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Spirituality and Intersubjective Consensus: A Response to Ciocan and Ferencz-Flatz

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Abstract In *The Human Place in the Cosmos* Max Scheler argues the question of philosophical anthropology must address three problems: (i) the difference between man and animal; (ii) the Cartesian problem of the mind and body; and (iii) the essence of spirit. In a recent issue of *Human Studies*, two articles by Cristian Ciocan and Christian Ferencz-Flatz addressed the first of these problems through investigations of Husserl's *Nachlass*. In this paper, I respond primarily to Ciocan by drawing on Scheler's phenomenology and the implications this has for understanding Husserl's phenomenology. By looking at Husserl's published comments, we can see how the attempt to differentiate between man and animal is bound up with his understanding of spirituality. This allows an alternative way of understanding normality and abnormality which shifts emphases away from how far we can *empathise* with the Other (be they man or animal) to emphasise what it *means* to be normal or abnormal. This will allow us to address an ambiguity of Husserl identified by Ferencz-Flatz.

Keywords Edmund Husserl · Max Scheler · Philosophical anthropology · Intersubjectivity · Animality

Introduction

Throughout his career, Scheler's phenomenology was a means of addressing the philosophical anthropological question "What is man?" From the outset he conceived his response differently to more traditional approaches which focused on

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what he described as the "man-animal" in contrast to his proposed "idea of man". Scheler's attempts to articulate this idea of man may then be divided into two phases of his phenomenology. In his early phenomenology, which reached its culmination with the publication of *On the Eternal in Man* (1921/2010),[1] Scheler articulated an idea of man as "seeking God". However, shortly after this work Scheler abandoned his position, turning away from metaphysics and philosophy of religion to a sociology of knowledge in *Problems of the Sociology of Knowledge* (1924/1980).[2] This marked the start of his later phenomenology determined by an ontological re-orientation to the question of philosophical anthropology. However, Scheler died before he could complete his dedicated work (*Philosophische Anthopologie*) on this and the only indication we have is the *Human Place in the Cosmos* (1927/2009)[3] as an introduction to the larger work.

In the introduction to *HPC* Scheler lays out that in order to address the question of philosophical anthropology we must address three problems: (i) the difference between man and animal; (ii) the Cartesian problem of the mind and body; and (iii) the essence of spirit (Scheler 2009: 6). In a recent issue of *Human Studies*, two articles—Ciocan (2017) and Ferencz-Flatz (2017)—addressed the first of these problems through investigations of Husserl's *Nachlass* where much of his consideration of the animal is contained. In this paper, I wish to respond primarily to Ciocan by drawing on my insights into Scheler's phenomenology and the broader implications this has for understanding Husserl's phenomenology. The supposition with which I am operating is that Husserl, during the period these articles emphasise, was tacitly drawing on Scheler's work (and not always with due credit). More specifically, I wish to show through my Schelerian understanding of Husserl how in the case of the latter the answer to problem (i) is bound up with problem (iii). That is, particularly as they are addressed in *Cartesian Meditations* (1931/1960),[4] "Philosophy and the Crisis of European Man" (1935/1965) and *The Crisis of European Science* (1936/1970b), the difference between "man" and "animal" is bound up with Husserl's understanding of "spirituality".

By doing this, we will see there is an alternative way of understanding *normality* and *abnormality* as they are presented in Ciocan's analysis. While I agree with his emphasis on understanding these in the frame of intersubjectivity, in Ciocan's analysis they are understood in terms of how far we can *empathise* with the Other (be they man or animal). If considered in relation to spirituality, however, we ask a different sort of intersubjective question that considers what it *means* to be normal or abnormal. By way of conclusion this will then allow us to address an ambiguity that Ferencz-Flatz notes of Husserl's position in the *Nachlass* and take steps towards his own hopes of further clarifying concepts in these discussions.

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[1] Hereafter *OEM*.

[2] Hereafter *PSK*.

[3] Hereafter *HPC*.

[4] Hereafter *CM*.

The Premise of Man as Idea

The first task is to understand what is meant by Scheler's distinction between an idea of man and the man-animal in the consideration of philosophical anthropology. To do this, I will draw on previous research (see Tuckett 2015a, b), in which I have explicated the problem of "man" in relation to how scholars of religion have conceptualised gods, ghosts and spirits.

Put simply, religious studies is in the grip of what I call the *human prejudice* which I have formulated in two connected ways. Understood in terms of philosophical anthropology: *only the biological human can properly be considered man* (Tuckett 2015a). Understood in terms of intersubjectivity: *only biological humans are genuine Others* (Tuckett 2015b).[5] The human prejudice is another way of discussing what Scheler calls the man-animal which to him is the attempt to find the characteristic or constituent that is unique to the human animal in comparison to other animals. Scheler's first introduction of the term can be found in the essay "On the Idea of Man" (1915/1978) and my change of title has to do more with the vagaries regarding the title "idea of man" which will become clearer below.

