of the common good!) constitutes the ultimate foundation and reason for the emergence of the law as an interpersonal real relation and it is the basis for real obligations which we are due to other people. And the understanding of the law as a real interpersonal relation is the ultimate understanding of the distinct fact of the law: the fact that the law actually exists among people.

The issue of "binding in conscience" by positive law[11]

The problem of "binding in conscience" by positive law,[12] both ecclesiastical and state, has a long and tumultuous history. Let us focus on several moments in history when a rebellion against the law took place, especially the ecclesiastical one, and the reaction of the Church towards such positions.

In the history of the Church, various theories occurred against the ecclesiastical law and Church jurisdiction. The urge to escape the rule of law was justified in various ways: either the morals of the legislative power were questioned, claiming that being in the state of sin, it cannot issue any warrant that would be binding on the conscience—and this was, it seems, taught by John Wycliffe and John Hus, according to the testimony of the Council of Constance which condemned this sort of statements; or it was believed (by the Cathars and Waldensians) that true righteous Christians are not subjects of the law and they referred to the words of the Apostle: *lex iusto non est posita* ("law is not for the righteous"); or finally, in the times of

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[11] The text was originally published in M.A. Krąpiec, *Człowiek i prawo naturalne* (Lublin, Towarzystwo Naukowe KUL, 1975), pp. 284–296.

[12] This issue was examined by Thomas Aquinas (see S. Thomae Aquinatis, *Summa theologiae*, I–II, q. 96, a. 4).

Febronianism, it was claimed that the legislative power in the Church belongs to the entire ecclesiastical community and not only to the popes and bishops.

And these are excerpts from the documents,[13] illustrating the reaction of the Church to such theories: The Council of Constance, an article on John Hus: "Ecclesiastical obedience is obedience according to the invention of the priest of the Church, without the expressed authority of Scripture"[14]; "No one takes the place of Christ or of Peter unless he follows him in character"[15]; "The pope is not the true and manifest successor of Peter, the first of the other apostles, if he lives in a manner contrary to Peter"[16]—these statements are condemned. So was the statement by John Wycliffe: "No one is a civil master, no one a prelate, no one a bishop, as long as he is in mortal sin."[17]

Leo X condemned the statements by Martin Luther: "The word of Christ to Peter: «Whatsoever you shall loose on earth, etc.» (Matt. 16) is extended merely to those things bound by Peter himself"[18] and "It is certain that it is not in the power of the Church or the pope to decide upon the articles of faith, and much less concerning the laws for morals or for good works."[19]

The following issues were settled at the Council of Trent: "No one, however much justified, should consider himself exempt from the observance of the commandments";[20] "If anyone shall say that a man who is justified and ever so perfect is not bound to observe the commandments of God and the Church, but only to believe, as if indeed the Gospel were a mere absolute promise of eternal life, without the condition of observation of the commandments: let him be anathema."[21]

In Pius IX's *Syllabus,* the following statements are condemned: "Authority is nothing more than numbers and the sum of material

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[13] The writings are collected in *Enchiridion symbolorum, definitionum et declarationum de rebus fidei et morum*, ed. H. Denzinger, ed. 33, emend. et aucta (Barcinone: Herder, 1965). English translation: http://patristica.net/denzinger/#n600.

[14] Ibidem, no. 641.

[15] Ibidem, no. 638.

[16] Ibidem, no. 639.

[17] Ibidem, no. 595.

[18] Ibidem, no. 766.

[19] Ibidem, no. 767.

[20] Ibidem, no. 804.

[21] Ibidem, no. 830.

strengths."[22] "It is lawful to withhold obedience to legitimate rulers, indeed even to rebel."[23]

Alexander VI condemned the statement: "The people does not sin, even if for no reason it refuses to accept the law promulgated by the authorities."[24]

There is a multitude of such statements, as well as similar Church rulings. According to these rulings, the law promulgated by legitimate authorities binds the conscience to obey it. This issue is particularly emphasized in the realm of canon law which determines on its own, how and in what way it applies.

In the article entitled: "Whether human law binds man in conscience?"[25] Thomas Aquinas discerns a just law from an unjust one. If the law is just then it binds the conscience, for it receives its binding power from the eternal law from which it is derivative. According to Aquinas laws are just when: (1) their purpose is just, that is it is assigned to the common good; (2) their legislator is just, that is when the law issued does not exceed the competences of the legislator; (3) their form is just, that is when it proportionally uniformly refers to the "subjects," distributing proportionally the burden of common duties in relation to the entire community.

