Echoes of Nicolai Hartmann in Czech Philosophy

Miloš Kratochvíl

Abstract The aim of this article is to follow the echoes and incorporation of Nicolai Hartmann's ideas in Czech philosophy. For the purpose of showing the variety of philosophical fields influenced by Hartmann, I have selected the systems of four Czech philosophers: Ferdinand Pelikán, Vladimír Hoppe, Jan Blahoslav Kozák, and Vladimír Kubeš. In his attempt to clarify noetic problems, Pelikán paid most of his attention to Grundzüge einer Metaphysik der Erkenntnis. Hoppe created one of the most complete philosophical systems in the history of Czech philosophy, where the notion of intuition plays a key role. Hartmann's ethics is also treated and assessed by J.B. Kozák. And, in the last part of this chapter, I show the echo of Hartmann's philosophy in the ontology of law of Vladimír Kubeš. I show that Hartmann's ideas have not only been adopted in various modifications throughout the history of Czech philosophy, but that they have also been criticized.

Keywords Czech philosophy; Hartmann, Nicolai; Kozák, Jan Blahoslav; Kubeš, Vladimír; Hoppe, Vladimír; Pelikán, Ferdinand

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1. Introduction

"As a whole, Hartmann's philosophy is some kind of extended, modernized and deepened positivism."[1] This statement concludes Jan Patočka's philosophical portrait of Nicolai Hartmann published in *Česká mysl* (*Czech Thought*) in 1942. What does this surprising association of positivism with the author of one of the most influential ontologies rooted in phenomenology tell us? Is it supposed to be a compliment or a criticism? Is the purpose of such a statement to make us reflect upon both Hartmann's philosophy and positivism? Although decidedly short, Patočka's article, which was written and published on the occasion of Hartmann's jubilee, was for a long time the only text introducing and summarizing the latter's philosophy to the Czech philosophical community. Nevertheless, the echoes of Hartmann in Czech philosophy are more numerous. The aim of this article is to pursue these, and to show how some of Hartmann's ideas were incorporated into the systems of four Czech philosophers: Ferdinand Pelikán, Vladimír Hoppe, Jan Blahoslav Kozák and Vladimír Kubeš. The contemporary Czech philosphers Otakar Funda and Josef Šmajs, who were strongly influenced by Hartmann, will be discussed in a separate article.

The first of Hartmann's books to have drawn the attention of Czech philosophers appears to have been *Grundzüge einer Metaphysik der Erkenntnis*, published in 1921. Before the 1920s, Hartmann was, at least according to Patočka, the most gifted candidate of the Marburg Neo-Kantian School. He approached Plato's philosophy in spirit, which he interpreted as a theory or logic of being. However, at the turn of the 1910s and 1920s, he committed, to use Patočka's words, a "spectacular apostasy," by turning away from Marburgian idealism towards the other side: namely, that of realism.

2. Ferdinand Pelikán

The longest and most intensive controversy in the history of Czech philosophy was that between positivism and idealism.[2] The philosophers on the

1. "V celku lze říci, že Hartmannova nauka je jakýsi rozšířený, modernisovaný, prohloubený positivismus" (Patočka 1942, 47).

2. "Czech idealism" is a name for the philosophers who founded the journal *Ruch filosofický* in 1921. It was a rather heterogeneous group of philosophers opposed to positivism. Czech positivism, meanwhile, was the dominant philosophy in the first decades of the twentieth century, and differed from French positivism as well as from English positivism. The term "idealism" was used by the most energetic Czech positivist František Krejčí to name all non-positivist philosophies. His classification of philosophical conceptions made reference to the knowability of the transcendent. To simplify, we can say that he distinguished four possible standpoints: (1) knowledge of the transcendent is possible and necessary for our worldview, (2) knowledge of the transcendent is possible but not necessary for our worldview, (3)

idealist side reacted rather strongly to Hartmann's philosophy. One of them, Ferdinand Pelikán, although he did not create a complete philosophical system, played a significant role in the development of Czech philosophy. At first, he was influenced by Neo-Kantianism (he studied under the supervision of Wilhelm Windelband) and conducted a study of Hans Vaihinger's perspective on the nature of scientific knowledge and its philosophical foundations in the works of Hume and Kant. He was the author of one of the very first Czech texts about Hartmann: namely, an extensive review of *Grundzüge einer Metaphysik der Erkenntnis* (Pelikán 1924). Naturally, he mostly stressed those topics in which he himself was interested. For him, Hartmann's book constituted a noetic challenge. Pelikán characterized it as "aporetical." According to him, Hartmann's book was aporetical in the skeptical meaning of the term. He found only a few positive assertions therein, and concluded that Hartmann's philosophy was a kind of skepticism. This skepticism, he thought, overshadowed its ontological aspect.

The major aporia of this work, according to Pelikán, is that of the possibility of the knowability of the object. The object is, by its nature, in relation to a subject, transcendent. This aporia entails two antitheses. Either an object is knowable thanks to the subject's capacity for crossing the transcendental gap, i.e., on account of its ability to step outside of itself—or a subject does not have this capability, and experiences only its own contents and ideas. For Pelikán, the question of the awareness of the difference between a mere image and a transcendent object is a key philosophical problem. How do we know that we do not know everything, or that we do not know properly? Is there something else besides the subject and the object? Pelikán liked Hartmann's idea that there is a realm of trans-objectivity, whose border is movable in that new beings can become objects (which also makes the progress of knowledge possible). However, this realm, according to Pelikán, is not unknowable. The concept

knowledge of the transcendent is not possible but necessary for our worldview, (4) knowledge of the transcendent is not possible and not necessary for our worldview. The first standpoint sets up the task for philosophy, which is to provide the method of grasping the transcendent. In the second standpoint, there is no need for philosophy at all. If the transcendent is knowable, it is knowable by science, according to the positivist. The third one also leaves no space for philosophy and leads to mysticism and religion. The fourth one indicates the task of philosophy, which is to provide a worldview without reference to the transcendent. In summary, philosophy can only be positivism or idealism (i.e., non-positivism) (Krejčí 1930, 8). It is in this sense that I use the term "idealism." The term "worldview" ("světový názor") corresponds to the German word *Weltanschauung*. Worldviews were a major topic in the Czech philosophy of the end of the nineteenth century and the first decades of the twentieth century, not only in positivism and idealism but also for Tomáš Masaryk and the early Patočka.

of "the Unknowable" was popular among the Czech positivists (especially in Krejčí 1904), who borrowed this term from Herbert Spencer (1862, Part I). Pelikán tried to avoid positivist skepticism. He thought that avoiding skepticism was also one of Hartmann's goals. But, according to Pelikán, although Hartmann described and analyzed the problems of skepticism very well, he nevertheless failed to overcome them. Many times, Pelikán compared Hartmann's arguments with those of the ancient skeptics, who believed that one vainly searches for the criterion of truth (vainly, because searching for such a criterion leads to aporias—either the criterion is in our consciousness and does not pertain to the objects or it is in the objects and does not relate to our consciousness), and to Plato's considerations about the possible knowledge that there is something that we do not know (Pelikán 1929, 104).

