

# AMERICAN PHILOSOPHY

## An Encyclopedia

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four competing claims of justification: fiction theory, concession theory, contract theory, and realist theory. The first of these claims is the earliest known defense of corporate personality. Fiction theory, as John Dewey notes in his historical analysis of the subject matter, is traceable back to Pope Innocent IV's (1243–54) claim that the corporation has no body, soul, or will and thus cannot be considered a person. Hence, the designation of corporation as person must be considered nominalistic as it exists only as a creation of the mind. This idea, Dewey argues, is closely related to (and often conflated with) another popular theory during the Middle Ages, concession theory, which holds that no corporation or association can be deemed legitimate (i.e. legal) unless it is recognized by the state. State power, in the feudalistic age, was threatened by the consolidation of guilds; as a result, state power was eager to suppress its rivals. Hence, a corporate entity was not legitimate unless it was recognized by the state. According to Dewey, these theories, when conflated, comprise much of the justification of early American legal precedent: they are fictional entities that are nonetheless recognized by the state as subjects having the right to enter into contracts, hold and transfer property, and sue or be sued. However, as the nature of industry changed so too did the defense for corporate personality. With the growth of joint-stock companies in the nineteenth century, focus moved away from fiction and concession theories and became more concerned with individual stockholder rights and the aggregate/contractual dimension of corporations. Thus the contract theory holds that corporations consist of rights-bearing individuals contracting with one another for organizational purposes – the corporation becomes a legitimate entity/subject upon its contractual creation. This position moves the debate over corporate essence away from the state legitimization of concession theory to the associational character of right-bearing individuals who comprise the corporation. However, questions concerning liability prompted a new formulation in the twentieth century: realist theory. According to this theory (and in contrast to contract theory), corporations comprise an independent existence separate from that of its shareholders. The corporation has its own holdings and its own interests, similar to that of a physical person, irrespective of its shareholders. According to realist theory the corporation should be understood as an actually existing social entity with its own personality. However, in his treatment on the subject, Dewey criticizes these traditional approaches to

corporate personality for being beholden to the wrong logical method. He argues that the issue of corporate subjectivity should not be defined by whether or not corporations share certain essential or intrinsic characteristics that define persons (i.e. the search for universals by finding analogous characteristics between persons and corporations). Instead, he suggests we should define corporations in terms of their social consequences and relations.

### Further reading

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### COSMOLOGY

Philosophical cosmology has a different set of interests from the type of cosmology currently being done in astrophysics. While the latter is concerned with the birth of matter, gravity, and space time from a singularity, the former is concerned with the structure and role of meaning in the vast expanses of nature, a nature that cannot be reduced to matter and energy. There are many orders that cannot be translated into physical energy, such as possibilities, and there are structures that pertain to a much larger conception of the "population" of the world. Put differently, while astrophysics talks of the "universe," philosophical cosmologists talk of the "world" and of "nature." As we shall see, these are larger conceptions than those of scientific cosmology.

Further, many philosophers are less concerned with the conditions of origin for the innumerable orders of the world and more concerned with what could be called structural issues. Cosmogogenesis often gets played down as the focus shifts to the generic features of existence, to use Dewey's apt phrase. The concept of "ground," especially in neoplatonic cosmologies, is rendered more problematic and no longer serves as a first principle that generates all others. Other cosmologies rethink ground in ways that are not necessarily incompatible



with Big Bang cosmology, but which would locate the Big Bang in orders of lesser scope.

In a taxonomy of philosophical cosmologies within the classical American tradition, four stand out as having the greatest scope combined with interpretive precision. They are: (1) transcendentalism's neoplatonic cosmology; (2) pragmatism's agapastic cosmology; (3) process cosmology; and (4) ordinal cosmology.

Starting in 1836 in his epoch-making essay *Nature*, Emerson creates a neoplatonic cosmology that challenges the then dominant patriarchal vertical cosmology of a divine agent creating the world out of nothingness. Emerson shifts his focus to the depths of nature rather than toward a supernatural realm of absolute meaning and value. Nature itself is constituted by a series of emanations that have no first emanation or governing primal source that somehow stands back from the nature that is allegedly created by an extranatural power.

