

Barry Smith, Editor

Parts and Moments
Studies in Logic and
Formal Ontology

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Barry Smith

Introduction to Adolf Reinach

On the Theory of the Negative Judgment

Adolf Reinach was born in Mainz on the 23rd December 1883. Between 1901 and 1905 he studied philosophy, psychology and jurisprudence in Munich, and his dissertation on the psychological foundations of jurisprudence, *Über den Ursachenbegriff im geltenden Strafrecht*,¹ bears traces of the psychologistic approach of his teacher, Theodor Lipps. Lipps' psychologism came under heavy criticism in Husserl's *Logical Investigations*, published in 1900/01, a work which enjoyed an almost immediate success in Munich.² A circle of philosophers was established, to which among others Reinach, Pfänder, Daubert, Theodor Conrad and August Gallinger belonged, the members of which adopted the *Logical Investigations* as their philosophical canon, awarding special significance to Husserl's account of material *a priori* relations among essences or kinds.

Between 1905 and 1909 Reinach spent long periods studying under Husserl in Göttingen, preparing in 1909 a Habilitationsschrift (*Wesen und Systematic des Urteils*),³ many of whose ideas are summarised in the essay which follows. Reinach remained in Göttingen as a Privatdozent until 1914 when he was called to the front. He fell in Flanders on the 16th November 1917.⁴ Here we shall discuss the most important works from Reinach's Göttingen period on the material *a priori*, on the theory of judgment, and on the *a priori* structures of social acts.

§ 1 Kant and Hume on the Material *A priori*

Reinach's paper, "Kants Auffassung des Humeschen Problems", of 1911 embodies an attempted clarification of the concept of the synthetic *a priori* which was acknowledged by Husserl as having played a sig-

nificant role in the development of his pure (*a priori*) phenomenology.⁵ The paper begins by challenging the adequacy of Kant's understanding of the Humean concept of *relations of ideas*.

'Relations of ideas, in contradistinction of matters of fact,

depend entirely on the ideas, which we compare together ... 'Tis from the idea of a triangle that we discover the relation of equality, which its three angles bear to two right ones; and this relation is invariable, as long as our idea remains the same (*Treatise*, Bk I, Pt. III, § I).

Kant wishes to identify propositions expressing relations of ideas with judgments whose truth is, in his terms, 'grounded in concepts', i.e. with analytic judgments. This identification finds initial support in the fact that, in the *Enquiry* at least (see Sect. IV, Part I), it is the truths of algebra, geometry and arithmetic which are put forward in illustration of the concept of relation of ideas. In the *Treatise* however, a number of other relations of ideas are mentioned,⁶ for which the assumption of analyticity is, as Reinach argues, wholly implausible.

Consider, for example, the proposition 'red and orange are similar'. It would clearly be nonsensical to suppose that the concept of resemblance is 'contained' in the concepts of red and orange. Yet

Hume ascribes precisely the same basic determinations to the relation of resemblance and the other remaining relations of ideas as he does to the mathematical relations of ideas.

Further, not only did he

never directly characterise mathematical propositions as analytic: such a view would, when considered against the background of his other views, lead to the greatest absurdities.⁷

How, then, are we to understand relations of ideas, if not as analytic connections amongst (Kantian) concepts? A preliminary answer to this question is provided by a comparison with Locke, who is much closer to Hume at this point than is Kant. Locke separates knowledge that is genuinely instructive from analytic or 'trifling' knowledge. He explicitly contrasts the proposition 'The external angle of all triangles is bigger than either of the opposite internal angles' with empty propositions such as 'what is a soul is a soul' (*Essay*, IV, 8).

To be sure, this mathematical proposition says something about a 'complex idea', *not* however something which is 'contained in it', but rather something which is 'a necessary consequence of its precise complex idea'.⁸

Where Locke's identical propositions 'only affirm the same term of themselves', instructive propositions 'find out intermediate *ideas*, and then lay them in such order one by another that the understanding may see the agreement or disagreement of those in question.'

We shall return shortly to the question of how relations of ideas are to be understood in the framework of Humean (or Lockean) philosophy as this is viewed by Reinach. First however it is necessary to consider briefly the problem of causality ('das Humesche Problem' referred to in the title of Reinach's paper). Consider the two judgments: 'event *a* follows upon event *b*' and '*a* is connected with *b* by a relation of causal necessity'. What should be noted is that the second judgment materially enriches the content of the first:

In both cases, a relation between *a* and *b* is being asserted – in the first case only a relation of temporal sequence, in the second case one of necessary connection. The second relation, in a certain manner, includes the first within itself, but it goes far beyond the first with respect to its content. Therefore, whether I make the first or the second judgment signifies a fundamental difference in material content.

It is quite otherwise however in the case of a judgment such as ' $2 \times 2 = 4$ '. Here

I assert a relation between 2×2 and 4; but if I judge that 2×2 is necessarily 4, evidently I do not assert any new relation between the arithmetical terms (Reinach, *op. cit.*, p. 181f.).

In order to draw attention to the fact that, in the latter case, it is the state of affairs as a whole that is characterised in a specific way, Reinach designates the necessity involved as *modal* necessity. Where mathematical propositions exhibit only this modal necessity, causal propositions lay claim also to a certain kind of *material* necessity, that is to a necessary connection among the parts of the corresponding states of affairs. Fire *produces* heat, i.e. is, in its very nature, causally or necessarily connected with heat.

In Kant's view – a view which accords well with his narrow interpretation of relations of ideas as analytic connections amongst concepts –

Hume's inquiries were directed exclusively towards modal necessity, the necessity which causal propositions share with mathematical and logical propositions. Reinach, on the other hand, wants to defend the view that Hume's attention was mainly - though sometimes confusedly - directed towards *material* necessity:

What Hume wants to inquire into is 'necessary connection', and this is regarded by him as a relational predicate about which the question arises, to begin with, whether it is determined by the nature of its terms exactly as similarity is determined by the essence of two colours. Such a consideration makes sense only in the case of what we have called material necessity ... Kant repeatedly emphasises, with full justification, that necessity can never be given through experience. As contrasted with this, Hume tries to find it in experience. The reason for this lies in the fact that one of them is thinking of modal necessity, the other of material necessity (op. cit., p. 184 f.)

Hume's conclusion, of course, was that he was unable to discern in experience any evidence of necessary (material) connection between events. The inadequacy of this conclusion should not however blind us - as it did Kant - to the fine structure of Hume's presuppositions:

According to Kant, Hume saw only two possibilities: either the *foundation* of the causal judgment in pure reason, or the *explanation* of it from experience, i.e. from the mechanism of association and the 'subjective necessity arising from it', which is falsely taken to be objective. That for Hume there is a third possibility - the immediate grounding of necessity through experience - is overlooked by Kant and, from Kant's standpoint, must be overlooked. (op. cit., p. 186).

Hume could contemplate the possibility of grounding material necessity through experience only because for him, as for Reinach and Husserl, this necessity has both an epistemological and an ontological side, only because, that is to say, relations of ideas are also relations of things.⁹ Indeed, the most important conclusion to be drawn from Reinach's essay is that the treatment of the synthetic *a priori* had been set on the wrong road by the one-sidedly epistemological approach initiated by Kant.¹⁰

Relations of ideas are, in Reinach's vocabulary, *essential structures*, "structures wherein a predicate is 'conditioned by', or is grounded in, the nature of the terms that are placed in relation to one another" (op. cit., p. 166).¹¹

It is grounded in the nature of the numbers 3 and 2 that the former is greater than the latter; but there are no material things whose nature it is to lie beside each other. With exactly identical properties, things may be either near each other or far removed from each other. In the one case, therefore, the predicate is grounded in the essence of the subjects; in the other case, not so (op. cit., p. 164).

We shall see in what follows that, even amongst the things, events, and processes of the material world, a wealth of essential *a priori* connections is capable of being disclosed.

§ 2 The Philosophy of *Sachverhalte*

The concept of *Sachverhalt* or state of affairs plays a central role in Reinach's philosophy to a degree equalled, perhaps, only in Wittgenstein's *Tractatus*.¹² In the 18th and 19th centuries, logical orthodoxy in both Germany and England had rested on a conception of the judgment as a compound of concepts or presentations. Judgments thus conceived have no direct ontological correlates of their own: they are true or false in virtue of the existence or non-existence of a corresponding combination amongst the ontological correlates of their constituent concepts. Against this background, the recognition of the heterogeneity of the judgment as compared to (atomic or molecular) concepts or presentations - and in particular the isolation of the moment of assertive force by Brentano and Frege¹³ - was a considerable step forward. Yet the equally important step of recognising also a heterogeneous category of judgment-*correlates*, a category of entities in the world which would make judgments or sentences true or false, was taken neither by Frege nor by Brentano.¹⁴ The delineation of this category was first carried through effectively by Husserl in the *Logical Investigations*,¹⁵ receiving its most refined form in the essay by Reinach which follows. The distinction between propositions or meaning-correlates of judgements, and states of affairs or object-correlates of judgments, has since been taken for granted not only by continental philosophers influenced by Husserl, but also in much analytic philosophical work on logical semantics and on the ontology of facts.

Within Austrian philosophy however, particularly in the work of Bolzano, and of philosophers in the Brentano school such as Meinong

and Marty, this distinction was not made.¹⁶ Bolzano's *Sätze an sich* and Meinong's *Objektive* exhibit traits characteristic of both meaning-entities and object-entities,¹⁷ and it is difficult to see how these two sets of traits can be reconciled. *Objektive*, for example, are compared to ideal meanings in possessing an eternal or timeless existence, yet they are also viewed as being capable of containing real material objects as constituents.¹⁸ The same ontological brinkmanship is manifest in work of Moore and Russell on the proposition,¹⁹ and it can be discerned also in the work of Chisholm (another philosopher heavily influenced by both Meinong and Brentano), particularly in his conception of a generalised category of states of affairs which would include as sub-categories both events and propositions.²⁰

For Husserl, as for Reinach, the meaning-object dichotomy is firstly a distinction between the sense and quality of an act on the one hand, and the object intended in the act on the other: thus every act of judgment, for example, exhibits both a meaning and (at least if the judgment is true) an associated state of affairs. But it is secondly a distinction between the two separate disciplines of formal logic and formal ontology.²¹ A further dichotomy arises when we consider states of affairs from the point of view of existential ontology and ask after the *mode of existence* of statal entities.²² Is the existence of states of affairs dependent upon that of more or less distantly associated mental or linguistic acts? Or do they enjoy an autonomous existence, independently of mind or language? In Husserlian terms, is the state of affairs *this rose is red* a moment residing exclusively in the ontological orbit of the rose, or is it rather a moment of a larger whole constituted by, *inter alia*, a corresponding act of judgment. A variant of the first position is defended by Reinach in the essay below. The second position has been defended by, for example, Meinong and Strawson (compare the latter's claim that 'If you prise the statements off the world you prise the facts off it too'²³).

The most extreme affirmative position concerning the autonomy of statal entities is one which asserts that there is such an entity corresponding to every possible judgment, to every possible wellformed sentence, whether true or false. This position is characteristic of ontological rationalism or platonism as evinced, in different ways, by Bolzano, Frege, Meinong and Chisholm.²⁴ A view of this kind is defensible, I believe, only where it relates to entities belonging to the sphere of meaning (to Frege's 'realm of sense') or, as in Meinong's case, to some hy-

brid sphere of quasi-meanings. Where states of affairs are conceived as object-entities, tied down to the real world of Frege's 'ordinary referents', then it becomes impossible to develop intuitions which could support such all-embracing platonism: what mind-independent external referent, what constituent part or contour of the world, could correspond, for example, to a false sentence, to a counterfactual conditional, or to a judgment concerning the indefinite future?

Clearly some restriction is needed upon sentences to which autonomous *Sachverhalte* may be expected to be correlated. The most obvious restriction consists in denying objectual correlates to judgments that are false. An alternative, however, is to distinguish amongst the totality of autonomously existing states of affairs, subsistent states of affairs corresponding to true judgments, and non-subsistent states of affairs corresponding to those that are false. This is the position adopted by Meinong, by Reinach, and by Wittgenstein in the *Tractatus*.²⁵

Philosophers who adopt this latter approach may be inclined also to conceive statal entities as possessing an eternal existence, as custodians of (eternal) truth and falsity in a world of transient objects.²⁶ Wittgenstein, as is well known, adopted the opposite view, regarding objects as what is unalterable and subsistent, their configuration in states of affairs as what is changing and unstable (*Tractatus*, 2.027), a position which echoes the ontological atomism of Herbart.

The most serious controversy in the formal ontology of states of affairs however has concerned the relative status of positive and negative states of affairs. For Wittgenstein, as, for example, for Pfänder (*Logik*, Section I), all states of affairs are positive: Reinach however was insistent that there are both positive and negative states of affairs and that, whilst these have distinct epistemological properties, they are, in regard to their mode of being, indistinguishable.

Reinach's views on negative states of affairs were criticised by Ingarden in his *Der Streit um die Existenz der Welt*. Ingarden argued that if states of affairs are to be conceived as object-entities, dovetailed with the individual objects, events, properties and relations in the real world, then it is clearly justifiable to say of a state of affairs such as *this rose is red* that it exists autonomously, since here all of the constituents of the state, i.e. the rose and its individual accident of redness, themselves exist autonomously. Consider however the negative state of affairs *this rose is not blue*. Here whilst the rose itself exists autonomously, the property involved is only thought or intended; it is carried into the si-

tuation from outside by our act of judgment. Therefore, argues Ingarden, the mode of existence of such a state of affairs must be distinct from that of the positive, autonomous state of affairs.²⁷

Hence we have distinguished, at this level of generality, three alternative positions regarding the autonomy of states of affairs: Ingarden's position, according to which only states of affairs corresponding to positive, true sentences exist autonomously;²⁸ Wittgenstein's position, according to which both subsistent and non-subsistent *Sachverhalte* exist, but all are positive; and Reinach's position which allows both positive and negative, subsistent and non-subsistent *Sachverhalte*.²⁹

In the present essay Reinach considers in detail only those properties of *Sachverhalte* that are of relevance to the theory of judgment, and specifically to the theory of the negative judgment.³⁰ The clarity of Reinach's own exposition makes superfluous the duplication of his arguments here. It is however worth pointing out that, in contrast to most modern philosophical logicians, he is concerned not merely with logical (deductive) and semantic properties and relations amongst judgments (or propositions) considered in abstraction from their contexts of use, but also with the judgment as a mental act, bound up with other mental acts of recognising, thinking, arguing and inferring.³¹

His account rests on a distinction between two types of mental formation: spontaneous, temporally punctual and typically linguistically articulated *acts*, on the one hand, and non-spontaneous, enduring *conditions* or *states* typically only loosely associated with language, on the other. To the first category belong (episodic) acts of assertion, denial, questioning, etc., acts of perceptual or cognitive apprehension and of evaluation of objects or states of affairs, acts of intending an object (e.g. of meaning so-and-so by the use of a given proper name), acts of promising, commanding, forgiving, requesting, etc. To the second category belong states of conviction or belief, of having something (some object or state of affairs) before or on one's mind, of enjoying some sensation, of feeling obliged or committed to someone, etc.³² Reinach's principal charge against previous accounts of the judgment was that the distinction between judgment as assertion and judgment as conviction had been ignored, or, more generally, that the relation between the two spheres had been thoroughly misunderstood, whether in accounts of the dependence of judgment as assertion upon an underlying conviction or belief, or of the dependence of, say, an act of promising upon an underlying intention or volition. (Reinach's application of these ideas to

the sphere of legal or quasi-legal formations such as acts of promising will be considered briefly in the section which follows.)