On the other hand, all those laws are unjust that are not elaborated in accordance with the human good, be it due to the rationality of the purpose, when a law that does not contribute to the common good is established, or because of the legislator himself, who for instance constitutes such laws, the issuing of which is beyond his authority, which exceed his legislative competences, or ultimately because of the form, when the laws unfairly distribute the burden of social responsibilities. Such laws cannot bind the conscience, but at times they can bind it for prudential reasons—in order to avoid a greater evil.

The solution proposed by Aquinas is generally convincing, but it seems to be incomplete, because it does not take into consideration

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[22] Ibidem, no. 1760.

[23] Ibidem, no. 1763.

[24] This was connected with the broadly popularized doctrine on tyrannicide (see ibidem, no. 690).

[25] "Utrum lex humana imponat homini necessitatem in foro conscientiae" (S. Thomae Aquinatis, *Summa theologiae*, I–II, q. 96, a. 4).

two more important moments; namely the subject of the law, that is the real human person, which must be bound by the law, and the intention of the legislator.

It may happen, and it sometimes does, that there are laws in a particular organization, in which the legislator himself does not want to bind in conscience those for whom he elaborates the law. This is the case e.g. in the Dominican order, the constitutions of which do not bind in conscience to any responsibility by the power of the constitutions themselves, but only to a penalty for their crossing. It is the famous *lex mere poenalis* ("purely penal law"). This law holds for disciplinary purposes, but the breaking of such a law, just because it is a law, does not lead to any external sanctions—any so-called sin—for not submitting to the law as a law. For it may happen that that which is the warrant of the law is at the same time good in itself for one reason or another, and then—treated as a good—it binds in the conscience to the choice by the power of that which in reality is a good. This is, however, a very different issue compared to the binding of the law as a law. For the legislator intending to make the human being's life simpler, not harder (this is pointed out e.g. in the Dominican Order Constitution, no. 32, par. 1: "Ut igitur unitati et paci totius Ordinis provideamus, volumus et declaramus ut Regula nostra et Constitutiones nostrae ac Ordinationes Capitulorum et Praelatorum non obligent nos ad culpam, seu ad peccatum, sed tantummodo ad poenam pro transgressionibus in ipsis Constitutionibus taxatam, vel a praelatis taxandam"[26]), settles that the law established by him does not bind the conscience under the threat of being treated as a sin, but under an external penalty.

It seems that in contemporary legislation—as a result of the theory of the school of natural law, separating the legal order from the moral order, as well as of Kant's similar theory—it became a general conviction of both the legislator and all of the citizens that state laws do not have the sanctioning of a sin as a result of the breaching of the law, but—similarly as it was mentioned in the Dominican Order Constitutions for the first time—they are binding only under

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[26] "In order to secure the unity and peace of the entire Order, we wish and we declare that our rules and constitutions, ordinances of the Chapters and Superiors do not bind us in the conscience and under the threat of sin, but solely under the threat of a penalty established in these constitutions or by these Superiors."

the sanction of the penalty for their breaching, if such an offence shall be proven in front of the court. This does not mean, however, that human beings breaching such a law are not sinning, when they notice that by trespassing the law they act in an evil way; one can never act in an evil way, for it is an infringement of natural law, which is always binds the conscience. Committing an evil deed—regardless if it is a deed prohibited or permitted by the law—is always a sin and has internal sanctions. An infringement of the law in itself does not become a sin unless it is connected with a particular matter. The "matter of sin"—evil—that is measurable in the categories of a particular harm, i.e. ultimately in the categories of the natural law, determines whether a given infringement of the law burdens the human conscience: becomes a "sin." According to Thomas Aquinas's theory, in turn, the infringement of the law itself was something evil and that is why it needed to be internally prohibited. This sort of theory can be, however, can go against the intention of the legislator, who may not want to formally and clearly or even virtually as an effect of a commonly accepted theory, that the law issued by him bind the human being "from within" and that the very infringement of the law, precisely because it is an infringement and breaking of the law, was supposed to be for the human being something evil in itself. That breaking the law is always penalizable is another matter. Nowadays this theory is widely accepted in reference to state laws. Therefore, state laws, similarly to the Dominican Order Constitutions, do not bind in the conscience by virtue of being laws, because the legislator does not want them to be binding in this way.