Suffice to say for now, the term "prejudice" is used here in the sense of Scheler's later phenomenology; formally, a *prejudice* is 'the *mixed* patterns of collective *interests* and (presumed) knowledge' which 'those who have it in common remain *unaware* of both the collective root of interests behind this "knowledge" and of the circumstance that only they are a group, and only by virtue of belonging to one of these groups, have this knowledge in common' (Scheler 1980: 47). Thus, to operate with the human prejudice is to simply assume that the human animal (as a biophysical species) is man or genuine Other. What is further entailed by this is the assumption that *everyone* shares this assumption—i.e., that it is a universal fact that all other humans think only of fellow humans as man/genuine Others. This, I have argued, is not only an assumption, it is a *European* assumption (Tuckett 2015a: 23–25). This is made evident in the case of religious studies because in various cases we encounter groups for whom man goes beyond the human or, in others, does not incorporate all humans (2015a: 27, b: 122–123). Particularly in those cases where these groups would include gods, ghost and spirits within the sphere of man, scholars of religion have subsequently tended to articulate these in terms of the human prejudice. Generally framed, scholars of religion see these beings as being attributed with a characteristic that properly only belongs to the human animal. "Properly" is the key word in this context as the further implicit supposition by these scholars is that these groups are making a category mistake by transferring a human trait onto the non-human. As Scheler would describe such a conceptualisation, it is bound up in 'the peculiar positivist idea of judging the development of all human knowledge on

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[5] To my mind the questions of philosophical anthropology and intersubjectivity are interconnected and one cannot adequately address the one without also addressing the other. That is, to ask "What is man?" is to ask "Who are Others?".

the basis of a small curve segment that shows only the development of the modern West' (1980: 148).[6]

In the context of Scheler's early phenomenology, the human prejudice was seen to be given formal expression by various kinds of anthropologism critiqued in "The Idea of Man" and *Formalism in Ethics* (1913, 1916/1973a). The critiques of anthropologism can also be found in Husserl's *Logical Investigations* (1900, 1901/1970a) and Heidegger's *Being and Time* (1927/1962). Admittedly, the term "anthropologism" can have various connotations and neither Husserl, Scheler nor Heidegger are always explicit about how they understand the term; but as I take them to mean it, anthropologism is the practice of identifying that characteristic which makes man special in relation to all that is not-man—i.e., the animal. Specifically, if viewed in the light of Scheler's (1980: 47) later phenomenology, each kind of anthropologism is an *ideology*: 'If after becoming automatic and unconscious these systems of "prejudice" try to justify themselves in conscious deliberation behind the aegis of religious, metaphysical, or positive-scientific thinking, or by drawing on dogmas, principles, and theories originating in those higher organizations of knowledge, then we have those mixed from calls "*ideologies*"'. That is, each kind of anthropologism is an attempt to give formal justification to the human prejudice by identifying that characteristic of the human animal which makes them special in regard to other animals and thereby man. Between them Husserl, Scheler and Heidegger identified three kinds of anthropologism:

1. *Naturalistic anthropologism* The human animal is special by possession of a biological attribute not to be found in other animals. Scheler's critiques emphasised those attempts which focused on language or the ability to create tools.
2. *Rationalistic anthropologism* The human animal is special by virtue of being rational, understood in opposition to the animal passions. The earliest formulation lies with Aristotle,[7] though it is Kant's version which is Scheler's primary focus.
3. *Transcendence anthropologism* The human animal is special through their ability to seek God. Heidegger identified this as emerging out of Christianity in terms of how Adam is made in the image of God.

In opposition to the man-animal of naturalistic and rationalistic anthropologism, Scheler proposes to consider the idea of man. And on this score, he accused Husserl's Transcendental Ego of being a species of rationalistic anthropologism (Scheler 1973a: 372–378). Minimally we make take Scheler to mean by this idea of man that he wishes to approach philosophical anthropology in a way in which the human prejudice is simply not taken for granted. However, in the context of his early phenomenology this would not be entirely accurate as the idea of man that is proposed

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[6] In some cases this perceived category mistake carries overtones of cognitive defaults and deficiencies on the part of those that make them.

[7] Aristotle's version is not necessarily tied to the human prejudice per se. In fact, in his account not all humans could be rational. The human prejudice is, in fact, born with Christianity. I intend to publish a more detailed account of this at a later date.

at the end of "The Idea of Man" and is then given fuller articulation in *OEM* is defined by the capacity to seek God. As such, Scheler was accused by Heidegger (1962: 74) of engaging in a species of transcendence anthropologism.

As a result of a number of factors which began shortly after the publication of *OEM*, which included the critique in *Being and Time*,[8] Scheler abandoned this idea of man as a 'traditional concept of the human being' (2009: 6)—explicitly denouncing his discussions in "The Idea of Man," *OEM* and elements of *Formalism*. Instead, *HPC* proposes to investigate what Scheler now calls the '*essential concept* of the human being' (2009: 6). On this point, Scheler begins by highlighting an ambiguity in the way the term "human being" ("*Mensch*") is used: on the one hand, it indicates a biophysically distinct subclass of vertebrates occupying a small corner of the animal realm—to which the traditional concept is subsumed; on the other hand, it 'signifies a concept of something which is completely *opposite* to the concept of "animals in general"' (2009: 6). This second sense is the essential concept of the human being and it is Scheler's aim 'to show whether or not this essential concept, which links humans to a special place that is not comparable to any other special place any other species may have, is a justified concept' (2009: 6f.). This essential concept of the human being is, I suggest, Scheler's new way of discussing the idea of man. This proposal is found in a footnote of *PSK* where he proposes to justify speaking of an idea—in contrast to the empirical concept of the man-animal[9]—in the never-written *Philosophische Anthropologie* (1980: 195 fn. 15).

Before going further, however, we cannot ignore the terminological quirk in which Scheler, despite my comments about his relation to the human prejudice, is speaking of "Human Being" in *HPC*. There is here what I regard to be an oddity in the way that Manfred Frings has changed style in the way he translated *PSK* and then *HPC*. In the former work "*Mensch*" is translated as "man" and in the latter as "human being".[10] Why Frings switches between the two is never made clear, but considering the gap between the two translations (1980–2009) it would not be unfair to suppose that the gendered connotations of the term "man" have made it unpalatable to English audiences. However, while the alteration is fair on these grounds, the transition to "human" risks falling into the very style of thinking that Scheler is proposing to avoid in *HPC*. As I have suggested elsewhere (Tuckett 2015a: 22), to speak of the human is to prejudice us to think in terms of the biophysical species and invites the slip into the human prejudice—what Scheler here alternatively refers to as the empirical or traditional concept. And it is this very trap that we will see Ciocan's discussion falls prey to.