A note on influences: In considering the influence of 'On the Theory of the Negative Judgment' it would almost certainly be wrong to assume any awareness of Reinach's work on the part of the author of the *Tractatus*, despite the similarities between the respective *Sachverhalt*-ontologies of Wittgenstein on the one hand, and of Reinach and the other Munich phenomenologists on the other.³³ These similarities are almost certainly to be attributed to a shared influence upon both Reinach and Wittgenstein of the work of Meinong, and perhaps also of Stumpf and Husserl.³⁴ Where Reinach did exert a substantial influence was upon the members of the Munich-Göttingen circle of phenomenologists themselves, and in particular upon Ingarden, whose 1925 analysis of the category *problem*³⁵ owes much to the Reinachian approach to states of affairs. Reinach exerted an importance influence also upon Otto Selz, a Würzburg psychologist who applied Husserlian and Reinachian ideas in his work on the psychology of thinking.³⁶ Consideration of these and other influences will however have to be postponed for another place.

§ 3 The Theory of Social Acts

The fundamental principle of Reinach's philosophy may be expressed as follows: for every domain of objects, whether psychological or material, mathematical or grammatical, a determinately structured family of essences can be discovered, standing in a priori relations to each other, as a reflection of which corresponding a priori laws hold of the objects in question.

These laws are certain and unchangeable; they are prior to any human convention and would obtain even though never actually recognised by any thinking subject.³⁷ A system of material essences can be disclosed, for example, for the domain of human emotions, for human value-phenomena, including the phenomena of ethics,³⁸ and – as in Reinach's own essay below, – for the sphere of judgment and of cognitive phenomena in general.

Reinach's own most original contribution to philosophy lay in the application of this principle to legal and quasi-legal formations as these occur in human societies, and in particular to acts of promising, apolo-

gising, forgiving, requesting, commanding, and so on, and to the social phenomena associated with these. The peculiar characteristics of acts of this kind were re-discovered several decades after Reinach's work by Anglo-Saxon speech act theorists.³⁹

Reinach's work on social acts is presented in his "Die apriorischen Grundlagen des bürgerlichen Rechts" (The *A priori* Foundations of the Civil Law), first published in volume I of Husserl's *Jahrbuch* in 1913.

Consider, first of all, the social formations of claim and obligation. Many philosophers before Reinach's day had been tempted to regard these formations as reducible in some way to the mental experiences, or to the beliefs or dispositions of the subjects involved. All such theories however, as Reinach argues,⁴⁰ completely by-pass that which is essential to these formations. For whilst there is, certainly, such a thing as a belief in the existence of a claim or of an obligation, this is something which, as a matter of principle, can be identically constituted whether or not the purported claim or obligation really exists, and even independently of whether it belongs to the subject in question or to some alien subject. Further it is clear that claims and obligations can exist in the absence of any knowledge or beliefs of this kind, as they can exist also in the absence of any feelings of entitlement.⁴¹

Claims and obligations are like mental entities, however, in the sense that they always and of necessity require a bearer (typically an individual person): they can, like mental experiences, be regarded as individual moments of their bearers. In addition we can see that claims and obligations of necessity require a determinate content: every obligation has as its content some future conduct (*Verhalten*, that is action or forbearance) on the part of its bearer, and this content is shared by the claim or claims with which the obligation is interwoven. A claim or obligation also has a specific temporal structure: no claim or obligation comes into existence without some specific ground or reason for this existence. In the terminology of Husserl's third Logical Investigation, then, they are founded upon (require of necessity to exist in a more inclusive whole with) events of specific types, for example acts of promising.⁴² It is a synthetic *a priori* truth that an act of promising immediately and of necessity brings about a mutually correlated claim and obligation.

The commonly held view of the act of promising had been that it is simply the expression of an act of will or of an intention to act in the interests of the party before whom the declaration is made. The most ob-

vious inadequacy of this account is that it throws no light on the problem of how such an utterance should bring about a claim and obligation of the appropriate kind. It is after all clear, that the bare intention to do something has no quasi-legal consequences of the given sort, and it is difficult to see how any essential difference is made by the simple expression of such an intention.

In the wake of Austin and Searle the fundamental categorial distinction between promising and communicating one's intention to do something is readily accepted. Reinach sought, in his 1913, to provide a complete and systematic theory of all such phenomena. Both types of act, he points out, involve deliberate linguistic utterance. They fall within the (wider) class of what Reinach calls *spontaneous* acts, i.e. acts which consist in a subject's bringing something about within his own psychic sphere, as contrasted with passive experiences of, say, feeling a pain or hearing a noise.⁴³ Not all spontaneous acts are linguistic in character (consider, for example, a deliberate turning of the attention toward something). Further, there are certain types of spontaneous act which may involve an overt linguistic utterance but for which this moment of overtness is non-essential: for example, acts of judgment (one may pass judgment without giving any outward sign of having done so), or also acts of forgiving, praising, cursing, blaming, praying, and so on. In each case an overt linguistic utterance is a possible but not a necessary, constituent of the act in question.

One can already clearly see, however, that for certain other types of spontaneous act this dispensability of a linguistic utterance does not apply. The utterance of a command, for example, or of a promise or question, is clearly a necessary or essential component of the total act. Reinach accordingly divides spontaneous acts into two classes, which he calls *internal* and *external*, according to whether the act's being divulged, being brought to overt expression, is a dispensable or separable piece, or an indispensable, inseparable moment of the act-complex in question.⁴⁴

A further division, one which applies not merely to spontaneous acts but to mental phenomena generally, is that between *non-self-directable* acts, i.e. acts which demand of necessity an alien subject toward whom they are directed (whether internally or externally), and acts such as love and hate which may be directed toward one's self.⁴⁵ Again, an act of commanding clearly presupposes essentially the existence of one or more alien subjects to whom the command may be addressed; such an

act, if it is to exist at all, demands not merely that – like all mental phenomena – it have a bearer, but also that one or more additional subjects should exist toward whom it is directed. It is necessary, in other words, that the bearer of the act should exist as part of a more inclusive whole whose constituents are connected together in some specific way (in this case through the enduring relationship between commander and commanded which consists in the fact that the former has authority over the latter).

A further peculiarity is possessed by certain specific types of external, non-self-directable acts, that they are such that their constituent utterance must of necessity be *grasped* by the subject(s) toward whom the act is directed: the issuer of a command must not merely utter the command in public; he must direct this utterance to its addressees in such a way that it is received and understood by them in an appropriate way. This peculiarity of commands, that they stand in need of being directed to and perceived by their addressees, is absent, for example, from acts of forgiveness. Reinach introduces the term *social act* to designate those spontaneous acts which stand in need of being addressed to and of becoming correlately perceived by their addressees. A social act

is an action of the subject to which is essential not only its spontaneity and its intentionality, but also its being directed towards alien subjects and its standing in need of being perceived by those subjects. What has been said of commands holds also for requests, admonitions, questionings, informings, answerings, and many other types of act. They are all social acts which are, in their execution, cast toward an alien subject that they may take hold of or bring about effects inside him (*einem anderen zugeworfen um sich in seine Seele einzuhacken*).⁴⁶

It is, Reinach argues, essential to the social act that it be a single, integral whole articulated both internally and externally: that it should exhibit both internal (psychological) moments and external (physical) moments (in being, typically, an overt linguistic utterance). Inner experiences of many kinds – shame, or love, or anger – may equally be brought to overt expression; but here the outward-facing moment is to some degree an arbitrary and dispensable supplement in the total act. In the case of social acts proper, in contrast, it is not as though we have, in the act, two independent parts, more or less intimately associated with each other: the act, in being executed, constitutes itself as an inextricable whole within which the internal and external moments exhibit a

manifold of interdependencies and can be distinguished from each other only abstractly.

This peculiarity of social acts is clearly expressed by Reinach in his critique of Hume's account of the act of promising. Hume, as is well known, seeks to discover a type of mental act which might accompany the utterance of a promise and thereby lend it its peculiar status as a promise. But the attitude in which this search is carried out is mistaken from the start. Hume

wishes to discover an experience which becomes expressed in a promise, which therefore could be present *without* the presence of any accompanying expression. And of course he cannot succeed in exhibiting such an inner experience. He rejects quite properly the experiences of resolving, wishing, willing; but what he does not see at all, is that besides such inner experience there exist also activities of the mind which do not merely find in words their accidental, supplemental expression, but which come to execution in the act of speaking itself and of which it is characteristic that they announce themselves to another by means of this or some similar external appearance.⁴⁷

So, too, it is easy to see that there is no independent and self-contained mental experience which is somehow brought to expression in the issue of a command. There could not even in principle be such an experience. Yet it is nevertheless true that social acts of necessity presuppose or are founded upon appropriate conditions of mind on the part of their bearers.

The act of imparting presupposes a conviction of the content which is imparted. An act of questioning essentially excludes such a conviction, requiring instead a state of uncertainty in relation to its content. The psychological presupposition of a request is the wish that that which is requested should happen or, more specifically, that it should be brought about by he to whom the request has been addressed. A command has for its foundation not merely the desire, but the volition, that the addressee should carry out that which has been commanded.⁴⁸

All of this is of course to assume that one distinguishes a request as such from a sham (merely apparent) request, a question as such from a conversational ploy, etc. Indeed every social act is of necessity subject to a system of essential modifications of these and other specific types, subject to secondary *a priori* laws of their own. Thus when a speaker executes an act with the intention of presenting it as a social act of a given type but from which the necessary underlying foundation is missing,

then of course we do not have a mere string of words: lies and dissimulations, too, are social acts of determinate types.⁴⁹

We might summarise the above by means of the following examples:

The internal and external moments of the social act of imparting or informing: I can be convinced of (believe in) a particular state of affairs without ever giving expression to this conviction in an assertion, or only in an assertion which I keep to myself. For an imparting of the state of affairs to be effected it is essential not only that an assertion be made, but also that this assertion be specifically addressed to a second subject who is in a position to perceive and understand it.

Here, as in all subsequent cases, the social act in question can be considered as an abstract moment of a whole consisting of two (or more) subjects reticulated together in a specific way. The present example involves the simplest possible whole of this kind, consisting merely of two subjects connected together momentarily by a single, fleeting cartilaginous band, namely the particular utterance itself. In subsequent cases the encompassing wholes with which we have to deal will exhibit more complicated structures. Consider, for example, the encompassing whole which must exist if a social act of joining together in holy matrimony is to be effected.

The internal and external moments of the social acts of requesting and commanding: These two acts may share an identical content and exhibit identical physical appearance (differing, perhaps, only in their emphasis or tone of voice). They differ most importantly in the presence in or underlying the latter of a prior enduring relationship of subjugation, a legal formation of a quite specific kind, different from any merely psychological dispositions which may equally accompany an act of requesting.

An important difference between these acts and acts of imparting is that where, in the latter, the addressee's becoming aware of the content of the act is of itself sufficient to bring to fulfilment the project which is announced in the act (or, as we might also say: to saturate the whole which is initially projected by it), this leads only to a provisional staging-post in the case of acts of requesting or commanding. Here it is only the subsequent realisation of the request or command in appropriate

conduct of the addressee that can truly close the circle which has been opened with the execution of the initial act.

The internal and external moments of the social acts of questioning and answering: Questioning, too, is a type of social act which somehow demands or calls forth a specific response on the part of the addressee, namely, a further social act of answering. The latter does not demand in its turn any subsequent action on the part of he to whom it is addressed, but rather presupposes some prior action, and indeed presupposes always and essentially a social act of a determinate type.

Thus we can distinguish, following Reinach, social acts of, e.g. answering or ratifying, which presuppose other, prior social acts; and social acts of requesting, questioning, commanding, promising, etc., which aim towards subsequent social acts or toward activities of other kinds. And we can see that the relationships holding amongst social acts and among the act-complexes into which they enter as essential constituents may exhibit certain specific kinds of temporal determinations. It is not, however, as though a social act of, say, promising, can *necessitate* the future realisation of appropriate conduct: it can at most establish what has been called an *a priori* tendency,⁵⁰ a necessitation of a type which is conditional upon the absence of supervening considerations (e.g. of a moral nature, or relating to physical impracticability).⁵¹ As a result of the episodic tie between hearer and receiver which is the act of promising, these two individuals become affected, as regards their subsequent conduct in relation to each other (their *sich zueinander Verhalten*), in virtue of the fact that the relation between them is not a saturated relation (*befriedigte Beziehung*), resting complete in itself.⁵² It is such as to call forth a specific type of action on the part of the bearer of the obligation brought into being by the act, namely the realisation of the relevant content. An obligation therefore carries in itself the determination to bring itself to an end, and a tendency also towards the dropping apart, as it were, of the two individuals who have become related to each other through obligation.

§ 4 On the Nexus of Representation

It would be impossible for us to go into detail here concerning the whole range of issues discussed by Reinach in "The *A priori* Founda-

tions of the Civil Law". In particular we cannot consider Reinach's discussions of legal rights and of the origins of legal rights, claims and obligations, nor his discussion of collective and divided ownership, of contract theory, and of those particularly important kinds of speech acts which, when executed by jurists, result in the establishment of new law. We cannot consider either the various possible modifications of social acts – of which the modification of the act of imparting information in an act of lying is just one amongst a whole range of examples. We shall however discuss one particularly important species of such modification, since this may serve to clarify further aspects of Reinach's theory of social acts and of the relations of this theory to his general philosophical methodology.

It is a commonplace that acts of, say, thanking, blessing, commanding, promising, accepting (delivery of something), perhaps also acts of murder and the like, may, under appropriate conditions, be carried out by one individual *in the name of* another.⁵³ The determination of which acts are, of their nature, subject to this proxy-modification is one task of the *a priori* theory of social acts and of related formations.

