

*A conference was held in Prague, Czech Republic, in November 2002 that was entitled “Issues Confronting the Post-European World” and that was dedicated to Jan Patočka (1907-1977). The Organization of Phenomenological Organizations was founded on that occasion. The following essay is published in celebration of that event.*

## **Essay 53**

# **The Intuitive Foundations of Rationality**

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### **Abstract**

Neo-Kantianism may have had a hidden influence on the critical reception of transcendental phenomenology’s original views, both within the Continental and analytic traditions. In a recent book that critically confronts Husserl’s problem of “ultimate foundations” problem with skepticism, making use of transcendental “arguments” that originate in contemporary philosophical discussions, Karl Mertens arrives at a negative conclusion concerning transcendental phenomenology’s ability to resist skeptical arguments and thus to be in the situation of claiming for itself the rank of an “ultimately founded science.” Contrary to this critic’s views, we contend that Husserl’s approach to the intuitive foundations of rationality puts transcendental phenomenology in a better position to resist any form of skepticism.

### **Introduction**

On the occasion of this conference dedicated to Jan Patočka in the beautiful city where Husserl read his last conference on the *Crisis of European Sciences and Psychology*, I wish to return to one of his main philosophical concepts, intuition, in the light of some contemporary criticism addressed to his work. Most would agree that the main motive of the estrangement between Husserl and contemporary philosophy is transcendental phenomenology’s

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alleged out-dated foundationalist model. A distorted interpretation of the Husserlian foundational project may be partially due to a generalized resistance in philosophical circles with regards to his concept of intuition. And one of the reasons for this resistance, in our view, is the pervasive and mostly unquestioned influence of Kant and later of neo-Kantianism during great part of the nineteenth and twentieth centuries regarding the nature of rationality and—within its context—the status of *intuition*.

Our suspicion that neo-Kantianism may have had a hidden influence on the critical reception of transcendental phenomenology's original views, both within the Continental and analytic traditions was first triggered by a recent book that critically confronts Husserl's problem of "ultimate foundations" with skepticism, making use of transcendental "arguments" that originate in contemporary philosophical discussions. Karl Mertens,<sup>1</sup> the author, arrives at a negative conclusion concerning transcendental phenomenology's ability to resist skeptical arguments and thus to be in the situation of claiming for itself the rank of an "ultimately founded science." In the present essay, contrary to Mertens' views, we contend that Husserl's approach to the intuitive foundations of rationality puts transcendental phenomenology in a better position to resist skepticism.

Before we develop our contention, we will start by examining the neo-Kantian critique of Husserl's transcendental phenomenology following Fink's 1933 account of this critique.<sup>2</sup> We will refer to the historical background of intuition's place in philosophy since Kant, whereby we will propose an enlarged notion of neo-Kantianism, beyond the traditionally recognized schools and main characters. We will then review some aspects of Mertens' claim according to which there is a "demonstrative" (*viz.*, not intuitive) way of resisting the skeptic's arguments, whereby the claim to an ultimately founded knowledge—and *a fortiori*, to knowledge in general—may be legitimized. And although he believes this can be better achieved *outside* the context of transcendental phenomenology, he does so by "reconstructing" Husserl's own theory of evidence. Both Mertens' and the neo-Kantian's argumentative and reconstructive procedures will then be subject to a critical scrutiny, whereby some of their basic

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<sup>1</sup> Mertens, Karl, *Zwischen Letztbegründung und Skepsis. Kritische Untersuchungen zum Selbstverständnis der transzendentalen Phänomenologie Edmund Husserls*, Freiburg/München: Verlag Karl Alber, 1996.

<sup>2</sup> Fink, Eugen, "Die Phänomenologie Edmund Husserls in der gegenwärtigen Kritik," in: Fink, Eugen, *Studien zur Phänomenologie 1930-1939*, Den Haag: Martinus Nijhoff, 1966 (*Phaenomenologica* 21), pp. 79-156; first published in *Kant-Studien*, Band XXXVIII, Heft 3-4, pp. 319-384.

deficiencies will be pointed out in the light of Husserl's account of the status of intuition as reason's most fundamental and powerful faculty. Finally, some conclusions will be drawn regarding both Mertens' and neo-Kantianism's critique of transcendental phenomenology, whereby we will revisit the modern notion of intuition and its role within reason.

## I. Kant's Legacy

In his 1933 *Kant-Studien* essay, Fink addresses the criticisms—stemming mainly from Heinrich Rickert's Southwestern German neo-Kantian school—to Husserl's transcendental “constitutive” phenomenology. Husserl himself has avoided entering into discussions to demolish objections that have already been going on for decades, mostly but not exclusively due to—so Husserl—cursory misunderstandings of his work. Yet these, of course, proceeded almost from every possible direction and not only from the Baden Southwestern neo-Kantian school—more influenced by Kant's practical philosophy and German Idealism, so-called creators and defenders of the *Geisteswissenschaften*. On the other shore, indeed, Husserl's work had also been independently disparaged by representatives of different philosophical enterprises, all of which I believe had a common denominator in neo-Kantianism—if we broadly consider as neo-Kantian both Comte's Positivism<sup>3</sup> and earlier still, the psychologism first conceived by Jacob Friedrich Fries (1773-1843) and Friedrich Eduard Beneke (1795-1854), the earliest positivist Kantians, who intended to offer a “general psychological foundation” of Kant's philosophical system.<sup>4</sup>

Since then, Kant's legacy—openly recognized or not—is traceable to different and sometimes even opposite traditions that oscillate between the empirical-sensuous or conceptual-formal poles of Kant's account of knowledge, or else intend to articulate them, depending on the nature of their reading of his

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<sup>3</sup> It was really Saint Simon who first used the term to characterize sciences' exact method and its extension to philosophy. But Auguste Comte popularized the term and initiated the movement that mostly shaped the nineteenth—and if I may add—twentieth century *Weltanschauung*. The publication of Auguste Comte's *Course of Positivist Philosophy* (1830-1842) marked the downfall of German Idealism.

<sup>4</sup> Both works—Fries, J.F., *Neue oder anthropologische Kritik der Vernunft* (1828) and Beneke, F.E., *Die Philosophie in ihrem Verhältnis zur Erfahrung, zur Spekulation und zum Leben* (1833)—were written explicitly against Hegelian Idealism, and both considered as the method and task of philosophy self-observation or consciousness. As psychology was the description of internal experience, this discipline was considered the only possible philosophy. Both anticipate John Stuart Mill's empirical gnoseology and the truth-legitimation of any knowledge as drawn from its psychological genesis.

system. One may of course argue that the early psychologists mentioned and those following John Stuart Mill's 1843 *System of Logic*<sup>5</sup>—who added an empirical aspect to the positivist theory of knowledge—are mainly connected to English modern empiricism and not primarily to Kant. Likewise, some may prefer to connect the late nineteenth-century developments in the “algebra of logic” and in mathematics<sup>6</sup> to Leibniz's late seventeenth and early eighteenth centuries projects on a *mathesis* and a *characteristica universalis*. Nevertheless, our contention is that both nineteenth century currents of thought may be also referred back to the motives in Kant's transcendental critique of scientific knowledge.

As we all know, these alleged philosophical foes all share the same aversions regarding any sort of *essentialism* and, correlatively, any sort of “eidetic” or “categorical” intuition. Indeed, Kant had sanctioned the *dictum* that human intuition is essentially single, tied to the *hic et nunc*, and thus empirical; hence it is blind, devoid of any synthetic, teleological self-generating ability. Whereas understanding—so Kant—with its conceptual and synthesizing gears and functions, such as those of *judging*, *viz.*, of raising phenomenal contents to the *objective unity* of “apperception”<sup>7</sup>—of “constituting” (construing) objects—when left to itself is empty,<sup>8</sup> incapable of actually giving us an object. Kant's followers never challenged this spontaneous, purely formal, notion of understanding, nor of its philosophical, rational significance. Intuition, for them, is just the empirical basis and starting-point of rational procedures, but not constitutive of rationality in itself.