The world of nature is one that has neither beginning nor ending; only a series of endless emanations that rise out of each other in a chaotic and tumbling fashion. To go against the realm of infinite emanations is to become insane. This insanity comes from the desire to find an *arche* or first principle from which to deduce all others in, for example, the tradition of Leibniz. In Emerson's perspective the Big Bang would be but one special and violent form of emanation, but would not exhaust the fecundity of nature's endless self-fissuring. Elsewhere Emerson uses Spinoza's distinction between *nature naturing* and *nature natured* to signal that the depths of nature are inexhaustible and not a once-and-for-all created event. His own rethinking of *natura naturans* could be translated as the power of nature creating itself out of itself alone (via endless emanations), while *natura naturata* would be the innumerable orders of the world as manifest from out of the bosom of *nature naturing*.

Within the heart of nature is the Over soul that represents the depth-structure of the human process. We are cosmic beings who have ridden on the back of endless nature and our essence is found in the light that pours out of the orders of the world. Emerson celebrates the infinitude of the self, although he modifies this commitment after 1844. The self, while limited by temperament, is the agent through which infinite nature comes to an awareness of its own depths and its own scope. In a striking parallel with the Western esoteric traditions, Emerson sees the cosmic self as a microcosm of the vast macrocosm. In his neoplatonic cosmology the human process edges out

the former infinite god as the locus of truth and ceaseless self-transfiguration.

While Plotinus has but one emanating source (the One), Emerson pluralizes the emanational patterns so that there is no ground of all grounds. In the tradition of German Idealism, by which he was influenced, the ground is more like an abyss (*abgrund*) than a place upon which to stand in atemporal security. His neoplatonic cosmology is radically decentering and invokes the depth-powers of the torrents that we call nature.

Peirce, on the other hand, seeks a form of rational stability in his pragmatist cosmology. He coined the term "pragmatist" to distinguish his form of pragmatism from that of William James, who had popularized the term "pragmatism." In Peirce's pragmatist cosmology the focus shifts to the future where the world of nature is seen to be evolving toward a state of ultimate convergence. While Emerson placed far more emphasis on nature than on history, Peirce made history a foundational category in his cosmology. The past is seen as the seed bed of a triumphant future in which what he called "concrete reasonableness" would shape the laws and habits of the universe of nature. Even the divine order is caught up in this process-style evolutionary cosmology.

What makes Peirce unique among the pragmatists, such as James and Dewey, is that he created foundational categories that were cosmic in scope. While James has an ontology of vital centers of power and Dewey has an event ontology, Peirce sought the absolute starting point for nature in its vast scope and fecundity. In this process of forging his cosmology he unfolded the three primal categories that he called "firstness," "secondness," and "thirdness." These three structures operate both in his cosmology and in his phenomenology (theory of human experience). Our concern is with the former use.

Firstness is the most difficult category to define, for the simple reason that it lies before language and any attempt at meaning-formation. Peirce likened firstness to the Garden of Eden before language emerged – a state in which all was primal perfection and there was no stain of existence/actuality. In other contexts Peirce envisions firstness as pure qualitative immediacy: that is, not a known and articulated quality *per se* but the realm of what could be called "pure quality." As pure it is not any order or structure that could be encountered by sign-using creatures like ourselves. Attempts have been made to link firstness to the unconscious in nature but these moves are still problematic (cf. Corrington 1993).



Secondness is much easier to define as it involves two forces in dyadic interaction. It is an emergent (emanation) from firstness and represents the class of finite powers. Peirce gives the example of the rough hand of the sheriff upon one's shoulder as an example of secondness. It is important to note that secondness is not yet intelligible as it is a bare causal relationship that has no admixture, at this point, with thirdness. It should further be noted that Peirce considers sequential talk of the three primal cosmological categories to be an abstraction, or what he calls a form of "pre-scinding" in which a category is ripped out of the total phenomenon which may represent a swirling admixture of all three categories.

The category of thirdness is the most important cosmologically. It represents the mediation of firstness and secondness around a law or general principle of reasonableness. Thirdness can also be defined as cosmic habit, that is, the realm of attained habits that the innumerable orders of the world have fallen into over the length of evolution. The entire universe of nature is growing both at its edges and at its center: namely, at the point where thirdness reweaves the fabric of dyadic secondness around a mediating third that is the upshot of secondness as it passes over to its teleological fulfillment in thirdness. Nature groans toward the full manifestation and display of thirdness in which all human sign systems will ideally converge with the reasonableness at the heart of nature and the divine (which will be fully revealed in both its secondness – sheer existence – and thirdness).