The execution of an act in the name of another is of necessity quite a different thing from its being carried out 'in his spirit', that is, in such a way as to conform to his presumed or expressed intentions. I can act in the spirit of another without acting in his name, and I can act in his name without acting in his spirit. Indeed it is not any kind of knowledge of the intentions of the represented party which forms the inner state or mental condition on the basis of which the acts of the representative are executed, but rather the intention that the consequences which ensue from this execution should fall not to him, but to the person in whose name he acts. Thus, when I execute a promise on another person's behalf, no obligations are acquired by me thereby, but rather – in appropriate circumstances – by this other person. As Reinach points out, this possibility – that the rights and obligations of a person may be transformed or brought to an end, or that he may acquire new rights without being himself aware of it – seems at first quite extraordinary.⁵⁴ Clearly however I cannot execute, say, promises in the name of another purely at random; not even the will of this other to acquire specific obligations suffices to make my promises in his name effective. Some relevant conduct on his part is presupposed. One might initially suppose that the execution by him of a prior act of promising would be what was required. But the consequences of a promise are in no way identical with

those of a genuine relationship of representation. For if the principal promises his representative that he will do that which is promised in his name, then the obligation which he acquires is an obligation which arises not from any promise which is subsequently executed by proxy, but from his own promise. And moreover it is then not the relevant third party to whom he is obliged – as it would be in the case of the obligations flowing out of an effective relationship of representation, – but the representative himself.

And if instead he should promise this third party that he will indeed effect that which his representative might subsequently promise in his name, then whilst there arises here an obligation of the required content and in relation to the appropriate person, it is one which flows directly out of this initial promise: the subsequent act of the representative serves merely to make known, in regard to this particular obligation, what its particular content is. The obligation is not at all one which springs from the promising act which becomes executed on the principal's behalf, as it would be in the case of a genuine nexus of representation.

Nor, either, is the representation relation rooted in social acts of commanding. The representative is not, for example, a mere messenger of the represented party. Even should a representative be charged, in the fullest detail, with executing only a single act of promising in the name of someone else, he remains therein a representative; he retains at least the authority to execute just this act. The messenger, in contrast, is not the executor of any legal-social act at all: the social act of imparting information which he does perform stands, rather, in the service of the legal-social act which is executed through it by another.

How, then, does the nexus of representation become established? We have seen that persons are able, by executing acts of promising, to acquire obligations for themselves. How can they come to have the authority to generate obligations for others? Clearly this is something which can be granted only by the person who will in fact acquire the obligations in question. The act of granting such authority is not however an act of transfer (comparable, e.g. to a transfer of property), for the authority remains at the same time and will continue to remain in its original hands. It is, rather, as if this authority is something *sui generis* which can be re-generated, re-created anew in the person of another.

The act of granting such authority by the principal to his agent will of course typically be supplemented by further information-giving social

acts expressing the will of the principal as to how his representative should proceed on his behalf in given circumstances. But such acts are not essential constituents of the act of granting authority itself (they can be wholly absent without the latter thereby suffering the least effect). This essential separateness of granting authority and conveying information is further revealed in the fact that should the representative subsequently act in the name of but against the stated intentions of his principal, this can in no way be taken to have damaged his status as a representative, and he will suffer retributive consequences only to the extent that he had himself entered from the start into an *additional* obligation to abide by such intentions.

In Husserlian terms we can say that a representative *b*, in his capacity as a representative of *a*, and *a* himself, *qua* represented party, are mutually founding, interdependent moments. As a result of *a*'s having granted to *b* an appropriate authority the two individuals are mutually adjusted to each other and remain so adjusted as long as this authority does not expire or become rescinded in a new social act on the part of *a*. During this interval *a* and *b* need have no further dealings with each other: their mutual adjustment is as it were relatively isolated from the consequences of their respective behaviour.

In the course of his operations *b* will typically execute a variety of social acts in the name of his principal. Fixing on one such act, say a proxy act of promising in which *b* becomes momentarily tied to another party *c*, we can see that as a consequence of this momentary tie *a* automatically becomes enduringly reticulated with *c* – even though the two parties may in fact have had no direct dealings with each other, – since the obligations to *c* arising from the promise accrue to *a*. Hence here, as in other cases, there are two levels of interconnection between the various constituents of the founded wholes before us. *a* and *b*, first of all, must have become mutually adjusted to each other in an enduring nexus of representation. Only thereby can *b* (in his capacity, etc.) proceed to erect a temporally punctual link between himself and *c* which will have among its automatic consequences the immediate establishment of a second temporally extended mutual adjustment between *a* and *c*.

Proper names, too, according to a familiar theory, are said to go proxy for their objects (see e.g. *Tractatus*, 4.0312); and whilst Reinach himself did not discuss this matter, it may be of some interest to round off this introduction to his essay with a brief consideration of the proxy theory of names in the light of the Reinachian theory of social acts.⁵⁵ It

will help us to gain some initial insight into the name-object nexus if we pause to consider that species of social act of most immediate relevance to the theory of proper names, the act of legal baptism. The possibility of baptism demands, first of all, that a corresponding authority be vested in some individual in virtue of which appropriately constituted acts of this individual have as their *a priori* consequences certain legal effects. We might be tempted to suppose that his acts have the nature of commands, in establishing certain obligations on the part of the members of the relevant community to act in certain ways. This could imply at most however that the community is obliged to behave *as if* 'Gottlob', say, were Gottlob's name, which could suffice only to establish a certain regularity of association of 'Gottlob' with Gottlob: the fact that this is his *name* would remain thereby untouched.

Rather, we must recognise that the baptismal authority is empowered to generate new legal formations of a quite peculiar, hitherto unrecognised kind, namely *names*. It is by now well-understood that an act of promising has, as a matter of *a priori* necessity, the immediate effect of bringing into being the mutually correlated legal formations of claim and obligation. So, here, the act of baptism has as its immediate effect the bringing into being of the legal formation which is the baptismal name. The peculiarity of baptismal legal formations is that they are also units of language and belong, in this capacity, to the subject-matter of the various linguistic disciplines of phonology, etc.

But what is the nature of such formations *qua* objects of the *a priori* theory of law? Once again it is foundation relations which we have before us. 'Gottlob' *qua* name-of-this-particular-individual depends for its existence upon the existence of this individual; as a knighthood, for example, or an individual knowledge of Greek, is necessarily dependent upon the existence of its bearer. Gottlob's name is, then, a moment founded upon the whole which is (the baptised) Gottlob – and this will help us to explain how 'Gottlob' *qua* name of this particular individual can differ from 'Gottlob' *qua* name of that particular individual. What is before us here is not any arbitrary convention to treat one and the same linguistic unit as if it were the name of two separate individuals, but rather legal formations which are already *two different objects*, as my knighthood or headache is already, in virtue of being mine, a different object from your knighthood or headache.

We can now see the sense in the analogy between legal representation and the naming relationship: the proper name (*qua* name) can

serve as an adequate proxy for its bearer (qua named object) in virtue of being founded upon the latter in the Husserlian sense. Just as, no matter what geographical distance may separate a representative from his principal, the two remain inextricably bound together, so too a proper name, even when at work in contexts which are far flung in relation to its bearer, functions in its jurisdiction as that object's name. A range of further applications of the methodology of foundation relations, not to proper names, but to sentences and to sentence-using acts, will be found in the essay which follows.

Notes

¹ Leipzig: Barth, 1905.

² 'It is reported amongst the earliest of Husserl's students that in the Summer of 1902 – that is between one and two years after the appearance of the *Logical Investigations* – a student rode by bicycle from Braunschweig to Göttingen where, thick with dust, he entered the Husserl house. The two of them argued for hours about the *Logical Investigations* until Husserl rose excitedly, called his wife into the room, and said, "Here is someone who has read – and understood – my *Logical Investigations*!" It can be said that this conversation initiated that school of philosophy which has come to be known as the phenomenological movement. The student in question was Johannes Daubert' (F. G. Schmücker, *Die Phänomenologie als Methode der Wesenskenntnis unter besonderer Berücksichtigung der Auffassung der München-Göttinger Phänomenologischen Schule*, Dissertation, Munich, 1956, p. 1).

³ Unfortunately the manuscript of this work, along with other substantial Nachlass material, seems to have been destroyed: see E. Avé-Lallemant, *Die Nachlässe der Münchener Phänomenologen in der Bayerischen Staatsbibliothek*, Wiesbaden: Harrassowitz, 1975, the apparatus of which includes a useful general account of the Munich-Göttingen school. Cf. also vol. I, ch. 4 of H. Spiegelberg, *The Phenomenological Movement. A Historical Introduction*, 2nd ed., Haag: Nijhoff, 1965 and Schmücker, op. cit.

⁴ During these final years Reinach began a work on the phenomenology of religion to be called *Das Absolute*, and the ethical and religious ideas he developed in this period – together with his conversion to Christianity – exerted a considerable influence on his contemporaries in Göttingen. Reinach's conversion was followed by that of his wife, his sister, his brother and sister-in-law and many of his friends and pupils, including Edith Stein (cf. Stein's autobiography, *Aus dem Leben einer jüdischen Familie*, Freiburg: Herder, 1965, esp. pp. 172–219). His sister Pauline joined the Benedictine nuns of Mont Vierge in Wépion, Belgium, and it is reported that before her arrival at Mont Vierge the Prioress addressed the chapter as follows: 'Tomorrow we shall have the great joy of welcoming to our community a new member, who is, even according to the flesh, a sister of Our Lord' (reported by J. M. Oesterreicher, *Walls are Crumbling*, New York: Devin-Adair, 1952, p. 118).

⁵ Reinach's paper was published in *Zeitschrift für Philosophie und philosophische Kritik*, 141, 176–209; cited here (with a number of small amendments) according to the

translation by J. N. Mohanty in *Southwestern Journal of Philosophy*, 7, 1976, 161–88. Husserl's acknowledgment appears in his obituary of Reinach in *Kantstudien*, 24, 1917, 147–49. Cf. also Husserl's remark, 'It was really Reinach who introduced me to my *Logical Investigations*, and in an excellent way,' quoted by Oesterreicher, op. cit., p. 87. Reinach was involved in the initial reworkings of the text of the *Logical Investigations* in 1911 for a planned second edition of the work (K. Schuhmann, *Husserl-Chronik*, Haag: Nijhoff, 1977, p. 155).

⁶ See Book I, Pt. III, Sect. I, and compare the passage from the appendix to Book III of the original edition appended as a footnote to Book I, Pt. I, Sect. VII by Green and Grose (p. 328): "Tis evident, that even different simple ideas may have a similarity or resemblance to each other; nor is it necessary, that the point or circumstance of resemblance should be distinct or separable from that in which they differ. *Blue* and *green* are different simple ideas, but are more resembling than *blue* and *scarlet* ... 'Tis the same case with particular sounds, and tastes and smells ...'

⁷ (Reinach, op. cit., p. 168f.) Kant's interpretation of Hume was nevertheless, at least in Reinach's day, almost universally shared. One exception is the dissertation, *D. Humes Lehre vom Wissen. Ein Beitrag zur Relationstheorie im Anschluß an Locke und Hume*, Leipzig: Engelmann, 1901, by Paul Linke, another philosopher who began his career as a student of jurisprudence and came to the study of philosophy and psychology as a result of the impact of Theodor Lipps.

It is noteworthy how many philosophers in the Austrian tradition reveal the influence of Locke and Hume as contrasted with the Kantian and Hegelian ideas dominant in the North of Germany. See e.g. Meinong's *Hume-Studien*, and G. Davie, "Edmund Husserl and 'the as yet, in its most important respect, unrecognised greatness of Hume'" in G. Morice, etc., *David Hume. Bicentenary Papers*, Edinburgh University Press, 1977, 69–76.

⁸ Reinach, op. cit., p. 179. The issue before us can be summarised as follows: are we constrained to understand Locke's term 'consequence' here as signifying analytic (logical) consequence, or can we appeal to some rudimentary notion of ontological consequence in the sense of § 6.4 of the essay by Smith and Mulligan above?

⁹ This two-sided view of ideas finds echoes in the work of Herbart, a German philosopher who stands close to Hume also in many other respects. See Husserl's discussion of Herbart's views in § 59 of the Prolegomena to the *Logical Investigations*.

¹⁰ A further, related criticism of Kant's epistemologism is presented by Reinach in his 'Die obersten Regeln der Vernunftschlüsse bei Kant', *Kantstudien*, 16, 1911, 214–33.

¹¹ Here both 'predicate' and 'term' have not only an epistemological or logico-grammatical but also an ontological significance. Compare n. 8 above.

¹² The dominant role played by this concept in Reinach's thought can almost certainly be ascribed, at least in part, to his legal background. As had been continually stressed by German philosophers of law from the 18th century onward, that which is of primary importance within the orbit of the law (or within any given legal trial) belongs not to the category *event* or *action*, but to the category *state of affairs*, i.e. is a matter of (actual and possible) relations of conduct or *Verhalten* amongst individual legal subjects. See the preamble to my "Law and Eschatology in Wittgenstein's Early Thought", *Inquiry*, 14, 1978, 425–41 and the references there given, as well as the discussion in § 1 of the essay by Smith and Mulligan above.

