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## NATURAL LAW AND EMANCIPATION: TOWARD A THEONOMOUS DEMOCRACY

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It is customary to contrast the tradition of natural law to that of the historically more recent tradition of voluntaristic legal positivism. In our century, a number of thinkers have struggled to redefine the notion of natural law in such a way as to vindicate its claims against the constructivistic attitude of the legal positivists. This has entailed a defense of the co-dependent notion of natural rights which are held to have validation outside of the sum of all actual and possible culturally based legal systems. Of course, the revival of the natural law tradition requires a different conception of nature and human culture than that which sustained earlier perspectives. This paper argues that a new conception of nature has been inaugurated in the writings of John Dewey (1859-1952) and Ernst Bloch (1885-1977) and that such a conception can help us to redefine the correlation between the orders of nature and the drive for emancipation.

The natural law tradition assumes that an analogy obtains between its picture of an orderly and law governed cosmos and the legal structures and norms of human community. In certain interpretations, such as those emerging from the Thomist tradition, these laws may receive a divine validation. The general principles of such laws are held to transcend regional and temporal differences between and among cultures. In the Stoic conception, some sense of a

class-neutral legal structure was defended on the grounds of a universal notion of citizenship.

Some Marxists have challenged the notion that the Stoics really had a class-neutral account of natural law. Regardless, the abiding concern of the natural law tradition has been with some fundamental notion of universality allied with a defense of natural and intrinsic human rights.

In the tradition of positive law, it is assumed that human authority and convention stipulate the general principles from which principles of lesser scope are derived. Each culture and epoch will generate and defend a unique and perhaps novel array of such stipulated laws. Insofar as such laws are posited by the institutions of a given community, they receive their validation from the power and appeal of those institutions. Since neither reason nor revelation can validate positive law, there can be no appeal to something outside of the finite offices of a given social order. Human rights are no longer accepted as given but must be derived from posited and culturally defined stipulations.

Since there is no univocal definition of nature or, by implication, of natural law, it is perhaps misleading to assume that we can revive the natural law tradition in a way which will be free from ambiguity. Yet such efforts are not without value in a philosophic climate which seems to embrace constructivism or decisionism without sufficient exploration of the alternatives. In this paper we will briefly examine two historically important attempts to redefine the relation between those structures which are antecedent to human manipulation and the human communities in which they are expressed. Of initial concern will be the pragmatic liberalism of John Dewey which radically redefines the correlation between the human and the natural. Our particular focus will be on his conception of a liberated public as the true locus of democratic institutions. Our second concern

will be with the neo-Marxism of Ernst Bloch who insisted that natural law and the Marxist drive for emancipation were fully compatible. In particular this will involve an analysis of his understanding of the utopian expectation which governs human cultural evolution. We will conclude with a revision of Deweyian liberalism which takes Bloch's eschatological perspective seriously.

Dewey's contributions to political theory take place against the backdrop of a revived naturalism which acknowledges the finite status of the human as it finds itself in a natural realm without any recognizable origin or goal. In reflecting on the impact of Darwin on philosophy, Dewey sees that the older conception of nature as the realm of stable and eternal genera is inadequate. Consequently, our philosophic analysis of nature must be redirected. For Dewey, "Philosophy forswears inquiry after absolute origins and absolute finalities in order to explore specific values and the specific conditions that generate them," (1910:38). All reflection starts from within problematic situations and struggles to find some resolution to their intrinsic uncertainties. By locating philosophy *in medias res*, Dewey places emphasis on finite and instrumental origins and goals. All values are conditioned by natural and cultural events which have a precarious tenure and a potentially unstable future.

All human transactions are continuous with nature even while transforming natural structures for social and personal ends. Creative intelligence, operating against the forces of habit and inertia, converts random and meaningless instrumentalities into the self-chosen and convergent structures of communal life. The methods appropriate for problem solving on the level of science can also be applied to social and political problem solving. In either case, a problematic and precarious situation is converted into one in which functional stabilities prevail. Insofar as our transactions can be seen to effect identifiable persons and events, they are more or less private. Insofar as our transactions have implications of

greater scope, they are public. The self-conscious articulation of larger and public instrumentalities takes place most adequately in those democratic frameworks which support an emancipated public.