Even Hegel and his followers are neo-Kantians in this enlarged and *sui generis* sense. Hegel radicalizes Kant's views by reducing the value of intuition to the unmediated and undeveloped starting-point of experience.<sup>9</sup> Hegel rebuts

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<sup>5</sup> John Stuart Mill's *System of Logic, Ratiocinative and Inductive* was first published in 1843, and ran through many editions. It was highly reputed due to its inductive method that allegedly provided the empirical sciences with a set of formulae and criteria which would replace traditional argumentation construed with syllogisms that proceeded from general principles. The work is not a traditional manual of logic, but an empirical theory of knowledge or gnoseology, such as Locke's and Hume's works provide. Mill's account refers to the question of proof or evidence.

<sup>6</sup> See Husserl's “Review of Ernst Schröder's *Vorlesungen über die Algebra der Logik*,” in: *Hua XXII*, pp. 3- 43; and Husserl, Edmund, *Early Writings in the Philosophy of Logic and Mathematics*, translated by Dallas Willard, Dordrecht/Boston/London: Kluwer Academic Publishers, 1994, pp. 52-91.

<sup>7</sup> Kant, Immanuel, *Kritik der reinen Vernunft*, Frankfurt/Main: Suhrkamp, 1968, p. B 141-142.

<sup>8</sup> *Ibid.*, pp. A50-51/B74-75.

<sup>9</sup> “Die Idee, welche für sich ist, nach dieser ihrer *Einheit* mit sich *betrachtet*, ist sie Anschauen; und die anschauende Idee Natur. Als Anschauen aber ist die Idee in einseitiger Bestimmung der Unmittelbarkeit oder Negation durch äußerliche Reflexion gesetzt.” (Hegel, G.W.F.,

Kant's subjection to *analytics* and its "logic of contradiction," and also objects to his views regarding the originary *subjective* function of apperception as the main synthetic operation of understanding. Rather he proposes, beyond Kant's "logic of understanding" and its mere subjective representations, a *dialectical strategy* which he claims lies upon "the *objectivity of being* and the *necessity of contradiction*, that belong to the *nature* of the determinations of thought."<sup>10</sup> Thus reason's authentic *synthetic* activity—allegedly making possible the "self-movement of the content"—is for Hegel the active *spontaneity of the concept*, and is *logic* the foundational science in its pregnant meaning. Intuition is therefore not only *blind* for Hegel, as for Kant, needing its completion through the intervention of understanding, but also by remaining in the realm of pure *immediacy*, it must be surpassed (*aufgehoben*) instead and made intelligible through the "hard work of the concept."

Other detractors of Husserl follow the same lead regarding the place of intuition. The early defenders of a "formal" foundation of logic, mostly mathematicians and logicians, aligned themselves with the neo-Kantian defense of a "formal" and purely analytic *a priori*. There followed the so-called "analytic-philosophers" who, according to *the method of logical analysis*—seemed solely to rely upon logical propositions, as if "a logical possibility" could *eo ipso* imply "material possibility," that is, a description of "physical reality."<sup>11</sup> Intuition for these philosophers appears in general as completely superfluous.

In this context Gottlob Frege is a case *sui generis*. A would-be "neo-Platonist" and a virulent anti-psychologist, yet a disciple of Hermann Lotze,<sup>12</sup> a

*Enzyklopädie der philosophischen Wissenschaften im Grundrisse (1830)*, edited by Friedhelm Nicolin and Otto Pöggeler, Hamburg: Felix Meiner Verlag, 1975; pp. 196-197). And also: "Das Wissen, welches zuerst oder unmittelbar unser Gegenstand ist, kann kein anderes sein als dasjenige, welches selbst unmittelbares Wissen, *Wissen des Unmittelbaren* oder *Seienden* ist. ... Die konkrete Inhalt der *sinnlichen Gewißheit* läßt sie unmittelbar als die *reichste* Erkenntnis, ... Diese *Gewißheit* aber gibt in der Tat sich selbst für die abstrakteste und ärmste *Wahrheit* aus." (*Phänomenologie des Geistes*, Frankfurt-am-Main: Suhrkamp Verlag, 1973, p. 82). Finally once the absolute spirit is attained and its process accomplished, then again: "Die Wissenschaft enthält in ihr selbst diese Notwendigkeit, der Form des reinen Begriffs sich zu entäußern, und den Übergang des Begriffs ins *Bewußtsein*. Denn der sich selbst wissende Geist, eben darum, daß er seinen Begriff erfaßt, ist er die unmittelbare Gleichheit mit sich selbst, welche in dem Unterschiede die *Gewißheit vom Unmittelbaren* ist, oder das *sinnliche Bewußtsein*, –der Anfang, von dem wir ausgegangen; ..." (*Ibid.*, pp. 589-590).

<sup>10</sup> Hegel, G.W.F., *Wissenschaft der Logik*, I, Hamburg: Felix Meiner Verlag, 1975, p. 38, *passim*.

<sup>11</sup> See Rigal, Elisabeth, "Mais lesquels sont-ils donc des philosophes analytiques?" in: *La notion d'analyse (Actes du deuxième colloque franco-péruvien, Paris-Strasbourg-Toulouse, 30 octobre-6 novembre 1991)*, Toulouse: Presses Universitaires du Mirail, 1992, pp. 161-192.

<sup>12</sup> See Lotze, Hermann, *System der Philosophie*. Erster Teil: *Drei Bücher der Logik*, Leipzig: 1874 (second edition 1880, third edition 1912).

“neo-Kantian” logician, Frege focuses on logic and in the objective structures of language. He is thus mainly interested in meanings (*Bedeutungen*), viz., in *truth values*, since logic (at least extensional logic, *Umfangslogik*) is primarily interested in a “theory of truth.” But what singles out Frege is how he conceives the logician’s *access* to true propositions, the properties of which resemble Husserl’s characterization of “idealities” (meanings and objectivities), such as imperceptibility, supra-temporality, intersubjectivity, and irreducibility to the semiotic realm. In *Der Gedanke* he even maintains that propositions, as “objects of contemplation” (not as psychological contents of our consciousness, nor conclusions of indirect demonstrations), are *given* to us through a *sui generis* act of the intellect: “apprehension.”<sup>13</sup> Not surprisingly he avoids the word “intellectual intuition” or others offered by the tradition (*noein, idein, nous*, etc.), that are overlaid with metaphysical semantic sediments. But although Frege, as an anti-psychologist, asserts that sensuous perception has been overrated and on this ground attacks Husserl’s *Philosophy of Arithmetic* mercilessly<sup>14</sup>, he does not seem to contradict Husserl’s concept of “eidetic” and “categorical” intuitions overtly. Unfortunately, his null interest in psychology and theory of knowledge leaves the question undeveloped, whereas his interest in logic only allows him to focus in the objective (logical) structures of language.

The more formal and epistemologically oriented Marburg school neo-Kantians and their successors—also Husserl’s critics—purported a more orthodox view according to which understanding needs empirical “givens” and ought to function articulated with an intuitive faculty conceived of as solely empirical. This is also Brentano’s case and those of his followers—as well as the case of naturalists and psychologists that had been early targets of Husserl’s own criticism to positivism’s relativistic and skeptical theories. The neo-Positivists of the Vienna Circle, self-proclaimed defenders of the *Naturwissenschaften*, such as Moritz Schlick, did not spare phenomenology either, and attacked Husserl’s idea of a “material *a priori*.”<sup>15</sup>

Last but not least, and more difficult to discern is the neo-Kantian affiliation of the later, supposedly “rebellious,” *anti*-neo-Kantian Continental philosophers—mostly followers of the young Heidegger’s alleged “hermeneutic

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<sup>13</sup> Frege, Gottlob, “Der Gedanke (,The Thought’). Eine logische Untersuchung,” in: *Beiträge zur Philosophie des deutschen Idealismus I* (1918), pp. 58-77.

