

## CHAPTER IV

# DEMOCRACY, RATIONALITY AND CIVIL SOCIETY

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Now, after the collapse of the former Soviet Union, the initial achievement of the forms of political independence and its still more recent reanimation and revivification, the people of the Ukraine are engaged in the construction of a new social life. Government policy takes as its main ends the development of a free market and an open civil society. This society must undertake some new tasks: to assure public stability and guard the peace; to hold down economic inflation and to maintain a living wage.

A new state and society must be constructed. No one doubts that the new society requires democracy and a new type of solidarity. Hence, along with the political and economic, the need for civil society has become a new main force in shaping the development of life in our times. After five years inter regnum the new explosion of independence for the Ukraine makes it clear that an increase in the living wage of people is dependent, not only on political power and economic success, but requires also some additional factors, namely, a civil society with the new qualities of solidarity and subsidiarity.

The problem is to change the social atmosphere from considering people as tools of industry submissive to the Communist Party; in the others words, it is essential to enable a

natural exercise of human freedom. How this can be exercised effectively is today the core of the issue of development in our society.

Much has already been done. First of all a new constitution has been adopted guaranteeing democracy and equal human rights and liberties; power has been divided between the political and social systems; private property has been permitted and indeed guaranteed. The constitution established the fundamental law of the society and furthered the establishment of its statehood. There was a political consensus for adopting this constitution, based on democratic principles. In this, Ukrainian society took its place among other democratic societies.

The fact of adopting a democratic constitution shows the existence of some manner of political democracy in the Ukraine or, in other words, a political consensus. This bespeaks as well the existence of a sufficient level of political rationality and cultural democracy on the part of society. Thus, democracy is linked with rationality and exists as an experience in political rationality. The adoption of democracy can be explained by at least two reasons: (a) the need to search for social stability in behaviour between social groups, and (b) a sufficient level of social solidarity among people.

In other words, democracy exists on two levels: the formal and the natural. The first level reflects the formal side of human life related to the legislative system of the state which defends human rights in terms of abstract principles and by means of them abstractly defends human beings. At a second level democracy proceeds from the entire cultural phenomenon, including habits, customs and morality, with the goal of establishing the maximal possibility for the emergence of freedom and the defence of one another against violence. This is the level of social solidarity.

Democracy as a social convention, adopted by citizens on all levels: from government, governance and economic management to more simple social groups such as the family, for example. In the full sense, without rationality and socially established norms, democratic action is not possible. The question is whether rationality can be a sufficient basis for an acceptable democracy as an evident norm of social life, especially where the society carries the burden of totalitarian practices established in the past.

To understand this I shall situate this problem and proposal in the specific Ukrainian context. Here the question concerns the sufficiency of “rational consensus” for the spreading of democracy and thereby the emergence of freedom as a matter of self-determination. The issue of corporate directive freedom—its nature and range—is the decisive issue as regards civil society.<sup>1</sup>

As noted above, the formal level of democracy regards first of all the political life of society. It is also the level of theoretical description of human rights with some norms of political ethics. On the other hand, society has real, not only theoretical problems, with human rights and violence, and with the emergence of freedom and of the dignity of man. Unfortunately, in Ukrainian society things do not go so well with regard to prosperity and freedom. The living wage is low and continues to decrease. This has been explained as economic stagnation and very low productivity on the part of workers. This has been called a “crisis of inactivity” in most parts of society. It has many sides: economical, financial, political, and moral; in practical terms this is a crisis of the emergence of freedom.

Some speak of a crisis of creative (in)activity. Its main reasons are related to diminishing confidence between government and society, and within society. This was reflected in the multiplication of political parties, which reflects a decline in the

level of social understanding and therefore of social solidarity. In accord with this the level of the threat of violence and the lack of confidence increased. Political authorities became allied with economic forces and vice versa. Instead of a “velvet revolution” as in Poland and the Czech Republic, the ‘Nomenclature’ emerged in the Ukraine. This unstable status and condition of things between the past and the future only now is changing in the political arena as the inertia of totalitarian social habits passes. Where in the past the Nomenclature as a bureaucracy changed its colour only a bit, political and economic control seems now to be evolving in more democratic directions.

