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SCIENTISM, POSITIVISM, SCIENCE AND “PRACTICAL PHILOSOPHY”

Abstract: This article deals with problems and contradictions between logic and ethics, and between sciences and humanity in the course of almost two and a half millenniums. At the beginning, it was not dangerous, but in our time results with dangerous instruments, means, weapons and intentions. It should stop the logic of force, power and possible annihilation of bio-life at the Earth. Humanities in Greece, and in different fields in Rome, had long tradition of literature, history of polis (πολις), legal regulations, and several philosophers were developing basic mathematics, geometry, physics and amateur astronomy. Plato and Aristotle, following Socrates, developed Philosophy (love for wisdom) and Ethics, and the Rule of Law which is widely implemented today. Following Plato's ideas, Cicero declared “rule of law” (*Non sub homo sed sub lege*) and England after Magna Charta accepted that rule: “Not under man, but under law”. During almost two millenniums several philosophers and theologians, began studying natural phenomena and were burned. Renaissance developed humanism in Italy along ancient tradition and transferred it to Europe (Pico Mirandola professed “the dignity of man”, Thomas Moore criticized England in which “sheep were eating men”, Erasmus of Rotterdam spread Enlightenment, and others). But, European political absolutism supported Machiavellianism and the principle of “Reason d’Etat” (formulated by Guicciardini and Botero). Under political absolutism in England, first successful scientist, Lord Bacon, professional lawyer, started natural sciences introducing inductive method, studying and discovering facts, causes, natural laws, and concluded that knowledge makes power. Gradually, that brought industrial revolution, then technological, later computers and wide range of inventions. Discoveries of natural phenomena resulted also with dangerous inventions. Atomic and hydrogen arms, intervention in genetic chain (not only of plants, and animals, but cross-breeding of men and animals could be result of an authoritarian power), very potential ecologic disaster can take place, new diseases can spread fast with very developed communications, and many other dangers are real, as predicted by anti-utopians. The role of Ethics and other aspects and achievements of humanities have to oppose technological and biological and other similar threats. The circle of ethics and logic is opened again in 19th and 20th century returning to “Practical Philosophy of Human Matters” (Kant, Perelman, Mihailo Djuric, and others).

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I SPECIFIC CHARACTERISTICS OF HUMANITIES

This short treatise deals with some Specific Characteristics of Humanities and their role. We stress comparison, from one side – Matters of Natural Facts, Causes and Natural Laws, which are part of natural phenomena, *independent from human will*, with other side – the Matters of Human Acts, which are usually result of the Will (s). In matters of humanities the role of ethics, morals, politics, religions, legal rules, literature, arts and all human aims and decisions, based on moral values, truth, assumptions, predictions, in many cases on lies, and all human choices can be of different kinds. Human acts can be assessed as good or bad, which is subjective judgment. Values are based on some assumptions of truth, ethic norms, even religions, expected results in different fields of practice and scholarly disciplines. Introducing and accepting values, gradually civilizing human communities, customs, religious and moral rules, knowledge, state laws, results and effects in the course of time, short or long, good or wrong.

Though leaders exist among animals, homo sapience in the course of time achieved a higher level of man – social, moral, religious and intellectual. Not only in the past, but even today pretensions of strong and authoritarian chiefs (sometimes frequently behaved like robbers destroying other social communities), reasonable rulers relied on habits, customs, religious values, rituals and rules of behavior, ethics, philosophy, laws of states, but many “human beings” follow very bad roads (of robbing, killing, torching, burning houses and men, destroying what other people were constructing or saving fruits of human efforts and nature). Social, political, and intellectual situation and education for small groups at higher level became practice in ancient Greek and Rome (and other people) of religions, literature, legal rules, philosophy and procedures of different ways in human life. Many Greek and Roman scholars based their teachings on close connection of Ethics and Politics (ethics was the basis of politics).

The “Philosophy of Human Matters and Acts”, as highly developed capacities for joint life, that frequently relied on the Will and on “good will”, or assumptions/expectations. Natural Sciences were studied by very old communities, with poor means (instruments) searching Facts, trying to discover some Causes and natural Laws, something that regularly repeats, like day and night, sun and moon, phenomena repeats after some time, day, year, different seasons, and concludes how long a year was, and noticed that many phenomena were independent from human will. They could not change the nature too much, except at small scale (developing agriculture, making canals to irrigate fields, making roads, some tribes did not discover the advantages of making wheat and carrots, etc.). Human societies gradually developed conditions for the life and obeyed some customs and rules regulating their life, relations with other tribes, but there were many conflicts, uprisings, wars, against some other people who enslaved the other. Changing nature in local area was progressing and changes of natural phenomena started at a time, which is now called New Age.

Humanities could follow ethics to obey and to fulfill moral and social rules and roles, influencing and encroaching some elements of natural phenomena and discovered some elements by so called natural sciences which on time learned to follow the logic. But, on small scale. On the ground of humanities, ethics, politics, religions, knowledge – inscribed messages, pictures to be understood (hieroglyphs, even older cuneiform) system of writing, alphabets, scripts, books, part of civilization. cultures, knowledge acquired in the course of long time, legal and moral rules, literature, arts and all human aims and acts in regard to values, should be based on truth and ethics, and on expected results in different fields of practice and disciplines of scholars and skilled practitioners. That all was situation for the life of relatively developed groups of people living under some control and power (usually authoritarian, though some had democratic polis but with slaves). For millenniums people obeyed rules, but nothing could do on “global space”. Greek and Roman tradition had a long period, and relatively, we could say highly developed stage of culture, and they lived in some kind of mid-civilization. One of studies of the classical tradition, recovered ancient texts in their original contexts giving to readers the material of Greco-Roman world interpreting ancient ideas and values.¹