The second issue, not dealt with[27] by Thomas Aquinas in his theory of law, is the issue of the acceptance of the law by a human person. All laws and all warrants must be known and cognized by their subordinate, that is by the human person, in a practical manner, that is cognized as binding. No law can bind a person in conscience, if it does not bind by way of cognition. In the act of practical cognition a self-realization must occur that the positive law personally and really binds me. If a human being does not realize that a given law binds him or her, or else he or she reaches a justified and insurmountable conviction that if some law does not bind him or her in conscience, then such

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[27]   In St. Thomas Aquinas's treaty *De lege* (in *Summa theologiae*, I–II); whereas it is brilliantly emphasized in q. 19 (ibidem).

a law, albeit externally binding, nonetheless does not have the power to bind him or her in conscience. For it is internally contradictory that something be binding in conscience, if it has not been acknowledged as binding in the conscience itself. Binding in conscience is possible only when the conscience itself (that is a particular, phronetic practical cognition) perceives something as a personal good, which should be done. By contrast, if a human being in his or her practical cognition notices that something imposed by the law is actually evil, then he or she must not do it even if the law indeed ordered acting in that particular way and threatened him or her with the greatest penalties for not fulfilling the order. For the highest law is the natural law, which manifests itself to the human being in the form of the order that "good should be done."

Therefore, every positive legal order has to go through the "filter" of human conscience, which always personally defines a person's attitude to a particular legal order. Otherwise the human being would not act as a human being, as a free person responsible for his or her actions undertaken in the light of the law, but would function like an automaton, unambiguously directed "from the outside." That is why the role of the conscience or more broadly: the role of the human person, looking for a personal means of conduct and directed in his or her choice of means only by the consideration of the good, is in the issue of the binding of the law a fundamental matter, from which there cannot be and there will be no "release." The personal decision, the human person's acting in accordance (or not) with the established—positive—law, the acceptance of it as a personal norm of conduct cannot be replaced by any external factor, for it would be equivalent to denying one's humanity. There is no and there cannot be a higher instance directing the conduct of the human being than his or her own conscience. Nonetheless, this does not mean that the conscience always acts infallibly, "conflict-less" and that it always chooses the right good as well as that one cannot educate a person do make the right decisions. This is the purpose of ethics, moral training and the study of the law as well as of other practical disciplines.[28]

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[28] Above all, the impact of the education of a person is the most important. And that it is why Horatio had this precisely in mind when he said: "… quid leges sine moribus vanae proficient." Q. Horatius Flaccus, *Carmina*, recensuit F. Vollmer, ed. maior (Lipsiae: B.G. Teubneri, 1917), lib. III, 24, 35.

The purpose of educating and upbringing is to endow a human being to a more complete extent to conscientiously and freely make decisions and not to put pressure on its conscience. This also relates to persons that have sworn vows of obedience; these vows do not release one from "being human," they do not liberate one from the personal decision or responsibility for the choice and action. Only one additional element contributes here, which determines this decision: the will of the superior—his command, which the person vowing obedience commits him or herself to take into consideration, when engaging in a particular action.[29]

Therefore, the issue of the internal agreement to a legal regulation is something essential for the binding force of the positive (established) law both in relation to state law as well as the ecclesiastical one. Everywhere the law is applied to the free human being: a person, authorized to action determined by his or her rationality and free will. Taking into consideration these two moments that determine the way that a human being is bound by the law, one should above and beyond that include three factors enumerated by Aquinas[30] which are essential for the law: namely the question of the purpose and the proportionality of the law to the realized purpose, the issue of the competence of the legislator as well as the issue of the very form of the law: whether the law is just and proportional, equally binding the members of a particular community.

These factors analyzed by Thomas Aquinas stem from the very nature of positive law. However, all of them converge like in a focal point in a particular human conscience, that is in the particular human practical cognition, with which the human being has to notice it for him or herself and seeing it, acknowledge it and make a personal decision on whether to obey the law. This decision is the ultimate human expression of obedience to the law and a human being, when he or she decides to listen to the law (to which only objective cognition can compel him or her), accepts it "as one's own" and at this moment the law binding him or her "from within" becomes a personal law, the opposition between the heteronomy of the law and the autonomy of the

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[29] This does not mean, however, that the subordinate listening to his superior and following his commands is due to the fact of his obedience not responsible for his act.