<sup>14</sup> Frege, Gottlob, “Rezension von E. Husserl, *Philosophie der Arithmetik*,” in: *Zeitschrift für Philosophie und philosophische Kritik*, 103 (1894), pp. 313-332.

<sup>15</sup> See for example, Schlick, Moritz, “Gibt es ein materiales Apriori?,” in: *Wissenschaftlicher Jahresbericht der Philosophischen Gesellschaft an der Universität zu Wien*, Vienna: Ortsgruppe Wien der Kant-Gesellschaft für das Vereinsjahr 1931/32, 1932, pp. 55-65.

turn” of transcendental phenomenology. More virulently still, they appear as opposed *both* to a neo-Kantian and to a Husserlian epistemological, transcendental, and foundational concept of philosophy as a *theory of science*. They all radicalize Husserl’s innovating *autonomous* conception of philosophy with regards to science, yet philosophers such as Georg Misch align transcendental phenomenology with neo-Kantianism as remaining ignorant with respect to the “historic living movement in human existence and thought,” while Heidegger and his followers are deemed as having “correctly followed” Dilthey’s “life philosophy.”<sup>16</sup> Without going into the history of post-Heideggerian anti-foundationalist, pragmatist, hermeneutical, deconstructionist, structural and post-modern “philosophies,” it remains to be seen whether their rebuttal of Husserl’s alleged “representationalism” is not once again motivated by a hidden neo-Kantian misunderstanding of the role and scope of phenomenological intuition and evidence.

## II. Fink and the Southwestern neo-Kantian School

As mentioned, Fink assumed the task of refuting some of the charges addressed to Husserl’s works by the Southwestern German neo-Kantian school.

His account falls into two parts: the first one addresses the phenomenological *method* in the *Logical Investigations*,<sup>17</sup> and the second one—without paying heed to the process in between—the 1913 *Ideas pertaining to a Pure Phenomenology and to a Phenomenological Philosophy*, as an alleged, but erroneous, “critical philosophy.”<sup>18</sup> These objections are well known. Let us recall, regarding Husserl’s first text, what are the main reproaches against it.

*First* is the *intuitionism* of its method, whereby phenomenology erases all essential differences between the cognitive faculties of sensibility (authentically intuitive) and understanding (*aprioristic* and discursive), and thus unwarrantedly expands intuition’s reach not only to knowledge in general (everyday and scientific) but—more dangerously still—also to philosophical knowledge. It thus defines *knowledge* according to a prototype of intuition: self-giveness (*Selbstgebung*) or “adequate perception,” which he inadmissibly conceives of as “eidetic” and “categorical.” Whereas Criticism, instead, having brushed aside all

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<sup>16</sup> See Misch, Georg, *Lebensphilosophie und Phänomenologie. Eine Auseinandersetzung der Dilthey’schen Richtung mit Heidegger und Husserl*, Leipzig/Berlin: B. G. Teubner, 1931 (first edition 1929).

<sup>17</sup> Fink, Eugen, *op.cit.*, pp. 82-86.

<sup>18</sup> *Ibid.*, pp. 95-98.

naïve theories of truth as adequacy, has preserved “empirical realism” and succeeded in showing transcendently the scientific construction of a “theoretical object” out of a “given content.” *Second* is phenomenology’s *dogmatism*, as a consequence of its methodological intuitionism, that Husserl does not submit to a transcendental *deduction* or “objective legitimizing.” *Third* is phenomenology’s *ontologism* (in its breakthrough work), since as a theory of *eidē* or *essences* it transforms the ideal *a priori* sense (and validity) into objective “entities.” As a consequence, it also interprets “values” as *entities*, misunderstanding their axiological character, and erasing the essential differences between ideality and reality. Philosophy is thus inadmissibly conceived of as following a naïve notion of knowledge. *Finally*, phenomenology is a *dogmatic philosophy*, since it intends to reawaken pre-Kantian rationalist philosophies, whereby the “thing-in-itself” is attainable without a transcendental deduction of the corresponding intellectual categories. As a consequence of all four previous points, phenomenology *cannot* claim to be *scientific*.

The second part of Fink’s account of the neo-Kantian reproaches to Husserl begins with the alleged basic “community” (*Gemeinsamkeit*) of problems, means and goals between “critical neo-Kantianism” and phenomenology. Having overcome the *Logical Investigations*’ dogmatic position regarding the self-givenness of entities, by assuming a transcendental point of view, *Ideas I* addresses the same fundamental problem addressed by critical philosophers: that of the “possibility of knowledge.” Husserl also scrutinizes this possibility by returning to transcendental consciousness and its synthetic activities centered on the pure, “unreal” *ego* of “transcendental apperception.” Phenomenology as “critical theory” also questions the “suppositions” upon which are based all positive sciences, and thus it is also concerned with problems of “constitution.” But phenomenology—so Rickert’s disciples—is inconsistent with this critical standpoint by allowing “intuitive” and “ontological” points of view within the doctrine of transcendental apperception, thus smuggling in a hidden “methodological dogmatism.” Instead of merely interpreting the “pure I” as a “pure form,” the “transcendental *ego*” appears as incarnate in an individual, entitative *ego*. Furthermore, the naïve “eidetic” method is carried over from the worldly pre-philosophical experience into the philosophical realm. Hence, the universal preeminence of the pure form of consciousness in general, as the transcendently constitutive “valid *form*” of the world, is still burdened in phenomenology by “intuitionist prejudices” that transform it into a dogmatic entitative realm, whereby an “entity” is the transcendental presupposition of

every other “entity.” Thus, according to the Baden School neo-Kantians, Husserl’s “intuitionism” leads phenomenology to “dogmatism.”

### III. A “Phenomenological” Neo-Kantianism

Let us now examine these objections under the more sophisticated light of a recent book by Karl Mertens, *Zwischen Letztbegründung und Skepsis. Kritische Untersuchungen zum Selbstverständnis der transzendentalen Phänomenologie Edmund Husserls* (1996). On this occasion we will only refer to some salient features of Mertens’ very clever interpretation, for our argument’s purpose.<sup>19</sup> Mertens’ case is developed in two stages: *first*, he confronts Husserl’s “ultimate foundations” claim with the current discussion within the contexts of analytic philosophy<sup>20</sup> and transcendental pragmatism,<sup>21</sup> whereby foundational claims must resist traditional skeptical arguments with the help of transcendental arguments (which he believes can be done); and, *second*, he *reconstructs* Husserl’s basic “arguments” in order to submit his “ultimate foundations” claims to critical scrutiny regarding the justification of its premises, and the general consistency of the system.

Mertens’ procedural-argumentative strategy following the lead of Ulrich Claesges<sup>22</sup> presents itself as “reconstructive,” not as philological-historical, allegedly basing his inquiry both on transcendental phenomenology’s programmatic enunciations and on Husserl’s intentional-analytic research.

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<sup>19</sup> A more developed account and criticism of Mertens’ interpretation is found in our still unpublished “Husserl vs. Neo-Kantianism Revisited: on Skepticism, Foundationalism and Intuition”; see also our review of this text in: *Areté, revista de filosofía*, XVI: 2 (Lima: PUCP, 2002), pp. 301-312.