Dewey argues that democratic ideals and institutions have as yet failed to generate and sustain a public which takes on the task of social problem solving. Mechanization and fragmentation have conspired to suppress the impulses leading toward a unified and future directed public. At the present time, the public is in eclipse. In particular, our various social communities are bereft of those symbols which would awaken us to the task of genuine and liberal social convergence. Dewey argues (1927:142):

Symbols control sentiment and thought, and the new age has no symbols consonant with its activities. Intellectual instrumentalities for the formation of an organized public are more inadequate than its overt means. The ties which hold men together in action are numerous, tough and subtle. But they are invisible and intangible. We have before us the tools of communication as never before.... Communication can alone create a great community. Our Babel is not one of tongues but of the signs and symbols without which shared experience is impossible.

Deweyian liberalism firmly rejects atomic individualism with its sheer proliferation of signs and sign systems. Social transformation is only possible when mutually shared consequences are communicated and defined by a public which is self-conscious and future directed. The legitimation of the political state derives from the instrumentalities of a liberated public. Social problem solving requires unrelenting communication and education in the ways of symbolic convergence.

Our associative life can only reach fulfillment and consummation in structures and powers which are democratic. No other social model can define the inner logic of the public. Dewey states, "Regarded as an idea, democracy is not an alternative to other principles of associated life. It is the idea of community life itself," (1927:148). Whenever the nascent public attains some degree of

self-consciousness, it recognizes the necessity of defining and expressing itself through democratic institutions which will guarantee that its symbols and sign systems point toward an ideal convergence in the proximate future. The interpretive processes of sign translation can only be validated within those democratic structures which work within the heart of the emancipated public.

In a sense, all communities are hermeneutic communities even if some lack the instrumentalities to guide and control the meaning granting process.<sup>2</sup> Dewey is quite clear in his insistence that the public is only born from out of those conditions which generate communication and hermeneutic comparison. He states (1927:153):

A community thus presents an order of energies transmuted into one of meanings which are appreciated and mutually referred by each to every other on the part of those engaged in combined action. "Force" is not eliminated but is transformed in use and direction by ideas and sentiments made possible by means of symbols.

The conversion of energies into meanings can produce demonic and heteronomous (i.e., external and anti-democratic) powers if such conversion is not controlled by a democratically structured public. Insofar as symbols are allowed to present and preserve meaning without experiencing the counter-pressure of constant social communication, they can become detached from those liberating instrumentalities which preserve healthy communal life. The public, always precarious in its inaugural stages, is threatened with a splintering into numerous self-glorifying communities which jealously guard their private semiotic stock against external and socially valuable critique. The contemporary celebration of radical pluralism merely deepens the alienation of the public and makes it difficult to search for common goals and instrumentalities.

Social experience is embedded in nature and must, if it is to be successful, reinforce tendencies operating in pre-human orders. Some recent interpreters of

Dewey, such as Richard Rorty, have ignored the implications of his naturalism and have thereby overemphasized the merely instrumental or constructivist dimensions of his philosophy. Writing in 1944, Dewey makes his commitment to naturalism clear (Krikorian, 1944:16):

A philosophic naturalist cannot approve or go along with those whose beliefs and whose actions (if the latter cohere with their theories) weaken dependence upon the natural agencies, cultural, economic, scientific, political, by which a more humane and friendly world can alone be built. On the contrary, to him the present tragic scene is a challenge to employ courageously, patiently, persistently, and with wholehearted devotion all the natural resources that are now potentially at command.

By implication, then, the public does not receive its shape and validation from mere positive law but has roots which burrow deeply into the orders of nature and its constitutive transactions. The emergence of the democratic public must be facilitated by those genuine symbols which point toward hoped for social convergence. Such a convergence cannot occur without the support of antecedent natural structures.

Of course, Dewey's conception of nature rejects the earlier historical emphasis on substance as that which endures through the change of trait configurations. His redefinition of nature stresses what might be called an event ontology in which structures and laws represent long-term stabilizations of repeated and protracted events. In *Experience and Nature*, written shortly after *The Public and its Problems*, he makes this conceptual shift clear (1929:73):

Similarly what we call matter is that character of natural events which is so tied up with changes that are sufficiently rapid to be perceptible as to give the latter a characteristic rhythmic order, the causal sequence. It is no cause or source of events or processes; no absolute monarch; no principle of explanation; no substance behind or underlying changes--save in that sense of substance in which a man well fortified with this world's goods, and hence able to maintain himself through the vicissitudes of surroundings, is a man of substance. The name designates a character in operation, not an entity.