The culminating moment of his pragmaticist cosmology lies in his concept of agapasm. He believes that evolution is not solely Darwinian but also involves a principle of cosmic and evolutionary love in which the purity of firstness and the ravages of secondness get redeemed around crystalline thirdness that stands in a loving relationship to the "lower" orders of creation. Cosmic mind unites thirdness with all orders of creation: "In genuine agapasm, on the other hand, advance takes place by virtue of a positive sympathy among the created springing from continuity of mind." (Corrington 1993: 196). Like later process thinkers, Peirce was a panpsychist: namely, one who believed that so-called matter was actually a form of frozen mind and that mentality is the genus of which mere matter is a nonfoundational species.

Process cosmology carries Peirce's panpsychism forward and makes it a foundational category in its strongly evolutionary perspective. While Peirce talks about the feelings a primitive protoplasm has, process thought speaks of the ultimate constituents

of the world as having highly complex feelings in their own right. The basic building block of process cosmology is the atomic structure termed the "actual occasion." These occasions are in space and time although they are akin to infinitesimals: namely, a reality that is infinitely small yet greater than zero. The actual occasion is a drop of experience that has what are called "prehensions" of all past occasions in the universe or world of nature. A prehension is a feeling of feelings that is open to the influence of other occasions. While it is impossible to have a present prehension, the past is almost immediately available for what is called "ingression," that is the internal presence that shapes what the new actual occasion is to be. An actual occasion, small and episodic, has both positive and negative prehensions of the past world of occasions. A negative prehension is one that rejects a possible ingression into the brief life of the given occasion while a positive prehension is one that lets a past event, now solidified, matter to it.

The actual occasion has a special form all of its own, termed the "subjective form," that determines the shape its world of ingressions will take. It also has a subjective aim which is its inner teleological purpose, its drive to become something unique and valuable to the universe. The aim and the form work in consort with each other to make the actual occasion a unique event in the world, one that cannot be repeated by any other occasion. The time between the birth of the actual occasion and its solidification into its unique status is very brief but during this period it scans the universe to find its relevant internal matter.

The second major constituent of the world of nature is the "eternal entity," which is akin to a Platonic form in that it is a nonchanging possibility that gives the universe its texture and permanent structures. The actual occasion also allows eternal entities to become relevant to it as it shapes its internal life and becomes immortal as just the structure that it is and no other. For both Whitehead and Hartshorne eternal entities reside in what is termed the "primordial mind of God," which is the eternal and always relevant repository of the forms that shape the world of nature and which collectively occupy the eternal mind of the absolute side of God. God entertains these eternal entities and further helps, via persuasion, to make appropriate ones relevant to the given actual occasion as it goes through its series of prehensions. God does not work by coercion or by the blind use of power but by persuasion, by providing a divine lure (the initial aim) that can appeal to the actual occasion



as it struggles to pick its way among the formal possibilities of its being.

But God has a second nature that is truly processive and that represents a distinctive contribution of process cosmology to philosophical theology. The second divine nature is the "consequent nature" and represents God as growing with the universe of occasions. In this nature, God itself prehends all of the actual occasions that have become objectively immortal, that is, completed in their becoming. Hence, the process God is both eternal and temporal but in different respects. One implication drawn from this perspective is that the human society of occasions is not subjectively immortal but only objectively so as its occasions become remembered by the consequent nature of God – its internal subjectivity ceases to prevail in nature and its orders.

Ordinal cosmology is of more recent vintage and represents a refinement on pragmatism and naturalism. Created by Justus Buchler, ordinal metaphysics challenges the idea that there are ultimate simples in nature and argues instead that everything whatsoever is complex in its own traits and in its relational traits. Instead of the actual occasion, Buchler speaks of "natural complexes" that have no built in "what." This is an important point in that it refuses to assign any one trait to nature as a whole and allows the orders of the world to have nonreductive traits that are in each case unique. There is no order *of* nature or order *for* nature, only orders in relation. All container images are rejected in the ordinal perspective. Further, like Emerson, Buchler downplays any sense of the ultimate whence or whither of nature and works *in medias res*. Peirce's eschatology and process divine lures are denied in a universe that has fecundity but no telos. This is naturalism at its most refined and at its starkest. It is a cosmology that puts the sense of origin in the heart of nature. Again like Emerson, Buchler uses the twin terms *nature naturing* and *nature natured* as his ultimate cosmological realities with the former term referring to the sheer fecundity of a depth-less nature and the later term referring to the uncountable orders of the world. In place of religious grace Buchler uses the term "providingness."