[30] See S. Thomae Aquinatis, *Summa theologiae*, I–II, q. 96, a. 4–6.

person disappears, for through self-determination heteronomy is transformed into autonomy.

It must also be emphasized that there are also such states in a human life, when a human being notices that he or she is not bound by law (as a result of some objective shortcomings in the law or its collisions with the perceived natural law), and despite the fact that at times, because of external prudential issues he or she submits to the law in order to avoid a greater evil, be it a personal one or the evil of others (offence). The seeming submissiveness to such a pseudo-law cannot go as far as to commit evil deeds. This would be a denial of the natural law, which binds the conscience in a necessary and absolute way.

THE ISSUE OF CHANGING POSITIVE LAW AND ITS DISPENSATION[31]

In old legal terminology there are among others the following notions: *mutare legem*, *abrogare*, *irritare*, *interpretare*, *dispensare*. All these terms relate in fact to positive law, not to natural law.

The most radical case is the replacement of one law (one bill) by another (*mutare legem*). When the law loses its binding force, we call it the "expiry of the law (bill)"—*abrogare legem*. A bill not confirmed by a competent superior legislative factor does not yet assume its binding force and this is called the *irritare legem*. The interpretation (*interpretare*) of a bill or a legal regulation, in turn, can be brought down to the following functions: (1) declaring whether in particular cases the law is binding or not; (2) establishing some dominant meaning in the case of the ambiguity of the expression of a legal regulation; (3) introducing some new meaning or, finally; (4) specifying a wavering meaning. However, a dispensation (*dispensare legem*) from the law depends on singling out a person or a group of people from under the obligation to follow the law, which still maintains its general binding force.

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The second issue mentioned here concerns the issue of dispensation.[32] This can be approached in two ways: one can see in the dispensation a so called *vulnus legis* ("a wounded law") as well as one can

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[31]   See ibidem, q. 97.
[32]   See ibidem, I–II, q. 97, a. 4.

notice a better adjustment of the general law to the particular human case. Among lawyers from various schools there is a widespread opinion that a dispensation is a "wound" inflicted upon the law. This sort of opinion is based on the conviction that the generally formulated law expresses essential—in a particular aspect—social needs and this is why any defection from the so called common good represented by the generally formulated legal regulation is in a specific sense a circumvention of the law and thus a wound inflicted upon the law itself.

Thomas Aquinas is a representative of another stance in this case: namely that the dispensation not only is not a wound inflicted upon the law, but to the contrary—it is a better and in particular cases more perfect way of following the law in a particular environment. He draws attention that the dispensation in an appropriate sense takes into consideration a better adaptation of the general content of the legal regulation to particular cases: *dispensatio proprie importat commensurationem alicuius communis ad singula* ("dispensation in its strict sense connotes the measuring and distribution of some common fund to individuals").[33] The one who has the jurisdiction over the common material good of some social group is called in Latin a *dispensator*, that is a person, who from a common treasury grants particular individuals such a good that a given individual needs in the specific circumstances. In the natural course of affairs, the father of the family is supposed to be such a "dispensator" in case of the smallest community.

This is why somebody is needed in every community to lead it and who is able to adjust general rules of the law (which because of being general are imperfect as such, since life and its course always takes place in individual and particular conditions) in a better way to the needs of the particular individuals. For it may transpire that some general regulation does not suit the individual for justified reasons and then the task of the superior or the sovereign of a given community is to release that individual from the general legal regulation so that the person released from such a general legal regulation could better fulfil the principal purpose of the community.

Therefore, in order to receive a dispensation, an external reason for this must occur for the person to whom it is granted. This reason, however, cannot be of the sort that it discharges someone from

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[33] Ibidem, resp.

following the law, for in such a case such a legal regulation is not binding anyway by force of the so called *epikeia* (Gr. ἐπιείκεια)—reasonableness. However, granting somebody a dispensation for no reason, that is without a very important need of that person to whom the dispensation is granted, would be that what is indeed called *vulnus legis*; it would be something unreasonable, harming the community and hindering the acquisition of the good, to which this legal regulation is subjugated.