Of the Middle Age there came its end. New Age brought the fast development of Natural Science, but the heritage of ancient Greece, particularly “practical philosophy” based on Ethics and many fields of cultural achievements, which we can call and treat as humanities. To support the role of Ethics in our Age to encroach results of scientific knowledge in developing many destructive and very dangerous elements for mankind, we should restrict the influence of logic searching and discovering dangerous things for which the role of ethics is irrelevant. Ethics had a long and very developed system of values, norms, bases of cultures and civilization. In ancient Greece, the level of Ethics as a part of Philosophy, and the Rule of Law, philosophers and theoreticians of law developed. Take one form of Greek and Roman heritage accepted in England in 1235 by Lord Henry de Bracton and it was very constructive idea, Rule of Law, later spread and introduced in the European Union. It is very clear how these ideas were implemented in Europe.

Serious controversies were connected with two opposed conceptions: one treats the *moral as basis of polis and politics* (Socrates, Plato, Aristotle, Cicero, Augustine, Aquinas), assuming that “common good” and *justice* are the highest values; and the opposite conception puts the accent on the *interest of the state* (to achieve power, territorial expansion and success) *disregarding moral and religious values*, and obliges citizens to do so when the interest of the state requires (Machiavelli, Guicciardini, Botero, Bodin with some reserves, Hobbes). On both sides there were some philosophers who favored rigid authoritarian control which could be basis of *totalitarian* government. Many philosophers dedicated their efforts, talents and

¹ *A Companion to the Classical Tradition*, Blackwell, London, 2007; with *An Introduction* written by Craig W. Kallendorf; Grafton, Most, and Settis, wrote Preface to *The Classical Tradition*; and Charles Martindale, the translator, wrote “Reception”.

common sense to acquire knowledge by systematic research and develop synthesis of ethics and politics on the science and wisdom.

II FOUNDERS: THEORY OF RULE OF LAW AND PHILOSOPHY OF HUMAN MATTERS

From eastern religions, civilizations and legal systems many elements influenced the Greek ideas and exchanges of experience. "Great world religions" (Moses, Confucius, Buddha, and later Christianity,) developed ethic norms and rules of behavior which became foundations of mentioned civilizations and played a role of meta-legal grounds for legal systems. Moses initiated the idea of God's will turned into laws and religion (Moses was influenced by the Codex of Hammurabi and by experience in Egypt), and with different means (words and force) made his people to accepted both (laws and religion, which helped them to survive as a group without state and territory until today). Moses' teaching implied the covenant, for Jews between the God and his people (which became the ground for social contracts theories in Western Europe in the 16th century during religious wars in France. Except Hobbes, other social contract theoreticians (Althusius, Locke, Rousseau, Fichte and others) included participation and democracy as a form of government. Moses' conceptions also implied the rule of laws because even the God expressed his will in the form of laws (contained in *The Five Books of Moses*, called also. *Five books of the Bible* or *Old Testament*). So laws have to regulate relations in society instead of the will of politicians. Such approach to ethics and politics was further stipulated in Europe by theologians and among results achieved by priests and political elites (in case e. g. of Magna Charta Libertatum) and by lawyers at high positions (like Henry de Bracton two decades after the Charta).

The idea of "Natural Law" as a part of legal system and rules and norms, which were treated as a set of rules of higher level than laws introduced by government. That was the instrument of protecting individuals and their rights, freedoms and personal dignity. Such ideas were connected with the idea of "social contract", which was older, but in Greece it was treated by sophists, philosophers, devoted to rational norms, ethics, and discussed the quality of Greek laws with respect for human dignity, but also under influence of literature (as part of humanities). In Western Europe most ancient ideas were adapted and accepted – natural law, social contract, ethics and respect for human dignity. Great epics *Iliad* and *Odyssey* attributed to Homer based on Trojan War and these works are the oldest in European literature. These poems in some sense give the picture of Greek life. Myths and fates of heroes were respected and it was relevant for social and private life. Vergil's *Aeneid* (unfinished) is treated as imitative epic, but well done in Latin with some pseudo-history behind.

Hesiod did not have good family life, but dedicated efforts spreading didactic poems, invented or collected in *Works and Days*, with an incentive to listeners to work. Hesiod interpreted that the first man was created, and Titan Prometheus stole fire from the Heaven and brought it to first man, and was punished. *Bounded*

Prometheus was given as a drama by Aeschylus, first important Greek writer, connecting roles of god and man. Here Prometheus was individual. The same case was Sophocles' *Antigone*. Both single persons, suffered as individuals, and these topics were taken by men of letters, historians and philosophers, who treated mythic figures as persons, subjects to be defended. That became the principle to protect individuals in accordance with “natural laws” which theoreticians considered as rules beyond the law of governments. That principle was defended in France in *Vindiciae contra tyrannos* (1579) in 16th and England in 17th century when John Milton in 1644. defended freedom of the press in *Areopagitica* at the time of Civil War and under the regime of Charles I.

The topics and problems in ancient Greece were related to character (good or bad). At the same time the quality and rationality of laws was raised the first time in a discussion between Pericles and Alkibiades. Their *elenktik* (mode of argumentation and counter-argumentation) was recorded in Xenophon's *Memorabilia*. That was a discourse over a long term of contradictions and conflicts between *political will* (based on power and force), and *ratio of laws* based on justice and rationality regardless of whether laws are enacted by one (in monarchy), several (in aristocratic republic or oligarchy) or by all (i. e. of majority in democracy). From that point the modern legality, rule of law, just or unjust, rational or irrational “laws” – in different cases, ethically and politically, were either accepted or rejected. In existing law a legal obligation was to subjugate to bad laws. Teaching were accepted on the unity of ethics and politics, while others on wrong assumptions or selfish will.