Perhaps most important in the ordinal perspective is the commitment to ontological parity, which is contrasted to ontological priority. As the terms suggest, priority schemes privilege one reality over all others and makes the others less real – this is often done almost unconsciously and without systematic elaboration. Thus, for example, Schopenhauer can make will more real than phenomena

and thus push the realm of finite experiences into the less real. The commitment to ontological parity is harder to realize in principle as it entails an ongoing effort to let all discriminanda be equally real. Hence, Hamlet is not less real than Shakespeare, only differently real. The sense of parity allows the world of nature to express all of its richness without condemning any orders to the dubious realm of the less real.

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## CREATIVITY

In ordinary usage, "creativity" usually denotes a psychological phenomenon, a state or a process within an individual human being. This is the primary sense of creativity that analytic philosophers seem to have in mind when investigating, for example, the creative processes of scientific discovery, such as the creation of novel hypotheses. The concept of creativity has, however, been thematized by American philosophers from broader perspectives. In both pragmatism and process philosophy, as well as in the traditions of idealism and personalism, creativity is viewed as a metaphysically significant, even cosmic, process of the emergence of something new. The novelties produced in such creative processes are, however, not chaotic or random but (humanly) significant.

### Creativity in pragmatism

American pragmatism is a philosophy of creativity *par excellence*. The pragmatist insists that ideas must be put into action in order to find out their proper meaning. We should make creative use of our thoughts and concepts, experimentally employing them in the course of experience. Even the most theoretical ideas should be creatively tested in terms of human practices. Insofar as reality itself



**ROYCE, JOSIAH: EPISTEMOLOGY**

Unlike many contemporary philosophers Royce does not make a rigid distinction between metaphysics and epistemology. That is, for Royce, the theory of knowledge is part of the larger question of the nature of the Absolute Mind or Self that is fully aware of the finite particulars of the world and its orders. There is a shift of emphasis in Royce, moving from a fairly static understanding of the Absolute (1885–1912) to a more pluralistic and time-bound understanding of the Spirit as the agent of interpretation. The later Royce, c. 1912–16, writes under the influence of Peirce's semiotics and the biblical writings of St Paul.

In his first major book, *The Religious Aspect of Philosophy* of 1885, Royce develops his idealistic epistemology along hermeneutic lines. He rejects realism with its view that a given thought intends and corresponds to an external object by insisting that only an internally coherent and finite/infinite parallel structure for thought exists. The finite thoughts of my mind are coherent in their own right insofar as they emerge from volition and attention to realities that transcend the empirical. From his dissertation on Kant he unfolds the idea of what he calls the "postulates" that are thought forms that reach beyond the empirically given into values, norms, and categorial structures that are linked to the Absolute. We are creatures of will and the core of our self is rooted in the Absolute Self that is a Will beyond time and space. Finite ideas standing alone leave us with epistemological chaos until they are woven into the fabric of the Absolute.

The hermeneutic dimension of his idealistic epistemology is seen in the problem of psychological interpretation. He gives the example of two people, John and Thomas, who must come to an understanding of each other, that is, to correctly interpret the substantive self with whom they are in dialogue. But this process soon fissures into six selves; namely, John's idea of Thomas, Thomas's idea of John, John's idea of himself, Thomas's idea of himself, and the real John and the real Thomas. Royce argues that there is no possibility for genuine knowledge in the finite realm of psychological projection and reciprocity, only an entanglement of delusion. The way out of this morass is through an attunement to the Absolute Mind for whom the real John and the real Thomas are fully known outside of the vicissitudes of time. Structurally, Royce argues, my thought a:b must be isomorphic with the Absolute thought A:B. However, we get few clues at this stage (1885) as to how the isomorphism is to be accomplished by finite minds.

In his next major work, based on his Gifford Lectures of 1899, *The World and the Individual* (1901), Royce refines his analysis of the correlation between finite ideas and the world of the Absolute by introducing the mathematical idea of the self-representative system as explicated by Richard Dedekind. The finite willing world of the human self lives in what he calls the world of description while the divine mind lives in the realm of appreciation. The link between mere external description and full internal appreciation is through the self-representative system that links finite to infinite knowledge. Royce gives the example of someone who is asked to draw a perfect map of England. They are to represent everything in England on this map. When they are finished they find that they have left out one element, namely the map itself which is now a part of England. So they must draw the map on the map, but now this leaves the project incomplete yet again as the second map is now also part of England, so a third map must be drawn inside of the second one. This process continues to infinity. The important point is that any one map in the self-representative system can stand for the series as a totality through a projection outward and downward simultaneously. In our finite epistemological and hermeneutic moves we catch a piece of the infinite series through a kind of epistemic grace whereby the Absolute bestows its plenitude upon us. Yet it remains a mystery of how, phenomenologically, we actually encounter the self-representative series and know when we have done so.