Certainly, constitutional guarantees of all main human rights, private property and a new political system was now for Ukrainian society, but this is only on the level of rational description and prescription. There was a gap between political life and these social ideals. In such circumstances the constitution could create sufficient conditions for the emergence a freedom. The excessive authority of the bureaucracy became possible because the immature civil society cannot assure a legislative democracy. Hence, “the meaning of human rights consists in recuperating the existence of the individual as an absolute and unquestionable reality, rather than taking this for granted.”<sup>2</sup>

Some diagnoses of the differences between the state and civil society say that even the notion of civil society is used more rarely and that higher politicians tend to exclude it from the official rhetoric, often using instead the concept of a “democratic society.”<sup>3</sup> For reasons of space I cannot deepen here the examination of the relation between democracy and the emergence of human rights. Instead I shall attend to distinguishing between understanding and rationality, which in terms of Heidegger and H.-G. Gadamer are not of equal quality. Rationality implies a

logical order and may be considered as a methodological procedure ordering the object of thought in a logical manner. Leaving aside the question of the independence or not of the rational order of the human or super human mind and its ontological status, it is certain that the world shows some kind of contingency and hence of elements which are rational in the above restricted sense. Hence, to be fully rational means to have a differentiated world and, especially in society, to be connected with others and to learn to build inductive generalizations. Such rationality has practical meaning and expression in the wide sphere of human life, from the economic and political to the ethical and daily life.

Is it possible to limit human freedom only to rational norms? Freedom is to be achieved, which requires intentions to act in particular ways. Hence, the emergence of freedom relates to at least two human dimensions. One is the non-conscious needs of individual human beings, as well as their goals and aims. The second dimension is connected with needs and wants which are common so that freedom can gain some rational organization of feelings and sensibility. The free will of persons has intellectual content, because of which rationality is able to emerge in freedom. But such rationality is not a matter of abstract or isolated individuals; it derives from unique persons with their natural being and life, and from their intellects as a mode of thinking related to the person's understanding of the world. This level of understanding operates with a system of categories, but cannot be reduced to them, as was the case in Hegel's philosophy. Understanding has a more complicated nature which cannot be expressed by only a system of logical categories. Many categories by which one operates cannot be reduced to the logical nature of meaning and explained thereby. For example, the very category

freedom cannot be expressed in some firm logical context such as “communism,” though that was attempted by the former Soviet Union and for other millions of people organized around this notion.

Since Kant it is no longer possible to explain the content of general notions and categories by experience alone: from experience emerges only experience. The notions and categories on which understanding is based are connected with the broad human outlook or “Weltanschauung.” Human understanding relates to the whole human world of feelings and meaning, and includes a very broad circle of values and beliefs. Thus, one call upon one’s understanding with regard to the exercise of one’s freedom and being. Understanding is connected also with non-rational and mythological modes of thinking.

Thus, human existence is known not to be limited only by rationality: the intention of B. Russell’s logical positivism to limit the sense of discourse by true or false knowledge has not been realized. The disappointment of Europe regarding this approach turned into a great *scepsis* concerning the very value of philosophy so that 20th century Western civilization prefers to deal with positive decisions rather than with philosophical speculation. Thus, since as far back as the 19th century the whole set of values without which Europe could not conceive itself has remained between the positive and the negative, as suggested by the scientific world outlook. Among the greatest values, that of Divinity, was lost simultaneously with the significance of the non-rational and, as it turned out, the value of a person.

Holding himself to logical argumentation, Bertrand Russell praised rationality, explaining the impossibility of a divine being at the same time. Hence, there came into fashion the discourse, diagnosed by Gabriel Marcel as that in which the “fanatical force

of abstraction leads to ignoring of the individual's life value." Not the human person, but rational knowledge was made responsible for action.

Clarification of the non-identity between mind and reality does not assure the fact that thought is quite independent of reality or reality is quite independent of mentality. Connection between thought and reality is cobbled by the European history of the 20th century. It appeared that definition of the truth and decision-making to some extent depend on both the mentality of the participants of a situation and the very situation which may be previously generated by its more or less informed participants. It follows that in acceptance of their socially significant decisions people always refer to knowledge, on the one hand, and to the real situation, on the other hand. This concerns the people, members of the government, political leaders and people in science. Hence, the procedures for decision-making concerning the rights and liberties of the citizens are not only limited by knowledge but also depend upon convictions, faith and the will of all the participants in the procedure. This is equally true of both parliamentary decisions and the resolution and consequences of judicial procedures. Obviously, that is why it was possible to judge both A. Hitler and Stalin only in the circumstances of the new European semiotics reality.