<sup>20</sup> See Strawson, *Skeptizismus und Naturalismus*, 1987; Bennet, “Analytische transzendente Argumente,” in: *Analytische Philosophie der Erkenntnis*, 1979; Harrison, “Zeitlose Notwendigkeiten des Denkens,” in *Bedingungen der Möglichkeit. Transcendental Arguments und transzendentes Denken*, 1984, Jaako Hintikka, “Transcendental Arguments, Genuine and Spurious” (1972), among others.

<sup>21</sup> See R. Bubner, “Zur Struktur eines transzendentalen Arguments” (1974), “Kant, Transcendental Arguments and the Problem of Deduction” (1974-1975), and “Selbstbezüglichkeit als Struktur transzendentaler Argumente” (1982-1984)—a text in the company of which Mertens seems quite comfortable—; see also Grundmann, *Analytische Transzendentalphilosophie. Eine Kritik* (1994); and, K. O. Apel, “Das Problem der philosophischen Letztbegründung im Lichte einer transzendentalen Sprachpragmatik. Versuch einer Metakritik des ‚kritischen Rationalismus‘” (1976).

<sup>22</sup> Ulrich Claesges, “Zum Problem der enzyklopädischen Phänomenologie,” in: *Hegels Theorie des subjektiven Geistes in der „Enzyklopädie der philosophischen Wissenschaften im Grundrisse“*, hg. v. L. Eley (Spekulation und Erfahrung II, 14), Stuttgart-Bad Cannstatt: 1990, pp. 185-202.

However, as we will contend and in spite of a formal resemblance in the purposes of Husserl's and Mertens' projects, the latter has little in common with the Husserlian descriptive phenomenological method.

Mertens alternatively employs two types of reconstructions that he sometimes mixes: an "internal" one, whereby a theory is "demonstrated" presupposing the truth of *its premises*, and an "external one," whereby a given theory is examined presupposing as premises "generally accepted" truths not belonging to the examined theory. To examine phenomenology's claims, Mertens is thus "reconstructing" an argument, a demonstration, an explicating procedure that derives conclusions from established premises. And although the inferential procedure he applies is not that of the analytic (mathematical, deductive) type, it is still an Aristotelian "topical-type" argument very much in vogue in current neo-Hegelian and pragmatist discussions, that he intends to reconstruct following from phenomenological premises.<sup>23</sup> Yet, his main strategy is also implicitly revealed as neo-Kantian, not phenomenological, when contending that "all attempts to determine transcendental philosophy must be referred back to Kant."<sup>24</sup> Accordingly—so Mertens—transcendental philosophy's critical foundation of knowledge ought to be carried out in a debate with both dogmatic and skeptical positions, alternatively using these positions against each other. However, as aforementioned, somehow Mertens' claims to carry out his examination by reconstructing Husserl's work from an *immanent* (though "critically distant") viewpoint.

This immanent reconstruction envisions confronting Husserl's "ultimate foundations" claim with current philosophical discussion on the subject. Mertens thus starts from its general idea, as a notion that traditionally proceeds from that of a "definitive science,"<sup>25</sup> of "ultimate validity," "invariability," "eternity" (*Ewigkeit*), all of which seem tied to the *a priori* character of "essences."<sup>26</sup> Thus there is an opposition between two types of discourses and knowledge—philosophical and natural (both scientific and daily)—whereby only philosophy can claim any kind of radical and final validity (*Endgültigkeit*). These assumptions allegedly appear during the static period of transcendental phenomenology's development, where the notion of "ultimate foundation"

<sup>23</sup> Mertens, K., *op. cit.*, pp. 49 *passim*.

<sup>24</sup> "Jeder Versuch einer neuzeitlichen Bestimmung von Transzendentalphilosophie muß auf Kant zurückgehen" (Mertens, K., *op.cit.*, p. 41). Yet Mertens explicitly denies that he is explaining Husserl's philosophy against the background of Kant's philosophy. Husserl also draws his ideas from the classical Greeks and Descartes, whence he obtains the concept of "ultimate foundation." *Ibid.*, p. 44.

<sup>25</sup> *Hua VIII*, p. 21.

<sup>26</sup> *Hua III/1*, pp. 10 ff., 50 ff.

already has more than one meaning: a) as definitively true and invariable; b) as original in that there is no *previous* knowledge from which it derives; and c) as “absolute or *irrelative* givenness.”<sup>27</sup> These assumptions acquire—so Mertens—a *fundamentalist* profile when, during phenomenology’s genetic period developed in the twenties, there appears a contradiction between the alleged “universality” and “ultimate character” claimed by philosophical knowledge, and the open-ended, genetic, historic, variable and replaceable character of all knowledge laid open by the intentional analyses, including philosophy’s own claims as an ultimately “founding” and ultimately “self-founded” science. So it is at this point that phenomenology has to exhibit in what sense it is *first philosophy*, a “discipline of beginnings,” a science of “... the highest and ultimate self-meditation, self-understanding, self-responsibility of the knowing subject regarding his knowledge-performances, or meaning the same, the absolutely self-justifying science and hence universal science ...”<sup>28</sup> This would be the *dogmatist turn* of Husserl’s transcendental genetic phenomenology during the twenties.

A first contradiction arises—so Mertens—when transcendental phenomenology claims instead to be the most *critical* of all sciences, and to characterize itself “critically” as a “*theory of reason*.”<sup>29</sup> Mertens’ neo-Kantian concept of reason then comes forth when he argues that if Husserl describes phenomenology as a theory of reason, he is actually allowing and admitting that it should be scrutinized with criteria of rational *demonstrability*. Mertens further argues that Husserl himself, proceeding as Kant did, is intimating that phenomenology’s presuppositions should stand against dogmatic and skeptical *arguments*.<sup>30</sup>

Traditionally, skepticism ascertains that we are faced with an insoluble trilemma when facing the claim of “ultimate foundations”:<sup>31</sup> a) *dogmatism*, according to which the ultimately founding, self-legitimizing principle is an arbitrary stop in a foundational chain; b) *regressus ad infinitum*, where no possibility of putting an end to the chain of inferences is possible, and, c) *petitio*

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<sup>27</sup> *Hua II*, p. 50.

<sup>28</sup> *Hua VIII*, p. 3. See Mertens, *op.cit.*, p. 32 *passim*.

<sup>29</sup> *Hua VII*, pp. 95, 130; *Hua VI*, p. 983, *Hua III/1*, pp. 314 *ff*; *Hua VII*, p. 6

<sup>30</sup> *Hua VIII*, p. 22.

<sup>31</sup> Mertens refers to Hans Albert’s 1968 work, “Traktat über Kritische Vernunft” where he expounds his Münchhausen Trilemma; and also to Wolfgang Kuhlmann’s *Reflexive Letztbegründung. Untersuchungen zur Transzendentpragmatik*, Freiburg/München: 1985. See Mertens, *op.cit.*, pp. 36 *passim*. Münchhausen’s trilemma is derived from the five pirronic *tropos* regarding the impossibility of absolute knowledge and further back from Aristotle’s discussion on the non-demonstrability of axioms (*Post. Anal.* I, 2 and 3).

*principii*, whereby “ultimate foundations” are secured through a self-referential—circular—procedure. Since at face value the three strategies fail, it follows that the theory that claims for itself the character of ultimate foundations must be *eo ipso* dogmatic. Husserl is forced to prove that his theory is not.