Socrates' concern was the human virtue (Greek *arête*, ἀρετή) and character which for him was the basis for happiness (*eudemonia*, εὐδαιμονία), and his ideas were spread by his students. Plato was Socrates student and for him, one of two grounds of the polis was moral, the other was division of labor as the economic and social ground for polis.

Plato's philosophical method was result of the searching and knowledge concerning universal ideas and contemplation. Truth was his aim, but he thought, that those in the cave could see only their shades on the wall of cave, and so cannot see reality. In a certain sense, Plato had the idea about “useful lie” which later was called “noble lie”.² But, Aristotle criticized Plato without mentioning his name.

Plato gradually reached the knowledge about supremacy of the rule of law over human will, under the influence of learning and experience. In *The Republic* he had in mind ideal statesmen, who would not need laws. In *The Statesman* he gave reasons in favor of good laws in other polices,³ In *The Laws* Plato advocated the rule of law which statesmen would obey and enforce, and announced his conclusion

² Hannah Arendt, *Lying in Politics* with other Essays, New York, Harcourt, Brace, Jovanovich, 1972 (translated 1994).

³ In *The Statesman* Plato gave an advice to leaders to make efforts and learn what laws are created by successful statesmen in other countries and what results are achieved under such laws. It seems to us that we today also have such task, and that this advice points us to good way.

that man's mortal nature makes all who achieve unlimited power to use that power partially and without being accountable to anybody for their work. So they give themselves to gaining personal benefits, permanently aiming at pleasure. Therefore he says that "states governed by a mortal cannot avoid troubles, but a lot can be achieved if we obey immortal nature by calling the law what the sense offered us".⁴ Plato also said the words we know from the works by Lord Acton, who lived in the 19th century, and these are the words that every power spoils, and the absolute power spoils absolutely, corrupts. Therefore, the power without constitutional constraints and without possibilities to rely on good constitution, the power which does not accept either the rights of people or the rights of men and citizens as its borders, always represent a big challenge and a big potential danger for freedoms of people and interests of peoples and states, majorities and minorities. Majorities and minorities have common interest not to be left to political wills of their leaders, but to certain reasonable principles and solutions which the rule of law can provide.⁵

Plato wrote in *Laws*: "Those who are usually called as rulers, I call them the servants of law not from the wish to build new names of things, but because I have reached confidence that is necessary more than anything else depends maintenance and downfall of the state". Plato also said that "it is badly necessary that people have laws and that they live in accordance with them, otherwise we will not be different from wild animals".⁶

The role of moral rules as foundations of civilizations from the oldest times, was a ground for social life and for preaching of priests, and some wise-man, but teachings of great ancient pioneer-thinkers (Socrates, Plato, Aristotle, Cicero) who thought that ethics and politics ought to be connected. But there were many oppositions to main stream of philosophical ideas. In Plato's dialogues (see *The Republic*),⁷ opposite sides argued. Plato expressed his ideas into the mouth of Socrates, but opposing to Socrates' ideas, Thrasymachus defined the justice as "the interest of the stronger" (which he clarified to mean superior and better, but not in moral sense) and said that selfishness determines international relations, adding that injustice is the natural right of a strong man, while conventions are made by inferior who advocate equality (similar ideas expressed Callicles in Plato's dialogue – *Gorgia*). Plato had in mind an aim to establish justice and to extinguish conflicts (which, he thought, were motivated by greed, party strives, ambitions and selfishness). On the ground of studies and experience he stressed that all wars are waged for the pur-

⁴ Plato, *Laws*, ix, 13 and similar also IV, 6.

⁵ Problems of political and legal theory in regard to the rule of law, see Vojislav Stanovčić, *Politička teorija* (Belgrade, Službeni glasnik, 2008, first edition 2006). Chapter "Law and Politics" (427450) analyzes controversial role of law as means of power on one hand and as civilization factor on another. The law is expression of political will, but also the means by which one should constrain that will by legal rules and that restrains every power, can suppress despotism and defend law and justice, and the role of human nature in politics and law.

⁶ Plato, *Laws*, IV, 7, IX, 13; and IV 6

⁷ Plato, *The Republic*, Oxford University Press, 1945.

pose of acquiring wealth (he used that word for money). Theologians and philosophers, Augustine⁸ and Aquinas⁹, supported and continued these ancient teachings.

Aristotle's method is both inductive and deductive, while Plato's is essentially deductive. In other words, for Aristotle the scientific tendency to examine first the phenomena of the real world around us and then to reason to a knowledge of the essences and laws which no intuition can reveal, but which science can prove to exist. *Aristotle treated subjects of Nicomachean Ethics and Politics*. as studies of subjects (matters) where human will plays a big role and so, he argued, that the wisdom (*fronezis, φρόνησις*), reasonableness, understanding, tolerance, moderation and moral concerns have to play the role, and to be implemented, while in studying natural phenomena human will can not change natural laws and so exact sciences (*episteme, ἐπιστήμη*) can discover the character of natural phenomena and adequate natural laws. In his *Ethics* Aristotle near the end of this book announced the structure and role of *Politics*.¹⁰

Aristotle conceived science (*episteme*) for natural phenomena where human will can not change natural phenomena, but by “philosophy of human matters” he clarified to implement the wisdom (*phronesis*), reasonableness, ethics to be implemented in spheres where human will, ethics and politics can influence events and changes.

