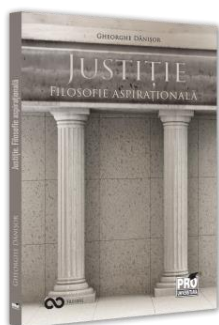


BOOK REVIEWS

GHEORGHE DANIȘOR ON JUSTICE AS AN ASPIRATIONAL PHILOSOPHY



Gheorghe Dănișor, *Justiție. Filosofie aspirațională* [*Justice. Aspirational Philosophy*], Bucharest, Pro Universitaria, 2024, 197 pp.

I. Exposition of aspirational philosophy

I. 1. The limiting epistemological directions and their one-sided concepts

In his book entitled *Justice* and subtitled *Aspirational Philosophy* (Editura Pro Universitaria, 2024), the well-known university professor Dr. Gheorghe Dănișor offers us not only his conception of a true and desirable justice, but also an epistemological and ontological vision focused on the legal value of justice, which could also justify the inversion of the book's title and subtitle.

The author arrives at his conception of justice, as well as of the Being of the world in general, in an epistemological manner. He starts from the two traditional epistemological directions (*rationalism* and *empiricism* - my note I.N.R.), which he called *ratio* (reason) and *sermo* (word, discourse), which, being unilateral, led to partial visions of justice in the theory of law and to unacceptable practical consequences. Consequently, it proposes the unification of the two orientations in a totalizing knowledge, able, on the one hand, to capture the essence of justice and ensure effective justice, and, on the other hand, to reveal the essence of the world in general.

In the language of the author, the knowing self, considered in its entirety, is called *logos*, and its two orientations - *ratio* and *sermo* - only partially express it. *Ratio* is a knowledge of the general, of the principle, which goes beyond the experience with individual things and reveals the relationship of the individual man with the other (man, community, God). *Sermo* is a knowledge dependent on the perception of individuals, it does not reach to discover the principle (ground)

of things, but only justifies it and, therefore, does not reveal the principle of the individual man to be in relationship with the other. In the application to justice, from *ratio* the ideas of: *responsibility*, *solidarity* and *care for the other* would be deduced, and from *sermo* the ideas of: *freedom*, *independence* and *care for oneself* would be derived. In legal practice, but also in political life, the series of ideas derived from *ratio* would have led to a justice that would have neglected individual people and would have favored dictatorship, and the series of ideas derived from *sermo* would have ignored the principles of law and would have generated anarchy.

The author mentions the conceptions which, according to him, are paradigmatic for one or the other of the two directions of limiting thought. In his interpretation, knowledge through the path of *sermo*, of individualization, would have been supported, in ancient philosophy, by Socrates through the Delphic exhortation "Know thyself!", in the modern stage by Descartes with his statement "I think, therefore I exist", and in contemporary thinking by Husserl and, in general, by phenomenology with the emphasis on subjectivity, Husserlianism being understood as a neo-Cartesianism. In passing, along with Descartes, Leibniz is also mentioned with his *Monadology*, "as an expression of exacerbated individualism" (p. 107). The followers of knowledge through the path of *ratio* are not analyzed individually, but, it is understood, they were or are those followers of knowledge through reason, who concentrated reason not in the knowledge of human individuality, but in the common background of all, which led to "the constructivism of Plato, Kant, Marx, Rawls", who separated "between logic-discursive or *justificatory* and *spontaneity* related to intellectual intuition" (p. 24).

I. 2. Aspirational philosophy – integrative, holistic thinking, open to the universal logos

Regarding integrative knowledge, the author claims that *noetic intuition*, whose equivalent would be the *unconscious thinking*, would be the faculty capable of capturing the indeterminate general manifested in the individual and, simultaneously, creating the conditions for knowing the individualizing determinations, manifested on a general basis. *Noetic intuition* discovers the fact that the principle of justice, like the other human values, is the relationship of the self with the other, or more precisely, as the author expresses it, *being-with-the-others*, a relationship that "is a priori to any possible experience of freedom and, as a consequence, of responsibility" (p. 37). In other words, "the basis of justice is the human individual who transgresses selfish interest" (p. 47). Integral thinking, the logos, would consist in the fact that "logic has in its composition the principle (*ratio*), that being-together-with-others, sensed directly through *sensibilo-noetic intuition*, and *justification* in the form of different forms of social organization (*sermo*)", the conjunction of the two components meaning understanding: "the