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[8] Heidegger and Scheler would have a 3 day long discussion on the work shortly after its publication from which he would conclude that only Scheler had truly understood the argument of *Being and Time*.

[9] This would seem to refer to naturalistic conceptions particularly.

[10] How to translate Scheler's use of "*Mensch*" seems to be a common problem. Of the title alone (*Dies Stellung des Menschen im Kosmos*), alternative to Fring's translation as *The Human Place in the Cosmos*, is Meyerhoff's own translation as *Man's Place in Nature* (1962) and Farber's (1954: 393) reference to it as *"The Place of Man in the Cosmos"*. The book itself is based on a lecture Scheler gave in 1927 under the title "Die Sonderstellung des Menschen" which in a further oddity of Frings' translation is rendered as both "The Special Place of Humankind" and "The Special place of the Human Being" (2009: xix, 3).

As both "man" and "human being" are problematic I have adopted the strategy of using the Old English word "*wer*" as a suitable substitute (2015a: 22). The use of Old English is based on the assumption that as a dead language it will be difficult to read the word in a sense other than the phenomenological one I am giving it here. More specifically, "*wer*" occurs primarily in Saxon law through the concept of the *wergild*. The *wergild* (lit. "man price") was the restitution that murderers were forced to pay to their victim's families by the law courts. The point of using *wer* in this context is that what makes *wer* "*wer*" is not their biophysical attributes per se; doing this represents one of the distinctive aspects of phenomenology's approach to philosophical anthropology. This point also carries if we read "*wer*" in the Modern German which translates as "who". In speaking of *wer* we are dealing with a "who" as opposed to a "what". In many respects the question of philosophical anthropology is how a what is identified as a who. It is also in this transition between what-ness and who-ness that the question of the animal gains importance.

Once framed in this way we can now understand that each anthropologism provides an idea of *wer*. In this context we should understand the "idea" of an idea of *wer* to be a polythetic constituent of a monothetic *ideology*. Where Scheler's early phenomenology was faulty was in failing to realise the multiplicity of idea*s* of *wer* and instead set up his own idea of *wer* in contrast to the man-animal which he saw formalised by rationalistic and naturalistic anthropologisms. Now, in speaking of the essential concept of *wer* in *HPC*, what Scheler is properly proposing is to find the *unity* among these various ideas. More exactly, this should be framed in terms of the ontological (re)orientation of his phenomenology under the influence of Heidegger. As noted by both Derrida (1969: 48) and Glendinning (2007: 75), Heidegger was as equally engaged in the task of philosophical anthropology as Scheler in his discussion of Dasein. But the crucial point for Heidegger in taking up the term "Dasein" and dropping the term "*Mensch*" is because the latter lacks ontological signification (Glendinning 1998: 47). Following Gorner's (2007: 23) interpretation, this is a shift from a consideration of kinds of entities ("*that* Dasein is") to styles of being ("*how* Dasein is"). Or, if it helps, the ontological shift in phenomenology changed the philosophical anthropological question from asking "what *wer is*" to "what *wer does*". Thus, while each idea of *wer* may determine which entities are counted as *wer* within a specific sociohistorical group, the stance of phenomenology is that any entities which are considered *wer* share a particular *style* of being which makes them *wer*.

In a significant sense, both Heidegger's Dasein and Scheler's Person (in *HPC*) are attempts to articulate this essential concept of *wer*. Moreover, Husserl, whose phenomenology underwent an ontological turn shortly after Scheler's (see Spiegelberg 1971: 156f.; Moran 2013: 108f.; Eshleman 2013: 332), may also be seen to be doing the same through his discussion of the Transcendental Ego (Derrida 1969: 43f.).[11] A consequence of this is that 'Husserl shifted the emphasis from phenomenology as an a priori exploration of pure consciousness to phenomenology as the a priori

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[11] To this list we should also add Sartre's *réalité humaine* of *Being and Nothingness* (1943/2003).

exploration of the life-world' (Moran 2013: 124). And it is in this context that his discussions of normality, abnormality and the animal take place.

Ciocan's Position on Normality and Abnormality

Based on the proceeding discussion, we now have the basis from which I intend to critique Ciocan's (2017) position: as I see it, he falls foul of the human prejudice such that when addressing problem (i)—what difference is there between *wer* and animals—this is naively answered on the basis of the biophysical form of the human organism. More importantly, Ciocan uses the human prejudice in the intersubjective frame: *only biological humans are genuine Others*. The adoption of this position then has consequences for how he understands not only the difference between normality and abnormality, but *empathy* as Husserl's theory of intersubjectivity.

Ciocan's analysis focuses on the texts written post-1921 which are mainly contained within the *Nachlass* volumes—of which two volumes of *Zur Phänomenologie der Intersubjektivität* (Husserl 1973a, b) are given priority—where Husserl considers the relationship of the animal to *wer*. Of Husserl's published statements, one of the key comments can be found *CM* where animals 'are essentially constituted for me as abnormal "variants" of my humanness' (1960: 126). As highlighted by Ciocan (2017: 176), abnormality should not be taken as a moral judgement in this regard but as having a phenomenological sense which needs to be explicated. In this context, abnormality should be understood in the framework of intersubjectivity and the consideration of animals, as abnormal, is also an intersubjective question. On this point, Husserl (1973a: 115–120) also speaks of intersubjective abnormality regarding children and insane people. All this, of course, is dependent upon intersubjective normality which itself is predicated on the normality of the "primordial sphere" (Ciocan 2017: 176f.).