Aristotle's notion of philosophy corresponds to what was later understood to be science, as distinct from philosophy. He made philosophy coexist with science and reasoning: “All science (*dianoia*) is either practical, poetical or theoretical.” By practical science he understood ethics and politics; by poetical, he means the study of poetry and the other fine arts; while by theoretical philosophy he meant physics, mathematics, metaphysics. Later Aristotle was simply called “Philosopher”, and no other was named like Aristotle, whom many thinkers qualified as “the most genial and universal”. He was engaged and introduced the “practical philosophy” related to “human matters”, depending on human nature. Humanities are based on human nature, and results good or bad.

⁸ Augustine, *Concerning the City of God against the Pagans*, London, Penguin Books, 1977; Aurelije Augustin, *Država božja*, Podgorica, CID, Biblioteka “Sinteze” (edited by Dragan K. Vukčević), 2004; from Latin translated by Marko Višić, who wrote the “Introductory Study” and comments.

⁹ Thomas Aquinas, *Selected Political Writings*, ed. by A. P. d'Entrèves, Oxford, Basil Blackwell, 1959; selected from *Summa theologica, De regimine principum*; on “Animal politicum et sociale”. Tomo Akvinski, *Izabrana djelo*, Zagreb, 1981.

B. Roland-Gosselin, *La doctrine politique de Saint Thomas d'Aquin*, Paris, 1928.

¹⁰ Aristotle, see several editions: *The Politics of Aristotle* translated and Introduction by Ernest Barker, Oxford, 1946; Aristotle, *The Politics*, London – New York, Guild Publishing, 1990. Belgrade edition, Kultura, 1960, with Foreword of Milos N. Djuric “Aristotle's Teaching on State and Its Ethical Task” (pp/ v-xxxiv); Aristotle, *Nicomachean Ethics*, translated by W. D. Ross; *Nikomahova etika*, Beograd, Kultura, 1959. and 1970; with the Foreword of Milos N. Djuric “Aristotle as Philosopher of Ethics” (pp. v-xlvi).

For the same reasons which made Plato to consider in his old age the rule of law as the best form of order for mortal people with their immanent imperfections, Aristotle in *Nicomachean Ethics and Politics*, choose that as a characteristic of good governance. He thought that “it is not good at all that supreme power belongs to man, and not to law, because human soul is subject to passions.”¹¹ He further wrote: “To request the law to rule means to request the god and reason to rule, and to request a man to rule means to let an animal to rule, because lust is something animal and passion spoils even the best people when they are on power... Those who search for justice search for the middle, and law is the middle”.¹² Being aware of difficulties to express what is really good, Aristotle nevertheless chooses that supreme power does not belong to man, but to law. “From this it results entirely clearly – Aristotle says – that supreme power should belong to wisely composed laws, while the bearer of power, no matter if there is one or more of them, should have that power at disposal only to such a measure as laws are not precise, because it is not easy to encompass all individual cases by general provisions.”¹³ In reference to laws, Aristotle noticed the problem which is actual also today: how to provide laws to be good, i. e. how to ensure those who pass them be really capable for that.¹⁴

From Aristotle’s *Nicomachean Ethic*, Book X, Chapter 9: “Now our predecessors have left the subject of legislation to us unexamined; it is perhaps best, therefore, that we should ourselves study it, and in general study the question of the constitution, in order to complete to the best of our ability *our philosophy of human nature*. First, then, if anything has been said well in detail by earlier thinkers, let us try to review it; then in the light of the constitutions we have collected let us study what sorts of influence preserve and destroy states, and what sorts preserve or destroy the particular kinds of constitution, and to what causes it is due that some are well and others ill administered. When these have been studied we shall perhaps be more likely to see with a comprehensive view, which constitution is best, and how each must be ordered, and what laws and customs it must use, if it is to be at its best. Let us make a beginning of our discussion.”¹⁵

Aristotle’s logical treatises, *Organon*, has parts of which systematic treatment of the laws of thought and ways of the acquisition of knowledge. The *Metaphysica* or *Metaphysics* Aristotle called *First Philosophy*, and name was given later. Manu-

¹¹ Aristotel, *Politika*, III, iii, 3.

¹² Aristotel, *Ibid*, III, xi, 2–4 and 6.

¹³ Aristotel, *Ibid*, III, vi, 3 or 1281 a; and III, vi, 13, i. e. 1282 a.

¹⁴ *Metaphysics* is different and opposite of physical things, and notions about, but in some cases something is assumed *a priori*. Aristotle’s manuscripts were collected and much later published as the book. After Aristotle some scholars classified his works into several groups: (1) Logic; (2) Theoretical Philosophy, including Metaphysics, Physics and Mathematics; (3) Practical Philosophy, which include Ethics and Politics; (4) Poetical Philosophy (*Poetics*), covering the study of poetry, dramas and the fine arts, which Aristotle treated as poetical philosophy, and it is also part of “human matters”.

¹⁵ Aristotle, *Nicomachean Ethic*, Book X, Chapter 9.

script was put after the papers called Physics. Ethical and political treaties were *Ethica Nicomachea*; *Politic*, *Eudemian Ethics* and in another field *De Poeticâ* and *De Rhetoricâ*. both of these are genuine in parts. Bacon particularly criticized *Organon*.

The founders of the *theory of the rule of law* were Plato, Aristotle and Cicero.¹⁶ Cicero learned the importance of the dispute some centuries later. Basically elements were justice philosophy of law, values. That was treated as a base for legal systems. Plato experience difficulties of Athenian and Sicilian rulers, and he learned a lot, saved his life twice, changed many ideas. From those in his *Republic*, Plato expounded new philosophical ideas in his (unfinished) *Law*¹⁷.