union of *ratio* and *sermo* led us to the concept of understanding" (p. 71). The author emphasizes that *ratio's* tendency to uncover *the archetype (principle)* of justice through *sensibility-noetic intuition* is doubled by "the opposite tendency, namely that of bringing unconscious manifestations under control, which can leave man in a sphere of indeterminacy, very dangerous for his historical destiny", so that "through this rational control, man finds himself and escapes from non-existence in an absolutely indeterminate reality" (p.75). So, the author concludes, "without absolute indeterminacy, what is determined cannot exist and vice versa, determination as such is the one without which indeterminacy would not exist" (p. 75).

On the one hand, such integral thinking would reconcile both opposing legal ideas and, based on knowledge, their practical applications: responsibility with freedom, solidarity with independence, care for another with care for oneself. As it balances or symmetries the opposite elements mentioned or, more generally, *ratio* and *sermo*, namely in a non-linear relationship, in which the opposites influence each other, "such thinking is of a holistic type" (p. 45).

On the other hand, such knowledge would reveal to us not only the logos or the social good by correlating man with the other in the form of community, but also the universal logos, also called the absolute Good or God, by the fact that, finally, it relates the self to the other as supreme being, as the ultimate background on which the synthesis of opposites can be known and applied. Given, however, the fact that the absolute Good can never be fully apprehended by reason that appeals to demonstration, the human subject can only join the path of synthesizing opposites and perpetually aspire to Divinity, as the foundation of their unity, i.e. to it tends towards a knowledge and life in a balance of antitheses. In this sense, namely in the sense that man constantly aspires to overcome his chrono-spatial finitude by intuiting the timeless principle of his way of being, the author's *ontognoseology* constitutes an *aspirational philosophy*. In the case of justice, its principle "can only be approximated through demonstration" and "that's why ... legal and political systems are relative and relativizing in relation to the principle of justice" (p. 97).

The author believes that the method of discovering the unity of the general with the individual was initiated by Aristotle and reaffirmed by Hegel. From Aristotle he retained the idea that man is a social being, *zoon politikon*, who relates to the other, first of all, by right, outside of which he would be either a god or a beast. Aristotle looked for the foundation of law and concluded that it, like any other principle on which discursive knowledge is based, can only be *pre-deliberative, intuited*, and not *discovered by deduction*, since it starts from an already given principle. The author states that "Aristotle distinguishes between ante-deliberative and deliberative" (p. 31)... "placing virtue in the first category and justice in the second" (p. 41). Explaining the relationship between virtue and

Justice, the author gives the floor to the Greek philosopher, who claims that "justice is identical to virtue, but their essence is not the same, but, to the extent that it relates to others, it is justice, and to the extent that it is a proper habitual disposition, it is a virtue" (Aristotle, *Nicomachean Ethics*, Scientific and Encyclopedic Publishing House, Bucharest, 1988, p. 107; apud Gheorghe Dănișor, op. cit., p. 41). So justice (*dike*) is achieved through thought, but on the unthoughtful background of virtue, as good in itself (*agathon*), intuitively discovered. From Aristotle, the author also retains the idea of the existence not only of a *passive Nous*, linked to knowledge through the senses, but also of an *active Nous*, which intuitively reaches virtue, the Good itself.

Regarding Hegel, the author claims that he came to the understanding of the unity between self and other (man, society, nature, God) through his works *Phenomenology of Spirit*, *Science of Logic* and *Philosophy of Spirit*. In the first of the mentioned books, Hegel analyzed the process by which man reaches from consciousness to self-consciousness, and in the *Science of Logic* he traced the triadic sequences by which man, having reached self-consciousness, relates to the Divinity, conceived before all, as *pure Being*. A good *connaisseur* of Hegelian philosophy, Gheorghe Dănișor justifies the fact that, in his *Logic*, Hegel claims that, in the transitions from *pure Being* to *Nothingness*, synthesized in *Becoming*, from which something determined results - a *Quality* in contrast with a certain *Quantity*, which together find their synthesis in *Measure*, etc., the *theses* pass into their *antitheses*, and together into the resultant *syntheses*, so that nothing is lost, but all is preserved. Applying the Hegelian spirit to the understanding of the reciprocity between the individual self and the other (man, community, etc.), the author states that in the diffuse thought that I pass and do not pass into the other, the intuition is present that by passing into someone else (or into something else), "I unite with myself" (p. 56 et seq.). It is an intuition that transcends everyday life, since in real space and time people are different individuals, separated by space and time, while in space and timelessness, "outside spatio-temporality, they are identical, because in this case the separation no longer matters" (p. 57). Similarly, in relation to the divine logos, man intuitively finds himself as a divine, intelligible being, human thought itself becoming intelligible, so that "for the ancient thinkers, the human intellect represents the divine in man" (p. 121).