Pelikán's aim is to find out how the trans-objective can be objectivized, and how we can know about our ignorance of something. According to him, the aporia of knowing our ignorance is a partial aporia, for it involves the intention of overcoming such a limit. Hartmann considers *a priori* knowledge to be aporetic as well. For even in this case one can ask how an inner experience can lead to the knowledge of essences, and how we can even know and have certainty that what we have grasped via such an intuition corresponds to outer reality. Pelikán appreciates that Hartmann removed the "centennial preconception" to the effect that *a priori* knowledge must be of an exclusively rational character. He assumed that principles or laws of being can be irrational as well. Along with Hartmann, he stresses the role of the irrational, which enables one to connect the theory of knowledge with ontology. But, nonetheless, the notion of the irrational carries with it an aporia as well—something which can also be encountered in Kant's philosophy. Another centennial preconception, present in the history of philosophy, is that "reason should grasp being in its completeness" (Pelikán 1929, 114). However, unlike Kant, Hartmann, according to Pelikán, does not consider the immanence of knowledge and the concept of the thing-in-itself to be the peak of rationality, but rather the exact opposite. Hartmann puts being above rationality and, consequently, ontology above the theory of knowledge.[3]

3. "Imanenci myšlení, která resultuje ze vztahovačnosti ratio k irracionálnu, nelze zaměniti za imanenci poznání, jak chtěl Kant ve své věci o sobě, která mu byla vrcholem racionality. V Hartmannově ontologické revoluci, jak on říká, jest jsoucno nadřazeno rozumu" (Pelikán 1929, 114–15).

As a representative of Czech idealism (emphasizing, in a Bergsonian manner, the spontaneous creativity of the human mind), Pelikán was impressed with Hartmann's considerations about conceptual constructions and the ways in which the mind fixates, albeit tentatively and hypothetically, on what will later become knowledge. There is an activity of the mind that consists in the creation of notions; such activity is a sort of anticipation, of projection (Pelikán 1929, 116). According to Hartmann, concepts are hypothetical representations of (otherwise) ungraspable essences. And the realm of the unknowable, the irrational, or—as Pelikán and the other Czech idealists put it—the Absolute, is exactly what modern philosophy seeks. For the Czech idealists, positivism was the philosophy of the past, not having any future, while modern philosophy was, first of all, Bergsonism and other like-minded schools searching for new, non-scientific ways of knowledge leading to the Absolute.

According to both Hartmann and Pelikán, the mistake of Kantian philosophy consisted in the prejudice that reason imposes its laws onto nature. For them, however, reason tries to imitate or eventually grasp its object, but does not create it. Critical ontology can only be a realist ontology. Here, Pelikán took note of what would later become Hartmann's most famous idea—i.e., that of the layered structure of being—and compared Hartmann's philosophy with that of Émile Boutroux, who proposed a similar theory of levels of reality in *De la contingence des lois de la nature* (1874).

Pelikán assessed the consequences of Hartmann's aporetics rather negatively: "Aporetics can perhaps formulate the old philosophical issues in a better way, but it can hardly solve them. It can perhaps refine and deepen critical methods, but, in the end, it stands helplessly in front of confused complexes of new mysteries calling for deeper psychological description" (Pelikán 1929, 124). This helplessness becomes evident not only in the inner disharmony of Hartmann's book, but also in the absence of positive answers, which are, according to Pelikán, not even present as hints. Despite the fact that Hartmann did admit of a kind of intuition in *Metaphysik der Erkenntnis*,[4] Pelikán accuses Hartmann of failing to take into consideration intuitions and emotions in the process of arriving at knowledge. Strongly influenced by Bergson, he sees in such faculties ways to break the limits of (un)knowability and loosen the rational and methodological shackles of the human mind. Briefly put, he holds, perhaps wrongly, that Hartmann "crossed out the emotional and volitional aspect completely and understood

4. On Hartmann's account of intuition, see (Hartmann 1921, 327–30).

the subject only as consciousness, as a passive, purely receptive reservoir of intellectual contents" (Pelikán 1929, 124).

3. Vladimír Hoppe

Much stronger reactions to Hartmann's philosophy, especially to his critical ontology, can be found in the works of Vladimír Hoppe, another representative of Czech idealism and author of the most comprehensive philosophical system of interwar Czech philosophy. What drew Hoppe's attention to Hartmann was, presumably, his *Ethik*. Hoppe does not mention Hartmann in his major work *Přirozené a duchovní základy světa a života (Natural and Spiritual Foundations of the World and Life)* (Hoppe 1925), but he did publish a review of Hartmann's *Ethik* (1926) in *Ruch filosofický* in 1928. His assessment of *Ethik* is manifest from the very title of the review: "Pozoruhodné dílo z oboru etiky" ("A Noteworthy Work in the Field of Ethics") (Hoppe 1928a). Naturally, in *Ethik* Hoppe is looking for—and finds—ideas corresponding to his own conceptions of human beings, knowledge and values. Nevertheless, like Pelikán, who criticized Hartmann's metaphysics of knowledge, he criticizes Hartmann's ethics for its agnosticism and lack of positive statements.

One of the main objectives of Hoppe's philosophy is to transcend the limits of rational knowledge. He believes that this objective can be reached, but that philosophy is ultimately unable to reach the core of truth. Whereas the sciences are concerned with empirically observable reality, absolute values remain out of their reach. The aim of his philosophy is to find ways of accessing the realm of the absolute. As he says, "by restoring intuition and contemplation, I am trying . . . to descend as deep as the pre-experiential conditions of the spirit and thus also of the world. I am thereby trying to rediscover the immediate contact with the absolute world of ideas" (Hoppe 1928b, 152). The purpose of philosophy is thus to raise mankind from the lower, material categories to the higher, spiritual ones—from the world of phenomena to the world of values. Material interests must be subordinate to the latter. The focal point of our interest is to turn from the outer towards the inner world. Thus, philosophy is primarily metaphysics, and metaphysics is in fact a project, a utopia, the study of the totality of what "ought to be." For him, philosophy deals with what ought to be, with values rather than facts, and science is unsuitable for this purpose, for it is only concerned with the observation of phenomena (Hoppe 1922, 4).