Cicero¹⁸ was educated in Athens and followed Plato's ideas. He combined Greek philosophical foundation and practical expertise of Roman lawyers. Cicero's ideas very early influenced the British Constitutionalism with his sentence: *Non sub homo sed sub lege*. Henry de Bracton took that idea and made it the permanent principle of constitutionalism. Bracton, twenty years after the *Magna Carta* introduced the idea of the rule of law in England. in the form “*Non sed homo, sed sub Deus et lege*. That was the beginning which influenced many theoreticians of law and lawyers in government to develop the idea of the rule of law (the quoted Latin sentence is in large letters deeply inscribed into concrete wall all along the building of Harvard Law School). That sentence expressed *the rule of law principle* as the corner-stone of Western Civilization. It was included in the Preamble of the European Union Charter and its set of values became part of the Treaty of Lisbon (signed in 2007, and in force 2009).

III RENAISSANCE AND HUMANISM DETERIORATED BY MACHIAVELISM

The Renaissance period was permeated with humanism of former ancient Greek ideals, which poets and philosophers, and some statesmen, supported the aim that man reach his real human homeland.¹⁹ Machiavelli wrote that in that time fight of man against man was led either by legal or animal means. This was the time of creation of “power states” (theories of state reason, absolute sovereignty, unrestraint king's rule). That was the trend of new era, which started with absolutistic states, authoritarian rule, and reached its peak in the 20th century in totalitarian states.

¹⁶ See more details in our work “Rodonačelnici teorije o vladavini zakona”, jubilent edition of the *Arhiv za pravne i društvene nauke* (on the occasion of 100th anniversary of publishing 1906–2006), in No. 1–2, 2006, pp. 1039–1077.

¹⁷ Plato, *The Laws*, see: *The Dialogues of Plato*, translated and edited by Benjamin Jowett, Oxford University Press, and many editions; see also Platon, *Zakoni*, Zagreb, Kultura, 1957.

¹⁸ Cicero, *De Re Publica et De Legibus* vol. XVI of his Works (in 28 volumes), in Latin and English, Harvard University, Cambridge (Mass.) and William Heinemann, London, 1977.

¹⁹ See: Mihailo Đurić, *Humanizam kao politički ideal: Ogled o grčkoj kulturi*, Belgrade, SKZ, 1968, pp. 180–204.

Humanism and Renaissance revived many ancient humanistic values including *human dignity*²⁰. But “political situation” in Italy in the 15th century was contrary to aims of humanistic movement, because bloody political struggles, dirty politics, growing authoritarian and severe monarchical absolutism, and some perceptions of evil human nature, caused the big change in conceptions of politics and ethics. “New political moral”, later named “Machiavellianism”, was condensed in the theory of the “Reason of the State” (*raison d’État*, *Staatsräson* etc.).²¹ This term was not used by Machiavelli, it was in the spirit of works of his contemporary (Guicciardini) and a couple of decades later a book was dedicated to that topic by Giovanni Botero (the book in Italian *Ragione di Stato*, 1589). Anyhow, ideas of Machiavelli corresponded to this concept and term. Machiavelli was the first to use the concept and term “the state” and it was accepted and used. New doctrine was that a ruler of the state (monarchical or republican) does not need to obey moral norms, but to act in the interest of the state to increase its power and territories. Politics was treated as an art which is not concerned neither with moral nor religious values and criteria. Such trends were opposed by many distinguished scholars and moralists (Pico della Mirandola²², Thomas Moore, Erasmus of Rotterdam and others) who had humanistic conceptions.

Religious wars were waged in France between Catholics and Huguenots (French *Calvinists*) in the second part of the 16th century. To elevate state beyond religions, Bodin introduced the theory of state sovereignty. This theory limited the power of the French king, but tried to make the state omnipotent over all churches to extinguish the wars between them. Hobbes in England, during the Puritan revolution, wrote *Leviathan*²³ constructing in theory an artificial being – the state – in which sovereign would be the absolutist ruler, because citizens among themselves concluded an agreement under which transferred all their rights to the sovereign in exchange for peace and safety. These were “real-politics” in political science, very much present in today’s international politics. Teachings of the concepts of the Reason of the State and of absolute sovereignty considerably influenced present-day theoreticians and followers of the “real-politics”. The political theory opposite from Hobbes was created by Locke, based at two different social contracts,

²⁰ See: Giovanni Pico della Mirandola, *Oratio de hominis dignitate* (*Oration On the Dignity Of Man*), in Latin and Serbian published in Belgrade, Filip Višnjić, 1994.

²¹ Niccolò Machiavelli, *Il Principe* (*De Principatibus* translated by Francis MacDonald Cornford; first time published in Roma, 1532; and *Discorsi sopra la prima Deca di Tito Livio* (1513–1519; published in Roma, 1531); in *Tutte le opere di N. Machiavelli* (edizione da M. Martelli), Firenze, 1972.

²² Giovanni Pico della Mirandola, *Oratio de hominis dignitate* (*Oration On the Dignity Of Man*), in Latin and Serbian published in Belgrade, Filip Višnjić, 1994.

²³ Thomas Hobbes, *Leviathan or the Matter, Form and Power of a Commonwealth Ecclesiastical and Civil*, edited by Michael Oakeshott, Oxford, Basil Blackwell, 1955; published as *Levijatan*, Beograd, Kultura, 1961, with the “Forword” by Mihailo Đurić.

democracy, human rights, rule of law, consent of voters.²⁴ The “positivism” in the 19th and scientism and “value-neutral” science in the 20th century were influenced by new trends in epistemology and methodology of empirical research. Empiricist in England were not only Bacon, but later John Locke, Isaac Newton (*Philosophiae naturalis principia mathematica*), and in 20th century English scholars developed further *principia mathematica* – Bertrand Russell’s *The Principles of Mathematics* (1903) and was elected fellow of the *Royal Society* (1908) and further developed *Principia Mathematica* with A. N. Whitehead, (1910), and that all made Russell world famous.

