

Philosophy in Review/Comptes rendus philosophiques

formerly

Canadian Philosophical Reviews

Revue Canadienne de Comptes rendus en Philosophie

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Subscriptions should be sent to the publisher:
Les abonnements peuvent être pris chez l'éditeur:

Academic Printing & Publishing

P.O. Box 4218, Edmonton, Alberta, Canada T6E 4T2
Tel: (403) 435-5898 Fax: (403) 435-5852
E-mail: app@freenet.edmonton.ab.ca

Publications Mail Registration No. 5550

ISSN 1206-5269
© 1998 Academic Printing & Publishing

Published six times a year

Volume XVIII, No. 4

August • août 1998

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Mailed in July/August 1998.

choisit pas de rêver de carrés ronds ou de blanquette de veau), mais plutôt de l'état ambigu où l'on se trouve au moment de l'endormissement ou du réveil, et où l'on ne sait pas bien si l'on dort ou si l'on veille. En faisant de la liberté d'assentiment un pré-requis à l'enquête métaphysique de Descartes, et en y consacrant les deux derniers chapitres de son ouvrage, Moyal rejoint le philosophe J. Lequier (dans *Comment trouver, comment chercher une première vérité?*) Cependant, contrairement à Lequier, Moyal ne voit pas dans la liberté une première vérité, mais plutôt une condition de possibilité de la connaissance, qui n'a pas besoin d'être découverte avant le *cogito* pour être opérationnelle.

Quant au Dieu trompeur, il est d'abord la cause possible du rêve, et, puisqu'il constitue un entendement ayant un accès au réel, il garantit le sens même de cette notion. De plus, il sape la fiabilité du critère de clarté et de distinction, qui échappait au rêve. Enfin, il sert de modèle au malin génie, auquel il cède rapidement la place: là où le Dieu trompeur était cause possible du rêve, le malin génie en est la cause effective. Les raisons du passage de l'un à l'autre ne sont pas rendues de façon très convaincante dans l'ouvrage de Moyal. Selon lui, Descartes abandonne le Dieu trompeur pour cause de contradiction, car un être ne peut à la fois être tout puissant et trompeur et parce que cette idée risquerait de priver de son fondement le doute qu'elle est censée justifier. Pourtant, un peu plus loin (p. 87), Moyal remarque que le malin génie souffre du même défaut, maintenant présenté comme une qualité et justifié car les vérités de la raison ayant été abandonnées, les contradictions ne sont plus impensables.

En supposant que les *Méditations* se déroulent comme dans un rêve, quelle est la valeur de ce que Descartes y découvre? Le rêve entame-t-il la certitude du *cogito*, de l'existence de Dieu? En ce qui concerne le *cogito*, sa structure particulière l'immunise contre l'atteinte du rêve: c'est une vérité contingente qui a la propriété d'être vraie à chaque fois que je l'énonce, et ce quel que soit l'état dans lequel je l'énonce. L'existence de Dieu étant d'une certaine façon enveloppée dans le *cogito* explique qu'elle ne puisse pas non plus être atteinte par le rêve. Quant à la clarté et la distinction, ce critère est garanti par la véracité divine. Ici non plus, rien à craindre. Si ces certitudes ne sont pas atteintes par le rêve, Moyal s'efforce également de montrer que ni le *cogito* ni l'existence de Dieu ne dépendent des vérités de la raison, et que le doute porté sur ces dernières n'empêche pas la découverte de l'un ou de l'autre. Ici, l'auteur marche sur une corde raide pour éviter le cercle, et ses arguments ne sont pas toujours très convaincants, voire même parfois carrément étranges (je pense par exemple à l'argument de la preuve conditionnelle, p. 179. Ayant posé A et en ayant dérivé B, on peut effectivement, par conditionalisation, dériver $A \rightarrow B$ et supprimer la prémisse A. Mais on ne peut certainement pas dans un second mouvement passer $A \rightarrow B$ dans l'ensemble des prémisses pour en dériver B — il suffit de considérer $A = B = p$ pour s'en convaincre — et prétendre ainsi avoir dérivé B sans hypothèse).

Le pari de Moyal, qui aurait pu s'intituler *Descartes selon l'ordre des déraison*, est ambitieux. Sa réinterprétation de Descartes n'emporte pas toujours l'adhésion du lecteur, mais elle a le mérite de ne rien affirmer sans de multiples justifications.

Sylvie Lachize
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Helmut Müller-Sievers

*Self-Generation: Biology, Philosophy,
and Literature Around 1800.*

Stanford, CA: Stanford University Press 1997.

Pp. 222.

US\$39.50. ISBN 0-8047-2779-1.

In the eighteenth century, the question of the generation of new life was largely dominated by a debate between preformationists and epigenetists. The preformationists maintained that all living beings had been fully preformed since the Creation, and 'generation' is simply the enlargement of each tiny germ. Those who favoured epigenesis claimed that each birth represents a self-generated new formation and attempted to give a natural explanation of generation rather than simply deny it as had their preformationist counterparts. In the 1960s, historians of science tried to rescue the debate from the charge that it was a quaint and quirky aberration by showing that deep metaphysical, religious and scientific commitments central to early modern thought grounded the dispute. In recent years, there has been renewed interest in this history. Müller-Sievers' important book — which extends the scholarship in this area well beyond the history and philosophy of science — is an insightful example of this renewal.