¹³ The molecular conception of the judgment survives even in Bolzano's theory of the *Satz an sich* as a complex of *Vorstellungen an sich*, and it can be discerned also in the multiple relations theory of judgment advanced by Russell. The account of assertive force put forward – in echo of certain ideas to be found already in Descartes – by Brentano (for references see the discussion in § 5 of Reinach's essay), is of course distinct from that of Frege. In particular, Brentano distinguishes both positive and nega-

- tive moments of force (moments of assertion and denial), where Frege, more correctly, distinguishes only positive force: see M. A. E. Dummett, *Frege. Philosophy of Language*, London: Duckworth, 1973, ch. 10. In this respect Reinach, despite his roots in the Brentano-Husserl tradition, is closer to Frege than to Brentano: see §§ 13, 16 and 19 of the essay below. For a criticism by Reinach of Frege's theory of number see his 1914 Marburg lecture 'Über Phänomenologie', first published in Reinach's *Gesammelte Schriften*, Halle: Niemeyer, 1921, 379–405, Eng.trans. by Dallas Willard, *The Personalist*, 50, 1969, 194–221.
- ¹⁴ Brentano did advance a theory of *Sachverhalte* (called by him *Urteilsinhalte*) in his early writings, but he later came to conceive all talk of judgment-correlates as necessarily eliminable: see part III, 3 of Brentano's *Wahrheit und Evidenz*, Hamburg: Meiner, 1958, 'Gegen sogenannte Urteilsinhalte, Sätze an sich, Objektive, Sachverhalte'.
- ¹⁵ Aspects of the theory of the *Sachverhalt* were anticipated in certain scholastic writings (see I. Habbel, *Die Sachverhaltsproblematik in der Phänomenologie und bei Thomas von Aquin*, Regensburg: Habbel, 1960) and in the works of a number of 19th century German logicians, especially Beneke and his followers. Here it is perhaps the writings of Julius Bergmann which are of greatest importance. Almost uniquely amongst philosophers outside the Brentano tradition, Bergmann employs the word *Sachverhalt* as a technical term of his logic. See e.g. Bergmann, *Allgemeine Logik*, part I, *Reine Logik*, Berlin: Mittler, 1879, *passim*. The official Brentanist account of the origin of the term is given by Reinach in § 8 of his essay below. Cf. also my article, "Sachverhalt. I" in K. Gründer, ed., *Historisches Wörterbuch der Philosophie*, Basel: Schwabe, forthcoming.
- ¹⁶ As Reinach, as early as 1914 expressed it, "alle Österreicher verwechseln Satz und Sachverhalt beständig" (*Nachlass* B II 5, p. 375).
- ¹⁷ On the meaning/object dichotomy see my "Essay in Formal Ontology" *Grazer Philosophische Studien*, 6, 1978, 39–62 and "Frege, Husserl and the Ontology of Reference", *Journal of the British Society for Phenomenology*, 9, 1978, 111–25.
- ¹⁸ The *Objektive*: that there are horses, for example, contains horses among its constituents.
- ¹⁹ Cf. Dummett's criticism, op. cit., p. 153: "Since Moore and Russell drew no distinction, for what they considered to be genuine proper names, between sense and reference, the meaning of a proper name, that is, the object for which it stood, was for them an actual constituent of the proposition. While the proposition was intended by them not to be a full-blooded denizen of the real world, so to speak, the fact that among its constituents were actual objects belonging to that world gave it a curious hybrid status." Certainly in the case of Russell one can detect Meinong's influence in the development of his theory of the proposition.
- ²⁰ See e.g. his *Person and Object*, London: Allen and Unwin, 1974, ch. 4.
- ²¹ Consider the discussion in the Prolegomena to the *Logical Investigations* in which Husserl considers the question of what makes the activity of scientists science. This "is certainly not the psychology of scientists' acts, nor any real context into which these acts of thought are fitted, but a certain objective or ideal interconnection which gives these acts a unitary relevance, and, in such unitary relevance, an ideal validity ... Two meanings can be attached to this objective interconnection which ideally pervades scientific thought, and thus also to science as such: it can be understood as an *interconnection of things* to which our thought experiences (actual or possible) are intentionally directed, or on the other hand, as an *interconnection of truths* in which this unity of things comes to count objectively as being what it is. These two things are given together *a priori*, and are mutually inseparable." (§ 62).
- ²² The opposition between formal and existential ontology is taken from Ingarden, *Der Streit um die Existenz der Welt*, Tübingen: Niemeyer, 1964/65, esp. vol. I and ch. 7 of vol. II/1. Ingarden also distinguishes a third discipline of material ontology.
- ²³ P. F. Strawson, "Truth", *Proceedings of the Aristotelian Society, Supplementary Volume*, 1950, as repr. in *Logico-Linguistic Papers*, London: Methuen, 1971, p. 197.
- ²⁴ Consider, for example, Frege's talk of an 'eternal realm of thoughts' (discussed in detail by C. Thiel in the final chapter of his *Sense and Reference in Frege's Logic*, Dordrecht: Reidel, 1968; cf. also my "Frege, Husserl and the Ontology of Reference").
- ²⁵ Meinong employs a slightly different terminology according to which all *Objektive* subsist (*bestehen*), but only some are factual (*tatsächlich*). For Wittgenstein's view see e.g. *Tractatus* 2.04: 'Das Bestehen und Nichtbestehen von Sachverhalten ist die Wirklichkeit'. A valuable account of this aspect of Wittgenstein's early thought is provided by R.-A. Dietrich, *Sprache und Wirklichkeit in Wittgensteins Tractatus*, Tübingen: Niemeyer, 1974.
- ²⁶ See Chisholm, op. cit. A related position was advanced by M. Honecker in his *Gegenstandslogik und Denklogik. Vorschlag zu einer Neugestaltung der Logik*, Berlin: Dümmler, 1921, pp. 110ff. Honecker puts forward a conception of states of affairs as the locus of existence of the past. According to this view not objects, but states of affairs, would form the subject-matter of the discipline of history.
- ²⁷ Ingarden's criticism of Reinach appears in § 53 of vol. II/1 of *Der Streit um die Existenz der Welt*; a translation by A. Szylewicz is to appear in B. Smith, ed., *For Roman Ingarden. Studies in the Borderlines of Philosophy, Linguistics and Literary Theory*, Amsterdam: Benjamins, forthcoming. For an account of the dispute between Reinach and Ingarden and of its parallels in analytic philosophical discussions of facts see my "Essay in Formal Ontology".
- ²⁸ Ingarden awarded a merely intentional existence to states of affairs correlated with sentences expressing negative judgments, and with certain other types of sentences (e.g. sentences expressing empirical possibilities, and fictional sentences); see *Der Streit um die Existenz der Welt*, ch. 9, and *Das literarische Kunstwerk*, Halle: Niemeyer, 1931, *passim*.
- ²⁹ The fourth combinatorially possible position, according to which both positive and negative states of affairs exist, but only those corresponding to true sentences, is defended by Honecker, op. cit.
- ³⁰ As Reinach's essay below makes clear – see especially the discussion of *Windelband* and *Brentano*, – a controversy had raged amongst logicians concerning the status of negative judgments which were, for a number of reasons, taken to be more problematic than their positive counterparts. Reinach's essay can be regarded as a contribution to this debate bringing to bear ideas derived from Husserl's *Logical Investigations*.
- ³¹ The judgment is, in the terminology of Husserlian part-whole theory, a whole exhibiting both a concrete phonetic moment and a concrete psychological moment. On the abstract character of the proposition as this is conceived within modern philosophical logic see Dallas Willard, "The Paradox of Logical Psychologism: Husserl's Way Out", *American Philosophical Quarterly*, 9, 1972, 94–99.
- ³² On this distinction see also F. Bassenge, "Hexis und Akt. Eine phänomenologische Skizze" *Philosophischer Anzeiger*, 4, 1930, 163–68. The opposition between act and condition is an outgrowth of the Aristotelian dichotomy of *δύναμις* and *ἐνέργεια*.
- ³³ Thus consider, for example, the following passage from Otto Selz, *Über die Gesetze des geordneten Denkverlaufs*, vol. I, Stuttgart: Spemann, 1913, a work influenced by both Husserl and Reinach: "It was Stumpf who introduced the expression 'Sachverhalt' as a technical term. Instead of this we use the expression 'Sachverhältnis', in order to bring to expression with the word 'Verhältnis' (relation) the peculiar nature of the Sachverhältnis as *ein sich zueinander in einer bestimmten Weise Verhalten von bestimmten Gegenständen*" (p. 131n., my italics). Compare e.g. *Tractatus*, 2.03: *Im Sachverhalt verhalten sich die Gegenstände in bestimmter Art und Weise zueinander.*

³⁴ See my "Essay in Formal Ontology" and also "Wittgenstein and the Background of Austrian Philosophy", in *Wittgenstein and his Impact on Contemporary Thought*, Vienna: Hölder-Pichler-Tempsky and Dordrecht: Reidel, 1978, 31–35.

³⁵ "Essentielle Fragen", *Jahrbuch für Philosophie und phänomenologische Forschung*, 7, 1925, 125–304.

³⁶ See especially *Über die Gesetze des geordneten Denkverlaufs* and the paper "Existenz als Gegenstandsbestimmtheit" which Selz contributed to the *Lipps-Festschrift* in which "On the Theory of the Negative Judgment" itself appeared (cf. *Münchener Philosophische Abhandlungen*, 259–93). Selz's later psychological writings (see the bibliography at the end of this volume) have been unfairly neglected by contemporary psychologists: he has made important contributions, in particular, to our understanding of phenomenal intensity, and of our experience of spatial and temporal wholes. Other philosophers influenced by Reinach included Kurt Stavenhagen, whose book *Absolute Stellungnahmen. Eine ontologische Untersuchung über das Wesen der Religion*, Erlangen: Philosophische Akademie, 1925, rests heavily on Reinach's classification of acts and in particular on his theory of *Stellungnahmen* or position-takings. Wilhelm Schapp's *Die neue Wissenschaft vom Recht. Eine phänomenologische Untersuchung*, 2 vols., Berlin: Verlag für Staatswissenschaft und Geschichte, 1930/32 also displays evidence of the influence of Reinach, as does Herbert Spiegelberg, *Gesetz und Sittengesetz. Strukturanalytische und historische Vorstudien zu einer gesetzesfreien Ethik*, Zürich und Leipzig: Niehaus, 1935.

³⁷ See in particular Reinach's Marburg lecture "Über Phänomenologie", Eng. trans. p. 213: 'It is states of affairs which are *a priori*, in that the predication in them – the being-B, let us say – is required by the nature of the A; that is, in that the predication is necessarily grounded in that nature. But states of affairs obtain indifferently of what consciousness apprehends them, and of whether they are apprehended by any consciousness at all. In and for itself, the *a priori* has not even the least thing to do with thinking and knowing' – nor, we may add, with speaking.

³⁸ Analytic philosophers have often put forward the realm of feelings as a paradigm of the subjective. As another Munich phenomenologist, Max Scheler, has shown however, feelings exhibit an objective order no less determinate than the logical order exhibited by a set of propositions. See for example Scheler's *Zur Phänomenologie und Theorie der Sympathiegefühle und von Liebe und Hass*, Halle: Niemeyer, 1913; *Wesen und Formen der Sympathie*, Bonn: Cohen, 1923, and "Der Formalismus in der Ethik und die materiale Wertethik", *Jahrbuch für Philosophie und phänomenologische Forschung*, 1, 1913, 405–565, 2, 1916, 21–478. Cf. also A. Kolnai, "Der Ekel", *ibid.*, 10, 1929, 515–69.

³⁹ See John F. Crosby, *Phenomenology and the Philosophy of Law: The Apriori Foundations of Civil Law*, mimeographed, University of Dallas, 1979. Crosby presents Reinach's *a priori* theory as a radical critique of the conventionalist presuppositions underlying modern analytic speech act theory. On Reinach's philosophy of law in general see J.-L. Gardies, "La philosophie du droit d'Adolf Reinach", *Archives de la Philosophie du Droit*, 14, 1965, 17–32. Perhaps the most important difference between Reinach's work on social acts and the work of the speech act theorists turns on the fact that Reinach, with his use of the methodology of part-whole relations, is able to produce a highly systematic and yet elegant theory of the whole range of social acts. The speech act theorists, in overconcentrating on linguistic differences between different types of acts, have been able to produce no complete theory of comparable elegance.

⁴⁰ "Die apriorischen Grundlagen des bürgerlichen Rechts", *Jahrbuch für Philosophie und phänomenologische Forschung*, 1, 1913, 685–847, ch. 1.

⁴¹ Op. cit., p. 696.

⁴² Reinach draws a parallel here between the coming into existence of claims and obligations and the appearance of alterations in the natural world: both require a sufficient reason. There are however two important differences between the two: (i) The relation between cause and effect in the natural world does not exhibit the kind of necessary connection between ground and consequent into which an immediate insight is open to us: that fire generates smoke is a state of affairs not rooted in the essence of fire. Of an event sufficient to establish a claim, however, we can recognise immediately that whenever an event of exactly the same type recurs, a corresponding claim must also once more be established. That it results in the establishment of a claim is an essential, not an accidental moment of the event in question. (ii) The type of act in which an effect in the natural world comes to givenness does not require the execution of a correlated act in which the corresponding cause is grasped. The former does not stand in need of foundation by the latter. An effect in the natural world can, at least in principle, be brought to presentation independently of its cause. It is in contrast impossible to grasp the existence of a claim or of an obligation independently of a return to the corresponding ground or reason. Only through an act in which I reestablish the existence of, say, a promise, can I establish the existence of that which follows from it. Cf. Reinach, op. cit., pp. 701 ff.

⁴³ Cf. §§ 2–3 of "On the Theory of the Negative Judgment".

⁴⁴ "Die apriorischen Grundlagen", p. 706.

⁴⁵ Loc. cit.

⁴⁶ Op. cit., p. 707.

⁴⁷ Op. cit., p. 728.

⁴⁸ Op. cit., p. 710.

⁴⁹ Op. cit., pp. 710 f.

⁵⁰ See Crosby, op. cit., p. 20 and pp. 69–79.

⁵¹ The concept of *a priori* tendencies is considered also, from different points of view, by August Gallinger in his *Das Problem der objektiven Möglichkeit*, Leipzig: Barth, 1912, esp. p. 78 on the concept of *sachliche Motivation*, and K. Duncker, "On Pleasure, Emotion and Striving", *Philosophy and Phenomenological Research*, 1, 1941, 391–430.

⁵² Reinach, op. cit., p. 723.

⁵³ Reinach's theory of representation is presented in § 7 of "Die apriorische Grundlagen", pp. 782–800.

⁵⁴ Op. cit., p. 785.

⁵⁵ Some analogies between legal and linguistic representation have been considered already by H. Gomperz and K. Bühler; see the latter's "Über den Begriff der sprachlichen Darstellung", *Psychologische Forschung*, 3, 1921, 282–94.

On the Theory of the Negative Judgment*

I Investigations of Judgment in General¹

§ 1 The Ambiguity of the Term 'Judgment'

It is of the utmost importance to uncover an equivocation bearing on the term 'judgment', one which, as it seems to me, makes itself felt in the form of confusions in very many logical contexts. On the one hand one understands by 'judgment' what one tends otherwise to characterise as 'conviction', 'certainty', 'belief', also as 'consciousness of validity'. On the other hand one means by this term also 'affirmation' or 'assertion'. Now certainly conviction and assertion stand in close relation to each other, but they are by no means identical. And whilst there is no doubt that one may well use 'judgment' to designate both, for this very reason one must then emphasise much more carefully the fact that the two delineate – in quite different ways – two wholly heterogeneous logical spheres, and that they thereby divide the total field of the theory of judgment into two neighbouring but absolutely separate sub-fields. This must now be shown in more detail. We must separate the two just-mentioned concepts of judgment and at the same time distinguish them from other related formations with which they may be, and indeed have been in the past, confused.

* English translation of "Zur Theorie des negativen Urteils", *Münchener Philosophische Abhandlungen*, Festschrift for T. Lipps, A. Pfänder, ed., Leipzig: Barth, 1911, 196–254; repr. in Reinach's *Gesammelte Schriften*, Halle: Niemeyer, 1921, 56–102; new edition, Munich: Philosophia, forthcoming. (Chapter and section headings have been supplied by the translator.)

in the theory of judgment are thus to be explained as arising through the substitution of consenting acceptance for the genuine judgment. It is to a large extent the term 'acceptance' which leads us astray here,³ and the same considerations can be applied, of course, to the expressions 'rejection' and 'disapproval'.

§ 2 The Sphere of Conviction and the Sphere of Assertion

After excluding acceptance and rejection both in the sense of positive and negative esteem and in the sense of consent and refusal, we come to the question whether 'acceptance' possesses any unambiguous sense at all, at least within the sphere of judgment. We have already indicated that this is not the case. Let us take a concrete example. Imagine that there has arisen a question between myself and someone else concerning the colour of a particular object. I step up to the object and I see that it is red. The being red of the object is here given to me, and as it comes to be given to me there develops within me the relevant conviction or belief that the object is red. Here one can very properly talk of a judgment. Indeed we have here the point about which the concept of 'belief' in English philosophy is oriented.