A major turning point for Royce took place around 1912 when he carefully works through the semiotic writings of the early Peirce. The idea of the self-representative system becomes more "earth-bound" by becoming transfigured into the idea of sign series as they unfold within the structure of community. His earlier idealistic epistemology becomes reshaped into a communitarian and more fully hermeneutic model in which finite selves unite to work in and through the Spirit Interpreter to create and sustain what he calls, following his understanding of St Paul, the "Beloved Community." In *The Problem of Christianity* (1913) he works through Christian scriptures and Peirce's semiotics to unfold a semiotic epistemology that places priority on how finite minds, each loyal to the semiotic processes of other selves, unite to forge a spirit-filled community in which genuine knowledge takes place. The atemporal Absolute of 1901 is modified into the Spirit that lives and moves through communitarian and earth-bound structures.



We traffic in signs and know that we do so. Like Peirce, Royce argues that signs come in series with neither beginning nor end in view. We interpret a sign whenever we encounter it in any modality and this encounter creates a new sign that functions to amplify and deepen the original sign. Sign structures are triadic in several senses. Whenever a perception and a conception come together we get an interpretation (again pointing to the hermeneutic dimension of his epistemology). Second, whenever we, for example, translate a text we have three terms: the text, the interpreter, and the interpretee. Third, we see the present self interpreting its past self to its future self. All three modalities are epistemological dimensions of semiosis. In the mature Royce knowledge is semiotic and interpretive. The energy within these triads comes from the Spirit Interpreter who coaxes signs into birthing further and deeper meanings. Here there is a kind of grace that is even more evident than in the earlier Royce as the structure of knowledge is tied to the Spirit that infuses the community with its infinite powers. In the Beloved Community we are known as we truly are and we know other loyal selves as they are. The finite and the infinite have now come together in the time process.

#### Further reading

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#### ROYCE, JOSIAH: EVIL

Josiah Royce (1855–1916) struggled with the problem of evil throughout his life, exploring it from various approaches and with different refinements throughout his career. For Royce evil was a genuine philosophical problem as well as a practical one.

Royce believed that one could account for the moral world only by a form of metaphysical idealism and thus evil was a metaphysical problem. However, he equally saw evil as a fact of the world and he knew the pessimism it could invoke. Further, as a native Californian and historian of early California, he described ways in which evil manifested itself in social relations among persons, in social bodies infected with racism, greed, a variety

of harmful prejudices, expressions of hate, and mob violence.

In, *Studies of Good and Evil* (1899) Royce provides an overview of the problem of evil. Thus he asks how far the knowledge of evil contributes to moral perfection. Seeing physical life and the moral life as balancing opposing tendencies, Royce posits that moral goodness, unlike innocence, is only won through struggle with the forces of evil and it involves a rather deep knowledge of evil – a knowledge that unfortunately can lead to sin. This thesis is further explored in his essay, “The Case of John Bunyan” (1894), where Royce presents a case of an actual good man triumphantly struggling with his own profound problem of evil. Royce continually stresses the personal and experiential in dealing with the problem of evil. A consistent theme, both philosophically and practically, is the necessity of a courageous struggle against evil in all its forms. For Royce, individuals could only achieve genuine spirituality and morality by detesting and subordinating evil. Thus, for Royce, good is not a simple concept but rather an idea inseparable from the idea of evil. Further, the essence of moral life is not to seek a pure good or a distant ideal God but rather to find God in the present within the mix of good and evil and to see the truly good man as one who takes his part in the struggle with evil.

In “The Problem of Job,” (1897) Royce presents a fairly succinct overview of the traditional statement of the problem of evil and various standard solutions. Job views God traditionally, namely as wise, omnipotent, all powerful, and all good, and sees his own situation as one of universal unearned ill-fortune, and a reigning down of evils on a good man. For Royce, Job represents the fundamental psychological fact about the problem of evil, namely the universal experience of unearned ill-fortune. This, asserts Royce, is the experience of every person, the kind of evil that each person can see for themselves every day if they choose, and this fundamental experiential and psychological perspective grounds Royce’s own answers to the problem of evil as well as his dismissal of the various traditional answers. Thus, for example, there is the view that the purpose of the world is “soul making,” that pain teaches us the ways of the world and helps us develop our higher potentialities. Royce believes this answer inadequate because it presupposes a greater evil, namely a world which allows evils as the only way to reach given goals. Such an answer Royce believes unacceptable to a sufferer of evil and undeserved ills.