Müller-Sievers' thesis is that the triumph and development of the theory of epigenesis provides a particularly fruitful starting point from which to study the changes in epistemology, philosophy of nature, philosophy of language, and literature at the turn of the nineteenth century (4). He begins with a brief overview of the debate about biological origination among eighteenth-century biologists. What is new and exciting about this overview is Müller-Sievers' suggestion of the social conditions favouring the triumph of epigenesis over preformation. Epigenesis triumphed not because of any conclusive scientific evidence but because the natural, autonomous, original, self-expressive promise of the epigenetic model was more amenable to the growing Romantic ideal than was preformation with its externally-deter-

mined and mechanical starting point (4-8). Müller-Sievers extends this thesis to the issue of gender relations, noting that the epigenetic model was more popular because of the active, subjective role that the male played on this model of generation (10), and because it rejected the preformationist indifference (after all, everything is predetermined) toward the participation of *specific* partners in generation which resulted in the separation of love and choice from sexuality and generation (30). Müller-Sievers carries these cultural themes throughout his investigation of the way epigenesis is used in the work of Kant, Fichte, Herder, Humboldt, Beaumarchais and Goethe.

Kant uses the theory of epigenesis only as an heuristic assumption to explain the deduction of the categories. He likens the empiricist position that the categories spring forth from experience to the outdated biological theory of spontaneous generation. Similarly, the dogmatic rationalist position that the categories are subjective, implanted dispositions finds its biological parallel in preformation. Only a position analogous to organic epigenesis, in which the categories are treated as self-produced first principles, can guarantee transcendental apriority and the necessity and universality missing from the other two options (45-6). But Kant's mere heuristic use of epigenesis leaves inexplicable the origin of the categories, and his transcendental apperception is ultimately ungrounded. Fichte's all-out epigenetic account of self-consciousness provides such a grounding and gives philosophical knowledge a claim to certainty. This grounding is found in the absolute I which generates or posits itself — which is pure activity (67). Fichte thus pushes Kant's heuristic use of epigenesis to the idealist conclusion, proceeding not simply *as if* an epigenetic formative drive exists in nature, including in our own consciousness, but rather by actually *performing* epigenetic origination' (81). Here Müller-Sievers shows how closely tied the emergence of idealist philosophy is to the victory of epigenesis (47).

Herder and Humboldt, the 'language epigenetists,' represent a second 'intrap philosophical assault on Kant's critical position' (88). In the late eighteenth century debate regarding the origin of language, both thinkers attempted to provide a third, epigenetic option to two popular positions, just as Kant had with regard to the origin of the categories. One position claimed that language had a wholly natural, animalistic origin — reminiscent of spontaneous generation — while the other claimed that language had a divine origin — analogous to preformation (90). But like Fichte, Herder and Humboldt were dissatisfied with Kant's particular use of the epigenetic model. Specifically, they challenged Kant's 'alleged purity of pure reason' (88), with Humboldt's fully developed epigenetic account of language placing its origin at the 'intercourse of thought and sensibility' thereby irreducibly uniting sensibility and understanding in language (92-4).

As he did in his earlier chapters, Müller-Sievers uses his epigenetic interpretations of Herder and Humboldt's philosophy to elucidate their claims about gender roles and marriage. This subtle and complex weaving together of the various threads of philosophy and culture with biology reaches its final expression in the author's interpretations of Beaumarchais' *Le*

Mariage de Figaro and Goethe's *Wahlverwandtschaften*. In the contrast he draws between the anti-Romantic, pre-arranged marriage in Beaumarchais' play and the concentration on love, 'the expression of self-generated subjectivity' (122), in Goethe's novel, Müller-Sievers fulfills his promise to tie together 'all the strands of preformationist and epigenetic thought' (18) — physiology, nature, philosophy, language, culture — that he has developed throughout the book, and in doing so has produced a fine study of the history of an idea.

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Dennis Patterson, ed.
*A Companion to Philosophy of Law
and Legal Theory.*
Cambridge, MA: Blackwell Publishers 1996.
Pp. xxi + 602.
US\$84.95. ISBN 1-55786-535-3.

This book is one of several wide-bodied Companions to Philosophy produced in recent years through Blackwell Publishers. This particular one on legal philosophy, edited by Dennis Patterson, is certainly useful, consisting of 602 pages-worth of forty-two articles by well-known and, well, some unknown writers in the field. Most are law professors, with a few philosophers and a sociologist found in the interstices. Some of the writers provide what amount to summaries of the core ideas of books they have written, e.g., George Fletcher on Loyalty, Ernest Weinrib on Legal Formalism, and Jeremy Waldron on Property. However many others write original essays upon what they know best; there are two excellent examples in Part I (Areas of Law) by Peter Benson (Contract) and Stephen Perry (Tort). Leo Katz (Criminal Law) discusses several paradoxes of criminal doctrine he has discussed cleverly before, including that right-wing favorite, why blackmail should (not) be a crime. Especially in these longer essays — which alone take up the first ninety-five pages of the book — the issue is almost always over theoretical foundations. Next, still in Part I, there are shorter entries on public international law (Philip Bobbitt) and then constitutional law: regarding religion (Perry Dane), interpretation (Philip Bobbitt), privacy (Anita L. Allan), and equality (Maimon Schwarzschild). All these authors — with only momentary inattentions — mean by 'the Constitution', the USA one. There are further pieces in Part I on evidence (John Jackson and Sean Doran), comparative