IV FRANCIS BACON AS PIONEER OF MODERN SCIENCE AND PREDECESSOR OF INDUSTRIAL REVOLUTIONS

After more than a millennium of domination of theology over science (which was suppressed), Francis Bacon, the lawyer, gave impetus to empirical research and processes which resulted with the scientific and technological revolutions, initiated by Bacons’ principles expounded in his works. He criticized obstacles to development of science, offered new epistemology methodological approach, and surpassed the theory of Aristotle’s *Organon*. Bacon developed new logic, from his empirical and theoretical beginnings. Several industrial revolutions took place later. The advance of knowledge and methods continued by Descartes’ treatises and meditations, discoveries of Newton, Locke’s development of empiricism and up to Kant’s critics, and many others continuing with further great successes in natural sciences. Trends of natural sciences started with epistemological and methodological approaches resulted with an epoch of revolutionary discoveries and inventions, which in some time contributed to better human conditions of living. However, the first industrial revolution was heavy burden with many social problems.

“The New Age” started with discoveries and inventions. Bacon had an important role in developing new trends in science. Francis Bacon was the second son of relatively poor noble family, but Lord Essex helped him to become lawyer, writer, scientist. As a lawyer, member of Parliament, and earlier Queen’s Counsel, Bacon wrote on law, state and religion, as well as on contemporary politics. Near the end of his life Lord Bacon was discovered that he was corrupted in legal processes, and was dismissed in 1620 s. In the field of science, Bacon was one of the leading figures in natural philosophy and in scientific methodology. Criticizing ancient tradition, rejecting the works of the humanists, also criticized the Cambridge University curriculum for too much emphasis on dialectical and sophistical training (“minds empty and unfraught with matter” wrote Bacon). He reformulated and criticized Aristotle’s conceptions of science as knowledge, rejected his logic based on metaphysical theory which was false teaching. Bacon introduced new ideas, published texts in which developed conceptions of society, at the beginning he

²⁴ C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke*, 1962.

wrote on natural philosophy – *The Advancement of Learning* (1605). and issues of ethics (in *Essays*).

Bacon dedicated several years of the first decade of the 17th century to natural philosophy, struggling with tradition. Some of works he wrote but were published later, and he rediscovered Greek philosophers-atomists (Democritus) natural philosophy different from scholastic Aristotelian deductive logic, and Bacon avoided the approach to that tradition, and started empirical studies. investigations of nature, He criticized Plato, Aristotle, Galen, Paracelsus, Telesio, but supported atomists. Criticized Aristotle's logic, "metaphysics", his contemporary scholars engaged in alchemy and astrology, and he criticized idols.

Deeply involved into study to empiricism, he implemented inductive methods, studied empiric facts, causes, and effects of natural laws, Bacon realized that human knowledge could realize something what natural forces could do, even gradually and on long period could accumulated and implement knowledge which could achieve results on the ground of the human will. His works gave results.²⁵ Near the end of his life he was stigmatized as corrupted lawyer in judicial procedures, but it could not cancel his achievements.

This advancement of his ideas prepared industrial revolution. That started first in England, and then in several countries the second industrial revolution in late 19th century. Further, followed technological development, with automatization achieving power by industries and states which many authoritarian rulers achieved by organizational means ("organizational weapon"). In the 20th century computers played enormous role solving tasks in fields of astro-physics and in the cosmos.

French philosophers after a century and a half after Bacon appreciated his great contribution to science, and dedicated *Encyclopedia* to Bacon regardless of his political immoral as lawyer.

V MODERN AND CONTEMPORARY SCHOLARS CONTINUED THE SCIENTIFIC STUDIES

Modern scholars in different fields changed the World by their contribution to science and to developing societies in industrial, economic, social, cultural spheres. Many causes and natural laws were discovered. In a different sense, Laws (legal rules) in general were treated as expressions of political power, but also as the means of limiting and moderating the power – social and political. To fulfill

²⁵ *The Oxford Francis Bacon* (General Editors: Graham Rees and Lisa Jardine), 2000: vol. IV, ed. M. Kiernan: *The Advancement of Learning* [1605]; vol. XIII, ed. G. Rees: *The Instauratio magna: Last Writings*; vol. XV, ed. M. Kiernan, *The Essayes or Counsels, Civill and Morall*; [Bacon] Verulam, Lord Francis, *Novum Organum or True Suggestions for the Interpretation of Nature*, London and New York. 1898; Verulam, Lord Francis [Bacon] (edition 1898), *Novum Organum or True Suggestions for the Interpretation of Nature*, London and New York. Francis Bacon, *Novum Organum*, [1620]; F. Bacon, *A Critical Edition of the Major Works*, ed. by B. Vickers, Oxford/New York, 2000.

their role it was the knowledge and proper methodology and procedure. However, there were always many contradictions – between *logic and ethics* in regard to science and humanities. These are the most relevant for the modern age (after Bacon²⁶, Descartes, Erasmo and then in the 20th and 21st century again) when results of science and technology can threaten the very existence of mankind, and the ethics of responsibility should replace all ethics of absolute values and of final ends. Legal systems are also the ground for large systems and operations, otherwise without system of management, and legal regulations, this development would not advance. Without that could be disaster and anomie (Emile Durkheim, French sociologist, introduced this category, which means that anomie exists in a society in which neither laws nor moral rules are obeyed).