Dewey's naturalism is not a reductive materialism because of its emphasis on transaction and the functional status of matter. While he does not see spirit slumbering in matter (unlike Ernst Bloch who will affirm such a possibility), he does argue that the orders of nature are always in transformation and reconfiguration. Natural law must become attuned to this new conception of nature and its event quality if it is to be viable in the neo-Darwinian synthesis.

A theory of community can only make sense against the backdrop of a more generic theory of nature. Dewey's unique ontology of nature enabled him to transform our understanding of the processes by which persons transcend mere behavioral responses to become private and public problem solvers. In developing his event ontology, Dewey provided the categories by and through which his metaphysics of community could be grounded and validated. Since nature is more than static substance, and since humans are more than mere mechanisms, it follows that human communities must participate in the event processes which govern all actualities. Communities function through interpretive responses to sign situations which are themselves part of the vast evolutionary network of a nature ripe with meaning. The laws of the community must be rooted in the events and processes of nature. These natural laws are neither static nor eternal although they transcend the positive laws of human institutions. The search for democratic public is facilitated by an ontology of nature which recognizes the transformative powers working in all natural complexes.

The formation of the Great Community takes place using the same instrumentalities which prevail in scientific inquiry. The methods of problem solving need to become operative on the social level. The evolution of an emancipated public takes place through social instrumentalities which adjust means to ends in such a way as to make the quest for ends as much a part of social inquiry as the selection of means. Unfortunately, the selection of ends is currently



done in a random or even hidden manner so that the nascent public is rarely involved in the evaluation of general goals. Dewey insists that the articulation of means and ends become a conscious part of the self-liberation of the public. Without constant communication and sign articulation, the public becomes flattened into an immobile mass of merely reactive beings<sup>3</sup>.

The institutions of democracy must be redefined in terms of emancipatory structures so that the various proto-democratic communities they serve can become united into the Great Community. Dewey asks us to make the concept of the democracy more generic and inclusive than has been the case. Both individuals and communities must be reconstructed in terms of this universal definition. Dewey gives this account of the new generic social sense (1927:147):

From the standpoint of the individual, it consists in having a responsible share according to capacity in forming and directing the activities of the groups to which one belongs and in participating according to need in the values which the groups sustain. From the standpoint of the groups, it demands liberation of the potentialities of members of a group in harmony with the interests and goods which are common. Since each individual is a member of many groups, this specification cannot be fulfilled except when different groups interact flexibly and fully in connection with other groups.

The individual is not a social atom but functions as the intersection of innumerable groups. Each of these groups has its own conception of the social good and struggles to actualize that conception both internally and, through interaction with other groups, externally. The liberated individual must work toward the eventual convergence of these various communities so that no one of them tears at the fabric of the evolving Great Community. This convergence is not one which entails uniformity of sign systems any more than it requires an identity in perspectives. The Great Community is most fully actualized when the plurality of horizons enrich its life. The convergence sought by Dewey is best seen in the shared goals and instrumentalities of the public rather than in some imposed or alien form of mere semiotic identity.

In the liberated public, sign systems are open to reconstruction and the enhancement of meaning. When events become filled with meaning, they serve the instrumentalities of the evolving democratic forces working within the nascent public. The goal of the democratic public is toward that autonomy in which all laws evolve out of the intrinsic correlation between social beings and the orders of nature. A law is autonomous when it originates in the self-conscious instrumentalities of an educated public. Dewey rejects the Kantian and merely formal principle of autonomy because of its failure to understand the meaning content of extra-human natural orders. The public becomes autonomous when it finds its own laws through the methods of social problem solving. These laws are both autonomous and natural insofar as they emerge from the general articulation of the organism/environment transaction. As such, they have a content beyond their expressed formal structure.

Dewey links the concept of freedom to that of communication. No social organization can attain democratic autonomy if it fails to protect the orderly and open-ended articulation of sign systems. A true public exists in the form of dialogue. Dewey states (1927:167):

Without freedom of expression, not even methods of social inquiry can be developed. For tools can be evolved and perfected only in operation; in application to observing, reporting and organizing actual subject matter; and this application cannot occur save through free and systematic communication.