The Ukraine has lacked the new reality for truly arriving at decisions and resolutions. This is what is now changing in the direction of true, but not declarative guarantees of the rights and liberties of a citizen. Obviously the availability of the Constitution alone was not enough as long as the social situation around it was formed by persons who did not truly accept, not to mention realization of a parliamentary consensus. How, indeed, to change the course of events? Is this even possible without achieving a true "solidarity" in its identity? Taking into consideration the fact that

one's sense of identity is grasped not so much through cognitive factors and language as through imagination, fantasy and habits, their inner cultural and ethical content are important. What will be the conditions for a comprehension of identity?—The values of conquest, the humiliation which prevailed before 1991? Or what became the cement for overcoming totalitarianism and social closure, namely, the revival of the humanistic moral grounds of social life as a new horizon of understanding?

Along with rationality, it is important to return to the grounds of vital cultural phenomena for the formation of democracy, for there is no other way to be a person than to be identified with a specific culture. We must conform to the democratic procedures which arise from culture past or present, but it is not the same to say that the culture of the society arises from democracy, except for the political culture of tolerance and the acknowledgement of the supremacy of equal rights for citizens. This because the human life from which culture arises is wider than the social system of society and state.

Not so long ago the great minds of Europe considered the future of science to be defined by the mathematics it used. Now, at the end of the 20th century, we know that this is not so. But the positivists, trying to define the measures of non-rationality in order to expand the measures of rationality, proceeded in this manner, claiming that the expansion of rationality did not appear to mean a direct contraction of non-rationality. But claims concerning the contraction of the non-rational sphere turned out to be the destruction of the cultural text, the elimination of the essence of faith, hope, and finally of the subjectivity of a person's world outlook.

A contraction of non-rationality is possible only by a conscious attitude regarding certain phenomena and values which,

on the one hand, develop on the grounds of the evolution of scientific investigations and the progress of society and, on the other hand, are formed under the influence of dominant conceptual approaches with regard to social, political and ethnic processes. This is the mentality which generated the European political situation during the 20th century, and which spread at the Universities, under the direction of the state; it formed within the imperial political formation, instead of an open society.

But just as it is quite clear that mathematics does not exhaust the processes of scientific formation and the increase of knowledge, neither is this the case regarding the conviction that social life will be exhausted in rational democratic procedures of decision-making. Even if such procedures provide a maximum of a person's rights, they do not exhaust all one's possibilities. This extends to the sphere of non-rational understanding and is not confined solely to rational institutional structures and the formal means of achieving that aim.

Hence, whereas the frame of rationality is delimited, that of understanding is broader and in accord with the epistemological outlook of the cultural level as a whole. Culture is the main base of human understanding, for freedom on the level of pure rationality became a negative version of freedom. For Hegel, in its abstract form this has "a fury of destruction" rather than personal self-determination, as confirmed by former Soviet practice.

This can be confirmed if we attend to the functional asymmetry between the two hemispheres of the human brain. There is a functional difference within each hemisphere: the left serves logical and abstractive thinking in notions and concepts; the right serves for thinking by images, symbols and emotive signs. The latter also is more connected with the ability to recognize the world. Thinking draws upon the two hemispheres, but it is

impossible to get the meaning of world from the left hemisphere alone. The same is true of understanding, which is impossible without the emotive human world.

We noted above that democracy is grounded in a rational consensus, without which the practice of democracy is impossible. It is at this level that one finds the ethical discourse of social life. Clearly democracy needs a measure of solidarity, but what is its nature, and could it be measured in terms of rationality alone? As a social quality solidarity is not exhausted by ethical discourse alone, but has also a dimension of moral consensus.

Jürgen Habermas distinguishes between ethical claims, which have a teleological orientation to the realization of needs or values, and moral claims which refer first of all to obligatory or prohibited action, to norms or rules which specify reciprocal behavioral expectations.<sup>4</sup> Although Habermas had distinguished between the ethical and the moral as corresponding to value judgements and normative judgements respectively, this seems not to have exhausted the nature of morality for we must take into consideration not only the normative side of the moral, but above all the creative character of the moral.