Francis Bacon worked at the end of the 16th century and the first quarter of the 17th. John Locke was new generation, lived in the 17th century, student during Puritan Revolution, and a couple of years in the 18th century. He was the follower of Whigs (liberal), founder of modern democracy, rule of law, constitutionalism of British type. In modern era Locke proved to be the most significant, who advocated the idea of freedom in the frame of rational laws and explained their provisions, role of government (power) in his theory protecting human rights and freedoms. That is also a part of modern theory of the rule of law, the limited government.

The importance of ideas inspired by Locke, Bentham, Kant, Mill, in the 20th century John Rawls and some others, who pointed to justice, principle of “the greatest happiness of the greatest number”, knowledge-enlightenment (*sapere aude!*), human rights and liberties, moral autonomy as ethic foundations of social life and rationality in creating and implementing the law.

Statistics based on mathematics could be useful in fields of social and humanistic disciplines. But, at the beginning of the year 1989, there was no prediction that near the end of that year will collapse most of communist systems. Also, the economic crises which took place in 2008, hardly anybody could predict.

²⁶ F. H. Anderson, *The Philosophy of Francis Bacon*, Chicago, 1948; I. B. Cohen, *Revolution in Science*, Cambridge, Mass. and London, 1985; S. Gaukroger, *Francis Bacon and the Transformation of Early-Modern Philosophy*, Cambridge, 2001; C. G. Hempel, *Philosophy of Natural Science*, Englewood Cliffs, 1966; J. Spedding (ed.), *The Letters and the Life of Francis Bacon*, 7 vols. London, 1861–1874; J. Henry, *Knowledge is Power. How Magic, the Government and an Apocalyptic Vision inspired Francis Bacon to create Modern Science*, Cambridge, 2002; J. Martin, *Francis Bacon, the State, and the Reform of Natural Philosophy*, Cambridge, 1992; Howard Becker, *Through Values to Social Interpretation*, Durham, 1950; Ernst Cassirer, *Philosophie des symbolischen Formen, I-III*, Berlin, B. Cassirer, 1923–1929; *An Essay on Man: An Introduction to a Philosophy of Human Culture*, Yale University Press, 1944 (second edition, 1956); Ernst Cassirer, *The Myth of the State*, New Haven Yale University Press, 1946; Beograd, Nolit, 1972, translation with Introductory Study: “The Critic of Mythical Conscience” written by Mihailo Djurich, 1972.

VI RENAISSANCE OF PHILOSOPHY OF “HUMAN MATTERS”

We return to *relations of logic and ethics* in 21st century, and to argue that the results of natural science created many dangers, and the sound ethics should prevent some most hazardous which can destroy many structures at the Earth which serve existence of human beings, and probably most of the bio-life at the Globe. There are many dangerous weapons and processes and infectious causes spoiling or extinguishing some basic capitals which are necessary for life. Many modern scholars of social studies and humanities returned to Aristotle's concepts of “philosophy of human matters”.²⁷ But, in Contemporary World it is different, though despite all high levels of sciences, equipments, arms etc. societies must secure stability, certainty some kind of welfare, and think about care for “human matters” and “common good”.²⁸

A survey of conceptions from Thucydides, Trasimachus and Calicles to today's Machiavellians of real-politics, and from ancient humanistic ideals some modern scholars treat the problem of justice, like Rawls²⁹ and his predecessors and followers, demonstrate that what is the “justice” it is determined by those who are the most powerful. They neglect morals and ethics, but pretend to pursue and defend ethical values.

²⁷ See: Carl J. Friedrich, *The Philosophy of Law in Historical Perspective*, Chicago, 1958; Wilhelm Hennis, *Politik und praktische Philosophie*, Stuttgart, Klett-Cotta, 1977; and “Legitimität: Zu einer Kategorie der bürgerliche Gesellschaft”, in: Peter Graf Kielmansegg (Hrsg.), *Legitimationsprobleme politischer Systeme*, Duisburg, Herbst, 1975; Franz Neumann, *The Democratic and the Authoritarian State: Essays in Political and Legal Theory*, Free Press, 1957, and *The Rule of Law: Political Theory and the Legal System in Modern Society*, Berg Publishing, 1986; J. Roland Pennock and John W. Chapman (eds.), *Compromise in Ethics, Law and Politics*, Nomos XXI, New York, New York University Press, 1979; and vol. XII: *Political and Legal Obligation*, New York, Atherton, 1970 (new edition, 2007); vol. XV: *The Limits of Law*; and vol. XX: *Constitutionalism; Human Rights*, New York, New York University Press, 1980; Chaim Perelman, *Droit, morale et philosophie* (1968), Paris, Librairie Générale de Droit et de Jurisprudence, 1976. In Serbian edition Forward “Renaissance of Practical Philosophy in Perelman's Rhetoric” written by Dusan Boskovic, Beograd, Nolit, 1983; Raymond Plant, Harry Lesser, and Peter Taylor-Gooby, *Political Philosophy and Social Welfare*, London, Routledge & Kegan Paul, 1981; James C. Scott, *Weapons of the Weak: Everyday Forms of Resistance*, New Haven, Yale University Press, 1985; G. Sharp, *The Politics of Non-Violent Action*, Boston, 1974; J. Tussman, *Obligation and the Body Politic*, New York, Oxford University Press, 1960.

²⁸ Ilija Vujačić, “Common Good, the Rule of Law and Neutral State”, in: *Civic Society in the Countries in Transition-Comparative Analysis and Practice*, Subotica, Open university, 1997.

²⁹ John Rawls (1921–2002), *A Theory of Justice*, Cambridge, Harvard University Press, 1971 (translated in Serbian in 1998), and Harvard University Press published *Collected Papers of John Rawls*, 1999. His *Political Liberalism* [1993], translated in Serbian 1998; and *The Law of Peoples: with “The Idea of Public Reason Revisited.”* Cambridge, Massachusetts: Harvard University Press, 1999 (translated in Serbian, 2003).