II. Comments on the problem of aspirational philosophy

The aspirational philosophy of Gheorghe Dănișor can be appreciated as a remarkable theoretical achievement, because, through the ideas that structure it, it rises to the highest philosophical thoughts, reaching to offer an ontognoseological or, more precisely, gnoseo-ontological basis the narrower discipline of the philosophy of law and, by extension, any other branch of philosophy, applied. The author "dialogues" with some of the greatest thinkers in the

historical-philosophical calendar, but he does not neglect some contemporary theories asserted in the field of legal theory, such as postmodern conceptions focused on *the network concept*.

By valuing two of the titans of philosophy, Aristotle and Hegel, but also by confronting other first-rate thinkers, Gheorghe Dănișor achieved a personal philosophical synthesis, through which he proposes a model of holistic knowledge and an understanding of the principle of the world and the principle of justice as universal Logos or absolute Good, and respectively as social Logos, which takes the form of *being-with-the-other*.

The method of holistic knowledge proposed by the author combines sensibilo-noetic intuition, as a form of access to the principle of justice and even to the principle of the world in general, with the deliberative exercise of reason, in other words, supports the conjunction between unconscious and conscious. Without noetic intuition, philosophical thinking would not reach its supercategories (categories of maximum extension), which go beyond any inductive-deductive rational knowledge, limited by perceptual contact with things to be known. Without the exercise of reason, intuitively captured categories could not be clarified and applied to the narrower domains of philosophical (branch philosophies) or scientific knowledge. Given the fact that philosophical reason only succeeds in more or less approximating the intuited principles, philosophical thinking will always aspire to a better fit with the principles and, in this sense, the author conceives philosophy as aspirational.

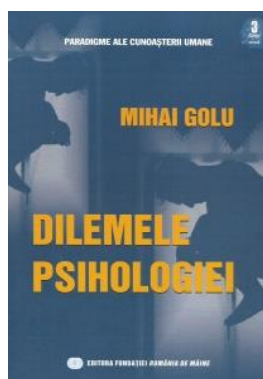
Through the mentioned conception, the author has the merit of arguing the importance of noetic intuition and the unconscious in the elaboration of philosophy, of philosophical principles, without ignoring, however, the role of reason that always seeks to adapt as best as possible to the principles, taking into account consider knowledge provided by perceptual experience and science. I believe, however, that a more rigorous characterization of the noetic intuition specific to philosophy is needed, in order to distinguish it from other types of intuitions, such as artistic, moral, or religious ones. I think that the author himself feels this lack of precision, since he introduces a whole range of other concepts and, respectively, cognitive modalities, which would facilitate the noetic-sensible intuition, such as the feelings of compassion (p. 103), sympathy (p. 110), intellectual desire also called aspiration or *eros* (p. 132). Moreover, "the forms in which *the eros* of justice is manifested are altruism, charity, natural gentleness, benevolence, and the highest form is friendship, in which love finds its place" (178). About aspiration, as the tendency of the human intellect to move from spatio-temporality to the intelligible, it is stated that "this tendency is not intentional, but is a habitus which, followed by reason, becomes an end in itself", aspiration being "embodied by optimism, hope, freedom, good and happiness as an end in itself" (p. 149).

As for *the Being* of the world, it is intuited and thought by the author as the universal Logos or supreme Good or, theologically speaking, God. The identification of the Being of the world with God is in agreement with the intuition of the principle of justice as a harmonious or symmetrical relationship, therefore virtuous and friendly, between one's self and the other. Such an understanding in an Aristotelian and somewhat Hegelian spirit is meritorious as it affirms an optimistic vision about the common background of all existence and about man and society, as manifestations of the mentioned background. The Aristotelian spirit is present through the foundation of justice on virtue, in other words the legal value of justice on the moral value of the good, and, at the same time, through the thesis advanced by Stagirite, according to which the principle of all things is reached through that active Nous, which is the divine itself from man. The Hegelian spirit is also present through the Hegelian dialectic, according to which God, a self-thinking thought, comes to pass from its indeterminacy to all determinations, preserving itself and being present in them, including the human being. Although the Hegelian dialectic unfolded on the ideal plane is not similar to the dialectic of the real, nevertheless it contains the precious idea of the presence of the divine Being in everything that exists, from nature to man and society.