Let us follow through this case a little further. I turn away from the object, step up to the other person and say: 'The object is red.' What is involved here? The conviction originally attained can endure, I can hold fast to it, even when the object no longer stands before me. With this conviction I turn to the other person and utter the just-mentioned words. But it is not at all as though there was nothing involved here except the conviction of the given state of affairs and the utterance of these particular words. In uttering these words I mean or intend something by them, something objectual which they designate, and I mean this in a positive, affirmative manner. Such positing or asserting displays the presence of an act of a quite peculiar type. This is shown by the fact that if I say: 'Is the object red?' I also have something objectual in view, indeed I have the same thing in view as with the sentence: 'The object is red.' Here however we have not, as before, an assertive but rather an interrogative directedness. If we pay careful attention to the two cases then that which is characteristic of the case of assertion becomes clear. And again one may move to the case in which someone else makes the assertion 'a is P' and I repeat his sentence, understanding it, without

acceptance accepts is precisely a judging acceptance.² Many confusions ed to make use of equivocation it might be said that what consenting-ent, both as acts and in regard to their objectual correlates. If one wanting consentingly acceptance and judging acceptance are fundamentally different here that there lies the danger of the confusion mentioned above. For instance of the state of affairs which is the being P of a. And it is precisely here that this judgment too as an acceptance, that is, again, as the accepting judgment, and then I judge for myself that a is P. Now one can designate differently different. I first of all consent, with my 'Yes', to the original we have consenting acceptance and judgment next to each other, as in the original judgment alongside, and say: 'Yes, a is indeed P'. Here judgment which posits it requires no special emphasis. I can even bring the judgment 'a is P'. And that the state of affairs is not the same as the facts, but the acceptance which we now have before us relates rather to this judgment evidently relates to the being P of a, to this state of affairs which judgment should it be? The judgment 'a is P'? Certainly not. For an acceptance; but even here the acceptance is not a judgment. For upon it, and then I utter a consenting 'Yes'. In this 'Yes' lies a consent, ing. I hear, say, the judgment 'a is P' expressed; I understand it, reflect esteeming, one which can more precisely be characterised as a consent-There is a notion of acceptance which has nothing in it of an actual fusion.

We begin with a term which has cropped up frequently in writings on the theory of judgment since the influential investigations of Franz Brentano in this field. Brentano designated the positive judgment as an 'accepting' [*Anerkennen*] and opposed it to the negative judgment as a 'rejecting' [*Verwerfen*]. Certainly these terms cannot be understood unambiguously at this stage; and further those theorists who have employed them have by no means always avoided the dangerous ambiguities which they contain. One speaks of acceptance and rejection first of all in the sense of an *evaluative* turning towards or away from; thus a moral deed is accepted, an immoral deed rejected. Brentano (1889, p. 56) and Marty (1908, p. 233) quite rightly emphasised that this concept of a 'holding dear to oneself' or of a 'feeling of agreeableness' has no place in the theory of judgment. What should it mean to say that in the judgment '2 x 2 = 4' the identity of 2 x 2 and 4 is 'esteemed', or that in the judgment '2 x 2 ≠ 5' the identity of 2 x 2 and 5 is in this sense 'disapproved of'? But the danger of a confusion of this kind is not great; much more must we be on our guard against another kind of con-

however sharing in its assertion. Once again it is exactly the same state of affairs which is meant in the two cases, but only in the first case is it posited *assertingly*.⁴ How the understanding repetition of an assertive sentence is to be characterised positively must be left open; but in any case we can rule out any talk of its being itself an assertion. Thus we see that there are quite peculiar acts of positing or asserting; acts which are present in every positive judgment which we make. We shall study this asserting as it appears in judgments which are *uttered*, but we must take care not to reduce it to something purely linguistic. Thus one can accept that we could nowhere point to an assertion not *linguistically clothed*. But this does not mean that the asserting and the linguistic clothing are one and the same. For both in the case of speaking proper and in the case of inner, silent speech we have acts of asserting.

The speaking *is* characterised quite differently in the two cases - but we shall of course guard against the temptation to characterise this difference by viewing inner speech as a mere *presentation* of speech, for the presentation of uttered speech and inner speaking are clearly two quite different things. But while the form of speech is thus altered in a quite specific fashion, the assertion to which it gives expression in the two cases remains one and the same. And in whatever way this alteration may be more precisely characterised, the specific moment of asserting is certainly not subject to it, and this is sufficient proof of how mistaken we would be if we were to identify asserting with speaking.

Now this assertion too, which is gradually beginning to come into prominence before us, can also be designated as a judgment in a second use of this term - perhaps an even more appropriate use than in our first use of 'judgment' as conviction or belief. Thus we have arrived at two concepts of judgment both of which are concealed within the ambiguous term 'acceptance': indeed besides acceptance as esteem and acceptance as consent we have two separate cases of *judging* acceptance. And whilst linguistic usage seems at bottom to allow us to designate only *assertion* and not conviction as an accepting, since assertion and conviction are continually being confused, the latter is to that extent also included under this term. Brentano's theory of judgment gives us an example of this. He speaks of the judgment as an acceptance and this initially points us - when we leave out of account those meanings which do not belong at all to the sphere of the theory of judgment - to the sphere of assertion. But Brentano speaks on the other hand of differences of degree of a judgment and, as is not difficult to see, this leads us

immediately into a quite different sphere. In his *Psychologie* Brentano even spoke of 'intensities' of judgments in analogy with the intensity of feelings (1874, p. 292).

This view he later somewhat modified. "It is false ...", he tells us (1889, p. 57) "that the so-called degree of conviction is a grade of intensity of the judgment which could be brought into analogy with the intensity of joy and pain." But Brentano wants to accept degrees of judgment just as much as before. And Windelband similarly speaks of a possibility of gradations in the 'feeling of conviction' or of 'certainty' (1884, p. 186). When applied to assertion such a claim yields no sense at all. Either something is asserted or it is not asserted; degrees of assertion simply do not exist. Certainly one can speak of a hesitant or reluctant assertion; but it is clear that such an assertion is not thereby somehow an inferior assertion, somehow less of an assertion. The situation is quite different in the case of conviction. Here there is indeed a good sense to talk of levels or degrees. Alongside conviction there lie conjecture and doubt and with each of these the 'degree of certainty' sinks lower and lower. Thus in this context Brentano cannot have in mind the judgment in the sense of an assertion, he must rather be thinking of judgment in the sense of conviction; and an expression to this effect forces itself upon Brentano in the passage indicated above. Here the dangerous ambiguity in the concept of acceptance shows itself extremely clearly, and hence we wish to avoid this terminology completely in what follows, where for cases of positive judgments we shall always use the term 'assertion'. Note, however, that we have managed to bring out a first fundamental distinction between conviction and assertion, a distinction which we wish to pursue somewhat further in what follows.

In psychological and logical reflections we often find the act of judgment placed alongside other more or less closely related acts of consciousness. Sometimes we find judgment placed in opposition to doubt and conjecture, at other times in opposition to questioning or wishing. If we look more closely then we see that the term 'judgment' is here figuring in the two senses at present under review. It is unacceptable to rank conjecture and doubt with assertion; they belong rather alongside conviction, as different grades of certainty. On the other hand the acts which find their expression in the words 'Is a P?' or 'If only a were P!' undoubtedly find their place not alongside conviction but rather alongside assertion.

Thus far we have only indirect indications of the differences between

our two types of judgment. Direct corroboration here, as in other cases, can be achieved only through immediate perception. But we can already see with indubitable clarity that *conviction* or belief on the one hand, that which develops in us in the presence of a particular object, always involves some aspects which we may designate if not as feelings, at least as states of consciousness, at all events some *condition* of consciousness; but that *assertion* on the other hand, which does not 'develop' within us but is rather 'made' by us, is totally different from any feeling, from every condition, and is much rather to be characterised as a *spontaneous* act.

Further both conviction and assertion realise themselves within time; one can determine the point of time in which they come into being. But whilst we can speak of convictions of any arbitrary temporal extent, assertion essentially excludes any talk of a temporal extendedness; it has no temporal *course*, but rather exists as though it were something *punctual*.

We are far from affirming an absolute unrelatedness between conviction and assertion; indeed it is precisely because there exist very close relations between the two that they have been continually confused. No assertion is possible which is not accompanied by an underlying conviction which is such that both the assertion and the belief relate to something strictly identical. In contrast it is not necessary that *every* conviction or belief founds an assertion, and it is even excluded that an assertion should underlie a conviction. One may wish to question our first proposition by pointing to the case of lying, which seems to be something which is essentially an assertion in the absence of conviction. Closer consideration shows however that one may not at all speak of lying as a case of genuine assertion. We have to deal rather with a quite peculiar modification of assertion, a quasi-assertion as it were, lacking proper vivacity, and something for which we may find an analogy in the quasi-questioning which is a frequent occurrence in conventional conversation. *Genuine* questioning as much rules out a prior belief in that which is being questioned as genuine assertion excludes the disbelief in that which is being asserted. A conventional 'question', one with respect to which we know perfectly well what is being asked about, is not a genuine question; and a lie, something which involves a disbelief in that which one purports to assert, is correspondingly not a genuine assertion. We cannot go further into this not in itself unimportant correspondence between the two cases. For us they have merely the function

of bringing clearly into light the separation of conviction and assertion. Essential connections of the kind observed are clearly possible, and understandable, only where we have to deal not with some *one* thing that is merely *expressed* in different ways, but rather with two quite distinct formations. We wish to pursue the difference between the two a little further.

§ 3 Acts of Presentation and Acts of Meaning

It is well known that Brentano separated presentation and judgment from each other with extreme strictness, but that he at the same time brought them into close relation by postulating that of necessity every judgment have a foundation in a presentation. Every acceptance and every rejection necessarily presuppose, he claimed, the presentation of that which is accepted or rejected. Thus the object which is judged is taken up twice into consciousness: once as something presented, once as something accepted or rejected. If now we, for our part, ask after the relation between presentation and judgment, then we must of course distinguish two separate sub-questions; and what holds of judgment in the sense of conviction or belief need not at all hold of judgment as assertion. One thing certainly holds equally of both cases: there is no possible conviction and no possible assertion which is not conviction or assertion *of* something; the relatedness to something objectual, with respect to which the conviction is held, and towards which the assertion is directed, is something which is essential to both cases. We could, in this context, speak of the intentional character of the two types of judgment, but we would then have to guard against drawing over-hasty conclusions from this 'intentionality'.

To say of an experience that it is intentional is to say that it possesses a 'directedness towards' something objectual, and this in turn presupposes that something is 'at hand' for consciousness. But this being at hand – in the widest possible sense – is not a being presented, or at least need not involve any being presented.⁵ Certainly it is not easy to delineate firmly the concept of presentation. Husserl has shown the many ambiguities by which it has come to be affected (1900/01, II, pp. 493 ff).

Leaving out of account here the popular meaning in terms of which one speaks of presentation⁶ as something *opposed* to perception, we

can speak of presentation as something which includes equally not only perception but also memory, phantasy, and other related acts. A close examination of the expression 'presentation' [*Vor-Stellung* literally: setting before] will help us to circumscribe this very wide class of acts. It reveals that what is to be counted as an object of presentation is anything which we have 'before' us, or which – since we wish to avoid any suggestion of a spatial conception – is 'present' to us, 'there' for us. The sheet of paper which I am now perceiving is present to me, as is Milan Cathedral which I am now bringing to mind, as is a past experience of grief which I am now remembering, and a landscape which I am now imagining. However fundamentally different all these acts may be, still everything which is grasped within them is 'there' for me, stands as it were in front of me, is 'set before me' in the pregnant sense indicated above.

This concept of presentation extends itself far beyond the sphere of sensible objects in which it has its root. Even the beauty of a work of art, as something of which I am aware, is present to me, as is, say, the number 2, something which I bring to mind in relation to two arbitrary individual objects. Thus we by no means fail to appreciate the richness of phenomena which are to be distinguished here. If we take sensible perception alone then it is immediately clear that that which is 'actually' perceived, that which stands in the foreground of our perceptions, is something quite different from the co-presented background, and that both are in their turn different from the small segment toward which my attention is, at any given moment, principally directed. In each of these cases however, we can speak of an existence⁷ of the object of the act, as we can also in the various other spheres of bringing to mind, remembering, imagining, being aware of, and (as e.g. in the case of numbers) thinking of. The objects of acts of each of these types are all there for me, and this is what allows us to consider all such acts, together with all other acts whose intentional correlates are present in the same sense, as belonging together within a single group. One might now wish to question whether all acts whatsoever which involve a relation to something objectual are not admitted by this account, and whether every intended object whatsoever is not thereby also something which is 'there' for me. This would be quite wrong however, as we shall now show by demarcating a class of intending acts whose objectual correlate is in no sense presented (set before the subject of the act), in the hope that we may thereby throw some further light upon the exposition thus far.

We shall turn our attention to linguistic expressions. Suppose I am counting off, say, the mountains of Germany, either by calling out their names to someone else or by reciting them to myself. In doing this I utter a large number of names, perhaps very quickly one after another, but obviously there is much more involved here than mere utterances; in uttering the words I mean something by them, i.e. precisely the mountains which they designate. Anyone wholly ignorant of language would be limited to the utterance of the words without understanding of them; that is without meaning by the words the objects correlated with them. In contrast, whoever utters the words understandingly thereby aims – with them or through them – through and onto something other, and it is this 'something other' which is all-important. The acts now under consideration have a spontaneous directedness to something objectual; but it is not difficult for an unprejudiced observer to perceive that there can be no talk of a 'presentation', of a 'presence' of these objects in the sense determined above. Certainly they *may* be present; I can call out the name of a mountain and at the same time perceive it or bring it to mind in my memory. It is then of course presented, but one sees immediately that this accompanying presentation is normally not to hand, or at least need not be to hand. And further one sees that even in the cases where the object signified by the name is presented we would still have to distinguish from this act of presentation the act of meaning which is tied up with the utterance of the words. For even here it is not as if there were nothing more involved than a presentation of the mountain and the bare utterance of a word. A careful consideration reveals much more that the following is the case: that presentation is an act of its own peculiar type, a bare receptive 'having' of the object which may be of a longer or a shorter duration. If now an utterance of the name of the object is adjoined to it then – should the name be uttered with *understanding* – there becomes bound up with that act of presentation another quite peculiar act, which we designate as an act of meaning or of being directed towards. This latter act, that is to say, appears *alongside* the presentation, distinguishing itself already from the act of presenting, on the one hand in being always linguistically clothed, and on the other hand in being such that a spontaneity of directedness and a temporal punctuality are essential to it. Presentation and meaning [here always in the sense of '*Meinen*', i.e. meaning or intending something objectual *by* a given expression – Tr.] are certainly not without any relation to each other in our example. It is of course

precisely the same object which is at one and the same time presented and meant. But this identity of reference-point of the two acts cannot sanction the identification of the acts themselves, i.e. by allowing the dissolution of the punctual act of meaning within the stretched-out act of presentation, the former conceived as somehow insignificant in the presence of the latter. Much more is it the case that the two exist alongside each other, such that, according to circumstances, one would designate the whole situation either as one in which the object, at first merely presented, is then grasped in an act of meaning, or as one in which an at first merely meant object is then further brought to givenness in an act of presentation.