As ethical judgements are related to values and goods, they imply ethical requirements for a rational consensus between people. But even this kind of consensus “requires prior agreement on a tradition-mediated notion of the common good.”<sup>5</sup>

Therefore, rational consensus appears not to be sufficient for solidarity, but only for the rational level of solidarity connected with the legislative system of a society or state. If the discourse-ethics concept of justice includes references to individual welfare and the common good, this means that solidarity is the “reverse side” not of the legal system, but of justice as accepted by people in the some culturally difficult

situations. In this case one must distinguish between the legal system and natural statute of human rights.

As a rule, the destruction of social solidarity is due to a disturbance of social life and to violence in the political life. Some examples emerge from the Ukrainian experience. The prominent Ukrainian writer and thinker, Ivan Franko (1856-1916), who was knowledgeable regarding Marxist theory, having translated Marx's works into Ukrainian, was one of the deepest critics of its main principles. At the beginning of 20th century, when Marxist theory became widespread and influenced so-called intelligence in Russia and in part in the Ukraine as well, he wrote a few articles in which he precisely predicted the consequences of Marxism as totalitarian practice and slavery over human freedom. In particular he described the real Ukrainian agricultural social experience grounded on the rural mode of production built around private property and farming, whereas Russian communism as essentially Marxist promoted collective farming and destroyed the rural social relationship. Unfortunately, the voice of Franko who organized and lead the radical party in Ukraine was not heard because of the national defeat in 1919 and the invasion of the Russian red army. Franko's understanding of the reality of human freedom, rights and solidarity was not accepted by society in part because hundreds of thousands who agreed with Franko were exterminated by the ruling communists. (There is a deeper question about the basis of the grounds for spread of Marxist solidarity connected with the so-called "Russian idea," but for reasons of space I will not consider it now.)

In Ukrainian society, the lack of a common understanding or of solidarity was connected with society's loss of social independence. Some do not link social independence with national independence, but this depends upon a number of issues: freedom,

solidarity, human rights, human possibilities, social organization, culture and nation, morals and ethics, political life and democracy. In any case, the question relates to the problem of personal identity.

Communism, among the numbers of the Party at least, was set up on a rational basis elaborated and adopted in Congresses. The most influential arguments were the priority of international over national values. There was rational conviction on the part of many people, and a rational consensus for communist solidarity. But such a centrally adopted solidarity became an obstacle for adopting the values of civil society.

It is necessary then to distinguish between “real life world solidarity,” on the one hand, and “specific solidarity” on the other hand. Here “specific” means that some values coalesce around determinate ideological and political values and provide a normative basis of group cooperation. In this case we have no real human solidarity as a practical base for living freedom. According to William Rehg, real human solidarity must be elaborated as a rational human solidarity. This “does not rest content with concrete coincidence of world view or interests, but extends to all persons capable of questioning and arguing.”<sup>6</sup> Here “rational” can mean also that its nature has an inherent cognitive element, namely “the requirement that the individual’s autonomous rational conviction depends on that of others.”<sup>7</sup> But this is only one of the many factors relating to the ontological status of solidarity.

Earlier, we considered the difference between rationality and understanding. It is necessary also to find the ontological dimension of understanding. The ontological status of understanding is not exhausted by rationality, though its content is cognitive. Freedom also has an ontological level like belief, but its ontological existence is more than can be expressed by means of

abstract, categorical, and even logical expression regarding the human's being. In other words, this is a broader problem than the relation between the cognitive and rational capabilities of the mind and the mythological nature of outlook and cognition. But both dimensions coincide in the nature of understanding.

Solidarity is linked not only with rationality or reasoning and understanding. The value of solidarity and of broader human action can be established in accord with the criteria not only of rationality, but of understanding as well. At the level of the relation between people's, which reflects their initial nature as human being, understanding as a phenomenon of personal life is transformed into solidarity as a phenomenon of social life. Both are experiences of social life. Both are experiences of human existence in society. As noted by C. Maldonado, sharing the point of view of C. Patocka, "the form par excellence in which life in society is constituted by human beings is solidarity; without a sincere experience of solidarity it is impossible, or at least extremely difficult, for any human community to exist."<sup>8</sup>

Be that as it may, solidarity is realized in the context of culture and cannot be reduced to the political values of society or to the values of civilization as a whole. In this meaning solidarity is a "reciprocity that renders refusal impossible in principle. It is an eminently horizontal relationship in which any form of hierarchy or hierarchization is totally put aside."<sup>9</sup>

Solidarity as an understanding and human spirituality "is properly rooted in living experience, whereas knowledge is grounded in an intellectual act . . . only having lived the genesis, life process and hazards of the other can we say legitimately that we know or understand him/her."<sup>10</sup> This enables us to elaborate the connection of solidarity with ethical and moral meaning, on the one hand, and with the human rights and violence, on the other.