Gheorghe Dănișor's onto-gnoseological vision is one of trust in man's power to always aspire to justice and good, as well as to the other types of values that ennoble the human being. For today's society, which is so turbulent and divided, such a conception constitutes a landmark and the rediscovery of existential balance, all the more so since the source of trust originates precisely in the universal Logos as eminently Good, which is also reflected in the human being. Therefore, such a way of thinking centered on positive values needs to be further promoted by other authors concerned with philosophical construction.

In addition to promoting positive values, an aspirational thinking also has to ask about the source of negative values and the causes that made them prevail in the legal and political fields and beyond. Let it be but a partial knowledge whereby men and communities have either not risen to the height of the principles, or, when they have devoted themselves to their contemplation, have not succeeded in making the leap to the supreme Good, or have not had the power and the will to choose and carry out positive values, remaining captive to the opposite pole, negative?

Ioan N. ROȘCA



Mihai Golu, *The Dilemma of Psychology*, FRM Publishing House, 2024

The book recently published by Univ. Prof. Dr. Mihai Golu, *Dilemele Psihologiei*, F.R.M. Publishing House, 2024, proposes a new perspective in approaching psychic phenomena, which combines divergent psychological orientations.

Making a foray into the history of psychology, Professor Mihai Golu specifies from the beginning that, although it broke away from philosophical speculations at the end of the 19th century, psychology still did not reach a unified vision due to the complexity of the studied object and the difficulty of subjecting it to observation and experiencing various mental processes. He shows that the main theories that have been asserted about the psyche in general and about the human psyche in particular are not only different, but also opposing. At the same time, he believes that, given the fact that there are arguments of the supporters of each theoretical position, the truth as a whole is in the middle, in a conjunction of opposite directions, to be freed from their excessive, absolutizing ideas.

Before analyzing the dilemmas generated by the opposing psychological orientations, the author presents succinctly, but as clearly and precisely as possible, the respective orientations, which were affirmed during the establishment of psychology as a science (chapter I). They are presented, in order, 1) *the psychology of consciousness*, which analyzed subjectivity with its internal states, without relating it to other internal or external factors (eg: W. Wundt); 2) *behaviorism*, which reduced subjective states to external causes (eg: Watson); 3) *psychoanalysis* that discovered the unconscious related to drives, such as the erotic-sexual ones, but which devalued consciousness (Freud et al.); 4) *the psychology of behavior or activity*, with an emphasis on human relations with others, which was the first attempt to relate the subjective, internal plan (the purpose and representation of the means of activity) and the objective, external plan (P. Janet); 5) *concrete or humanistic human psychology*, with the revelation of the value and uniqueness of man, who chooses himself in the world.

Obviously, the first position absolutizes the autonomy of the psyche, and the second and third absolutize, on the contrary, the dependence of the psyche on

biological or social factors, respectively. The fourth and fifth have the merit of highlighting the conjunction between the subjective and the objective, but the psychology of conduct does not take into account the relation of man to values, and humanistic psychology, although it values the relation to values, is utopian, considering that man would be fundamentally good, in the sense that anyone would have the basic need to be respected and admired by those around them. However, as the author states, human nature is not completely different from animal nature, it is not "purified of any germ of malice and aggression, of hatred", so that man "must be taken in his integrity, and with the reasons and tendencies good (positive) and with those opposite to them" (p. 45).

The main dilemmas of psychology, which result from the aforementioned orientations and are analyzed in the book, refer to the material or immaterial character of the psyche (chap. II), to its innate or acquired character (chap. III) and to its biological or cultural character (chap. IV). Other dilemmas are also analyzed, which especially concern the relationship between the internal states of the psyche, namely: 1) part (associationism) – whole (gestaltism), 2) idiographic (individualizer) – nomothetic (generalizer), 3) sensorial – logical, 4) cognition – affectivity, 5) qualitative – quantitative, 6) internal determinism – external determinism (chapter V).