The evolution of the public, which must always struggle against the forces of heteronomy from within and without, can only occur when there are institutional protections of the processes of communication. Sign systems function differently in different types of community. In the Great Community, always the goal of democratic social instrumentalities, signs receive an unrelenting criticism and

evaluation. Semiotic convergence becomes genuine when the sign systems of the community survive the various tests of autonomy. Such tests serve to guard the community against any sign system which would attempt to close off all other sign systems.

An autonomous democracy is thus that form of community in which all laws emerge from the self-regulating mechanisms of the public. Such laws insure that individuals are protected from extrinsic constraints and powers. At the same time, individuality is defined in social terms so that the community as a whole attains autonomy rather than the mere sum of discrete individuals. Or, put differently, no individual is fully autonomous until he or she participates in the self-emancipation of the Great Community. This process can only be successful when each member of the public facilitates the decision making of the social order. The legal and semiotic structures of the community are rooted in, and derived from, the orders of nature. Consequently, nature itself can be seen to have an evolutionary drive toward radical autonomy. Dewey did not directly concern Himself with this possibility although, as we shall see, Bloch did not hesitate to rethink the politics of matter.

Pragmatic liberalism correctly understands the necessity of locating the human within the vast evolutionary matrix of nature. However, its understanding of symbolic transformation does not attain the radicality necessary for moving beyond the merely autonomous ideals of a democratic public. More basic than liberal autonomy, with its conscious articulation of shared goals and ideals, is the utopian expectation which is the core of cultural evolution. Ernst Bloch, working from out of a highly heterodox Marxism, developed a detailed analysis of the utopian drive which underlied democratic expectation. In our brief sketch of his framework, we will focus on the correlation between natural law and social utopia.

In his 1961, *Natural Law and Human Dignity*, Bloch insists that the natural law tradition can be redefined so as to reinforce the revolutionary claims of Marxist social analysis. To do so, he must reject those elements of natural law which would emphasize the eternal or static and find room within such laws for evolution and transformation. More importantly, he must argue that natural law is fundamentally future directed and that it carries within it the seeds of egalitarian revolution. However, the tradition has failed to make this connection clear. Bloch states, "Social utopias and natural law has mutually complementary concerns within the same human space; they marched separately but, sadly, did not strike together." (1961:xxix). The historical focus of utopian theories has been on human happiness while the focus of natural law has been on human rights and human dignity. In his redefinition of natural law, Bloch aligns it with the utopian expectations which function within all dimensions of personal and social history.

While more traditional Marxists express discontent with the natural law tradition, Bloch insists that Marxism is continuous with it. He states (1961:187):

In the cradle of Marxism we find not only economic partiality on behalf of the exploited and oppressed, but also, in the spirit of natural law, an economic partiality for the humiliated and degraded--a partiality that understands itself in the fight for human dignity, the constitutive heritage of classical natural law, and does not allow any authority (insofar as one is necessary), whether hereditary or recent, to become cocky.

The support for human dignity comes not from an eternal or theologically derived set of ontological principles but from the emancipatory powers slumbering within the heart of nature and history. Bloch's messianic and mystical tendencies must be understood against the backdrop of his belief in the emergent qualities of reality. While it is true that natural laws are antecedent to the social or pre-social structures in which they are exemplified, it does not follow that they are without their own forward drive toward a new future.

In his three volume work, *The Principle of Hope*, written in the United States in the 1930's, Bloch attempts to show how concrete utopian expectation opens out the "not-yet-conscious" which serves as a lure for social transformation. Rejecting the Jungian account of archetypes and their relation to the collective unconscious, Bloch sees the true reality of symbol formation to lie in the future. Romantic evocations of the archaic past serve to reinforce those anti-emancipatory tendencies which govern late bourgeois existence. The emotion which is most basic to future directed signs and symbols is that of hope. Bloch states (1959:146):

The act-content of hope is, as a consciously illuminated, knowingly elucidated content, the positive utopian function; the historical content of hope, first represented in ideas, encyclopaedically explored in real judgments, is human culture referred to its concrete-utopian horizon.

Hope, as the counter-emotion to anxiety, has the power to open out horizontal plenitude and to direct the community toward an awareness of those symbols which coax it toward social equality. The history of culture can be best seen as the history of imagined utopias all of which serve to flesh out and deepen the ultimate symbol of expectation which is the true motor force for cultural evolution.