Now Mertens, as a “transcendental philosopher,” believes indeed that there is a way of resisting the skeptic’s trilemma. Thus he advocates in favor of the general foundational program of a “transcendental *philosophy*” as developing “... in the form of a self-referential argumentation, as a type of justification, that is circular in a certain way and does not retreat to further foundations.”<sup>32</sup> Kant offers the historical model of such a “transcendental deduction” of categories, a “central piece of the *Critique of pure reason*.”<sup>33</sup> At present, the transcendental arguments discussed in analytic philosophy retrieve this model only partially;<sup>34</sup> better are the ones developed by transcendental pragmatism’s current discussions,<sup>35</sup> whereby the ultimate transcendental categories admitted are interpreted as subjective (factual, contextual) conditions of knowledge and language, established by self-referential (in a way circular) arguments. These—so Mertens—do not fall prey to “vicious circles” since they *do not have the form of traditional syllogisms*, whereby the premises and conclusions are clearly differentiated. Quite correctly he argues that all “ultimate knowledge” must necessarily be founded in itself and, in a certain way, exhibit circularity. Transcendental arguments can thus resist skepticism, whereas skeptical arguments themselves are inconsistent and self-annulling.

Husserl too should be in a position to resist skepticism. He even should be in a better position to do so, since he has a differentiated evaluation of skepticism, which Mertens positively appreciates. Indeed, according to Mertens, Husserl even makes use of a certain skepticism—in an elenchtive and heuristic way—in order to reinforce his *arguments* in favor of “ultimate foundations” in philosophy, basically: a) to break away from the “natural attitude” through his skeptical *epochē*; and b) to orient philosophical investigations towards *subjectivity* as ultimate criterion through reduction. Skeptics deny knowledge precisely *because* of its alleged relativity or dependence on human *subjectivity*, on a knowing subject. So Husserl’s superiority regarding analytic and pragmatic transcendental arguments—that have only a negative assessment of skepticism—

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<sup>32</sup> “This form of argumentation results out of the ultimate character that—in an ultimately founded justification based on material (*sachlich*) foundations—is the goal and the means of argumentation itself.” Mertens, K., *op.cit.*, p. 50.

<sup>33</sup> *Ibid.*, p. 46.

<sup>34</sup> *Ibid.*, p. 41.

<sup>35</sup> *Ibid.*, pp. 41-50.

is this skeptical element built within transcendental phenomenology that could prevent it from becoming a dogmatic and fundamentalist philosophy.<sup>36</sup> However, thus proceeding Husserl has only so far overcome dogmatism. He still would have to resist “principled” skepticism, since—having incorporated skepticism within his theory—he is *eo ipso* allowing it to destroy the “ultimate foundations” claim from within, and its alleged *Endgültigkeit*.<sup>37</sup> Mertens then confronts transcendental phenomenology with sophisticated forms of skeptical arguments not foreseen by Husserl.<sup>38</sup>

Mertens contends that the outcome of Husserl’s confrontation with “principled skepticism” is not favorable to transcendental *phenomenology*. He claims to accept phenomenology’s skeptical and anti-dogmatic immanent argument; yet, as an allegedly “rational” or “normal skeptic” he disparages transcendental phenomenology’s so-called “*Endgültigkeit*” that accompanies its “ultimate foundations” claim. This alleged “definitive” character of transcendental phenomenology’s “ultimate foundations” is what turns its “foundationalism” into a “fundamentalism.” Notwithstanding, Mertens also claims to be a “non-fundamentalist” transcendental phenomenologist who has achieved what Husserl could not: a harmonic combination between certain *a priori* truths and historicity by means of an open-ended phenomenological conception of validation,<sup>39</sup> whereby the “regulative idea of truth” that Husserl conceived as a historical task is finally realized.

Consequently, his next strategy, and the second stage of his scrutiny, consists of an “external” reconstruction of phenomenology in order to get rid of its fundamentalism<sup>40</sup> and turn its foundational enterprise into a legitimate probation of knowledge. That is why he finally proposes *sui generis* “foundations for a phenomenological conception of validation (*Bewährung*),”<sup>41</sup> whereby he believes he can integrate –better than Husserl did– the concepts of evidence, *a priori* truths and historicity, by “reconstructing” Husserl’s static and genetic theory of evidence.<sup>42</sup> Mertens’ previous examination of the notion of legitimation as validation (*Bewährung*) leads him to maintain that it cannot be

<sup>36</sup> *Ibid.*, p. 144.

<sup>37</sup> *Ibid.*, p. 57.

<sup>38</sup> *Ibid.*, pp. 61-142.

<sup>39</sup> *Ibid.*, pp. 283-284.

<sup>40</sup> “Vielmehr erweist sich in der skizzierten Rekonstruktion der transzendentalen Phänomenologie die Untrennbarkeit von Geschichtlichkeit und Wahrheit unserer Erkenntnis. Der häufig beschworene Unterschied zwischen systematischen und historischen Denken verliert aufgrund dieser Geschichte und Wahrheit vermittelnden Dynamik seine durchgehende Verbindlichkeit.” (*Ibid.*, p. 284)

<sup>41</sup> *Ibid.*, pp. 170-284.

<sup>42</sup> See specially, *Ibid.*, pp. 213 ff.

interpreted as an “ultimate” source of truth (for example, as a transcendental *ego*), but rather as itself depending on certain contingent conditions that are subject to changes and confrontations with “alternative determinations of ultimate presuppositions.”

The *crux interpretum* here is Husserl’s conception of the non-demonstrability (or intuitive character) of “first evidences,” and in our view Mertens’ deficient approach to Husserl’s concept of intuition and evidence, which we will return to. All truths are such as validated or demonstrated. A non validated (demonstrable) truth—so Mertens—falls *eo ipso* prey to *skepticism* and *relativism*. While the skeptic’s excesses are to be rejected, there are two types of relativisms, one acceptable whereas the other not. The first is represented by the “intuitionist,” argues Mertens, who sticks to an external, absolute and invariant concept of truth; whereas the second sustains a procedural type of validation (“verificationist”) that corresponds to an internal concept of truth, ever-changing and contingent, to be each time factually validated.<sup>43</sup> This does not mean that Mertens disparages intuition wholly, which he believes must collaborate with procedural validation in the account of truth, thus combining its external (absolute) and internal (ever changing) features. Nonetheless, he criticizes Husserl for allegedly subordinating the latter to the former and putting phenomenology’s own first evidences beyond the relativism of all other evidences, since they are also “transcendentally constituted.”<sup>44</sup>

Mertens concludes his work by proposing his own allegedly “phenomenological” theory of validation (*Bewährung*), drawing from Husserl’s central “theory of evidence”<sup>45</sup> that purports to articulate both the requirements of *a prioricity* and historicity, especially during the genetic development of transcendental phenomenology during the twenties in the twentieth century. Evidence appears in this period within the context of a teleological, temporal, active and passive, and inter-referential structure of knowledge, which unfortunately Husserl does not apply—so Mertens—to phenomenology’s own cognitive claims and, on the contrary, denies them in favor of a perfect and apodictic (invariable, absolute) notion of evidence.

Mertens thus contends that as a “non-foundationalist” transcendental *phenomenologist*, he has succeeded where Husserl has failed by laying the foundations of a “historic and systematic” phenomenological theory of evidence—a phenomenological open-ended conception of validation—that

<sup>43</sup> *Ibid.*, p. 164.

<sup>44</sup> See *Hua XVII*, pp. 281 *ff.*

<sup>45</sup> See especially, Chapter IV, *Grundlagen einer phänomenologischen Konzeption der Bewährung*, in: Mertens, K., *op.cit.*, pp. 170-243.

harmonically combines certain *a priori* truths, on the one hand, and historicity, on the other.<sup>46</sup> Thus the “regulative idea of truth” that Husserl conceived of as a historical task is finally realized by him for phenomenology.

#### IV. The Limits of Argumentative Procedures

Although in our view this is one of the most insightful readings of Husserl’s “ultimate foundations” claims that we have ever encountered—a reading that accepts the challenge of taking for his own these claims albeit devoid of their “definitive” and “apodictic” character and apparently rendering justice to the historical and teleological process in which they are to be realized—we have several comments concerning Mertens’ implicit concept of rationality and the role of intuition therein. It is in regard to this that my misgivings are oriented.