By this primordial sphere is meant the *ownness* of experience, the first-personal perspective which belongs to all perceptions. In this subjective experience there is a normality of experience in the sense that I have various senses by which I perceive the world. The normality of this functioning may be experienced when, for instance, I tamper with my eye so that I partially lose some of what I would otherwise see. The two distinct classes of vision give rise to the sense of one as normal and the other as abnormal. Ciocan explains: 'Accordingly, there is a normality of various parts of the body that can be modified in abnormality, either in the case of a sense organ or in the case of a practical organ of our body' even if only through fantasy (2017: 177). Here, however, an ambiguity already starts to creep into the account. Ciocan further adds that in the case of a permanent impairment that 'if I lose my ability to see (completely or partially), this abnormality can still be reintegrated into the system of normality starting from my previous experience, which I can presentify through memory' (2017: 178). The ambiguity here is whether Ciocan means that the blindness will be normalised, such that an abnormal state becomes the normal one. Or, whether the blindness will always be recognised as abnormal as memory allows me to recall my non-blind state as normal. Later, Ciocan (2017: 186) discusses a case given by Husserl (1973a: 133) of a whole group of people who are

colour-blind. In such a community, Husserl suggests that not distinguishing colours would be *normal* and to see colours would be abnormal. This gives rise to the possibility of 'infinitely numerous normalities' which, as such, would entail that no one normality is the "best" as 'no species can say that it has in its experiential system an optimal experience' (Ciocan 2017: 186). In this regard, we should lean toward the first reading that the abnormal state becomes the normal. But Ciocan steers away from such a conclusion.

This becomes clear when the consideration of normality and abnormality turns to the question of the Other. From the experience of my own abnormalities (even if fantasised) as directly accessible to me, 'I can then understand the intersubjective abnormalities, and this through empathy, which is actually a modified empathy' (2017: 178). However, we cannot understand this idea of *abnormal empathy* without first understanding *normal empathy* as that which it is derived from. To begin this, Ciocan explains:

> in the front of any living being (be it human or animal), I do not perceive a simple material thing (as in the case of the inanimate object), but also a living-body (*Leib*) through which a psychic life is appresented. What is thereby appresented is a living subject, one that perceives through his/her physical body and sense organs, which is the center of his/her psychic acts and governs in his/her body, which can move as s/he wants, can show intentions and manifest expressions, and so on. All this I can understand only because of the bodily similarity with my own body, for I discover in this experience a bodily typicality resembling mine. (2017: 179)

That is, *empathy* is predicated on the degree to which the Other is "like" myself. As such there is a *concordance* between the way in which they can the experience the world and I can experience it:

> The other, to the extent that it is normal, is a modification of "myself," first in terms of his/her position in space: s/he is like me, s/he perceives the same world, but from over there. The normality of the other is defined by the fact that s/he is experiencing the same world as me, according with the corresponding normal modes. (2017: 179)

However, on this point we must be clear on exactly what level of intersubjectivity we are dealing with. By this I mean that in the second edition of the *Nature of Sympathy* (1923/1954) one of Scheler's key arguments is that the question of intersubjectivity is not a single question, but several. Previously I have discussed three of these:

> The first level is *intersubjectivity as necessity* found in Scheler's consideration of the absolute Robinson Crusoe: no matter what my circumstances are, I will always have an awareness of the existence of Others in general. That this is a "necessity" is because, as Scheler argued, it is impossible for us to entertain solipsistic considerations at this level. I can never doubt that there are Others, only "where" they are….

The second level is *intersubjectivity as possibility*. This refers to the problem of origin in the order of precedence when our Other-consciousness begins. I have referred to this as the existential problem of recognising an Other as Other.

The third level is *intersubjectivity as achievement*. This refers to the problem of developing knowledge concerning the minds of Others. This is to consider how we know what the Other is thinking. Such a consideration necessarily presupposes the Other to be an Other. (Tuckett 2015b: 124)[12]

As it is discussed by Ciocan, his understanding of *empathy* seemingly pertains to this third level: normal empathy implies a concordance with the "thoughts" (in the broadest sense) of the Other. But, as highlighted by Duranti (2010), Husserl also understood *empathy* in terms of the second level. Generally, Husserl speaks of *empathy* in relation to various compound words featuring the component "*Wechsel*"— e.g., *Wechselverständnis*, *Einverständnis*, *Wechselverständigung*—which are commonly translated as "mutual understanding". In his analysis of *Ideas II*, however, Duranti highlights that these compounds mean something more akin to "trading places". In such a context, *empathy* as trading places thereby becomes the condition by which mutual understanding becomes *possible* (Duranti 2010: 6f.). Once separated out, we can see that although Ciocan is primarily concerned with *intersubjectivity as achievement*, his understanding of *empathy* also works at the level of *intersubjectivity as possibility*. Specifically, we must ask the question of what basis is there for trading places to occur in the first place?

The answer for Ciocan is already contained in the *concordance* of bodies. In moving to the consideration of *abnormal empathy* he invites us to consider the case of apprehending a person who is blind: 'Empathy in this case is not complete, since there is a kind of deprivation in this empathic process. However, this deficiency does not prevent me from actually apprehending this person to some degree, even in this bodily deprivation, because I can understand this blank spot in the experience starting from an analogy with my own experience' (Ciocan 2017: 180). It is once this distinction is engaged that we see that *empathy* as trading places is bound up with the human prejudice. In positing the case of someone who is born deaf or blind and then gains these faculties he describes 'an enlargement of the constitutive system, a widening of its horizons, which also involves a modification of the *optimum*, of the optimal mode of givenness, and the subsequent idea of truth' (2017: 180). Contrary to his claim that normality and abnormality do not contain a value judgement, this idea of an optimal mode of givenness based on the perceptive faculties of the organism in question is just that. The blind person, by lacking a faculty proper to the biophysical human, is posited as inferior.[13] This is made abundantly clear when

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[12] I have also discussed a fourth level as *intersubjectivity as value* (Tuckett 2017: 16–17).