In certain passages, Bloch even goes so far as to see nature itself as laboring under the teleological drive of radical hope. Habermas argues that Bloch's redefinition of natural law makes nature and humanity dialectically dependent upon each other. Referring to Bloch's writings of the 1950's, Habermas makes this summary (1981:70):

Matter, or *natura naturans*, no longer needs any form entelechies; as the one and the whole, it engenders and bears the patterns of its fertility out of itself alone. It is the being-existing-in-possibility in such a way that the history of nature "points toward" the history of humanity and is "dependent upon" humanity.

Natural law drives toward an emancipation of the orders of nature as well as of human communities. The revolutionary aspirations manifest in the rising social classes parallel those future directed tendencies within nature itself. The potencies slumbering within matter can be actualized through those revolutionary acts which drive toward the classless society. Bloch insists that the outward expression of the not-yet-conscious is to be found in the socialist understanding of the state. Such a state or human association is and must be a democracy.

The category of the not-yet (*noch nicht*) is central to all of Bloch's reflections on the utopian expectations which govern history. Rejecting a static ontology of essences or substances, Bloch argues that all of nature is groaning toward a fulfillment which remains hidden in the present. Human history, as an intensification of the eschatological processes of nature, contains numerous potencies which can be actualized by the revolutionary drives of the present. The past is the repository of still explosive and open-ended drives toward emancipation in the future. Bloch takes the millennial and apocalyptic dimensions of Marxism seriously and places possibility higher than the mechanical actualities of historical dialectic.

To be human is to live under the pressure and lure of the not-yet-conscious. Within the forces of life itself lies a hunger for utopian transformation of the conditions of existence. Bloch argues that the world demands its own fulfillment and thus 'uses' mankind for this end. The not-yet stands at the heart of reality (1959: 308-09):

The Not as Not-Yet passes straight through Becomeness and beyond it; hunger becomes the force of production on the repeatedly bursting Front of an unfinished world. The Not as processive Not-Yet thus turns utopia into the real condition of unfinishedness, of only fragmentary essential being in all objects. Hence the world as process is itself the enormous testing of its satisfied solution, that is, of the realm of its satisfaction.

In the pre-human complexes, this not-yet is manifest in the evolutionary drives for complexification and genetic enhancement. In the realm of human political life, the not-yet is most strongly felt by the rising social class in its revolutionary or reformist fervor to transform the actualities of the community and the state. A front of new possibility begins to exert itself against the forces of inertia and domination which govern pre-emancipatory structures.

More orthodox Marxists accuse Bloch of over-emphasizing the human imagination and its merely subjective power thereby destroying the 'objectively scientific' quality of Marxist economic and social theory. Bloch's return to the post-Kantian identity philosophy of Schelling is seen as a form of bourgeois revisionism which will only blunt the evolution of a concise and mathematical theory of social transformation. Bloch, it is held, fails to recognize the priority of the substructure of economic determinism by his preference for the superstructure of culture and utopian expectation. This theological inversion of classical Marxism, with its heavy use of Biblical terminology, puts Bloch outside of the mainstream of eastern Marxism.

Throughout, Bloch maintained that the utopian drives manifest on the level of the human imagination, that is, in the subject pole of the subject/object diremption, were manifest in the object pole as well. He makes this commitment clear (1959: 197-98):

...the concrete imagination and the imagery of its mediated anticipations are fermenting in the process of the real itself and are depicted in the concrete forward dream; anticipating elements are a component of reality itself. Thus the will towards utopia is entirely compatible with object-based tendency, in fact is confirmed and at home within it.

The "will towards utopia" emerges from out of the not-yet within material reality and receives its quickening and focus in human revolutionary action. Bloch's daring

reconstruction of the sub/superstructure correlation enabled him to overcome the materialist reductionism of his fellow Marxists. At the same time, it freed Marxism for a more profound and judicious use of religious imagery and thereby enabled it to engage in fruitful dialogue with the theological tradition. The object pole, in strict parallelism to the subject pole, is emancipatory in its inner logic as well as outward expression.