Aristotle's political philosophy contains principles essential for a clear understanding of nature of all future political philosophy. Postmodern philosophers appreciate Aristotle's fundamental ideas though some of them were arguing. They do not criticize Aristotle directly, as do some authors like Hobbes and Nietzsche, modern and postmodern philosophy expresses critique of the Aristotelian worldview. and an attempt to provide new bases and justifications for politics.

In ancient spirit it begins, and in quite modern approach the revival (let's say renaissance) of so called “*practical philosophy of human matters*”³⁰ (first of Aristotle, then of Kant³¹, much later Perelman, Henis, Kantorović³², and others. in Serbia Mihailo Djurić³³, Basta followed the specific methods of studying human affairs, ie. humanities). The efforts to save human beings in general, as every individual, but beyond all that the mankind needs protection and necessary care has to be carefully practiced. Different human scholars like doctors of medicine, biologists, lawyers, social workers, chemists, and most of other professions including also those who are in the field of political theory – and they should work in favor of the renaissance of “the philosophy of human matters”. Great number of scholars in the field of political theory and methodology should turn their attention to many facts which demonstrate that human values can not be avoided nor should be neglected in determining the aims of scientific research but have to take into account in studying social phenomena, and taking responsibility in political decisions (of large scale), as well as in participating in social actions. However, in research scholars have to follow very rigorous methodology, appreciating facts found and trying to place the results in wider frames and in frames of wisdom. Unfortunately, moral values are frequently used as means for immoral purposes disguised like moral and accompanied with naked force, and such acts lead to militarism and can turn into aggression.

Ecological crisis could be result of some scientific experiments or of unintentional spontaneous initials which start very horrible processes, based on using destructive means (could be hydrogenous explosions), caused diseases based at some secretly kept causes of deaths, poisons, interference in genetic chain of human be-

³⁰ Vojislav Stanovčić, *Political Theory*, second ed., 2008, Chapter V on “Ethics and Politics” (pp. 115–188) treats renaissance of “philosophy of human matters” and ethic of aims and means, and “new” political moral and conceptions of the theory of justice (J. Rawls).

³¹ Imanuel Kant, *Kritika praktičkog uma* [1788], Beograd, Kultura, 1979, str. 174; preveo Danilo Basta, a predgovor napisao Vuko Pavićević, “Kantova etika kategoričkog imperativa”; Imanuel Kant, *Metafizika morala*, Izdavačka knjižarnica Zorana Stojanovića, Sremski Karlovci – Novi Sad 1993.

³² Hermann Kantorowicz, *Der Kampf um die Rechtswissenschaft* (1906) und *Zur Lehre vom richtigen Recht* (1909). Reaffirming Natural Law values in an approach to Science of Law.

³³ Mihailo Djurić, *Mythos, Wissenschaft, Ideologie*, Amsterdam, Rodopi, 1979; *Nietzsche und die Metaphysik*, Berlin-New York, 1985; *The Idea of Natural Law among the Greek Sophists*, Belgrade“1954; *On the Need of Philosophy Today: Philosophy between East and West*, Novi Sad, Prometej, 1999; and Belgrade, 2002 (second edition); “The Fragile Human Good. Contemporary Importance of Aristotle ‘s Practical Philosophy”, Belgrade, 2002.

ings, cross-breeding between animals and men (like mentioned in the book *Bertrand Russell Speaks His Mind*).³⁴

The implementation of improved methods in humanistic disciplines and in social sciences assume, require, and include the search for proper solutions of *problems, controversies and contradictions* related to mentioned subjects (notions) (inter)connected through the long history and becoming more serious and dangerous today than ever before.

Elements of cultures, civilizations, religions, hundreds of disciplines and fields, modern technologies and sources of data, true or false, we should analyze problems and methods of solving problems with efforts, talents and go further from common sense to acquire reliable knowledge and fundamental ethics and moderate politics, based on science and wisdom.

Some positive results of cultures, civilizations, religions, humanities, hundreds of disciplines and fields (from antic theaters to anthropology, or law and politics, ethics of final aims, etc.) contributed to social development. But in different, and frequent situations, it was wrong, because of insecurity, anomie, and conflicts, and wars. Different effects is not easy to predict, and many changes fail or succeed in regard to orientation and policy.

In of humanities, the results of different social studies and rules, and even more of studying natural causes and laws, had to be implemented with intelligence, consciousness and ethics. Aspects of approach to humanities today refers to implementation of modern technologies, and sources of data which can be true or false, guiding one to different directions when using digital technologies and instruments are available.

Sustainability of human development should be supported in the spirit of practical philosophical approach, i. e. in frames of humanistic ideas and behavior, which face large amounts of sources and literature with very different approaches and permeated with interests, or subjective wishes in literature and passionate views.

Among problems, existing permanently, and criticized always from ancient Greek and Roman philosophers, regarding *relationships of power* (i. e. politics, government, state, political rulers, statesmen, naked power, force) *and laws*, up to modern scholars in Contemporary World. Laws are treated as expression of political power, but also as means of limiting and moderating the power – social and political.

Many social and political movements and social changes could not be predicted and hardly controlled. But, scientists as well as politicians have to follow the ethics of responsibility and rely on humanistic values which include human life and moral virtues. Otherwise, they can push us to the Hell.

³⁴ Bertrand Russell, *Political Ideals*, New York, Century, 1917; *Power: A New Social Analysis*, London, Allen and Unwin, 1938; *Authority and the Individual*, (London, 1949); *Human Society in Ethics and Politics*, London, 1954; *Bertrand Russell Speaks his Mind*, London, 1960.