[13] What is interesting here is that he does not extend this point in the other direction. Take the following lamentation from Brother Cavil in *Battlestar Galactica* (quotes.not 2017), for instance:

  I saw a star explode and send out the building blocks of the Universe. Other stars, other planets and eventually other life. A supernova! Creation itself! I was there. I wanted to see it and be part of the moment. And you know how I perceived one of the most glorious events in the universe? With these

he posits himself as the blind person and recognises himself to be *abnormal* when in fact, following Husserl properly on this point, the absence of sight to the blind person is *normal* (2017: 180). This is the point that he comes to later, that Husserl recognised that there are potentially an *infinitude* of normalities to which the blind person's lack of sight is just one possible. But Ciocan cannot accept this conclusion because—less for what it entails for the animal—of what this means regarding the insane person. The logical consequence of Husserl's position would seem to be that the person who we see as insane perceives the world in a framework of *normality* such that *we* are *abnormal* to them. Here Ciocan gives full expression to his human prejudice: 'Can we accept this scandalous consequence and say that, for someone insane, the normal human being is abnormal? This is obviously unsustainable' (2017: 187). But, we must ask, why?

Here Ciocan affects a shift whereby in demurring the possibility of "more normal" normalities he nonetheless claims that some abnormalities are "more abnormal" than others. Herein lies the crucial role of the animal in understanding this. In the case of the animal, Ciocan argues that the abnormality they represent has to do with the fact that they have a different biophysical body schema—it is *anomalous* in the same sense that the blind person lacks a perceptive faculty that I possess (2017: 184f.). As such, we can engage in *abnormal empathy* because we can understand only partially what it is like to experience the world as the animal; but contained in this point is an assumption that each species has its own biophysical standard such that for each there is a *normality* of perception *within* that species. That is, there is a normal way for dogs to experience the world which differs from the normal way in which cats experience the world. The abnormality of human-to-dog intersubjectivity, then, is based simply on biophysical differences proper to each species, 'but each of these anomalies might be in turn, in its respective sphere of ownness, a kind of normality that can still constitute other abnormalities' (2017: 187). That is, among dogs there is *intersubjectivity normality*. By contrast, the insane person—unlike the blind person who is the victim of mere misfortune—is more *abnormal* because they seemingly refuse to accept the normal perception and intersubjectivity that their biophysical bodies dictate. To Ciocan this means that with the insane person 'we have a fundamental constitutive *deception*, because the other does not seem to inhabit the same world as me, and contravenes normal *behavioral typicality*' (emphasis added, 2017: 181). Yet this is the one passage in which the phrase "behavioural typicality" is used and in every other reference to "typicality" we find it is "bodily typicality"—i.e., *biophysical* constitution.

Footnote 13 (continued)

 ridiculous gelatinous orbs in my skull! With eyes designed to perceive only a tiny fraction of the EM spectrum. With ears designed only to hear vibrations in the air … I don't want to be human! I want to see gamma rays! I want to hear X-rays! And I want to - I want to smell dark matter!

 Further, there is a distinct lack of consideration of sex in relation to *concordance*. How far is *normal empathy* achievable in this sense when both males and females have differing biophysical structures? It would seem that when it comes to the opposite sex we actually engage in *abnormal empathy* on this frame.

As such, endorsed here is a view that because there is a normal *biophysical* constitution of the human body this determines a normal behavioural typicality. Such a position is one which would be at home with the scholars of religion I mentioned in the previous section.

The Importance of Understanding "*Geist*"

As should be clear, Ciocan's stance contravenes the approach to philosophical anthropology endorsed by Scheler. His understanding of normality and abnormality is bound up with an empirical concept of *wer*—the biophysical human—which thereby fails to penetrate deep enough to the essential concept of *wer*. Yet one may well say this a problem of Husserl, not Ciocan. After all, I have pointed out that Scheler accused the Transcendental Ego of being a species of rationalistic anthropologism so would this not also entail that Husserl endorsed the human prejudice? Indeed, in the context of the *Nature of Sympathy* (1954: 238–244) we should also highlight that Scheler offers a critique of *empathy* which is equally applicable to both Husserl and Ciocan's account of it above (see Schutz 1962: 165–167). However, the critique of the Transcendental Ego is aimed at its conception in *Ideas I* prior to Husserl's own ontological turn. As noted already, there is a shift from an exploration of pure consciousness to an exploration of the life-world. In turning now to the life-world to avoid this concern regarding Husserl's position, I want to highlight how the notion is a development of Scheler's phenomenology in relation to a confluent understanding of *Geist*.

As noted in the Introduction, problem (iii) for a philosophical anthropology is the essence of spirit—or, more accurately, *Geist*. To translate "*Geist*" as "spirit" is problematic due to the metaphysical connotations the word has in the English language (see Murphy 2010). However, while "Mind" is a possible alternative, both Lauer, in translating "Crisis of European Man" (in 1965: 152), and Carr, in translating *Crisis* (in 1970a, b: 6), have expressed a preference for "spirit" primarily because rendering "*Geist*" as "mind" or "mentality" is grammatically cumbersome when translating full passages to English. For Lauer this leads to his discomfort in translating "*animalische Geistigkeit*" as "animal spirituality": 'Animal spirituality, that of human and animal "souls," to which all other spirituality is referred, is in each individual instance causally based on corporeality' (1965: 152f.). In a corresponding footnote Lauer adds: 'Where there is consciousness, there is spirituality, and in animals there is consciousness. For Husserl, self-consciousness is a mark of "personality" rather than "spirituality"' (1965: 152). Indeed, insofar as Husserl accepts that animals also have consciousness (2004: 296), Schutz would later criticise this position (see Barber 2013: 321f.). Yet, contra Schutz, in the strictest sense, consciousness as conscious-of can hardly be denied in the vast majority of animals. Indeed, this premise was elaborated by Scheler in much more detail in *HPC* who ultimately argues that it is *Geist* which separates *wer* from animals—*not* consciousness (thereby addressing problems (i) and (iii) of philosophical anthropology simultaneously). Now, while Husserl and Scheler will differ on this point, what needs to be articulated here is that

both understand "*Geist*" in a phenomenological sense which corresponds to neither Mind as consciousness or Spirit as metaphysical.