However, in the realm of spiritual reality, we are not concerned with observations of any kind (not even with introspection), but exclusively with the direct, unmediated (whether by the senses or by reason) experience

of essences. It is impossible to quantify the intensity of spiritual phenomena (e.g., memories, sorrows, pleasures). For that reason, such immediate experiences are exluded from scientific investigations.[5]

Philosophy, therefore, tries to grasp essences by means of intuition, whereas the sciences, which intentionally leave out objects and their qualities, in fact deny the very reality that, consequently, cannot be known by them. Science deals with static symbols. As Hoppe says, "physics is the science of matter without matter; biology is the science of life without life; psychology is the science of the soul without soul.[6] In other words, science does not get to know what matter, life and souls are. According to Hoppe, this is not just a mistake or a lack of knowledge: it is a denial of our own spiritual reality, of moral values, and of the meaning of life. He believed that the worldview of modern human beings amounted to a nihilism whereby conflict and the will to power are conceived as the movers of progress, and that the practical culmination of such nihilism was the Great War.

Hoppe claims that there is a specific type of philosophical knowledge that differs essentially from the scientific sort.[7] It has its source in the spirit. The scientific postulate of causality is replaced with that of purpose. The postulate of purpose does not limit the life of the spirit to causal connections, but opens up the possiblities for free creation generally (Hoppe 1922, 14). This was the common goal of all of the Czech idealists, and we can say that their programme was to free the human spirit from the chains of (scientific) methods—or, in other words, to defeat positivism by highlighting its sterility. However, this does not mean that all these idealists were anti-science. Some of them were scientists themselves. For example, Karel Vorovka was a mathematician, influenced by Henri Poincaré's epistemology, who saw in mathematics many testimonies to the creative nature of science and the human mind (Vorovka 1917).

An important topic for Hoppe was the Kantian metaphor of the Copernican Revolution in philosophy which, generally, was intensively discussed in the philosophy of the nineteenth century. According to Hoppe, the

5. Apart from the evident Bergsonian traces, we must also recall that one of the main battlefields of the idealism-positivism controversy was the question of the possibility of scientific psychology. The positivists said that "metaphysics, already being expelled out of the natural sciences, crept into psychology. . . . The idealists now combat positivism with psychology and persistently prevent its scientification" (Krejčí 1930, 41).

6. "Fysika jest vědou o hmotě bez hmoty, biologie jest vědou o životě bez života, psychologie vědou o duši bez duše" (Hoppe 1922, 6).

7. This view was not exceptional in Western philosophy at that time: we might mention Bergsonian philosophy and phenomenology, to name just the most influential and enduring approaches.

Copernican Revolution does not necessarily lead to solipsism, but forces us to rethink the aims of philosophy. As he writes

> Our personality is pulled out of the limited realm of bare physical life by this sudden opportunity to replace the categorial order of the rigid world of quantities with the unlimited supra-individual sphere of qualities, and thus embedded in the unlimited creative realm of spiritual life. (Hoppe 1922, 18)

Such philosophy takes the subject into consideration, for it does not reduce human experience to phenomena and it does not explain the superior by the inferior. This position distinguishes philosophy from positivism and science, which both lead to nihilism. Hoppe opposes his philosophy, which he calls a "positive spiritual philosophy," to nihilism, and wants to fight the latter by means of the former. His starting point is the spiritual abilities of the human mind, which are subsequently projected onto unknown objects.

Hoppe revised Comte's law of three stages into one consisting of four stages. The first, according to him, is the stage of intuitive knowledge, which corresponds more or less to what Comte called the theological stage.

The second is the stage of negative philosophy (with its objective analysis), which corresponds more or less to what Comte called positive philosophy. It comprises the positive, scientific worldview, characterized by agnosticism regarding the possibility of the cognition of causes and essences.[8]

The third is a period of marked discontent with the nihilism and relativism of the previous, scientific, objective stage. This third stage is characterized by an appreciation both of the creative capabilities of the subject and of the fact that the world is its representation, and that the representation is a germ of reality. It is not just a new degree: the preceding stage contains no anticipations of it. It is completely novel, and a turning point. In the preceding stage—i.e., that of negative philosophy (or positivism, in Comte's terms)—any cases of introjection of a subject into an object, intuition, hypostatized consciousness, etc., amount to gross mistakes and epistemological failures. According to Hoppe, Kant realized this better than Comte. But still, Kant on the one hand is an agnostic, but on the other postulates the thing in itself and the moral laws. Indeed, not only does he postulate

8. We cannot go into details here when it comes to showing that Hoppe equated positivism only with the first phase of Comte's career. The second phase of his career was more connected with subjective synthesis than with objective analysis. However, Hoppe understood positivism as a form of materialism and scientism, which is far from the Comtean conception of it.

them, but he also makes positive statements about them. It is exactly Kant's compromising point of view that called for a solution, and the philosophy of the nineteenth century was full of such attempts. There seems to be a kind of agreement between Hoppe and Hartmann on this subject.[9] For Hoppe, when Kant said that we cannot know anything about the thing-in-itself, this was already a positive assertion, or maybe even knowledge concerning the latter (with respect to its existence and its unknowability, at least).

The fourth and highest stage is that of positive spiritual philosophy. Here we are

> by the supra-individual spheres of our personality in direct contact with the spiritual creative cosmos . . . At this stage of positive spiritual knowledge, gnosis, the difference between subject and object disappears. (Hoppe 1922, 28)

Hoppe sometimes describes this stage as a direct contact with God. Kant's scientific orientation (and his epistemology reflecting it) prevented him from reaching these spheres, while Hegel and Schopenhauer came much closer. This is the reason why Hoppe was so impressed by Hartmann's considerations regarding the irrationality of metaphysical issues and the methods used to investigate them. There is always a certain portion of irrationality in metaphysics; there is always something rationally unknowable. And the closer we get to this, the more we realize the deficiencies of reason (Hoppe 1928a, 74).

The implication for ethics is that values cannot be rationally deduced, and are a matter of intuition. Hoppe was worried about ethical subjectivism, and he detected this concern also in Hartmann's texts. For both philosophers, ethics had to be a science of objectively valid laws, and was irreducible to subjective activities. He also agreed with Hartmann, however, that it would be impossible without a subject. For only the subject can realize an obligation, or transform it into a reality. Moreover, ethics is essentially teleological, and its *telos* lies in the realm of the irrational. Yet the decisions

9. "Hardly less mistaken, but less crude, is the argument that claims to be supported by Kant (c., 1). The constitution of the 'thing-in-itself' is unknowable. This claim stands solidly on Kantian soil. We could also add, if need be, that at best its *Dasein* is knowable. Hence, only a cognitive boundary is drawn between *Dasein* and *Sosein*, not an ontological boundary. The things-in-themselves also have their determinacy and do not stand there in diffuse indeterminacy, and Kant leaves no doubt about this. He clearly does not conflate being and being cognizable. The idea of unknowable things in themselves shows this unequivocally" (Hartmann 2019, 112).

made by a subject in everyday life are always made on the basis of something known. Hoppe, probably under the influence of Kant, denied that this basis could be anything *a posteriori*. That is why he assumes that it is necessary to analyze what he calls the "*a priori* levels of our personality" (1928a, 75). Moral obligations originate from these levels, and it is from there that they guide our behavior in the empirical domain.