Obviously natural law is not subjected to any dispensation, for a human being cannot be released from the imperative to do good. However, as far as so called divine law is concerned, the rules of behavior in relation to it fit into the nature of the accepted revelation.

As it has already been mentioned, dispensation differs from reasonableness—*epikeia*—and its application in particular cases. Thomas Aquinas calls it after Aristotle *epikeia*—reasonableness[34]—the superior rule of human behavior. For if human actions are to a large extent determined by legal regulations or custom, it is anyway not possible for the law or a reasonable custom to foresee all the individual life conditions of particular people. It may happen and it happens indeed that precisely the following of the letter of the law, custom or convention would be something evil and it would violate the unwritten, yet essential, justice. And then a human being must not follow the instructions of the law, because this would be a violation of the natural law, but he or she should do that which in his or her practical cognition appears to be reasonable and in accordance with the common good, with the essential good of the person him or herself. Noticing that what is in accordance and what is not in accordance with positive law is called reasonableness. And thus, there where reasonableness appears, a human being is released from following the letter of the law, for he or she is bound by a higher law—natural law—which would have to be trespassed while following the letter of the legal regulation.

Therefore, in the case of *epikeia* one does not have to apply for dispensation from the law. The dispensation takes place there where by principle a reasonable law is in force and where the preservation of the particular norms of the law tends to be sometimes harder and less purposeful than not following a given legal norm, because

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[34] See S. Thomae Aquinatis, *Summa theologiae*, vol. 2 (Taurini: Marietti, 1963), II–II, q. 120.

of the fact that the person that is granted dispensation, performs other important or even more important functions which contribute to the common good. Then a dispensation from the positive law is an even better preservation of the very meaning and task of the law than the absolute legal submission. Therefore, the dispensation belongs to the rules of following the law, and it is not an exception from that rule. Thanks to it the community can fulfill its purpose better, being a vivid and flexible community which is able to adjust to the living conditions.

Philosophy of culture

M.A. Krąpiec, "Polskość w kulturze chrześcijańskiej," in M.A. Krąpiec, *Człowiek i kultura* (Lublin: Polskie Towarzystwo Tomasza z Akwinu, 2008), pp. 340–342.

We are nowadays—as Poles—attacked from a number of sides for our Polishness, because it is difficult and demanding to feel gratitude to the Polish people for the benefits granted throughout the centuries to various exiles and refugees escaping persecution. By becoming the heirs of a Christian evangelic culture, we had to (in the difficult historical circumstances of our national life, between the constant attacks from the hostile Byzantine and Turanian civilizations) organize, more or less successfully, the social dimension of freedom, derived from the evangelical commandment of loving God and one's neighbour. For freedom is the consequence of accepting the fact that we are "children of God," derived by way of us being created by "our Father, who art in heaven." Therefore, it is not surprising that during the time of communist regime, the Polish Primate, Cardinal Stefan Wyszyński would begin his speeches with the words: "Beloved children of God," in order to negate the ruling deceit of living in the enslavement of the internationalist-globalist ideology, which treated the human being as a useful tool in the mechanism of the state.

Personal and national freedom became a distinct Polish trait, a trait of our Christian culture. For freedom is the guarantee of being human. All of our human actions are the consequences of a decision, that is the free (voluntary) choice of practical judgement referring to a good, which we wish to fulfil, in order to live as humans, understanding the world and oneself as a pilgrim on the way to life's ultimate purpose that is reaching God himself in eternity. The human

decision is the mother of human freedom. And time and again we have been deprived of the right to decide about ourselves. Hence our struggles against aggressors were in defence of our personal, national and even international freedom, like the wars with the Teutonic knights, Mongolian Tatars, as well as with those who strayed from Christian faith and morality. Hence our national experiences expressed in poetry and patriotic songs, were songs about freedom. This freedom had to be defended, sometimes having to resort to acts of apparent madness—wars and uprisings, in order to, "reasoned in rage" and risking the loss of one's life, guarantee freedom for the nation. And "the freedom of the children of God" is the gift of the Gospel, as Jesus Christ himself taught and, as the Apostles and Christ's Church reminded us, because it is freedom from deceit, freedom from the evil of sin, freedom from the social poison of pseudo-culture.