In order to appreciate this point I want to begin by highlighting what I think is a mis-translation on the part of Lauer—repeated in Carr's translation (Husserl 1970a, b: 271)—of the above passage from "Crisis of European Man". The issue here is not "*Geist*" but the second use of "animal"—'human and animal "souls"'—which is a translation of "*tierischen*". The term *tierischen* may also be translated as "brute" or "brutish". What I suggest is that Lauer and Carr miss the connection to be drawn here with Husserl's discussion of brutes in *CM* which relates us back to the question of normality and abnormality. Now, insofar as Ciocan's analysis has drawn on volumes of *Zur Phänomenologie der Intersubjektivität*, the emphasis is upon *intersubjectivity as achievement* which leads to a problematic engagement with *intersubjectivity as possibility* by appeal to the human prejudice. While this may have been Husserl's intent in those volumes, in the case of *CM* and "Crisis of European Man," the emphasis is more on using normality and abnormality to explicate an understanding of *intersubjectivity as possibility* rather than *intersubjectivity as achievement*. Rather than asking the degree to which we can understand the world as it is for the abnormal, Husserl (1960: 126) is more concerned with it is to *be* abnormal:

> Among the problems of abnormality the problem of non-human animality and that of the levels of "higher and lower" brutes are included. Relative to the brute, man is, constitutionally speaking, the normal case — just as I myself am the primal norm constitutionally for all other men. Brutes are essentially constituted for me as abnormal "variants" of my humanness, even though *among* them in turn normality and abnormality may be differentiated.

Ciocan (2017: 175f.) cites this passage, as mentioned above, but significantly does not draw out this distinction between the animals and brutes thereby making a comment about the latter seem to be about the former. What should be noted here is that Husserl is pointing to a typological hierarchy of normality: Self → Other → Brute → Animal. The case of biophysical impairment which is mentioned earlier (Husserl 1960: 125), seems to have no place in this hierarchy. And further to this, Husserl admits that these brief comments on abnormality require 'a more thorough phenomenological explication' (1960: 126).

What I suggest is that if we turn to the later "Crisis of European Man" and understand "*tierschen*" as referring to brutes rather than animals in the above passage we can begin to see just this phenomenological explication in relation to *Geist*. So, accounting for this (and the problematic use of "human") the passage should read: "Animal spirituality, that of *wer* and brutish 'souls,' to which all other spirituality is referred, is in each individual instance causally based on corporeality". The second and third commas are also confusing so allow me another alteration to give the passage its full sense: "Animal spirituality, that of *wer* and brutish 'souls'—to which all other spirituality is referred—, is in each individual instance causally based on corporeality". What this passage thus states is that *wer* and brutes, by virtue of having "souls," have a spirituality that is superior to the spiritualty found in animals. Indeed, the supposition is that the possession of these "souls" is what makes their spirituality superior. This now places us in a better position to understand the use

of *Geist,* as it is juxtaposed to souls ("*Seelen*") we can see that it is not meant in a metaphysical sense which would belong to this term.

In his analysis of *Crisis*, Dermot Moran (2012: 47) has suggested that whenever Husserl speaks of *Geist* it should be understood as indicating cultural activity. If correct, then this actually builds off Scheler's understanding of *Geist* in *PSK* and *HPC*. In the former:

> [Geist], in the subjective and objective sense as well as in the individual or collective sense, determines only and exclusively the particular quality of a certain cultural content that may come to exist. [Geist] as such has in itself no original trace of "power" or "efficacy" to bring this content into existence. [It] may be called a "determining factor" but not a "realising factor" of possible cultural developments. (1980: 36f.)

The key here is what is meant by the distinction between "real factors" and "determining factors". Real factors according to Scheler refers to how *wer* is always in a situation that is beyond their ability to control, we are always caught in a situation where we must "reckon" with the real factors of our environment. Such real factors include constellations of power, economic conditions, population figures, and geography. All these, Scheler suggests, are drive-conditioned[14] factors of *life*. *Geist* is impotent except insofar as it can tap into these drives and direct them: 'Only to the extent that "ideas" of any kind are *united* with interests, drives, and collective drives of "tendencies," as we call the latter, do ideas *indirectly* acquire the power or the possibility of being *realised*, for example, religious or scientific ideas' (emphasis added, 1980: 37). The importance here is the use of "*realised,*" as ideas, once enacted, are made-real and thus become real factors which *wer* must "reckon" with at some later date.