The solidarity is a natural emergence of freedom in the broad meaning of that word. For freedom means to exercise in the human world a capacity for creating some new quality. Thus, solidarity has a practical character for it directs a person along the path, which he undertakes by himself, living according to his understanding and producing a product. This behavior produces some possibilities for others. Only through the creation of possibilities, which could be accepted by another, can a person's freedom be able to emerge.

Such action has an element of devotion to bringing into the world one's own understanding and possibilities. This devotion is the reverse side of "vocation"; both characterized one's calling in one's society, as one's proper historical and cultural world. Human life is constituted by such values as devotion, vocation and calling can be called the responsible exercise of freedom.

This is a matter of moral and cultural activity and of human understanding. This is a ground upon which the values of civil society are constituted. This brings us to norms and ideals of human action which constitute human rights. Through ethical description human rights achieve theoretical awareness, which has its rational expression in the law.

This understanding exceeds rationality and demands a theoretical expression of human possibility. If moral understanding and action be exercises of freedom and possibilities the ethical level of understanding is more general and greater regardless of the concrete forms of social violence. Thus, "not all ethics fulfil the task of exalting and understanding human life; rather some ethics are at the service of other interests and goals, thereby converting the value of human existence into a means for other ends."<sup>11</sup> This could be explained by the social and cultural context of the preponderance in multi-cultures of some kind of

rational ethical discourse over other cultural values. Only when such ethical discourse has been established and developed is one culture politically overwhelmed by others. Because of this it seems to have been insufficiently stressed that “at the basis of moral solidarity, finally, there lies a rational human solidarity, the counterweight pulling practical reason out of its ego-ethnocentric centripetal spiral, orienting it rather towards the cognitive force of the other’s presence and claim.”<sup>12</sup>

First of all, moral solidarity is not equal to “rational human solidarity” because morality has a wider nature than rationality. It includes some practical action which coincides with morality. In other words, the moral is not only an act of abstract thinking, but action loaded with inherent values. I live according to values which have not only some social content, but a “Weltungschauung.” These include such values as joy, belief and perhaps dignity in its first preliterate symbols. The cognitive nature of morality and solidarity are connected with the human capacity for the universalization and generalization of personal experience received at birth and in accordance with the place where the person is born. As human spirituality, and not only cognition or rationality, it “is grounded upon and fed by the living experiences in which solidarity operates as a central motive or chief motivation.”<sup>13</sup>

At the same time, the point of view of W. Rehg cannot be ignored. Finally, solidarity needs a cognitive expression and arranges this in forms of rationality. The rational expression of solidarity is also defined by cultural language and ethos. Hence, a “moral consensus” is broader than a “rational consensus” and the content of solidarity as a moral posture can be explained in terms of understanding related to vital human experience. “Such understanding is neither an intellectual act nor a rational

elaboration such as is found in the formal or positive sciences. Rather understanding is the best and most authentic way to know the other without reducing him or her to a thing; it is the act of identifying with the other's goals and aims."<sup>14</sup>

Thus, actual solidarity with regard to human rights shows that solidarity is not the reverse side of violence, but grows from the human being in the world. Here we are not dealing with definitions, but trying to unfold the links between understanding and rationality in the social context. By its inner sense Democracy, formed in order to realize a person's possibilities and in formal response to the challenge of self-realization, is not reduced merely to rationality. Indeed rational behaviour is a condition not only of the democratic, but of the authoritarian state as well.

We quite agree with K. Popper that in order for the openness of the social processes to provide for a full degree of human self-respect there can be no strict regulation and norms beyond the agreement of social groups and communities. Such social or common agreement is formed as the nature of identity and is connected with the common needs of civil welfare and the discussions connected therewith. But on the negative side, democracy can also constitute a deliberative form of repression and antisocial action; the measure of democracy itself may change according to legislation.