Although Hoppe is influenced by Kant, he also believes that Kantian philosophy lacks an acceptable explanation of the origin of this practical *a priori*, which any kind of ethical apriorism entails, including that of Hartmann. However, Hartmann's notion of axiological intuition is very close to that of Hoppe, for whom intuition is a key concept.[10]

As a representative of Czech idealism, Hoppe is in many respects close to the philosophy of František Mareš. In fact, Mareš (the spiritual father of the Czech idealists and a sharp critic of Tomáš Masaryk, as well as of positivism) adhered to idealistic views inspired by biology. It was he who claimed that values are objects of intuition, out of reach of science, because there is no place for intuition in the latter (Mareš 1901, 293). Moreover, he considers truth to be something higher than reality, holding that truth is not something that simply "is," but rather something that "ought to be." One shall not pursue truth; it shall rather be put into practice. For him, truth is not an epistemological category but an ethical one (Mareš 1918, 85). The fact that Hartmann's ethics is very close to this conception (at least in its outline) is the reason why Hoppe viewed it positively.[11]

According to this position, values are not real, but ideal. They are conditions for the possibility of the valuable; without values, nothing could be valuable. Valuable things are thus secondary, whereas values are primary. The valuables depend on a subject, whereas values do not. Values compel us to (co-)create reality on their basis. Thus, they assert themselves teleologically and they extend from the realm of the ideal to the realm of real

10. "Hartmann vyslovuje přesvědčení, že lze odkrýti hodnoty toliko zírací intuitivní metodou, kterážto metoda jest dnes v nepatrných začátcích" (Hoppe 1928a, 78). Hoppe is well aware that the intuitive method is only beginning to be understood. It is also understandable that it is one of the goals of his own philosophy, which he calles *an intuitive philosophy*.

11. "Není o tom pochyb, že v tom má Hartmann pravdu, dovozuje-li, že 'stanovisko subjektu k mravním závazkům (Sollen) jest centrálním bodem v mravním problému' – 'subjekt jest silou reálného světa určující tendenci. On sám dovede "přeložiti" závazek v reálné bytí'" (Hoppe 1928a, 77). Hoppe here expresses his full agreement with Hartmann, citing the latter's *Ethics*: "The attitude of the subject to the Ought is the central point in the ethical problem. . . . A personal subject is an entity which is capable of this tendency—and, so far as we can know, it is the only such entity in the world. It alone can introduce the Ought into existence" (Hartmann 1932, 261).

being, where they manifest themselves as moral principles whose bearers are human beings.

For Hoppe, moral phenomenon clearly shows how important the human role in the realization of values really is. There is no anthropocentrism involved at all. Humans create neither values nor objects. They themselves are neither accumulations of cosmic dust, nor mere phenomena amongst others, as the critical scientific position current at the time could be taken to suggest. Whereas the naïve anthropocentric view, and the scientific one, are like thesis and antithesis, ethics is like their synthesis. Human beings are mediators of values, bringing them into the world. Ethics is thus indivisible from anthropology. We often tend to forget this, but any ethical conception presupposes an anthropology, regardless of whether this is expressed explicitly, scientifically formulated, or merely implied. The place of human beings lies at the intersection of the ideal principle and the real world. Therefore, a human is always a restless, inclining, decision-making (and fallible) being (Hoppe 1928a, 77).

These considerations lead Hoppe to deal with another perennial philosophical topic: namely, that of human freedom as a necessary condition for moral phenomena. Hoppe refuses to discuss whether we are determined by causal or final determination, because in both cases it is a matter of determination. He agrees with those who claim that it is necessary to defend ethics against naturalism. However, he also believes that it is necessary to defend it against teleology. In fact, according to Hoppe, both of the above-mentioned tasks were quite successfully achieved by Kant. And yet, he thinks that Kant paid too high a price for his solution, in that he had to classify freedom among the antinomies of pure reason. In other words, he had to give up the possibility of a proof of freedom and admit that it is something unknowable and irrational. Hoppe believes that this is the point where our philosophical efforts should begin, not end. He sees this Kantian result also in the work of Hartmann. Although he admires the latter's ethics, he could not accept its agnostic assumptions. He finds Hartmann's *Ethik* encouraging for those who want to investigate for themselves, but not for those who expect clear answers.[12]

As to *Grundzüge einer Metaphysik der Erkenntnis*, Hoppe did not take this work into account until writing *Úvod do intuitivní a kontemplativní*

12. "N. Hartmann končí zde – jak jsme uvedli již shora – agnostickým doznáním, že metafysických předmětů nelze ani dokázati, ani vyvrátiti. Irracionální zbytek, jejž tyto problémy při řešení vždy vyžadují, zabraňuje, abychom postoupili k jejich konečnému rozřešení . . . I když s autorem nesouhlasíme, jsme jím podníceni k uvažování o oněch problémech a k prohlubování jich" (Hoppe 1928a, 79).

filosofie (*Introduction to Intuitive and Contemplative Philosophy*), published in 1928. In this book, he returns to the idea of the Copernican Revolution and to the critical continuation of Kant. In contrast to his other texts, here we can find many references to Hartmann. Hoppe frequently highlights the aspect of human personality at the beginning of his texts. For him, the substantial part of personality is hidden from consciousness. But, apart from the unconscious and the subsconscious,[13] Hoppe also speaks of the sphere of supraconsciousness. This is both the center and the source of creativity and freedom. If we reduced the human spirit to its conscious part, creativity and freedom would be eliminated:

> If what *is* cannot be a model for what *ought to be*, the creative and spontaneous impulses coming from the unknown parts of our transcendental personality are sufficient evidence that our existence is not fully reducible to our little, empirical ego. (Hoppe 1928b, 108)

Hoppe describes the consequence of such a conception as follows:

> The intuition of ideas or values as a permanent pattern of what is not, but what should be, therefore requires irrational methods . . . And this method, which reveals to us our most secret spiritual manifestations, i.e., ideals and values that are not within the reach of our consciousness, emerges directly from the creative subconscious, unconscious, and supraconscious potencies of our spirit. As this method can merge with the irrational individual details of any process, we call such a method, along with many other thinkers, an intuitive method. (1928b, 109)

Furthermore, Hoppe supplements this method, which makes it possible for us to "penetrate into the individual details of phenomena," with a contemplative one. By means of this second irrational method, we shall have access to the irrational part of reality that contains moral values: i.e., what "ought to be."