To begin with, Mertens’ examination seems to be carried out within “positivity,” *viz.*, from the standpoint of the “natural attitude.” Operating with concepts and building his arguments on the problem of “foundation” based upon a “theoretical-explicative” mode of grounding—as that of logic regarding sciences (which has its own legitimacy and place)<sup>47</sup>—he seems blind regarding the properly *philosophical* mode of grounding that Husserl lays open: the “transcendental phenomenological” grounding that discloses—through the *epochē*—a newly conceived “sense- and validity-bestowing” life.

Mertens’ critical scrutiny is deemed to be carried out by means of an alleged internal and external “reconstruction” of the *arguments* sustaining Husserl’s “ultimate foundations” claims. Indeed, his rational procedure does not actually reconstruct the properly *descriptive*, phenomenological *analyses* of the structures and functions of reason or consciousness *out of which* (better still, *upon which*)—according to Husserlian phenomenology—arguments, hypotheses and theories are built (namely, “constituted”). Less still is Mertens’ procedure of “reconstruction” actually carried out according to the phenomenological method, with the exception of some features are isolated from their original context. Instead, it takes place in the context of his own—very ingenious—debate with numerous authors of very different “prides”: pragmatic transcendentalists, deconstructionist-hermeneuticists, analytic philosophers, epistemologists,

<sup>46</sup> *Ibid.*, pp. 283-284.

<sup>47</sup> See for example *LI I*, §71, p. 245, 264-265 (*Hua XVIII*, p. /A 254/, /B 254/, and *Hua XIX/I*, pp. /A 20-21/ /B120/). See also *LI I*, “Introduction,” §2, pp. 253-254 (*Hua XIX/I*, pp. /A 8/, /B17-B18); and *Draft*, pp. 34-36 (*EV*, pp. 127-128)

researchers on neo-Kantian and neo-Hegelian thought, and classical thinkers from Aristotle to Hegel,<sup>48</sup> many of whom provide him with “generally accepted” premises. In other words, not only does Mertens carry out his own examination *presupposing* those same rational “theoretical procedures” that phenomenology claims should first be laid open (described, not constructed) in their own constitution and in the “how” of their intentional and temporal “functions” and “performances,” but he also appeals to all those elements (premises and theories) that should be “suspended,” “reduced,” in order to disclose the anonymous and hidden intentional performances at their origin. Transcendental phenomenology claims to bring these performances out of their anonymity precisely by purely “intuitive -descriptive”—not constructive-conceptual-argumentative—procedures.

So, although Mertens contends he proceeds as a transcendental phenomenologist, behind his assumptions and strategies lies his preference, as in all neo-Kantians, for procedural (“deductive”) and argumentative strategies, especially above intuition. This appears clearer when he confronts the notion of validation with that of truth, as we have seen above. Truth is indeed what is validated—or else that which could be rejected in the course of validation. But if validation rests upon something previous, non-demonstrable—so Mertens—truth falls prey to *skepticism* and *relativism*. And although the immanent skeptic and relativistic element in Husserl’s phenomenology accounts for its overcoming dogmatism, Husserl has not succeeded in confronting “principled skepticism.” Indeed, as aforementioned, if skepticism is allowed as an element of the phenomenological critique against dogmatism, this skeptical element undermines transcendental phenomenology’s claim to “ultimate foundations” as *endgültig* (definitive).

Yet here we may have a misunderstanding going on. The *Endgültigkeit* Mertens disparages is understood by him in practical terms as *sub specie aeternitatis*. Thus according to him Husserl has claimed such a status for his own

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<sup>48</sup> Many names belonging to different historical periods and traditions are referred to side-by-side as offering material for Mertens’ “reconstruction” of rational “arguments,” offering both data and strategies, melting all in the same pot, thus: Antonio Aguirre, Hermann Ulrich Asemissen, David Carr, Herman Ulrich, Rudolf Boehm, Eugen Fink, H. G. Gadamer, Martin Heidegger, Klaus Held, Elmar Holenstein, Paul Janssen, Roman Ingarden, Iso Kern, Ludwig Landgrebe, Karl-Heinz Lembeck, J.N. Mohanty, Maurice Merleau-Ponty, Ernst Wolfgang Orth, Hans-Joachim Pieper, Elisabeth Ströker, Herbert Spiegelberg, Thomas Seebohm, Alfred Schütz, Wilhelm Szilasi, Karl-Otto Apel, Reinhold Aschenberg, Jonathan Benett, Rüdiger Bubner, Rudolf Carnap, Donald Davidson, Jacques Derrida, René Descartes, Klaus Jürgen Düsberg, J.G. Fichte, Carl Friedrich Gethmann, G.W.F. Hegel, Ross Harrison, Jaakko Hintikka, Wolfgang Kuhlmann, Jürgen Mittelstraß, Manfred Riedel, Bernhard Rang, Thomas Nagel, Wolfgang Stegmüller, Peter F. Strawson, Barry Stroud, Ernst Tugendhat, Ludwig Wittgenstein, etc.

phenomenological evidences. Yet Husserl himself never shunned the task of probing into the sense and validity of his own phenomenological approaches and evidences, as is witnessed specially during the genetic development of the phenomenological method.<sup>49</sup> Even in *Ideas I*, he had already characterized phenomenology as a descriptive morphological science and the phenomenological essential structures and functions of experience as “fluid” and inexact.<sup>50</sup> We personally consider Mertens’ characterization of Husserl’s radicalization of the “absolute” and “essentialist” character of transcendental phenomenology’s “ultimate foundations” claim during the genetic period—and its alleged overt contradiction with the historicity and teleology of some of his other later texts—frankly exaggerated and somewhat ludicrous.

There are other reasons why Mertens is not a phenomenologist, but a transcendental philosopher in this renewed neo-Kantian fashion instead. As a transcendental philosopher and like other current pragmatic transcendentalists as well, he does not give up philosophy’s claim to ultimate foundations altogether—which he describes as a *sui generis* “definitive” (*endgültiges*) knowledge,<sup>51</sup> albeit not in Husserl’s sense. Consequently, he claims to be able to

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<sup>49</sup> The fact that all evidences included the phenomenological ones in need of a “transcendental critique of experience” may only be given in the temporal and synthetic flow of experience is precisely one of the main –inerasable, unavoidable, apodictic– phenomenological acquisitions of the genetic period. This could be also described as the “absoluteness” of “relativity.” Temporal relativity and horizontal intentionality are not contingent features or structures of transcendental experience, but absolute, *a priori* ones. This is what is meant, for example, in the following passage: “The horizons are ‘pre-delineated’ potentialities. ... We can ask any horizon what ‘lies in it,’ we can explicate or unfold it, and ‘uncover’ the potentialities of conscious life at a particular time. Precisely thereby we uncover the *objective sense meant* implicitly in the actual cogito, though never with more than a certain degree of foreshadowing. This sense, the *cogitatum qua cogitatum*, is never present to actual consciousness [*vorstellig*] as a finished datum; it becomes ‘clarified’ only through explication of the given horizon and the new horizons continuously awakened .... The pre-delineation itself, to be sure, is at all times imperfect; yet, with its *indeterminateness*, it has a *determinate structure*.” (*Hua I*, p. 83).