In the radicalization of natural law, mere positive law becomes transformed into an instrument of emancipation. Returning to Bloch's *Natural Law and Human Dignity*, we see him state (1961:243):

Radical natural law posits human freedom in the solidarity that has become possible, while authentic morals are on the path to the production of such solidarity in the attainment of the classless condition, in the clearing of that species of human alienation and lostness which does not stem, or no longer stems, from the class society. Positive, existing law is primarily "corrected," that is judged in a revolutionary way, by radical natural law; genuine morals say yes to this and leave their amen open.

Since hope liberates the community from antecedent and current positive laws, it becomes possible to transcend those legal structures which come from the false consciousness of privileged social classes. Since radical natural law is class neutral, unlike earlier forms of natural law which come from the false consciousness of privileged social classes. Since radical natural law is class neutral, unlike earlier forms of natural law which were class biased, it follows that the social structures emerging from the not-yet-conscious will take the form of democratic socialism.

Each rising social class has its own unique relation to the not-yet-conscious and expresses this relation in a particular form of praxis. Bloch goes beyond facile analyses of the allegedly monolithic proletarian class to exhibit the rich transformational possibilities within numerous communal and economic groupings. Each under-class contributes its won integrity to the evolving contour of the



not-yet-conscious. At the same time, human dignity is preserved across the various class divisions by a future directed natural law which empowers all social transformation. Autonomy, that is, the expression of self-governance in the rising classes, is itself preserved and nurtured in the not-yet of natural law. Freedom and emancipation belong to the not-yet and derive their measure from that which is not yet actual (although it is the ground of actuality).

Liberal theories of autonomy are thus enriched and supported by the deeper sense of natural law which emerges in Bloch's writings. This natural law is not arrived at through an inductive analysis of physical and mathematical invariants any more than it comes from an atemporal revelation of divine stipulations. Rather, the new conception of natural law derives from a detailed and penetrating observation of the slumbering yet revolutionary powers of the not-yet-conscious which has both a subjective and an objective dimension. Bloch speaks of an "objective imagination" which works in and through the heart of nature to assure that the fulfillment of the world will occur once the antecedent 'essences' and powers have been transcended and regrounded from out of the future. This universal imagination is not confined to the human process even if it finds its fullest expression in human subjectivity.

We have contrasted autonomy, the principle of self-regulation and self-legislation operative in liberal social structures, with the principle of heteronomy, which is best defined as the imposition of alien and authoritarian laws onto a community which may or may not want such laws to prevail. The third form of law, which struggles to deepen autonomy while destroying heteronomy, is that of theonomy. Paul Tillich, one of the founders of the movement of religious socialism in Germany after the First World War, analyzed all three forms of law in an effort to defend the centrality of theonomy in any viable social theory. He often used the term "the demonic" to refer to those heteronomous powers which

work against both autonomy and theonomy. Autonomy, the principle of rational form and individual freedom, receives its full measure and actualization from the theonomous powers of nature. Writing in 1923, Tillich defines the relation between autonomy and the sacramental power of theonomy (1923:62):

Theonomy is a condition in which the spiritual and social forms are filled with the import of the Unconditional as the foundation, meaning, and reality of all forms. Theonomy is the unity of sacred form and sacred import in a concrete historical situation.....It fills the autonomous forms with sacramental substance. It creates a sacred and a just (gerechte) reality at the same time.

The "Unconditional" is the power of Being which is not a specific being or configuration of beings. As such it is without form. For Tillich, liberal autonomy is threatened by heteronomy whenever it is bereft of the power of theonomy. The prefix "theos" refers both to the sacred powers in nature and to the depth dimension of time and history. The suffix "nomos" refers to the measure or the law which is rooted in the Unconditional power of nature, time, and history. Religious socialism posits a theonomous democracy in which the liberal principle of autonomy is supported and governed by the depth dimension of natural law. Tillich's understanding of the sacred is remarkably akin to Bloch's understanding of the not-yet slumbering within the orders of nature. For both thinkers, natural law is only arrived at when rational autonomy gives way to the spiritual powers of a future directed nature.

The eschatological perspectives of Bloch and Tillich concur in rejecting the self sufficiency of liberal democratic ideals based on the principle of autonomy. At the same time, however, neither would wish autonomy to become obliterated in a theocratic or demonic social structure. The only true foundation for a liberal democracy is thus that of a theonomy which preserves the laws and symbols of autonomy while measuring them under the opening power of the not-yet-conscious. Dewey's failure to understand the deeper religious and theonomous powers of

human and natural history blunted his efforts to redefine the conditions of a just social reality.