According to Hoppe, Kant's Copernican Revolution in the direction of the subject is not fully realized. It remains just a project, due to the fact that Kant does not assume (or does not want to assume) that the subject is an irrational and creative one; he incorrectly assumes it to be rational. Kant

13. Hoppe was influenced by Eduard von Hartmann's philosophy of the unconscious. Consequently, for him Freud's theory is nothing else than a scientific confirmation and detailed elaboration of something that was already known.

thus remains a prisoner, not only of phenomenalism, but also of agnosticism (regarding the irrational sphere of reality). He made room for faith while defining the faculties of reason. But Hoppe, who understands faith as an irrational source of knowledge, conceives of this as an unrealizable project. The Copernican Revolution could only be completed when the human spirit is perceived as a "pure irrational quality, free from any quantitative burden and capable of spontaneous production. Only if all such attributes of the human spirit were accepted would it be possible to think of realizing the Copernican Turn towards the subject" (Hoppe 1928b, 111). Therefore, much like Hartmann, Hoppe does not find it necessary to try to turn Kant in another direction. Hoppe wants to complete his project. As he says,

> whenever we try to capture the irrational, whether it is the irrational of natural creation or the irrational which forms the basis of our actions—mere conceptual reasonings, as Kant would understand them, are insufficient . . . We must start with assumptions completely different from those of Kant. (1928b, 112)

Hoppe suspects that Kant would have been aware of the existence of the unconditioned irrational lying beyond phenomena, and that he sought to know it (both in epistemology and in ethics) but refused to depart from the solid ground of experience. The necessity of bridging the gap between necessity and freedom, between causality and finality, between body and mind, etc., leads Kant to some kind of monism of absolute spirit. According to Hoppe, Kant was oriented towards the Absolute, but his critical stance hindered him from getting closer to it. Yet he at least cleared the way to the accomplishing of that. Just like Hartmann, Hoppe sees a conflict between Kant's rationalism and his admission of the existence of unconditioned and irrational elements (leaving room for ideas of pure reason).

As was common in the nineteenth and early twentieth century, the history of philosophy was not a branch of the history of thought, but rather a division of philosophy. Hoppe is no exception; he does not interpret the history of philosophy, but rather uses it. And, again, as was common then, he focuses his attention on contemporaneous philosophical systems. According to him, the overall aim of post-Kantian philosophy was to create a synthesis of the rational and irrational (a synthesis of what "is" and what "ought to be"). He had several reasons for considering Kant's own attempt a failure. His criticism of the latter is partially derived from Hartmann. However, he finds Hartmann's dialectical method to be insufficient, because in its particular form it cannot lead to the irrational. Yet a path

to the irrational is needed, especially in ethics (Hoppe 1928b, 284). Hoppe also finds the attempts of other post-Kantian philosophers to arrive at the irrational to be well executed, but to constitute no more than mere attempts.

In fact, according to Hoppe, none of the then contemporary philosophies had succeeded in furnishing the sought for synthesis of rationality and irrationality. Phenomenology did not provide it. Logicism had failed because it reduced knowledge to the study of propositions, and psychologism because it reduced it to cognitive functions. A false psychology leads to a false theory of knowledge and a false ethics. Regardless of whether the method of psychology is phenomenological or empirical, if we study only our own cognitive processes, the philosophy built on such a psychology is bound to remain very distant from any accomplishing of its own goal (namely, the synthesis). The ego must be conceived in much wider terms than as just an empirical or a transcendental one. Hoppe calls it the "great spiritual ego,"[14] and considers it to be the source of all spiritual life, which we need to turn to. This would be the true Copernican Revolution, in that this "great spiritual ego" not only comprises the transcendental consciousness, but also transcendental emotions. Hoppe supported his claims by relying on Hartmann's notion of axiological intuition (Hoppe 1928b, 287).[15]

Hoppe does not think that the synthesis of the rational and the irrational is only a matter of noetics or ethics, as it might appear at first sight, but also a matter of ontology. After all, he believes that ontology is actually the main topic of Kant's philosophy.[16] However, according to him, Kant's analysis of conceptual thought is faulty. He thinks that the latter aims at the unconditioned, but without any irrational method. Kant's attempt to synthesize the conditioned and the unconditioned is therefore bound to fail. All subsequent attempts in post-Kantian philosophy are less epistemological and more ontological (including phenomenology). As Hoppe presents it, Hartmann's critical ontology is the latest, and so far the best, attempt to reach this goal.[17]

14. "Velké duchovní já" (Hoppe 1928b, 286).

15. "N. Hartmann jest přesvědčen, že hodnoty nelze racionálně neb rozumově odvoditi, nýbrž že je možno je toliko postřehnouti vnitřním zřením. Platonický motiv zírání se hodí znamenitě na to, co nazývá materiální etika procítěním hodnot (= Wert fühlen); na to tedy, co se jeví v činech jako zaujetí hlediska a schvalování smýšlení" (Hoppe 1928b, 287).

16. "The a priori conditions for possible experience as such are at the same time conditions for the possibility of objects of experience" (*Critique of Pure Reason*, A 111).

17. "V nejnovější době se pokusil o znovuvybudování ontologie na kritickém podkladě Nikolai Hartmann. Popatřme na jeho pozoruhodný pokus, abychom pak posoudili, zda se může znovu zroditi nová ontologie z ducha kriticismu." (Hoppe 1928b, 356). Examples of Hoppe's evaluation of Hartmann: "Neobyčejně sympatický rys tohoto myslitele je třeba

Hoppe focuses on the objections which Hartmann put forward against traditional ontology. He finds the complaint that traditional ontology fails to clearly distinguish the three spheres of being (i.e., those of thought, ideal being and real being) to be the most important one. Another criticism shared by Hoppe is that the old ontology was aprioristic: i.e., that it assumed that real being could be grasped by means of reason. It was not until Kant that the question was asked whether we can grasp being through reason. Hoppe believes that Kant's greatest contribution lies in asking such questions, and not in his solutions, for he considers them to be determined by his rationalist background. Kant only deduced them. Hoppe is thus favorably inclined towards Hartmann's philosophy, and views it as promising.

Furthermore, Hoppe claims that it is necessary that philosophy not only analyze noetic categories, but also determine their relation to practical (ethical) ones. The main task of philosophy can only be achieved by means of categorial analysis. Such critical ontology cannot be constructed "top down," but only "bottom up." Hoppe appreciates the fact that, in his attempt to grasp the irrational, Hartmann admits the possibility of intuitive knowledge (Hoppe 1928b, 358). As to values, Hoppe assumed it is rather misleading to speak of knowledge of them. What is at stake is not a cognitive process but an emotional one; it is emotion that captures the essence of values.