<sup>50</sup> In *Ideas I* Husserl clearly distinguishes the domain of descriptive-morphological and of exact sciences, such as geometry. Transcendental phenomenology is ranged with the first kind. It is noteworthy that this known fact is frequently overlooked even in good critical appraisals of Husserl’s texts, and this happens according to our view due to a strong and traditional tendency to read Husserl under a Cartesian light. So when Husserl contends that “phenomenology ... is ... a great source of absolute cognitions,” he does not mean “of exact, invariable, cognitions.” Phenomenological essences (of structures and functions of transcendental experience or consciousness) belong to “the realm of fluidity” and “must not be confused with *exactness of ideal concepts*.” Furthermore, “*exact sciences and purely descriptive sciences* do indeed combine but ... they cannot take the place of the other.” Finally, he notes down: “It is only a misleading prejudice to believe that the methods of historically given a priori sciences, all of which are exclusively *exact sciences* of ideal objects, must serve forthwith as models for every new science, particularly for our transcendental phenomenology—as though there could be eidetic sciences of but one single methodical type, that of ‘exactness .’” (*Hua III /I*, pp. 139, 141).

<sup>51</sup> Mertens, K., *op.cit.*, p. 9.

*demonstrate* philosophy's claim to ultimate foundations whereby knowledge's claim would be *eo ipso* legitimized. Thus it would seem that his "external" reconstruction of phenomenology relies not only on an "argumentative-explicative-demonstrative" (not intuitive) strategy but also on premises "accepted as true" by other theories. This strategy is inadmissible on two accounts: *a*) Since he is admittedly not employing syllogisms in the traditional deductive-analytic way (the properly "scientific" and apodictic one), but reasoning more according to the *topical*—contingent—arguments of the Aristotelian induction (*epagoge*), he is engaging in a sort of argument whereby the *premises* are inappropriate for philosophy's claims to *ultimate foundations*. Indeed, these arguments become handy as a *secondary* support to help science (deduction, analytics) *establish* (not *demonstrate*!) its indemonstrable premises, and are *essential* in rhetoric and practical philosophy. But their premises are not absolute; they are rather only plausible and "generally accepted," since the purpose of these arguments is only to examine their consistency and plausibility, not their "ultimate character." And, *b*) Mertens does not seem to realize that a validating procedure in this context (philosophy's claim to "ultimate foundations") cannot depend on any kind of inferences or *mediated* rational procedures, whereby the premises are mere conclusions of previous arguments. Only intellectual intuition is able to establish the "indemonstrable" premises of the kind required for philosophy's claims to ultimate foundations, as Aristotle himself points out in a passage overlooked by Mertens.<sup>52</sup> But does "indemonstrable" as well as "*endgültiges*" equal "eternal" in the Modern sense, as he presupposes is Husserl's belief? As aforementioned, the answers may be found ready to hand, as near as in *Ideas I* and *Cartesian Meditations*.

Let us go back to Mertens' internal reconstruction of Husserl's phenomenology. Drawing from the phenomenological "theory of evidence" in order to get rid of its "fundamentalist" traits, his approach to the Husserlian notions of intuition and evidence manifests certain deficiencies. He sometimes appears to interpret phenomenological first evidences not in terms of gaining access to certain ultimate—yet morphological and genetic—*structures* and *functions* of experience, but to certain *contents* and "beliefs" that could be contrasted to other "beliefs." Among other things, this leads him to reject the Husserlian account of the non-demonstrability of "first evidences."

Although Mertens allows for intuition to play a limited role in validation, whereby skepticism and relativism also play a part, he maintains his contention that there exists a sharp contrast—when not contradiction—between Husserl's

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<sup>52</sup> See Aristotle, *Post. Anal.*, II, 19.

original notion of a perfect and apodictic evidence and evidence's new traits pertaining to the context of a teleological temporal, active and passive, as well as inter-referential structure of knowledge. He refuses to see them both working together in Husserl's work, as E. Ströker had already observed.<sup>53</sup> Mertens' arguments, in sum, curiously re-enact the Baden neo-Kantian "intuitionism" reproaches to phenomenology.

In addition, in this context of reconstructing Husserl's "theory of evidence," he misinterprets in our view the *Cartesian Meditations*' clear distinction between *adequate* and *apodictic* phenomenological evidences, and we believe this is also a consequence of his not having further developed the concept of intuition. In spite of his erudition (or because of too much of it), and of not paying enough heed to the "things in themselves," Mertens' "external reconstruction" introduces a series of false insights, which leads him to build his case upon a false premise: that with his ultimate *a priori* or unhistorical-stable truth Husserl *de facto* contradicts his newly discovered historicism where truth appears in the light of an open-ended justification, that of a "regulative idea."<sup>54</sup> He accepts Husserl's later abandonment of the paradigm of adequacy, replacing it with that of *apodicticity*. Yet when describing the latter, he quotes passages from Husserl's *Cartesian Meditations* relative to the former. Consequently, he falsely concludes that Husserl's apodictic evidences are "absolutely indubitable, necessarily and principally inerasable, and absolutely certain." Contrary to Mertens' assessment, Husserl's apodictic evidences only pertain the "impossibility of *thinking* their non-being," in the same sense that mathematicians *use* their axioms (*viz.*, the hypothetical "as if"). Hence apodictic evidences cannot prevent their eventual contradictions. Husserl is perfectly aware that phenomenology can only count with very few, absolute certainties (*viz.*, the "empty identity of the I-am," that all lived experiences of the *ego* permanently sink into the past, the essentially permanent possibility of error, the

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<sup>53</sup> Mertens, K. *op.cit.*, p. 213. Mertens delineates very strange conclusions regarding Husserl's late distinction between adequate (*vs.* "inadequate") and apodictic (*vs.* "in-apodictic") evidence, putting forth as an example of "adequate" yet "in-apodictic" evidence that of *transcendent* or *outer* intuition or perception. Since *when* is outer perception "adequate?" Husserl even doubts of the "adequacy" of *immanent* perception in *Ideas I!* Mertens' muddled presentation of this distinction and the role it plays in the development of Husserl's notion of evidence contrasts with the rest of the book, which—although very debatable in its premises, strategies and conclusions—is more cleverly conceived.

<sup>54</sup> "In seiner Spätphilosophie ergänzt Husserl die Orientierung der transzendentalen Phänomenologie an der regulativen Idee der Wahrheit um die philosophische Orientierung an der Idee einer letzten Verantwortung für die Menschheit. Beide Ideen werden als geschichtlichen Aufgaben konzipiert, zu deren Realisierung im Handeln aufgefordert wird." Mertens, *op.cit.*, p. 282.

differentiation of past and present horizons belonging to the present, the ability to reawaken the past in a certain order, or to anticipate future events, to recognize that a content belongs to every form, etc.).<sup>55</sup> In sum, not only the perfection pertaining to *apodicticity*—so Husserl—“can occur even in evidences that are inadequate,” but also—in spite of meaning “*absolute indubitability* in a quite definite and peculiar sense” such “that the scientist demands of all ‘*principles*’”—“it does not follow that full certainty excludes the conceivability that what is evident could subsequently become doubtful, or the conceivability that being could prove to be illusion.”<sup>56</sup> No confusion should be possible here: Husserl is characterizing “the fundamental nature of apodicticity,” “higher in dignity” than adequacy, and the type of evidence that suffices for phenomenology’s purposes. Indeed, adequate evidence, instead, has been quickly dismissed by him, for “the question whether adequate evidence does not necessarily lie at infinity may be left open.”<sup>57</sup>

Had Mertens done more research on Husserl’s concept of intuition and evidence, he would have realized that not only *intentionality* is its essential constitutive element but also *temporality*. He would have understood that as a consequence of its temporal character, Husserl’s theory of evidence is from one end to the other both synthetic and horizontal, and that his intentional analyses, like Ariadne’s threads, cannot be grasped with the means of a Kantian-like “logic of understanding” or of “contradiction.” Hegel’s dialectics would have served him better for his purpose. Nonetheless, had he appealed to Hegel—as a *sui generis* Kantian himself, whereby the concept is privileged as a rational tool—he would have engaged in another deviating strategy. A deeper understanding of Husserl’s concept of intuition would have enabled him to see that Husserl transforms the concept of *reason* by discovering its *doxic* roots, whereby evidence and its first sense-units appear as inter-woven out of primordial sensuous threads. Husserl’s dialectics thus would not be conceptual, but aesthetic. None of this is perceived by Mertens, who ignores Husserl’s efforts and gains in describing the dynamic nature of evidence and truth, and his own success in thinking the eidetic, *a priori* evidence together with historicity—*viz.*, as the open character of every rational justification within the regulative idea of truth.