In relation to the two reductionist positions, Mihai Golu affirms his own, integrative conception of the psyche as information. He states that, on the one hand, information satisfies the character of ideality in that it does not possess sensible properties. On the other hand, information is not absolutely independent, because it is only realized through relationships and is only objectified and fixed on substantial-energetic supports. In addition, through objectification, information is an organizing factor opposite to entropy, it is influenced by internal and external factors and disappears with the support. The author also reveals a relative independence of information from a certain support, in the sense that certain human information, such as knowledge, can also be fixed on other supports, which allowed the invention of machines that use artificial intelligence.

The born-acquired dilemma expresses the opposition between the nativist or ineist orientation (Fr. Galton et al.) and the environmentalist one (Watson et al.). The first claims that psychic traits are genetic and looks for genes responsible for intelligence, aggressiveness and other specialized dispositions for mathematics, art, etc., the second states that man (his psyche) is what his environment makes him, so that through education, anyone could become a mathematician, artist, etc. However, the author argues with multiple examples, heredity only provides predispositions or germs, which are not immutable, but develop, and any development, whether physical or mental, "can only be achieved by interacting with the environment" (p. 74). So, "no heredity without environment, no environment without heredity" (p. 90). The biological-cultural

dilemma refers to the explanation of human personality in an expanded version of the previous opposition about heredity and environment. In the new variant, for the biological orientation the human personality is a biotype, and for the cultural orientation it is a psychocultural type. The considered biotypes, to which psychological peculiarities were attached, were either the constitutional-corporal types (Sheldon), or the nervous system types (Pavlov), or the types given by the blood group. The author observes that the biological orientation, in its various variants, derived from established biotypes temperamental traits of personality (also present in animals), but confused them with character traits (existing only in humans) and abstracted from context and medium. The biological orientation extended its considerations from individuals to human groups, operating bio-psychic differences of gender (between men and women), race (white, yellow, black races) and ethnicity, the psychic differences being, in reality, more soon cultural than biological. Regarding culture, the author distinguishes intra- and intercultural differences, the fact that progress in humans has been achieved "with great strides" in terms of cognitive aspect, but moral-behavioral progress has lagged far behind, not yet overcoming the *Homo homine lupus est* principle of Thomas Hobbes. And about the culturalist orientation, it is observed that, despite the merit of rehabilitating the cultural component, the most precious for man, however, by absolutizing it, it ignored the fact that neither the formation of culture nor the creation of cultural works can be achieved without their substrate biological. The conclusion that is imposed again is that of admitting "the interaction of the biological with the cultural and the cultural with the biological" (p. 124).

The other dilemmas, regarding the reductionist approach, according to the or...or principle, of the psyche, either as a part isolated from the whole, or as a part in the whole, or under the aspect of particularities different from man to man, or under its general-human aspects, etc., benefit from the same solution according to the principle and... and.

Although he advocates for a holistic, integrative approach, Mihai Golu is restrained regarding the establishment in the near future of a unitary, integrative vision of psychic life, precisely because researchers continue to advance in the unilateral directions they cultivate.

Personally, I subscribe to the integrative position promoted by the author and facilitated by the understanding of the psyche as information. For my part, in the book *Filosofia integrativă* (F. R. M. Publishing House, 2001), I defined the spirit as information and brought arguments regarding the spirit-matter conjunction both in man, in the animal kingdom, in the vegetable kingdom and even in the physical world. At the same time, I believe that the one-sided theoretical positions in science or philosophy, although methodologically wrong, do not constitute an obstacle to theoretical progress, but, rather, ways to propel

this progress. Basically, by absolutizing a certain direction of research and by applying it consistently, one reaches both the deepening of knowledge in that direction, as well as the limits that bring it to a standstill. If we refer, for example, to the sensory-logical relationship, in the history of philosophy, empiricism and rationalism deepened the knowledge about the cogitative process, and through their limits allowed the Kantian synthesis,

Succinct analysis, but problematically dense and carried out at a high level of systematization and logical exposition, the work *Dilemele psihologiei* by Mihai Golu, eminent professor and researcher, is original by supporting and arguing the holistic research perspective of the human psyche, based on the integrative principle and... and, the only one through which psychology will become a unitary science, in a more or less distant future.

Ph. D. Ioan N. ROȘCA