Hoppe generally appraises Hartmann's philosophy positively. Although he still finds Hartmann too Kantian, he nevertheless appreciates his turn from idealism to realism. The irrational and the unconditioned play a much more important role in his philosophy than in Kant's system. Conceptual knowledge is further complemented by irrational, intuitive knowledge, which, especially in the realm of values, is more adequate. In contrast to the case of Kant, who made statements about the thing-in-itself notwithstanding his own claim to the effect that this is impossible, Hoppe encountered no equivalent problem in Hartmann's philosophy.[18] In spite of these merits, Hoppe was unsure whether Hartmann had been successful in completing the synthesis of the rational and the irrational. He remained rather skeptical:

viděti v tom, že přihlíží k iracionálnu a k nepodmíněnému; vyhrazuje mu tedy ve své teorii poznání důležitou úlohu. Při pochodu poznání se snaží N. Hartmann vystačiti, pokud to jen jde, s pojmovým poznáním, jež ovšem obdařuje iracionálním rozpětím. Při tom mu neuchází to, že lidské poznání jest schopno postihnouti přímo evidence nějakého úsudku intuicí . . . Takto postupuje N. Hartmann daleko obezřetněji a šťastněji než Kant v tom smyslu, že není v rozporu se svou vlastní teorií poznání" (Hoppe 1928b, 356).

18. Kant, Hoppe said, at least touched on the central topic of philosophy, which was, according to Hoppe, to arrive at a synthesis of the rational and the irrational.

> Despite these bold beginnings, the method and the system of N. Hartmann's philosophy give the impression of pure theory . . . Is critical ontology, suggesting as it does that it is intuition and not the demonstrative method that makes us acquainted with the pre-empirical content of our consciousness, even possible? I think that such a kind of ontology is not possible. I consider the designation "critical ontology" as *contradictio in adjecto* . . . Grasping the irrational by other means than by intuition and contemplation can hardly succeed . . . it will never succeed on the basis of analytical, abstract conceptual knowledge. The sphere of our desires and goals lies beyond the reach of rational and general notions. (1928b, 361)

4. JAN BLAHOSLAV KOZÁK

Another important Czech philosopher interested in Hartmann's ethics was Jan Blahoslav Kozák.[19] His view of Hartmann was rather negative, though. He dedicates a whole chapter to Hartmann in his book *Přítomný stav etiky* (*The Current State of Ethics*) (Kozák 1930). The aim of this book is to map out contemporary ethical theories, but Kozák also uses this opportunity to convey his own opinions about them. We can say that his lifelong philosophical topic was that of ethics: the tension between the obligatory force and unconditionality of moral norms on the one hand, and the inclination towards a scientific explanation of human life on the other. For Kozák, this was an important aspect of a much wider philosophical topic, namely the tension between religious faith and science. As to ethics, Kozák was taken aback by the mysterious character that Hartmann imputes to values. He believed that Hartmann was one of those philosophers who "feel that this realm [of values] 'is,' although it is not a reality, somehow strangely oscillating between being and non-being" (Kozák 1930, 82). The essence of values is not that of reality: they can very often remain unrealized. Kozák assumed that the most important part of *Ethik* was the part dealing with the essence of moral values.

Kozák shared Hartmann's view that values have a mode of being comparable with that of thoughts and notions: i.e., ideal being. He believed (and, in this, he agreed with Hartmann as well) that through the examination of values we can grasp their mutual relations much better than through observation of life:

19. Kozák was one of Jan Patočka's professors. The latter wrote his dissertation *Pojem evidence a jeho význam pro noetiku* (*The Concept of Evidence and its Significance for Noetics*) (Patočka 2008) under him in 1931, and later became his assistant.

> Like our ideas and concepts, values have ideal existence. Nothing can impede us from thinking about them in terms of this conceptual abstraction. In fact, we hold, together with Hartmann, that this [conceptual abstraction] can clarify their lawful relations much better than direct observation of confused life. (Kozák 1930, 82)

But what is ideal being? According to Kozák, "ideal being" is a metaphor expressing "the constant possibility of thinking such a notion: i.e., of thinking again with the same meaning" (1930, 82). What is true and valid about a notion is always true and valid. However, the conditions for such validity are not present in the notion itself, but rather in

> the structure and lawfulness of beings, on which it relies. The basis of both objective validity and of the identity of conceptual thinking is always somehow the lawfulness of reality—regardless of how indifferent the path of thought from reality to a conceptual sign or its construction may be. (Kozák 1930, 83)

Kozák plainly assumed that by means of such claims we can formulate a better, simpler, and more understandable theory than the one Hartmann had offered, especially in regard to the relation between realized and unrealized values. Unrealized, non-existent values are intentional notions. In contrast, realized values are real qualities and possess causal potency. Nevertheless, this is a different kind of causality from the one operating between physical bodies. Where values are involved, one has to make a decision. The consequence of such a decision will be an act. Here, however, the relation is strictly deterministically causal. Nevertheless, our axiological decisions are not a result of our intuitions regarding them. The decision that something "ought to be" is a matter of faith. No theory whatsoever can explain why something ought to be. The theory of values points to something beyond or external to itself. The theory of values is always on the edge of its own range. A deep devoutness must necessarily be involved. Otherwise, ethics would have to "become eudaimonistic and be greatly mistaken" (Kozák 1930, 85).

Kozák was concerned that Hartmann had to risk tearing the real and the ideal apart.[20] He did not deny that those spheres of reality (ideal and real) are different, but he was worried that if there really were no connection whatsoever between them, values would have no relevance for reality. Once

20. "Mluvení o hodnotách má, jak patrno, jisté nebezpečí v sobě, totiž to, že ideálno a skutečnost roztrhneme vice, než se dá ospravedlniti" (Kozák 1930, 85).

we think about absolute values, we detach them from our reality. This is the danger of any conception of absolute values. Kozák worked with Hartmann's book not with a view to explaining the latter's theory, but in order to make use of the questions the latter asked when formulating his own standpoints. The promise of this was that it would enable the construction of a theory of values with no empirical background, so that the values would then have the unconditioned validity that philosophers had always sought. But Kozák agreed with Hoppe that for this a synthesis was necessary.

Kozák appreciated Hartmann's criticism of Kant's ethics and mostly shared his views. He was willing to accept that ethics depends on the theory of knowledge. But since Kant's theory of knowledge is subjectivistic and idealistic, he believed that this could result in an ethics of the same kind. How to avoid this trap? According to Kozák, Hartmann's solution inclined too much towards Platonism, making ethics dependent on ontology. The implementation of values within reality, regardless of which kind they may be, does not seem defensible for Kozák. Any "ought to be" implies that something "is not." The only possible solution, according to Kozák, consists in making the "ought to be" the object of faith. As he said, "without the metaphysical (religious) supplement, the theory of values cannot explain why values should be realized" (1930, 91). Kozák's final evaluation was not too laudatory. He considered Hartmann's *Ethik* as "a modern scholasticism . . . it is a dance of notions; there are unnecessarily many of them and their mutual relations grow by a geometric progression" (Kozák 1930, 95).