That is why inner contradictions are characteristic of democratic procedures. On the one hand, the nature of democracy is formed on the basis of social diversities connected with multi-cultural elements which are not reduced to the usual human rights. One of the most important parameters of the democratic processes is security for personal transformation and the determination of one's personality. On the other hand, democracy demands equal social rights and relations between people in social,

economic and political space. Thus it shapes the conditions for one's socialization and personalization.

Though history does not have a libretto written in advance, there is something similar with regard to democracy: the operatic parts sound differently in accord with the theatre, producer, and conductor. Similarly, in the theatre of democratic process the national cultural context and the government play the roles of producer or conductor.

In social democratization the common people's welfare is realized through the individual's efforts to find his or her identity. But when in a democratic society a significant part of the people remains at a low level of self-realization a vacuum forms between the society and the state. Such a vacuum has existed in the Ukraine. It was a vacuum of social justice, caused by old habits of social and state behaviour, based on the inherited power of the staff of the previously totalitarian regime. To a certain extent this is formed by the state's elimination of the processes of self-identification in terms of national values. Hence there is the paradox that expansion of democracy in the Ukraine is connected with processes in the non-rational field. To expand democracy means to expand the limits of the common understanding of existential values, among which is the attitude of a person towards God, whether positive or negative, conscious or unconscious. Further, at the centre of mutual understanding we must place the priority of a person's rights and of social justice. These are connected with the right to live in a defined national culture, the right to be oneself.

This is in opposition to the earlier Communist ideology and its form of rationality. There exists then a need to define the reality or being of our reintegrated society. This may approach openness with regard to a person on the basis of common acceptance of

social civil values, which undergird both the long earlier struggle against authoritarianism and the current progress toward an open society.

A common acceptance of values also emerges as a form of national association. This needs a proper rational guarantee through the state government, lest the democratic processes be oriented around competition for the promotion of private interest above all else. For promotion of private material interests of itself does not create the conditions of equal rights; on the contrary, private interests are realized also in authoritarian and totalitarian societies—in Communist Russia private interest led people to ever higher levels of power, which was treated as a kind of property.

Without taking into account that “the Universal Declaration of Human Rights” states that “A human-being is born free and equal in dignity and rights,” even a legal democratically elected government cannot guarantee equal rights for the citizens and often ignores human possibilities and resources. Hence, we quite agree with J. Habermas with regard to orienting democratic processes mainly round discussion about general or common goods. It is important to reach such a social consensus or consolidation, in order for a non-rational understanding of the “common good,” through the social mentality and the aspirations of a constitutional national identity, to elicit action by the majority of the citizens of the society. In this we observe, according to J. Maritain, a great personalizing truth, namely, that “to offer to a person only human life means to deceive a person and to wish him or her evil, because one is called chiefly to something greater than simple human life”.<sup>15</sup>

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## **NOTES**

1. George McLean, "Solidarity and Subsidiarity."
2. Carlos Maldonado, "Human Rights, Solidarity and Subsidiarity: Essays toward a Social Ontology" (Washington: The Council for Research in Values and Philosophy, 1997), p. 35.
3. Jaroslav Pasko, "Civil Society: Eastern Europe and Ukrainian Perspectives," in *Analytic-Information Journal*, ed. S. Eremenko, No. 3, 10 (Donetsk, 1997).
4. Jürgen Habermas, *Essays: On Practical Reason's Discursive Ethic in relation to Practical, Ethical, and Moral Use* (Frankfurt: Suhrkamp, 1991), pp. 100–118.
5. William Rehg, *Insight and Solidarity* (Berkeley: University of California Press, 1994), p. 91.
6. William Rehg, *ibid.*, p. 171.
7. *Ibid.*, p. 171.
8. Carlos Maldonado, "Human Rights, Solidarity and Subsidiarity" (Washington: the RVP, 1997), p. 48.
9. *Ibid.*, p. 48.
10. *Ibid.*, p. 50.
11. *Ibid.*, p. 33.
12. W. Rehg, *ibid.*, p. 247.
13. C. Maldonado, *ibid.*, p. 51.
14. *Ibid.*, p. 50.

15. Maritain, *Philosopher in the World*, p. 52.