Natural law thus becomes radically transformed under the principle of theonomy. The future directed powers of nature, giving birth to a new sense of human dignity and happiness, preserve autonomous and merely positive laws from that kind of alienation which marks structures bereft of the opening power of the not-yet-conscious. Emancipatory impulses in the pre-human orders give striking evidence of the eventual triumph of democratic socialism in the order of human communities.

Both Dewey and Bloch struggled to define a social theory which would actively criticize those forces of heteronomy which work against the development of a just society. For Dewey, the instrumentalities of science, broadly conceived, provide conceptual and practical tools for solving specific social problems as they emerge from genuinely problematic situations. Dewey's post-Darwinian understanding of the orders of nature enabled him to radically redefine the organism/environment transaction in such a way as to overcome the subjectivist bias of much contemporary thought. Consequently, he was able to show how natural principles and powers govern and locate those human activities which would seek to transform them for communal and social ends. His liberalism committed him to an implied principle of autonomy. The autonomous self, working through the instrumentalities of democratic institutions, became free from those heteronomous powers which thwart the evolution of the public.

Bloch, not unlike his fellow neo-Marxist Habermas, stressed the validity of the principle of autonomy in his account of social freedom. However, his deeper understanding of the emancipatory powers slumbering within the orders of nature and history, enabled him to find a measure which lies beneath that of liberal

autonomy. The utopian social expectation, which enlivens and punctuates human cultural evolution, points toward the not-yet-conscious which lives on the outer edges of our various meaning-horizons. In delineating the ontology of the not-yet-conscious, Bloch has added an important chapter to the ongoing history of metaphysics.

My analyses of Dewey and Bloch have used the concepts of heteronomy and autonomy as a means for understanding the location of the measure of law in social interactions. Both thinkers were concerned with finding practically effective frameworks for limiting the corrosive power of heteronomy. Deweyian naturalism rejected anything like a theonomous moment within the social transformation. Such a depth dimension would appear to the Deweyian democrat as a heteronomous intrusion into the communicative and rational structures of the liberated public. This flight from genuine theonomy deprives Dewey's social model of those antecedent yet future directed powers which alone can break the powers of heteronomy. Dewey's call for new symbols remains bound to a semiotic of autonomy which strips genuine symbols of their liberating power. Underneath the rational and concisely delineated signs and symbols of autonomous democratic institutions is the ultimate symbol of expectation which does not overturn the symbols of autonomy but gives them an empowerment which they would not otherwise have. It is one thing to defend an open ended and liberal community of interpretation but it is another thing entirely to reach into the heart of nature and history to find the awakening power of the not-yet-conscious. As history has shown, the powers of autonomy are far too weak to withstand the heteronomous forces which are manifest in social pathology. The measure and support for autonomy must come from that theonomous dimension which is itself a part of the flow of history.

But here I should issue a caution. Heteronomous powers often have an

uncanny ability to mask themselves being the facade of theonomy. Demonic social movements can appeal to the symbol of expectation to legitimate a host of social crimes. Consequently it is crucial that we recognize the necessity for the preservation of the principle of autonomy. The one sure way for deciding if a power is heteronomous is to see how it affects the autonomous structures of the public. Insofar as autonomy is compromised by the intrusion of the new symbol or symbol system, it is clear that the theonomous moment has not arrived. Dewey's answer to Bloch would be that no opening to the not-yet-conscious can be entertained which does not support and deepen autonomy. A theonomous democracy would be that form of association in which the forces of emancipation were not eclipsed by an alien law. All sign systems would receive their measure and validation from the ultimate symbol of expectation which is expressed in the concrete experience of hope. But his symbol receives its own empowerment from the not-yet which lives within the heart of nature.

#### NOTES

1. Assistant Professor of Philosophy, The Pennsylvania State University.
2. For a detailed analysis of hermeneutic communities, cf. my *The Community of Interpreters* (Macon, Georgia: Mercer University Press), 1987.
3. For an excellent treatment of the specifics of Dewey's understanding of social problems solving, cf. James Campbell's, "Dewey's Method of Social Reconstruction," *Transactions of the Charles S. Peirce Society*, Vol. XX, No. 4, Fall, 1984:363-393.

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