We do not fail to recognise the concomitant dangers of misunderstanding in designating the particular act which we are at the moment trying to throw into relief as an act of *meaning*. For 'to mean an object', 'to aim at an object', can signify also an involved 'turning towards' the object – or whatever other expression may be offered for an *interested concern*,⁸ – something which naturally falls outside our present field of investigations. For the kind of meaning or intending which involves an interested concern essentially presupposes the presence of the object which is 'meant' in this fashion, and here we are concerned with that type of meaning an object whose distinguishing peculiarity is precisely this: that it neither presents the object to us, nor in any way presupposes its being presented. And no other mode of expression is open to us, besides that of 'meaning' or 'intending' or 'being directed towards an object', for that type of act which is bound up with the understanding utterance of words and in which we are related to something objectual which is yet not brought to presentation. Hence there is nothing for it but to warn of the dangers of confusion due to ambiguity in this manner of expression, especially ambiguities involving the notion of an involved 'turning towards', a notion which must quite deliberately be kept to one side.

At the same time these considerations may serve to bring to light one principal difference between our concepts of meaning and presentation. Anything that is presented is such that we can turn toward it with a specific interest, raise it up out of its surroundings, concern ourselves with its specific traits. In the sphere of meaning in our sense however there is no possibility of such modifications. Consider for example the situation in which in the course of speaking we direct ourselves, in succession, towards a series of objects. In such a case there can be no talk of a turn-

ing towards the objects, a raising of them into prominence. For of course whilst it is possible to turn one's attention towards objects which are at first merely meant, this can never occur within the act of meaning itself; it requires its own new act, one which will bring these meant objects to presentation, and only what is thus brought to presentation can then be the subject of an attentive turning towards. We can only advert attentively to that which is thus presented.

We get even closer to the root of the fundamental opposition between presenting and meaning through the following reflections. The acts in which objects are brought to presentation are quite different according to the class of objects toward which they are directed. Colours are *seen*, sounds *heard*, things of the external world are *perceived by the senses*, numbers are *thought*, values are *felt*, etc. Thus even in the case of tones and colours it is an obvious requirement that we everywhere strictly distinguish the object of the act from the act itself, through which it is brought to presentation. Once given this distinction we recognise that there exists an abundance of the most interesting essential connections which correlate of necessity the various types of object with corresponding types of presenting acts. Colours can after all *only* be seen, numbers *only* thought. One sees immediately that a quite different situation obtains for the case of acts of meaning an object. We speak understandingly of colours, tones, values, numbers, physical things, for all of these objects are meant, but here there are no qualitative differences on the side of the acts of meaning which would correspond to the qualitative differences among the objects. Certainly the act of meaning a colour is different from the act of meaning a number, precisely in virtue of the fact that in the one case it is a colour, in the other a number, which is meant; but it is an act of meaning, still, which lies before us in the two cases: there is no fundamental difference between the acts which would parallel the difference between seeing and thinking which we meet in the case of presentations of colours and numbers.

§ 4 The Independence of Meaning and Intuition

At first one may want to identify this difference with that between acts which are intuitionally filled and acts which are intuitionally empty, an opposition much discussed in the most recent logic and psychology,

especially in connection with Husserl's *Logical Investigations*. It is acts which lack any intuition – one would then argue – which are distinguished by us here as acts of meaning. Such a view would however be wholly wrong; indeed we have to deal here with two completely separate pairs of opposites. For in fact we have both intuitional fulfilment *and* intuitional emptiness as much in cases of presentation as in cases of acts of meaning an object. A presentation which lacks intuition is by no means thereby turned into an act of meaning, and nor, conversely, is an act of meaning which is enlivened by intuition at all to be conceived as a presentation.

To make this clear we need only bring into view the various possible cases which may arise. If we restrict ourselves to the case of sensual presentation, then it is the perception of physical things which provide the best examples of presentations whose intuitional content may exhibit a greater or lesser degree of fullness, distinctness and clarity. As we draw nearer to a physical thing the intuitional content which represents it becomes ever richer and clearer, new aspects of the object offer themselves to us with an ever greater distinctness. From the very beginning the object stands before us; to the extent that it is brought to presentation our intuitions take on ever new forms; and this increase or decrease of intuition takes place along various different gradational axes, even though the characteristic of being presented as such does not itself admit of degrees. Here we see quite clearly how the concept of presentation, characterised by the presence of something objectual, has to be precisely differentiated from the concept of intuition, as something which may vary greatly in the continued presence of one and the same object. The independence of the two goes so far that something objectual may be presented without its being possible to establish the slightest trace of intuition directly representing that object. For consider again the case of sensual perception. A book lies before me; the whole book is presented to me, and yet only parts of it are intuitionally represented. The rear side of the book, for example, is in no way intuitionally given to me: I neither perceive it, nor, under normal circumstances, do I attempt to draw any intuitional representation of it from memory or phantasy. Perhaps one would wish to say in regard to this situation that only the intuitionally represented part of the book is in fact brought to presentation. But what is to be found before me is after all the *book*, the whole object and not an object-torso. If we discover of a presented object, say a vessel, that its rear side is missing, then we expe-

rience frustration. The intention, which had directed itself toward a whole object, is partially unfulfilled – and such a non-fulfillment, or better, such a frustration, is only possible if the original presentation were such that its intention had extended to the original object *qua* complete whole i.e. *including* a non-intuitionally given rear side, such that with the rotation of the object there can arise a conflict between that which had at first been non-intuitionally presented and that which is now intuitionally given. Within each and every perception of a physical thing we find that there are components of the presentation which are non-intuitive in this way. Now certainly it would be possible, according to one linguistic usage mentioned above, to designate the corresponding objectual components as co-'meant'. But we surely no longer need to emphasize the fact that we are not dealing here with an act of meaning in the sense before us in the present paper: for what is essential to the latter is, of course, the non-presentedness of the object which is meant. We could imagine a case in which acts of 'meaning' in both senses were simultaneously to hand. Thus we might observe a physical object whose rear side is co-'meant' in a non-intuitive presentation and at the same time utter understandingly the sentence: 'The rear side of this object is ...' Here there appears alongside the enduring non-intuitive presentation a quite different type of act of meaning or intending, one which is linguistically clothed, temporally punctual, self-contained. No one could deny the essential differences between these two acts; thus we see most distinctly that a non-intuitive presentation is in no way identical with the type of linguistically carried meaning-of-an-object which concerns us here.

It is not an easy task to uncover a *wholly* non-intuitional intention within the sphere of presentation; in the sphere of meaning, in contrast, it is non-intuitional acts which are the first to urge themselves upon us. In the flow of speech we talk at will of entities of arbitrary complexity. Meaning-act is followed by meaning-act in the most rapid succession; and we direct ourselves toward each and every one of the entities designated by our words, though we can normally, in an unprejudiced observation, perceive nothing of an intuitive character in this directedness towards (or meaning of) the entities involved.⁹ Certainly there are from time to time various types of intuitive image which rise to the surface in the course of speaking; vague, indeterminate impressions, either of the objects of which we are speaking, or else of other, associated objects, sometimes heeded, mostly however and in the normal case, escap-

accompanied by intuitive images is in no way identical with a presentation. The many recent discussions of the question whether there exist acts of consciousness which are absolutely free of intuition have overlooked the fact that we have to deal here with at least two questions: with the question concerning intuition-free presentations and that concerning intuition-free acts of meaning. It is, on the other hand, that there are intuition-free acts of meaning. It is, on the other hand, very questionable whether there exist absolutely intuition-free presentations. It is true that, as already mentioned, the rear side of every perceivable thing is non-intuitively presented; but then we do not have a self-contained, independent presentation: much more is it the case that the rear side is co-presented in the presentation of the object as a whole. Let it suffice here to point out that the variety of different opinions in regard to the above question may perhaps be laid at the door of an inadequate separation of the two spheres of presentation and meaning.

We now return to the question whether every judgment is necessarily founded in a presentation. For the case of assertion this question may immediately be given a negative answer. One need only observe how, in the course of speech, assertion may follow on assertion without that which is asserted ever once needing to be brought to presentation. Here one must not allow oneself to be led astray by the apparently self-evident thesis that I can only judge about that which I know, and which is, therefore, somehow present to me. For although it is certainly correct that I must be related in some determinate way to that about which I make assertions in order to be able to make those assertions, it is wrong to suppose that it is only presentation in our sense which can be considered as providing this relation. I am related to objects also in cases of acts of meaning, acts outside the sphere of presentation. Indeed an act of this kind constitutes the necessary foundation for every act of assertion. Further, in the act of assertion as such that which is asserted is not presented, not brought before the mind of the subject involved, even though in every case it would be possible for a presenting act to join up with or follow upon the act of assertion. This is not the place to draw the consequences for the theory of knowledge which follow from this fact. For us it is important only to remark that the meaning act can be qualified in a variety of ways. If I say, e.g.: 'Is a P?' and then: 'a is P', then in both cases something is meant, indeed what is meant is identical with the same state of affairs; but in the first case it is put into question,

Our analyses have sufficiently demonstrated the absolute difference between presentation and meaning. In particular they have made clear that the non-intuitive presentation of an object is in no way identical with an act of meaning that object and that the meaning which is ac-

§ 5 Judgment and Presentation (Critique of Brentano)

ing our attention. They rise to the surface and in many cases outlive the act of meaning which they accompany, and then they once more disappear. They appear to have only an insignificant influence upon the steady succession of acts of meaning, like ripples upon the surface of a river. Now one may designate those acts of meaning which are accompanied in this fashion by 'illustrative' images as intuitive acts, but then one must not overlook the fact that we have to deal here with intuitive-ness in a quite different sense from that which arises in cases of presentation.

What immediately forces itself upon us concerning the intuition which we encounter in amongst acts of meaning, is that this is intuition whose function is fundamentally different from that of the intuitiveness of perception, (and of presenting acts in general). In every presentation the intuitional content *represents* the presented object to me, it exhibits it to me. In that which is intuitively given to me in a sensual perception the whole object stands before me, just as the remembered or phantasied object is grasped 'in' the intuitional content which is momentarily to hand in an act of memory or phantasy. Now whatever may be the results of a closer analysis of this very difficult matter, we can see already that in the sphere of acts of *meaning* we have to deal with a quite different situation. When intuitional schemata rise up and fall away here they lack any kind of representing function. They do not 'exhibit' or 'present' anything [*Sie stellen nichts 'dar' oder 'vor'*] — for of course in the sphere of meaning there is absolutely nothing to hand which is presented. Rather, they partake of an existence which floats quite free from that of the object which is meant. They belong to a quite different stratum to that of the intuitional content of presentation, not being truly immanent to [the sphere of] meaning. Where we can speak of an intuitiveness of presentation it is more apt, in a case of meaning, to speak not of *its* intuitiveness but rather of intuitive images [*Bildern*] which accompany it.

in the second case assertingly posited. We could distinguish, within the total complex which we designate as the assertion of a state of affairs, the specific moment of assertion on the one hand from the constituent of meaning or intending on the other. The assertion is constituted from them both.¹⁰ The moment of assertion attains *through* the meaning-component its relation to the relevant state of affairs; it is necessarily *founded* in this component. It is, in contrast, excluded that a conviction should be founded through such an act of meaning or intending. I can, of course, be convinced of a given state of affairs and at the same time *mean that state of affairs*. As just indicated this is always the case when a state of affairs is asserted; but then it is the *assertion* which is founded in the act of meaning and not the underlying conviction.

The question now arises as to how conviction or belief acquires a relation to its objectual correlate. Let us recall the case which served as our point of departure: I stand before a flower and I see its being red; on the basis of this act of seeing there develops in me the conviction of the relevant state of affairs. It is clear that in this case it is a presentation, in the exact sense determined above, which lies at the basis of the conviction. And thus one might be tempted to say, with Brentano, that the judgment is founded on a presentation. But there are two reasons for caution at this point: first of all we are not dealing here with judgment in general but only with judgment in the sense of conviction; and secondly, whilst one could speak here of a judgment's *possibly* being founded in a presentation, one cannot affirm that such a foundation is *necessary* (and thus one cannot speak of judgment as having a presentational basis in Brentano's sense). For consider the case mentioned earlier involving a turning away from a perceived state of affairs: clearly the latter no longer requires to be presented, in the strict sense, for the relevant conviction to endure. Of course that conviction is still 'referred' to one and the same state of affairs, but this reference [*Bezogen-sein*] is no longer something which is mediated through a presentation of the state of affairs. But nor, certainly, is it mediated by a meaning or intending of that state of affairs. For meaning in our sense is essentially bound up with linguistic expressions. There is, in fact, a whole series of possible intentions to what is objectual,¹¹ of which we wish here to consider only two: acts of presentation, in which the object is 'there' for us, such that we 'have' it as our object and have it, in cases of absolutely complete intuitiveness, in closest proximity; and acts of meaning, in which we acquire a spontaneous directedness to the object which, how-

ever, continues to stand at the remotest distance from us. Those acts which found convictions of the type which are not founded through a presentation – acts which as a whole we may perhaps best designate as acts of 'knowing about' – we leave to one side. This we can do all the more since we do not, in general, designate this kind of knowing as a judgment, but only the conviction which develops from the perception of a state of affairs. All that we have wished to show [against Brentano] is that a presentational foundation of such conviction is not necessary. With these remarks we have come to the end of our general discussions on the theory of judgment. We wish to hold on to the following as their result: that the term 'judgment' is to be understood in two senses, on the one hand as *assertion*, which relates to its objectual correlate in acts of *meaning* which may or may not be accompanied by intuitions, and on the other hand as *conviction* or *belief* which develops out of more or less intuitive acts of presentation. This implies that we must speak also of the negative judgment in two senses, and thus already the *problem* of the negative judgment has been raised up onto a new level.