5. VLADIMÍR KUBEŠ

In relation to Hartmann, it is also necessary to mention Vladimír Kubeš, who studied under him in Berlin in the early 1930s. Among Czech philosophers, it is probably Kubeš who was influenced by Hartmann the most.[21] In contrast to the other Czech thinkers mentioned so far, it is ontology that attracted his immediate attention, especially the theory of levels of reality. It can even be said that he provided one of the first interpretations of Hartmann's ontology. In his autobiography, Kubeš wrote that studying under Hartmann's supervision

> was decisive for my subsequent academic progress. . . . It was Kant and, perhaps even more, Hartmann, who influenced my conception of philosophy and of philosophy of law. (Kubeš 1994, 26)

21. Hartmann's influence on Kubeš was much stronger than on Patočka, who in 1932 also studied in Berlin under him.

Considering that Kubeš does not write anything similar concerning his studies in Heidelberg and Paris, these words must be much more than just a formal courtesy. To be sure, when sharing his impressions about his professors, he asserts outright that "Nicolai Hartmann, by far, impressed me the most" (Kubeš 1994, 27). Compared to what prevails today, his writing style is very personal, occasionally subjective, and this even in works which, according to their titles, seem to be strictly oriented towards research. Autobiographical digressions can be found, for example, in his two-volume *opus magnum* entitled *Dějiny myšlení o státu a právu ve 20. století se zřetelem k Moravě a zvláště Brnu* (*The History of Thought on State and Law in the 20th Century with Respect to Moravia and Especially Brno*), in which he wrote that "in 1932 I met in person undoubtedly the greatest philosopher of the twentieth century; a man who ingeniously and creatively recombined in himself all the wisdom of the past, Nicolai Hartmann" (1995, 169). Kubeš made similar statements several times in other texts (e.g. 2003, 291). In conformity with the philosophy of that time, he was convinced that the ultimate purpose of human knowledge is to create a complete worldview. He belonged to those thinkers who are convinced that scientists provide us with the building blocks, while philosophers provide the conceptions (Kubeš 1994, 148).[22] Such a conception is defined by him as an overall view of the world and human beings, or as the system of ideas which determines our lives.

In a similar way, Kubeš wrote about the legal worldview, which is to be constructed on the basis of the building blocks supplied by particular law-related sciences (the sociology of law, the psychology of law, etc.). This is the task of the critical ontology of law, a branch of philosophy whose subject matter consists in the levels of reality of law. The highest level is the idea of law, under which other ideas are hierarchically ordered: namely, those of family, social contract, guilt and punishment, democracy, international law, state, etc. (Kubeš 1994, 148).

In the history of philosophy, Kubeš sees a negative tendency consisting in the separation of the philosophy of law from general philosophical systems. From Ancient Greek philosophy, through modern philosophy, until the nineteenth century, the philosophy of law was a stable and indispensable part of general philosophical production. Bringing positivism into philosophy caused a crisis, manifested in the shift of attention away from norms (what "ought to be") and towards just facts (what "is"). The philosophy

22. "Veškeré lidské vědění vyúsťuje nakonec ve výstavbě světového názoru. Jednotlivé vědy poskytují pro výstavbu světového názoru kameny, na kterých pak filozofická věda – filozofie – ex professo buduje světový názor" (Kubeš 1994, 148).

of law started to detach itself from general philosophy, until the bond between them broke completely. Kubeš (1994, 170) assesses the tendency to return to Kant's philosophy—not only in the theory of knowledge or in ethics, but also in the field of philosophy of law—as being the most important turning point in the subsequent development of the discipline, and one visible at the beginning of the twentieth century.

In his own philosophical work, Kubeš tries to prevent the mutual separation of general philosophy and the philosophy of law, assuming philosophy (and ontology in particular) to be the very foundation of the latter. He fights this estrangement on a very solid basis, which he finds in Neo-Kantianism and in Hartmann's ontology. According to Kubeš, the philosophy of law is, above all, the latter's ontology: it studies the very essence and ontological status of laws. It investigates whether and how laws belong to the realm of idealities, or to the real world. For his conception of the real world, Kubeš relies on Hartmann, who showed that "real being is structured into four levels, the lowest of which is basic physical and material being, followed by the level of organic being, the psychical level, and finally the spiritual level" (Kubeš 1994, 142). The old ontology mistakenly attributes the mental domain to the organic one, and the spiritual domain is even extended to the world of idealities. The advantage of the new ontology (i.e., that of Hartmann) is, according to Kubeš, that it does not contain the above-mentioned defects (Kubeš 1969, 80). It helps to overcome not only Neo-Kantianism, but also the primarily epistemological orientation of the philosophy of the first half of the century. The new slogan will no longer be "back to Kant," but "back to objects" (*zpět k objektům*). This does not mean that ontology should replace the theory of knowledge, but rather that these disciplines must henceforth cooperate. Such cooperation is especially needed at the spiritual level of reality, to which law belongs. He considers the ontology of law to be the most important part of the philosophy of law. To be sure, the ontological status of law is a complicated one. According to Kubeš, it does not belong to idealities. This is the place where "normo-ideas" (*normoideje*)—i.e., normative ideas—belong, including the normo-ideas of law itself.

Inspired by Hartmann, particularly by the chapter "The Metaphysics of Personality" in *Ethics*, Kubeš wrote that human beings are the mediators between the phenomenon and the normative idea, between the "is" and the "ought to be." It is they who

> convert the categorical duties of normo-ideas into the world of reality, more exactly into the highest level of the hierarchical structure of the judicial

> system, which belongs to the spiritual level of reality. In the spiritual level of reality, the subsequent spheres of so-called derived normativity are created; that of derived ought, derived duties, and especially of judicial and moral ought. (Kubeš 1994, 146)

I already mentioned that, for Kubeš, the phenomenon of law belongs to the highest level of the hierarchical stucture of the real world. But at the same time it extends towards all the lower levels (via sanctions). He believes that it is a mistake to set a sharp boundary between facts and norms, the causality of the natural world and moral freedom, or between "is" and "ought to be," the cognitive and the volitional spheres. In his view, the contemporary popular positivistic normative theory of that time rests on a very weak philosophical foundation. Even though the theory is indirectly constructed on the basis of Kant's philosophy (Hans Kelsen's theory upon that of Hermann Cohen, and František Weyr's theory upon that of Schopenhauer), its key notion of "ought" (*sollen*) is, according to him, philosophically highly questionable (Kubeš 1995, 169). He is convinced that the critical ontology of law offers the most suitable approach where theoretical questions of this kind are concerned.