To call *Geist* a determining factor in this sense is to say that the being with *Geist*—i.e., *wer*—is able to draw on certain drives that will *realise* the particular idea they have, but they are not able to create the drives necessary to *realise* an idea. Scheler explains: '[*Wer's Geist*]—of the individual as well as the collective person—and the will can do but one thing: restrain or not-restrain (release) that which, by reason of a strictly autonomous and real causality or development, blind to meanings (conscious-wise), wants to come into existence' (1980: 37). In this sense, the point of determining factors is that *wer* can only deal with what real factors produce and if there do not exist the appropriate real factors for the *realising* of a particular idea, then such an idea will never come to fruition. He gives two useful examples: the painter Raphael requires a brush (real factor) to produce his painting (idea) and also the finance of patrons (real factors) who happen to share his interests (ideas); Luther needed the support of dukes and lords (real factors) with certain interests (ideas) of their own which would make them receptive to his reading (idea) of the Bible (real factor) (1980: 38). As summarised by Eugene Kelly (1977: 180), *Geist*, then, is 'the capacity to contemplate essence and thus to "have meaning"; only man is able to "step back" from the things of his immediate environment and to

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[14] "Drive condition*ing*" might be more appropriate.

understand the things about him *apart from their significance to him as a biological organism*' (Kelly 1977: 180).

Insofar as Husserl uses *Geist* to mean cultural activity as Moran suggests, I believe he is using it in the same sense as Scheler. In its simplest, we may understand cultural activity to mean activity which *constitutes* a life-world—where *constitution* is synonymous to *realisation* as Scheler's version of the former. But what does this have to do with the distinction between *wer*, brutes and animals with which I began this section? To answer this we should highlight another confluence between Scheler and Husserl.

In *PSK* Scheler discusses what he calls the "natural view of the world" as a development of Husserl's understanding of the *natural attitude* in *Logical Investigations*. In a key distinction, however, Scheler recognised that there is 'no universal and constant view of the world such as the "state of nature," "idealism," or "materialism". There are only relatively "natural" views of the world integrally united with particular social groupings' (Becker and Dahlke 1942: 315). He therefore differentiates between the "relative natural view of the world" and the *idea* of an "absolute natural view of the world". A "natural view of the world" is relative in the sense that the view "produced" is dependent upon *who* is included. A similar position then emerges in Husserl's *Ideas II* (emphasis added, 1989: 218):

> The differences in "World pictures," i.e., in empirically intuited worlds of things, which come to the fore within *intersubjective consensus* and which, despite their discrepancies as to content, nevertheless manifest themselves in intersubjective understanding as experiences of the world, of the one and the same world, together with the impossibility, which results, of arriving on the basis of actual experience at unconditionally valid judgements about this world, necessitate theoretical research in the form of natural science.

This relative view then becomes absolutised due to the processes of rationality. As explained by Schutz (1962: 33):

> the more standardised the prevailing action pattern is, the more anonymous it is, the greater is the subjective chance of conformity and, therewith, of the success of intersubjective behaviour. Yet—and this is the paradox of rationality on the common-sense level—the more standardised the pattern is, the less the underlying elements become analysable for common-sense thought in terms of rational insight.

Once *intersubjective consensus* has been achieved and maintained, the knowledge or behaviour becomes anonymised—"everyone" knows it—and in so doing becomes "taken for granted" (natural). And in becoming so, this makes it then harder to question because this would entail questioning "everyone"—it is absolutised. This produces an "absolute natural view of the world" which gives us the world as it *is*—i.e., "true without possibility of revision". Or, as Arnal and McCutcheon (2013: 15) have described more recently, what is "taken for granted" as '*world-as-they-happen-to-arrange-it*' becomes '*world-that-could-not-be-otherwise*'.

For Scheler, this "absolute natural view of the world" is a *necessary* idea of the group in order to function. If absolutisation does not occur, too much can be put in question and nothing can be achieved. But a consequence of this absolutisation of the "natural view of the world" is to speak of "the world" which masks an "our" in such a fashion as to be normative (1980: 74). To speak of "the world" to someone carries with it the tacit attempt to convince them to share my "natural view of the world". Indeed, naturalisation (being natural) then becomes dependent upon "fitting" with what "everyone" knows—i.e., being *normal*. As we have seen already, Husserl postulated an infinity of normalities and this, I suggest, feeds into his understanding of the life-world as it is developed in his later phenomenology. Or to be more exact, there is no life-world understood as the "absolute natural view of the world" but rather life-world*s* each understood as a "relative natural view of the world".[15] This would also lead to the important, but undeveloped, distinction between "home-world" and "alien-world" (Lewis and Staehler 2010: 57f.). That is, the life-world involves that which is taken for granted and those who share these commitments belong to the home-world, and those who don't belong to the alien-world(s) (Waldenfels 2004: 282). More exactly an alien-world is a life-world constituted differently—i.e., *abnormally*.

In the context of the passage from "Crisis of European Man" we can now say the following: to be spiritual in the Husserlian sense is to be involved in the *intersubjective consensus* which *constitutes* a life-world and determines what is *normal*. To this extent, translating *Geist* as "Mind" is not only cumbersome it is insufficient! *Geist* in this phenomenological sense implies more than Mind which would be understood simply as consciousness. Or, conversely, simply being conscious is not enough to have *Geist*. Although Husserl never spoke of it in such terms, what I suggest is that the best way to understand *Geist* in this phenomenological sense is to understand it as a *skill*.[16] To be spiritual in Husserl's sense is to be skilled in the *constitution* of a life-world. The abnormality of the child spoken of by Husserl can then be understood in terms of how they are not yet skilled in this *constitution*. Such a point is also highlighted by Waldenfels (2011: 73f.) who notes how through a process of education and rites of passage children are moulded until they become adults. In therefore speaking of the spirituality of brutes and animals Husserl is suggesting that they too engage in this cultural activity but to a lesser extent. More precisely there is an emerging typological hierarchy of "spiritual capability" in Husserl based on the degree to which *wer* → brutes → children → animals are *skilled* in cultural activity.[17]

To this end, both Husserl and Scheler develop an essential concept of *wer* predicated on a phenomenological sense of *Geist* as cultural activity. Where they differ is that Scheler posited a sharp division of spiritual *wer* and non-spiritual animals,

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[15] We should, also, speak of a multiplicity of natural attitude*s* (see Tuckett 2017).