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<sup>55</sup> *Hua I*, p. 55.

<sup>56</sup> *Hua I*, pp. 55-56.

<sup>57</sup> *Loc.cit.*

## V. Intuition and Reason<sup>58</sup>

We have suggested the possibility of a hidden, even unconscious, but pervasive influence of a basic sort of neo-Kantian transcendental (formal, argumentative) philosophy on twentieth century philosophical movements. Our conclusion is that a neo-Kantian interpretation is behind the restricted nature as well as the subordinate place that “intuition” occupies within what is generally understood as rational knowledge. I believe this influence has been felt in those movements belonging to what is known as the analytical tradition, as well as in those traditionally known as belonging to the Continental tradition. And it concerns precisely the “blindness”—that Husserl characterized as skeptical—regarding the “material *a priori*” and eidetic intuition. I have no doubt that this conception has had an uncontested influence, and is the main cause of the difficulties and essential in-comprehensions that Husserlian phenomenology has persistently encountered when faced with the mainstream of philosophical current discussion.

Now, very early in his research Husserl realized the importance of formal, procedural and argumentative forms of rationality in order to overcome and supplement the finite character of human intuition, and the advantages of unlimited symbolic constructions. But he also disparages the late nineteenth century logicians (such as Schröder) who intend to reduce rationality to algebraic procedures. He even criticizes Aristotle for having reduced the *logos* to syllogism, insisting that the ultimate source of reason is intuition.

Consequently, Husserl’s phenomenology is not devoid of neo-Kantian influence. He actually uses Kant to counterweigh the Cartesian influence on his theory of evidence and concept of intuition, influence felt in the paradigm of *adequacy-apodicticity*.<sup>59</sup> In a 1922 lecture he carries out a “critique of transcendental experience”<sup>60</sup> to overcome the aporias involved within that paradigm, but, keeping his distance from neo-Kantian critical strategies, he does not proceed in a “deductive,” “argumentative,” “procedural” or formal manner to

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<sup>58</sup> “The question of whether philosophical cognition is grounded in concepts (logic) or intuitions (evidence) remains a crucial point of contention between phenomenological and neo-Kantian modes of thought.” (Crowell, Steven G., *Husserl, Heidegger and the Space of Meaning: Paths toward Transcendental Phenomenology*, Evanston, Illinois: Northwestern University Press, 2001, p. 33)

<sup>59</sup> I have developed this point in my “Fundación de validez y crítica trascendental de la experiencia: debate de Husserl con el Cartesianismo y el neo-Kantismo,” in: *Acta fenomenológica latinoamericana*, Volume I, Lima: CLAFEN/PUCP, 2003, pp. 143-180; and also in my forthcoming “Evidencia versus crítica: el debate de Husserl con Descartes y Kant.”

<sup>60</sup> We refer to Husserl’s 1922/1923 Lectures of “Introduction of Philosophy,” *cf.* *Mss.* F I 19 (the main part), B I 37, B IV 2, M II 2b.

*validate* in the “concept” the “right” or legitimacy of intuition and its corresponding theory of evidence.

Now skepticism can only prosper within a reduced concept of reason: as *procedural*. Neither Sextus Empiricus nor Hume could dismiss intuition. Their skepticism is the result of two sorts of blindness: one regarding the reduced notion of intuition (only empirical); and the other regarding the limited concept of reason (only procedural). Phenomenology’s revolutionary approach to the problem of reason consists in proposing a radical reform of the meaning of λόγος, traditionally reduced to the sphere of validating *inferences*, whether demonstrative, deductive or argumentative.<sup>61</sup> Husserl extends rationality to include the domain wherein the formerly “rational” procedures are “validated” themselves in phenomenological experiences—the ultimate source whereof is the “originally giving intuition.” Rational indeed is the subject’s life as a whole—whether perceptive, axiological or normative.

However, it would be an error to understand this as an intolerable “intellectualism” that suffocates other sense-giving and sense-endowing dimensions of spiritual life. To do so is to persist in a deficient concept of reason. Primary experiences—not intellectual procedures—are the originally *validating* sources and roots of rationality itself. Thus only a limited notion of reason that values procedural strategies as the ultimate rational stance gives place to skeptical objections such as that of the trilemma (vicious circles, *petitio principii*, *regressus ad infinitum*) raised against transcendental arguments. These arguments do not acknowledge that the *source* of their validity lies beyond their control, that “ultimate” validation is not a “validating procedure” itself. These argumentative vices disappear when it is finally recognized that the ultimate source of all evidence is precisely this extended concept of intuition, neglected by tradition, which is not only temporally and horizontally understood, but also as including eidetic and categorial dimensions.

Without procedural devices, there is obviously no science, yet every procedural validation emerges from a source that cannot be dealt with in these same procedural ways. Since his *Philosophy of Arithmetic*, Husserl acknowledges the advantage of procedural (symbolic) devices in the unlimited construction of human knowledge, compensating the finitude of human intuition. Yet until his 1936 *Crisis of European Sciences and Transcendental Phenomenology*, referring to the radical mathematization of nature in modernity,

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<sup>61</sup> A similar critique to the modern concept of reason is to be found in Husserl’s review of Schröder *Algebra der Logik* (1882) See note 10 *supra*.

he keeps pointing in the direction of the life-world, as the “forgotten meaning-fundament of natural science.”<sup>62</sup>

Therefore, the alleged “foundationalism” and “dogmatism” of phenomenology must be revisited. It does not interpret its “ultimate” and “absolute” foundations—behind which there is no other instance—as *sub specie aeternitatis*, consisting of an infinite, absolute, nearly divine domain. Its foundations are to be found *sub specie temporis* instead, in the temporal and finite human experience. Thus the objection that has been raised against phenomenology as a *dogmatic* and “foundationalist” theory—in the Enlightenment sense—disappears as soon as this is taken into account.

Hence, against neo-Kantianism and according to his own phenomenological strategy Husserl carries out a “transcendental critique” to return to “the things themselves,” *viz.*, the realm of experience in general and intuition in particular. This means confiding in the “principle of principles,” according to which only intuitive experience is the *ultimate* source of all evidence, legitimizing and self-legitimizing. Nevertheless, the “transcendental critique of experience,” seeking to neutralize the aporias emerging from the Cartesian paradigm, has an interesting outcome: it also indicates the *reach* and *limits* of intuition and evidence, hence of the “principle of principles.”

It is obvious that Husserl *always* intended to harmonize his “essentialism” with temporality. These two motifs are newly recast in transcendental phenomenology’s genetic period in the relation between two sorts of foundations: the theory of evidence as *Geltungsfundierung* and a primal *Genesisfundierung* whence the former is constituted. We thus believe that transcendental phenomenology successfully responds and resists, with its “ultimate foundation” claims, to all forms of skeptical “arguments,” as well as recasts in a new light the “intuitive foundations of rationality.”

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<sup>62</sup> See *Hua VI*, §§8-9, especially pp. 48-58 (E. Husserl, *The Crisis of the European Sciences and Transcendental Phenomenology*, translated by David Carr, Evanston: Northwestern University Press, 1970; especially pp. 48-57)