Compared to the so-called left ideal type (*levý ideální typ*), according to which law is knowable and accessible by means of the categories of the lower levels of reality, and which understands law as its content (something similar to Kant's notion of phenomenon), the so-called right ideal type (*pravý ideální typ*) (the pure theory of law) places law beyond space, time and causality (something similar to Kant's noumenon) and construes it as purely formal (Kubeš 1994, 171).

The philosophy of law of the twentieth century is built upon three main lines of thought: namely, the Kantian, Hegelian and phenomenological ones. Hartmann, along with Scheler, belongs, according to Kubeš, to the phenomenological line of thought, and he forms "the most important continuation of the phenomenlogy of the *Logische Untersuchungen*" (Kubeš 1992, 98). Kubeš is convinced that this kind of philosophy, similar to Platonic realism and to the old ontology (destroyed by Kant), is the most promising platform when it comes to providing a feasible solution for the facts-*versus*-norms controversy. Hartmann's philosophy furnishes, according to Kubeš, a solid philosophical foundation for this kind of legal philosophy. We can still reach knowledge by means of experience—albeit not as Kantians interpret the latter, but rather as phenomenology understands it. Here, experience is the givenness of the object. Objects of experience can be anything: e.g., physical beings, mathematical entities, as well as legal sentences. In other

words, the spiritual level of reality is also an object of experience. In contrast to Kantianism and Neo-Kantianism, Hartmann reverses the relation between object and knowledge. The object is, henceforth, not a product of the spontaneous activity of the human mind, but instead exists independently of and prior to it.

In fact, we can distinguish two phases in the development of Kubeš's legal philosophical thought: a first one in which he was enthusiastic about Kelsen's "pure theory of law," and a second in which he turned away from the latter theory under the influence of Hartmann and developed his own conception (Kubeš 2003). The problem with the pure theory of law is that it is built upon the old mistaken ontology, which assumes that the spiritual level does not belong to the real world and which locates it in some kind of ideal world.

Of course, there is a difference between real being and ideal being. Real being is superior, and its four levels have their own autonomy and their own catgories (e.g., causality is a feature of the material level, while teleology and normativity are features of the spiritual one, to which also belongs the phenomenon of law). It is not law, but the normative idea of law (a synthesis of the idea of justice, the idea of purpose, and the idea of freedom), that, according to Kubeš, belongs to ideal being.

Kubeš believes that philosophy, including the philosophy of law, requires an explicit ontology. The main question of the philosophy of law is that of the ontological status of laws. Many theoreticians classify them as idealities. Kubeš, by contrast, classifies them as real beings. If this is the case, we must also determine the level of reality to which they belong:

> If this question is solved, the solution to all the other questions will be almost self-evident without further ado. We will therefore demonstrate the crucial importance of critical ontology understood as the main part of philosophy in general and of the philosophy of law in particular. (Kubeš 1995, 175)

The only path to answers here, according to Kubeš, lies in Hartmannian critical ontology. All previous attempts in the history of the philosophy of law have been insufficient, because they were built upon ontologies that assumed law to belong to some absolute, eternal, ideal being. Thanks to its method of categorial analysis, critical ontology is more suited to the analysis of experience. This method cannot be either purely *a priori* or purely *a posteriori*. It cannot be based on either scientific experience alone (as some Neo-Kantians advocate) or just our experience of the natural world (as in phenomenology). The experiential basis, according to Kubeš, is what

he calls "philosophical experience," which contains all the trials and errors of past philosophers.

Another thesis of the new ontology, important for Kubeš, is that the spiritual and material are both real and irreducible. Ideal being does not contain norms, but only normo-ideas. The highest of these normo-ideas is that of humanity, the pure "ought to be," which is a synthesis of other normo-ideas (i.e., those of morality, law, truth and righteousness).

> While the normo-ideas are absolute, eternal, and invariable, and while they are the very goals of our efforts towards which we tend, have tended, and must tend in that we are humans, so that they [i.e., the normo-ideas; MK] rest in infinity, moral ideas and morality, as well as the idea of law and legal systems, are nevertheless changing, in the same way that the conceptions of beauty and even conceptions of truth and logical correctness are changing—all of this depending on the gradual expansion and deepening of our knowledge. (Kubeš 1995, 226)

The power of human beings rests in their ability to "hear the voices of normo-ideas and to transfer them into the real world" (Kubeš 1995, 227). There is a kind of philosophical anthropology at work in Kubeš's philosophy of law based on critical ontology. The critical ontology of law also remains connected to the theory of knowledge, especially in terms of its conception of experience, which is neither Neo-Kantian nor phenomenological. Kubeš assures us that such a critical ontology will be oriented towards the sciences and their results. This is why he accepts Hartmann's conception of experience, which, according to Kubeš, lies somewhere in the middle between pure logical abstraction and mystical intuition. He hopes that Hartmann's ontology can be used to ground not only the philosophy of law, but also moral ontology and moral epistemology.

6. Conclusion

Hartmann's philosophy was well known to a number of Czech philosophers of the first half of the twentieth century. Its role was not that of a dominant approach, but the Czech idealists, especially, did make use of his philosophy to support their own philosophical systems. This is mainly what attracted the attention of Pelikán, Hoppe, Kozák and Kubeš. The aim of this article has been to present the philosophical context in which the first receptions of Hartmann's philosophy in Czechoslovakia took place. Generally, we can say that the latter's philosophy attracted Czech philosophers of the interwar period, as being one of the most important systems of that

period, but that he had no unqualified adherents. The only exception was Kubeš, who sought to develop Hartmann's ideas in the field of the ontology of law. In other cases, his ideas were either merely referred to or put to use by them in the context of pursuing their own philosophical research. In 1936, under the strong influence of Neo-Kantianism, Jiřina Popelová published a book entitled *Problém poznání kulturní skutečnosti* (*The Problem of Knowledge of Cultural Reality*), in which she analyzed the noetics of so-called *Geisteswissenschaften*. Jan Patočka, who reviewed this book in *Česká mysl*, noted strong affinities between Hartmann and Popelová. Paradoxically, Popelová, a supporter of critical realism, never even mentioned Hartmann's name in print. Patočka (2006, 517) regretted that she had not elaborated on this ontological part more explicitly, claiming that if she had done so, the noetical analysis would have been much more firmly grounded.

Presenting Hartmann's legacy as it pertains to Czech philosophy of subsequent decades and going up to the present—which would certainly involve examining some original conceptions linked to him in the work of Jan Patočka, Josef Šmajs and Otakar Funda—would require a separate article.

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