[16] Scheler (1973b: 316, 2009: 37) has used the term "*techné*" and "technique" in this context. However, I believe a formal distinction is necessary between "technique" and "skill" which makes the latter more appropriate in this context.

[17] Whether this is the correct place for the child on this hierarchy is debatable.

where Husserl posits a hierarchical continuum of spirituality. For Husserl, the division more lies in *intersubjective consensus*: to be *wer* is to participate and agree with the *intersubjective consensus* of the group one is part of. In this context we may further understand the case of the insane *wer* as someone who disagrees with this *intersubjective* consensus; but we must not forget that their abnormality is relative to the life-world of that group. If displaced to another, or even principal in *constituting* a new life-world, then the insane *wer* ceases to be insane and becomes *normal*.

Connection to Ferencz-Flatz

This conclusion, however, does not fully address the concern of the human prejudice. Indeed, it may be seen to support Ciocan's position in the sense that while humans may constitute a variety of normalities, the animal as biophysically distinct is nonetheless always abnormal in this respect. However, this is to miss the point that in Husserl normality and abnormality do not determine *intersubjective consensus* as Ciocan's account implicates, but that *intersubjective consensus* determine normality and abnormality as the case of blind community reveals. That this means that the human prejudice is *not* taken as given in Husserl's essential concept of *wer* can be seen if we now turn to an ambiguity of Husserl's position in the *Nachlass* touched upon in Ferencz-Flatz's (2017) analysis.

The ambiguity in question arises out of Husserl's discussion of animalisation:

On the one hand, he tends to regard it as a process that fully parallels humanization; to be more precise: a process by which the animal-subject constitutes for itself a world of its own marks and traces. On the other hand, however, it is conceived merely as a complement to humanization, that is: a process by which the human world is enriched not only with signs to the activity of other humans, but also with ones pointing to animals. (2017: 221)

To a certain extent the first sense parallels what Ciocan says in relation to the normality of dogs. Animalisation is the process whereby each species normalises its own life-world. Here Ferencz-Flatz also similarly speaks later on of understanding 'humanization as the constitution of "a world in which all worldly objects have a human meaning" … as a particular form of animalization among others and even in competition with others' (2017: 223). This first sense would seem then to imply the human prejudice. The ambiguity comes of this is how, in the *Nachlass* of *Die Lebenswelt* (2008), Husserl starts by speaking of the animal world in the first sense but then by the time of the conclusion is speaking in the second sense:

The world is a humanized and animalized world […]. It is a world of culture. The objects of this world present themselves in the concrete experience of the life-world as weapons, as houses, as purposeful objects of all kinds, as footprints in the grass […]. But it is the same with animals. By seeing 'animal traces' we can 'intuit' that animals were present and what sort of animals they were. (2008: 510; trans in Ferencz-Flatz 2017: 221)

That is, animals would seemingly be involved in the same intersubjective consensus of *us*, the process brought under than title of "humanisation". In the discussion of *mutuality* that this leads to, Ferencz-Flatz thus speaks of the animalisation of humans and the humanisation of animals (2017: 226ff.–228).

If we read this in the context of what I have argued in this paper then we can resolve the ambiguity in the following manner: Animals by virtue of having spirituality *constitute* their own life-world—this accords with the first sense above. Indeed, the inferiority, or better abnormality, of their spirituality, which Husserl suggests in "Crisis of European Man," may be understood in terms of how they are excluded from *our intersubjective consensus*. But what the second sense reveals is that in certain cases these animals are then incorporated into the *intersubjective consensus* of the group so that the two sets of *constitutions* combine to produce a singularly *constituted* shared life-world. Such animals would, however, be *wer*—and it is in this regard the human prejudice is not simply taken as given. Of this, two points need to be made with which I will close this paper in order to highlight where this consideration of the essential concept of *wer* need go next:

First, and perhaps most obvious, is the way in which Ferencz-Flatz has made a distinction between "*human*isation" and "*animal*isation". The obvious risk here is that the very terminology implies the human prejudice, discussing how animals are brought into the "human world" understood on a biophysical basis. In this context, I would however suggest, that Ferencz-Flatz's position is more defensible than Ciocan's if only by virtue of a somewhat cheeky manoeuvre. What should be noted is that the English "humanisation" is a translation of the German "*Humanisierung*"— *not* "*Mensch*". Here it is worth noting that the German word "*human*" does not correspond to the English word "human", but rather the word "humane". The distinction is subtle but important, as it draws a connection to Heidegger's understanding of Dasein as *care*. However, the attempt to make this move needs to be done in relation to Sartre's *réalité humaine* for which I suggest a similar strategy can be adopted.

Second, and perhaps more important, this leaves open problem (i) of the full distinction between *wer* and animals in their full ontological signification. More exactly, what we now have in Husserl is a gradation where the distinction is not so obvious; instead what appears to be the suggestion is that what may at one time/ place be an animal can *become wer* depending on changes in *intersubjective consensus*—or vice versa, in fact. Framed differently this relates back to my original introduction of "*wer*" to replace "*Mensch*" and how I noted philosophical anthropology can be understood as explicating the transition from "what" to "who". What we now find in Husserl is that the question takes on even more precedence because we do not simply reckon (to use Scheler's term) with a life-world in which there are (pre-given) what's and who's, but rather reckon with a life-world in which it is an ontological possibility that a what may *become* a who. How this *becoming* takes place is perhaps problem (iv) which a philosophical anthropology must address, one I suggest that can be usefully explored through the consideration of Artificial Intelligence and robots (see Tuckett forthcoming).

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