II States of Affairs

§ 6 Positive and Negative Position-Takings

From those acts, such as acts of presentation and meaning, in which we *lay hold of* something objectual (either by having it as our object or by being directed towards it), we have to distinguish experiences which, as in the case of conviction or belief, involve our *taking a position* with respect to something. Other examples of the latter with which we are acquainted include striving after something, expecting something, and so on. There is an opposition running through this second class of acts – but not through the first – between positivity and negativity. We not only strive positively after something but may also struggle against it. In both cases [of *Streben* and *Widerstreben*] we have a striving, but the two are, so to speak, of opposite sign.¹² Now we find exactly the same in the case of conviction. So far we have naturally concentrated upon positive conviction; there is however, standing in opposition to this, a negative conviction, having a fully equal status. Let us suppose that someone asserts that a flower is red, and that in order to convince ourselves of this we go to the place where the flower is to be found, and see that it is yellow. Thus after we have approached the flower with the question as to whether it is truly red, there has developed within us a negative conviction in relation to the corresponding state of affairs, a 'disbelief' in the flower's being red. Both positive and negative convictions may relate to one and the same state of affairs; if we search for expressions which would distinguish the two then we could say that the first is a bestowal of conviction [*Überzeugungszuwendung*], the second a privation of conviction [*Überzeugungsabwendung*]. Both are however 'convinced' position-takings. The moment of conviction is common to the two (just as the moment of striving is common to positive striving for and to striving against something). It is this moment which separates the two types of conviction from other intellectual position-takings, e.g. from conjecture or doubt. And it is this which allows us to designate them both as judgments, the polar opposition just mentioned being that which brands the one as a positive the other as a negative judgment.

From the point of view of a description of their nature, positive and negative conviction are ranged alongside each other on an equal footing. But a certain difference between the two seems to appear when we take account of the psychological preconditions which must be met if either is to be acquired. If we simply look out at the world which surrounds us we are confronted by a plenitude of states of affairs which we behold, and towards which our convictions are subsequently related. It is clear that only positive convictions could develop in this way. A negative conviction could never arise through a simple *reading off* of a state of affairs from without; such a conviction rather always presupposes that we approach an existing state of affairs with a prior intellectual position-taking relating to a second, conflicting state of affairs. The conflicting state of affairs may be, for example, believed, conjectured, doubted, or merely put into question, but as we behold the other state of affairs the original positive conviction or conjecture, doubt, uncertainty or question becomes transmuted into or finds its answer in a negative conviction. Here we note a peculiarity of the negative judgment, to which we are not yet however in a position to do justice.

Alongside the negative conviction of a state of affairs there is the positive conviction of a contradictory state. The belief that *a* is not *P* and the disbelief that *a* is *P*, stand, in regard to their logical content, as close to each other as possible. Nevertheless as judgments they are completely different and can by no means be allowed to be identified. Not only that which pertains to the side of consciousness¹³ but also the objectual side are fundamentally different in the two cases: the belief stands opposed to the disbelief, the being *P* of *a* to the being not *P* of *a*. Now disbelief relative to a given state of affairs is something which above all else deserves the name of a negative judgment. And further, since it has been quite usual in the traditional theory of judgment to call something a judgment not only in virtue of its specific character as a judgment but also in virtue of the specific nature of its objectual correlate, we shall also bring the positive conviction of negative states within the sphere of our investigations. The most intransigent difficulties were encountered, after all, precisely in regard to the case of conviction of (belief in) something negative – which was not, of course, separated in the literature from the case of negative conviction of (disbelief in) something positive. And the treatment of these difficulties will reveal itself as necessary also for our own deliberations. They are difficulties which have their origin in the somewhat primitive conception according to which

the positive judgment is regarded somehow as a *combining* or a *unifying* (a conception which, defensible or not, clearly acquires a quite different sense according to whether it refers to judgment as conviction or to judgment as assertion). According to this conception a true judgment is one whose associated 'act of unifying' corresponds to a factually real unity in the objectual world. It is clear that any attempt to apply this conception analogously to the negative judgment will meet with difficulties. For we would have to conceive such a judgment as a separation, and then we should seek in vain for the real relation which would be reflected in this separating. What after all should it mean – as Windelband rightly asked (1884, p. 169) – to say that in the simple judgment 'blue is not red' one was giving expression to a separation? And if precisely this example may tempt us to regard, say, the relation of *being different* as the real relation which is here in question, then reflecting upon a judgment such as 'certain functions are not differentiable' would immediately convince us of the futility of any such attempt. This is how negation as such came to be conceived as 'no real relation' but merely as a 'relation-form of consciousness' (Windelband, *loc. cit.*). Negation thereby came to be regarded as something purely subjective; according to Sigwart and a series of other, more recent logicians it is an act of rejecting. However whilst it can be admitted that in the case of negative conviction of a positive state of affairs the negativity belongs exclusively to the side of consciousness, every such attempt breaks down on those cases where a positive conviction is directed towards something negative. The possibility of such cases is evident, and it is not the task of logic to re-interpret them as something which they are not, but rather to do justice to them as they are.

§ 7 The Objectual Correlates of Judgments: Judgments and Relations

Just as our treatment of the negative judgment had as its necessary presupposition a clarification of the concept of judgment in general, so now we must investigate the nature of the *objectual correlates* of judgments in general before we can become clear about *negative* judgment-correlates. And here too we shall be able to take these investigations only so far as it is indispensable for our own particular aims.

We already know that there exist essential connections between the subject-side of a judgment and that objectual something to which it is

related, connections of a type which imply that not every intentional act is appropriate to every arbitrary object, but rather that there exist on both sides relations of necessary co-ordination. Thus it is evidently impossible that an act of conviction should relate to a sound, a colour, a feeling, or a thing of the external world, just as it is impossible to assert a sound, or a thing, or what have you. Or, passing from the sphere of real objects to the sphere of ideal, i.e. extra-temporal objects, what should it mean to believe or to assert a number, or a concept, or something of that sort? In whichever sense we may want to understand the concept of judgment there are essential laws which exclude the possibility of a judgment ever relating to entities of this type, i.e. to entities of the type which we may quite reasonably designate as (real or ideal) *objects*.

Brentano and his followers of course seem to adopt a different point of view in this matter. According to them any arbitrary objectual something can be judged, i.e. can be 'accepted' or 'rejected', a tree or a sound or what have you. And here we see how necessary were the conceptual distinctions which we made at the beginning of these investigations. For so long as one is operating with such an ambiguous term as 'acceptance' it is of course possible to make a case for its being applicable to all sorts of entities. There is indeed a sense of acceptance or approval which can involve a valuing or an assenting relation to objects: to actions or propositions, for example. But once we exclude all additional meanings, and concentrate only upon those which can truly claim genuinely to refer to judgments – i.e. either to convictions or to assertions – then it becomes impossible to deny that these intentional functions can never, of their very nature, relate to objects such as colours or things or experiences. This is why Brentano and his followers are, in this matter, somewhat isolated.

Since Aristotle logic has been dominated by the view that it is *relations between* objects which are posited in judgments. And indeed, this view is very tempting: for if objects cannot be judged it seems that relations between objects are all that would remain to serve as the correlates of judgments. However widespread this view, however, it can by no means hold its own against a closer analysis. And for this we do not even require any special investigation of relations – a short consideration will provide us with all that we require. Let us take relations such as those of similarity or difference, or of right or left. Now certainly there are judgments in which such relations seem to be believed or, re-

spectively, to be asserted: 'a is similar to b' or 'a is to be left of b'. At the same time however there is one type of judgment – and precisely the most common type – with regard to which we can find absolutely no such relation on the objectual side, namely judgments of the form 'a is P'. Take, for example, the judgment: 'the rose is red'. According to the traditional theory what is judged here is a relation between the rose and red; clearly however this is not at all the case. Of course there are such relations, and they can occur in judgments: 'the rose forms the substrate of the red'; 'the red is inherent in the rose'. Here we have the peculiar converse relations of *being a substrate of* and *inhering in*, as defined for physical things. But these are certainly not posited in the judgment 'the rose is red'. One must not let oneself be misled by the close mutual kinship of the three judgments involved. Certainly it is the same factual material [*derselbe sachliche Tatbestand*] which lies at the basis of each, but they comprehend this factual material in quite different ways and in quite different directions. That it is possible to make all three judgments in regard to the existence of the same underlying factual material lessens not at all the differences between them. Just as the judgments 'a is to the left of b' and 'b is to the right of a' are different, even though it is perfectly identical factual material which underlies them both, so it is with the judgments 'the rose forms the substrate of the red', and 'the red inheres in the rose'. And both are in their turn different in their meaning, though not in their underlying factual material, from the judgment 'the rose is red'. Only in the first two cases do we find relations on the objectual sides of the judgments concerned; considered without prejudice the third judgment displays nothing of a relation.¹⁴ But how are we to understand more closely the nature of the objectual correlate of this judgment, *the being red of the rose*, put forward as an example of the form *being P of a*?

§ 8 States of Affairs as Objectual Correlates of Assertion and Belief

It is already evident that we must sharply differentiate the being red of the rose from the red rose itself. Those statements which hold of the one do not at all hold of the other. The red rose stands in the garden, it can wither; the being-red of the rose does not stand in the garden, nor does it make sense to speak of its withering away. There is a strong inclination to regard this merely as semantic quibbling and to raise the

objection that peculiarities of language are here being confused with peculiarities of the things themselves. We are far from wishing to defend such confusions where they do in fact occur. But one should be rather careful with objections of this kind: in particular they should not be raised until it has been ascertained what 'mere peculiarities of the use of language' really are. There are passages in Kant, for example, [which rest on constructions] which our linguistic usage would no longer permit.¹⁵

Let us suppose that someone infringes one or other rule of linguistic usage. Then one would at most object to him that he was expressing himself in a manner which was not customary, never could one object that that which he said was false, solely in virtue of its irregular expression, when it would otherwise be true, nor that it was true when it would otherwise be false. The meaning of the proposition involved is not affected at all by the mode of expression, i.e. what we have before us here is truly a 'mere difference of words'. The matter is quite different however when we are comparing the two judgments 'the red rose stands in the garden' and 'the being red of the rose stands in the garden'. Here it is not merely *linguistic* differences which we have before us. The first judgment is true, the second is false or even senseless. The being red of a rose cannot *as such* stand in the garden – just as, say, a mathematical formula cannot be sweet-smelling. This implies however that the being red of the rose, as much as the mathematical formula, is something which presents its own demands and prohibitions and is something of which judgments may or may not hold. Does one really wish to apply here the notion of differences of linguistic usage? Does one really want to say that between the being red of the rose and the red rose itself there obtains a 'mere difference of words', that it is merely linguistically irregular to say that the being red of the rose stands in the garden? Would it not be a remarkable kind of linguistic usage which admits expressions like 'the being red of the rose' whilst forbidding their occurrence as the subject of certain judgments? And how, most importantly, could the violation of linguistic usage turn an otherwise correct judgment into one which is false or even senseless? Finally, although the present point requires no further argument, we can appeal to the fact that the proposition 'the red rose stands in the garden' is correct and the proposition 'the being red of the rose stands in the garden' is false, whether expressed in German, French or Chinese. This shows that the entities which serve as the subjects of the two otherwise identi-

cal judgments must be different, in other words that the red rose is something different from the being red of the rose.

Actually we have here nothing more than the corroboration of something which we have already established, namely, that since physical things can never be asserted or believed, and since, on the other hand, the being red of the rose functions as the objectual correlate of the judgment 'the rose is red', it follows that this correlate must be something other than the red rose itself, which is a thing in the external world. Henceforth we shall refer to such correlates as *states of affairs*. This term has been used thus far in our arguments quite without ceremony; it is indeed the term best suited to objectual formations of the form *being P of a*.¹⁶ Thus we have to distinguish between *objects in the strict sense*, whether these be real, (like physical things, tones, experiences), or ideal, (like numbers or propositions, or concepts), and *states of affairs*, as entities of a quite different nature. So far we are acquainted with only *one* peculiarity of states, that they are, in opposition to objects, that which is believed or asserted in judgments.¹⁷ We now wish to supplement this with a further set of determinations.

§ 9 Further Characteristics of States of Affairs

States of affairs stand in relations of ground and consequent

The difference between the relation of ground and consequent and the relation of cause and effect has become part of the stock-in-trade of philosophy today. What must be noted however is that we have to deal here not only with a difference in the relations involved but also with a fundamental difference between the elements which stand in these relations. The movement of one ball causes the movement of another; here it is a physical event which serves as the cause of a second physical event. On the other hand physical things, events, processes and conditions never appear in the relation of ground and consequent. Indeed one can assert quite generally that no object can ever serve as ground or consequent. It is impossible that a physical thing, say, or an experience, or a number, should entail anything or that anything should follow from them. It is at most the *existence* of a thing or of an experience which can function as a ground. But the existence of an object is clearly not itself an object, but rather a state of affairs. It is always and could only be

states of affairs which serve as ground and consequent. That something is the case [*daß etwas so oder so sich 'verhält'*] is the ground for a second state of affairs which follows from it: from the state of affairs that all men are mortal there follows the mortality of the man Caius.

Thus we arrive at a further determination of states of affairs, that they and only they stand in the relation of ground and consequent.¹⁸ Everything which we encounter, either in science or in everyday life, as a connectedness of ground and consequent, is a relation between states of affairs. This holds also of those relations which tend to be collected together under the name of laws of deduction: these are, properly conceived, nothing other than general principles expressing relations between states of affairs. There are profound implications for the construction of logic which develop out of this insight (see below, § 19, note 40); however in this connection our own interest will have to take another course.

States of affairs may suffer modalities

The various different types of laws of deduction which have been distinguished within traditional logic must, if they are to be conceived as relations between states of affairs, have their basis in differences between types of states of affairs. We wish to consider such differences in type from two standpoints. In the first place states of affairs can differ amongst themselves according to their modality. Beside the simple state which is the being *P* of *a* there is also *a*'s being probably *P*, *a*'s being possibly *P*, and so on. Here we cannot go further into the precise nature of these differences of modality. What is important for our purposes is that it is once more states of affairs, and only states of affairs, which can adopt such modalities.¹⁹ There is absolutely no way in which an *object* can be probable, such a predication relative to an object would have no sense, and wherever we find someone apparently speaking of such a probability, say of the probability of a physical thing, then this is nothing more than an inadequate form of expression. In such cases one has in mind the probability of the *existence* of a thing or of certain physical occurrences, that is to say with nothing other than the probability of states of affairs. A probable tree or an improbable number are obviously impossible – and clearly not because we have to deal here specifically with trees or numbers, but rather because the object

form itself excludes such modalities, where the form of states of affairs quite generally and essentially admits them.