That is why the greatness of a nation is measured by the greatness of its sons and daughters, who serve others in the fulfilment of truth, good as well as beauty and thus (well understood) sanctity. The great members of nations are primarily its saints and people of spiritual culture. The Polish nation has been fortunate—and it is through the generosity of Providence—that from the start of our statehood we have been shaped by saints. Already during the reign of Mieszko I and Bolesław the Brave, the godparents of Polish culture were: Saint Adalbert—killed by the Prussians, Saint Bruno—killed by the Yotvingians, the saintly martyrs: Benedict, John, Isaac, Matthew, Krystyn, Saint Andrew Zorard from Opatów and his companion Benedict, the patrons of southern Poland and Slovakia. Mieszko's sister Adelaide, was the mother of Saint Stephen, king of Hungary, and Mieszko's daughter, Sigrid, was the queen and godmother of the peoples of Scandinavia, whereas Dobrawa, the granddaughter of a holy martyr, was instrumental in bringing the Christian faith to our nation. After that, the great Middle Ages formed us through its saints: Stanislaus, the martyr bishop, Hyacinth the Apostle, Sadok and the Sandomierz martyrs, Kinga, Bronislava, Yolanda, Ceslaus, Hedwig of Silesia and the Polish queen Jadwiga, Wincenty Kadłubek and the great thinkers from the Krakow Academy of the fifteenth century. Also Cardinal Stanislaus Hosius, Piotr Skarga, Jakub Wujek and Saint Andrew Bobola played an immense role. Moreover, in the nineteenth century a number of saints aided in the preparations for gaining back our independence while an innumerable throng of martyrs sacrificed their

lives in their struggle for Polishness, freedom and faith in the German and Soviet-Russian concentration camps, gulags in the "inhuman land." They all are patrons of Polish culture that protected our nation, and also Europe (in 1920 and 1944), from Bolshevik enslavement.

The great Polish humanist Feliks Koneczny, in his work *Święci w dziejach narodu polskiego* [*The Saints in the History of the Polish Nation*], writes ever so rightly:

> We have rushed through seven hundred years of Polish history, since the times of Cyril and Methodius, the history of twenty-one Polish generations, counting three generations per century. We were led out from the darkness of the primal, pagan age by Christianity, connected strongly with the Catholic Church and Western European civilization, we served the most noble causes of justice among nations, in times of good fortune as well as woe. Thanks to the wisdom of the first Piast rulers our state was organized and it set forth a dam against the onslaught of German greed. While being weakened by Mongolian invasions and forced to be settled by German colonists, our state had not lost its national separateness. The national spirit overcame and digested everything, keeping the country Polish. We overcame a two-century period of weakness thanks to the steadfastness of Ladislaus the Elbow-high and the wisdom of Casimir the Great, we entered into the period of our country's greatest political power thanks to the union with Lithuania. Not by occupation or harming others, but by bonds of friendship did the boundaries of Polish influence expand. Our nation was the first that reached a sense of nationhood and was the first to respect that sense in other nations. Our Jagiellonians were indeed a unique dynasty throughout history, so full of contributions to civilization, as none other, and simultaneously compatible with the Christian spirit. Acting in the name and by the will of the Polish society, they have accomplished a miracle for the sake of Europe in that they united nations building bonds of brotherhood and not through conquest. ... We owe the Piasts our faith and our national identity. The Jagiellonians should be praised for their national policy, which they based on Christian values.[1]

This distinguished professor and humanist concludes his work in a significant and obliging way:

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[1] F. Koneczny, *Święci w dziejach narodu polskiego* (Komorów: Wydawnictwo Antyk Marcin Dybowski, 1996), pp. 334–335.

We, who aspire for only one totalism, namely total ethics, feel that it is our obligation for our Fatherland, once it shall create a powerful state, to stand at the forefront of the trend that aspired to introducing Catholic morality into the public sphere. This trend may be ridiculed, discriminated, persecuted, but it shall not fear anything and it shall not rest until it reaches its goal. This is Poland's mission! Thus, with God's help and with the intercession of saints, let us focus on this call![2]

It is an act of Providence that the leader on this path, not only for Poles, was the Polish pope, Karol Wojtyła, who bore the name John Paul II.

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[2] Ibidem, p. 689.

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