States of affairs may be either positive or negative, subsistent or non-sub-sistent

Viewed from another side, states of affairs can be distinguished as positive and contradictory-negative. This too is an opposition which we could never encounter in the world of objects. Beside the being *P* of *a* there is a being non-*P* of *a*. The two states of affairs are contradictory in relation to each other, the subsistence of the one rules out the subsistence of the other. There is, in contrast, no tone non-*C* by the side of the tone *C*, and no colour negative red alongside the colour red. One does speak, though, of negative position-takings. But positive and negative position-takings, love and hate, for example, whilst certainly opposed to each other, are nevertheless not mutually contradictory. Only when one and the same subject adopts opposite positions relative to one and the same thing can we speak of an inner inconsistency, of a 'self-contradiction' of this subject. We would then be talking of a quite different type of contradiction, however. The relation which interests us here, between positive and negative as logical contradictories, is to be found only in the sphere of states of affairs.²⁰

Positive and negative states of affairs are totally co-ordinated to each other. If there exists somewhere a red rose then with the existence of this physical thing are given arbitrarily many positive and negative states of affairs. The red rose exists, the rose is red, a specific instance of red inheres in the rose; the rose is not white, not yellow, etc. The red rose, this physical unit-complex [*dieser dingliche Einheitskomplex*] is the factual material which underlies each and every one of these states of affairs [*ist der allen diesen Sachverhalten zugrunde liegende Tatbestand*]. In the case of the rose we speak of existence, in the case of the states of affairs based upon the rose we do better to speak of subsistence.²¹ *It must be noted that subsistence is by no means included as an essential moment within the concept of a state of affairs.* Just as we can separate (real or ideal) objects from their (real or ideal) existence and recognise without further ado that certain objects, such as golden mountains and round squares, do not exist (or even, that they could not exist), so we separate also the state of affairs from its subsistence and speak of states,

like the being golden of mountains or the being round of squares which do not subsist or, again, which could not subsist.²² In this respect there is a far-reaching analogy between objects and states; but we immediately notice also a fundamental difference between the two: that wherever a state does not subsist there subsists of necessity the contradictory state which is opposed to it. For non-existent objects, in contrast, we have no correlated objectual existents. The relation of contradictory positives and negatives – with all the laws bound up with it – has its place exclusively in the sphere of states of affairs.

§ 10 The Apprehension of States of Affairs: Judgment vs. Apprehension

So far we have found that the following holds of states of affairs: that they are that which is believed and affirmed, which stand in the relation of ground and consequent, which possess modalities, and which stand in the relation of contradictory positivity and negativity. These determinations are to this extent sufficient, that every entity to which they apply is of necessity a state of affairs. Clearly they do not strictly speaking constitute a definition of states of affairs, but it seems questionable, for such most primitive objectual formations²³ as states of affairs, things, processes, whether definitions are possible at all, and whether, if they were possible, we could achieve anything with their aid. The only thing which can be demanded of us in the context of our present problems is that we remove these formations from the realm of bare opinion and of inadequate imagery and that we bring ourselves as close to them as possible.

This leads us to the question how exactly states of affairs are given to us. Clearly we encounter initially quite peculiar difficulties in this regard. Take once again our example of the being red of the rose. I do say, after all – and everyone would agree with me in this – that I 'see' the being red of the rose, and by that I mean not, say, that I see the rose or its redness; I mean, rather, that I see something which is evidently different from the red rose, which we designate as the state of affairs. But there are certain misgivings which present themselves as soon as we attempt to convince ourselves of the rightness of this mode of speech. I see before me the rose, I see also the redness which is to be found inhering in it. But it seems that this exhausts what it is that I see. No matter how much I strain my eyes it seems that I shall not in this fashion disco-

ver a being red of the rose. (Cf. Husserl, 1900/01, II, p. 416.) And still less can I see negative states of affairs, the being non-white of the rose, for example. And yet I mean something quite definite when I say, 'I see that the rose is red' or 'I see that it is not white'. This is not an empty mode of speech, but one resting on experiences in which such states are actually given to us. Admittedly they must be given to us in a different way from the way in which the rose and redness are given. And this is indeed the case. In seeing the rose I 'discern' its being red, this becomes 'apprehended' by me. *Objects* are seen or looked at, *states of affairs*, in contrast, are discerned or apprehended. And one should not allow oneself to be confused, either, by the mode of speech according to which objects too may be apprehended – *as humans say*, or *as animals*. We have here an equivocation whose roots are easily grasped. 'Apprehension' in the sense of conceptual laying-hold-of is something quite different from apprehension in the sense of the discernment of states of affairs. Note that in the just-mentioned cases of apprehension in the former sense the objects are clearly not brought to apprehension in our sense at all; at most it is their being human or their being animal which is apprehended or discerned.

These reflections may be generalised immediately to apply to all judgments effected on the basis of sensual perceptions. That is, whether one is speaking of what is seeable, hearable or smellable the corresponding state of affairs will not itself be seen, heard or smelt but rather apprehended. But nor do we need to restrict ourselves to this group of judgments. Let us take an arbitrary judgment of another type, say ' $2 \times 2 = 4$ '; here too we must distinguish the manner in which the objects which occur in the judgment – 2 and 4, in this case – are given, and the manner in which the whole state of affairs is given. Numbers are of course not sensually perceived, but it would yet be premature to deny them any perceptual or, to choose a more suitable expression, any intuitional mode of givenness. For even numbers can be presented to us. I can make clear to myself in relation to two arbitrary individual objects what the number 2 is; my gaze is then directed towards the object-pair in question, but my intention does not hold short with that; rather, I use it as the basis on which to bring the number 2 to intuitive givenness. Here we cannot go further in investigating these very important cases of intuitional presentation of ideal objects. Husserl has discussed them searchingly (1900/01, II, pp. 600ff); he designated them as cases of 'categorical intuition', and just as the genuine apprehension of states must

be distinguished from sensual presentation, so too must it be distinguished from categorial presentation. It is, after all, immediately clear that the manner in which 2 and 4 are given to us is something quite different from the manner in which we apprehend the identity of 2×2 and 4. We apprehend the state of affairs; the numbers are intuited, could never of their nature become apprehended. We could say quite generally that the entities which are the elements of a state of affairs are perceived, are seen, heard, or grasped categorially. And on the basis of these 'presentations' the state of affairs itself is apprehended in a new and peculiar act. The presentations which lie at the basis of the apprehension differ among themselves according to the type of entity involved. The acts of apprehending built upon them however do not sustain any differentiation of this kind.

Thus we have obtained a further determination of states: they and only they are apprehended in the particular sense discussed by us here. But this should not be taken to imply that a state may not be presented to us except where an act of apprehending is involved. On the contrary, we shall draw quite particular attention to the fact that there is such a thing as a bare bringing to mind of states of affairs which is accompanied by no act of apprehension. I can bring to mind from memory the being red of the rose without needing to perceive the rose itself. Just as the apprehension of the state rested upon a genuine perception of the thing, so this bringing to mind of the state rests upon a mere bringing to mind of that same thing. But in the bringing to mind of the thing in itself we do not yet have the bringing to mind of the state of affairs. We have learned, after all, to separate rigidly things from states of affairs, and we know that to a given thing, as body of factual material [*zu derselben Dingtaubestand*], there belongs a plenitude of subsisting states. Thus on the basis of the bringing to mind of this same red rose I can bring to mind the being red of the rose, the being non-yellow of the rose, and so on.²⁴ It is clear that we have before us once again what Husserl called categorial intuition, that is, an intuitional presentation which is not itself sensual but which in the end finds its foundation in a sensual intuition. That the bringing to mind of a state of affairs is not an apprehension is immediately evident. Yet this bringing to mind nevertheless plays an important role in epistemology, since there our 'understanding' of propositions and therewith, in many cases, the apprehension of states of affairs is frequently explained in terms of such bringing to mind. We cannot here pursue these connections any further; it is im-

portant only that the act of apprehension be separated from all other acts in which we are related intentionally to states of affairs.²⁵

Apprehension is not the bringing to mind of a state, but nor obviously is it the assertion of a state. For it is essential to an act of apprehension that in it the correlate state of affairs is, in the fullest sense, there for us, where in an assertion it is in contrast merely meant. The characteristic difference between these two acts is too immediately apparent for it to be necessary that we go more deeply into it here. What might perhaps loom near, however is a confusion of apprehension with conviction. For in conviction also, in so far as it comes into consideration for us, the state in question is presented. However the absolute difference between the two is shown already by the just-mentioned considerations. Let us suppose that I bring to mind the being red of a rose which I had apprehended at some earlier stage. I am convinced of it, precisely as before; here again we have the conviction of a state which has been brought to presentation, now however there is no apprehension which lies before us. But even in those cases where apprehension and conviction are present alongside each other the difference between the two is unmistakable. I apprehend the being red of the rose; in this apprehension the state of affairs is presented to me, and on the basis of the apprehension there develops in me the conviction of, or belief in, that state of affairs. Conviction is, in this case, founded in apprehension; the former is the position which I take up, my receipt, so to speak, for that which apprehension offers to me. And we become clear concerning other aspects of the kind of difference between the two when we note that the kind of gradations of certainty which lead from conviction to doubt have no place at all with regard to apprehension, and further that apprehension, just like assertion (and in contrast to the condition of conviction or belief) is of a completely punctual nature.

Assertion and conviction both carry the name 'judgment', and we now see that we must distinguish judgment and apprehension in the sharpest possible way.²⁶ Moreover we see that that conviction which develops in relation to a state of affairs which has been brought to presentation – which we earlier recognised as a type of judgment which is distinguished from convictions of other types – may be characterised more closely as a conviction which is founded in the apprehension of a state of affairs. The first determination of states of affairs which we attained was that they are that which is believed and asserted, the final determination which we shall award them is that they are apprehended.

§ 11 States of Affairs and Relations

In the dispute as to whether it is any arbitrary entities or whether it is only relations which may be judged, both parties are in the wrong. Both have ignored this third formation – the state of affairs – which is neither object nor relation, and which alone, for reasons of principle, can furnish the intentional correlate of judgments. The question will now be raised as to how one is to deal with judgments such as '*a* inheres in *b*' or '*a* is similar to *b*'. For even should we admit that there is no relation which is judged in judgments such as '*a* is *P*', the situation seems to be quite different in these two cases. It is not difficult to lay such doubts to rest. The being similar of *a* and *b* is something that may be asserted, believed, apprehended, which can take on modalities, etc. It is certainly, therefore, a state of affairs. If one designates both it, and other states of affairs of the same form, as relations, then this is to be committed to the view that there are states of affairs which are relations and states of affairs – like the being *P* of *a* – which are not relations. Accordingly some judgments are seen as having relations, others as having non-relations as their objectual correlates. But even in those case where judgments are correlated with relations this intentional correlation is mediated through these relations' being *states of affairs*, not through their being *relations*.

There is of course more to be said on this. The term 'relation' is by no means unambiguous. Not only left and right, over and under go under this name, so also do being left, being over and under, etc. The two groups are however fundamentally different. Only members of the second group are states of affairs – though states of affairs, which are in need of completion; the former are related to corresponding states as the colour red is related to being red in colour. Neither red nor left and right can be negated or take on modalities, as can being red and being left or right. For certain relations, similarity and inherence, for example, this difference is concealed through the ambiguity in the terms 'similarity' and 'inherence'. These terms may on the one hand mean the being similar and the being inherent (or inhering), and in using them in this way we would be speaking either of the assertion of or of the belief in the being similar of *a* and *b*. But they may, on the other hand, mean that through which the *being* in the state of affairs²⁷ becomes determined as a being similar or as a being inherent. In this sense we speak of *a* having [a certain] similarity with *b*. Just as we could transform the sen-

tence 'a is red' into the new sentence 'a has redness' – where 'redness' here does not at all mean being red but signifies rather nothing more than the substantivisation of 'red' – so we can transform the sentence 'a is similar to b' into 'a has similarity with b' – and here too 'similarity' does not mean being similar (what, after all, should it mean to say that a has a being similar?) but signifies rather the simple substantivisation of 'similar'.

Thus we see that there are relations in two senses: according to the first sense, relations are at the same time states of affairs, and according to the second they are something quite different from states of affairs. Here we do not wish to come to a decision as to which of the two senses should more justifiably be bestowed upon this expression.²⁸ We wish only to draw the following consequence for our own arguments, that if we interpret 'relation' in the second sense, then relations could never be judged, for they would never be states of affairs. We could then divide states of affairs into two categories, those in which relations are contained as objectual elements – as the being similar of *a* and *b* – and those for which this is not the case – as the being red of a rose.

§ 12 On Impersonalia*

It follows from the above that the assertion made by Ameseder that 'every positive objective of so-being is a relation' (1904, p. 75) is in neither sense acceptable. But one must go one step further still. Not only are there 'objectives of so-being' (states of affairs of the form *being P of a*) which are not relations; there exist also states of affairs which instead of having two or three objectual elements have only a single element. For such states of affairs it is immediately apparent that we cannot speak of relations; at the same time they show that Meinong's division of states of affairs into those of the form *a exists* and those of the form *a is B* (1910, p. 72) does not correspond to any genuine disjunction. We may take as examples the states *being warm*, *being settled*, and so on, which may in no way be reinterpreted as 'objectives of so-being' (the being-warm of something or other). Such one-

* This section originally appeared in Reinach's *Gesammelte Schriften* (pp. 117–120) as an appendix to "Zur Theorie des negativen Urteils". It has been inserted into the text at this point, along with the note to which it refers.

membered states can be believed and asserted. This is the way in which we obtain the judgments 'it is warm' and 'it is settled'.

We may hereby attain a solution – at one stroke as it were – of the old and much-discussed problem of the nature of impersonal judgments. I dip my hand into a basin and thereby acquire the conviction that the liquid therein is warm. We shall attempt to grasp this situation somewhat more precisely. I touch the liquid and at the same time perceive its warmth. In touching the liquid or, better, in 'feeling though it' (at the same time grasping, in this penetration, that it is liquid) and in becoming aware of the warmth in it and of it, its being warm becomes evident to me, I apprehend this state of affairs. Liquidity and warmth are here sensually perceived, but not the state of affairs: the latter is not 'penetrated' or sensed, but rather apprehended. Of course sensual perception and the apprehension of states of affairs are not absolutely unrelated to each other. It is only a sensual perception which makes the apprehending possible, the latter is *founded* in the former. In every case the apprehending is to be recognised as something completely specific; it is an act of a quite peculiar type, of which it is essential that it relate always and only to states of affairs [cf. § 10 above-Tr.]. In this respect it is similar to conviction or belief, with which however it must by no means be confused. In apprehending the state of affairs, in making it more or less evident to myself, there develops in me the conviction in it. But this conviction, as a position-taking, a condition which may endure for an arbitrary time, is sharply to be distinguished from the spontaneous, temporally punctual act of apprehending. The necessity of this distinction becomes quite specially clear when we note that there may well be conviction in the absence of apprehending. The case of conviction which develops simultaneously with an apprehending but then survives it can already demonstrate this to us. Above all however we are to reflect on those cases where no apprehending is present at all, as when we can bring to mind in memory a house in such a way as to acquire the conviction that it appeared thus and so without thereby being able to apprehend this state of affairs in memory. We do not wish to speak further of such cases of conviction in what follows, and by 'conviction' in the sense of judgment we shall understand only *apprehending* conviction, that is to say, conviction which is founded in an apprehending act. It is now very clear that in the example just analysed we have to distinguish, on the object-side, the object and its property (i.e. the liquid and its warmth) and the state of affairs (the being warm of the liquid) and,

on the other side, the 'side of consciousness', the correlated sensual perception and the apprehending, and then further the conviction which is rooted in the latter.

What it is to perceive warmth, this we know immediately when we bring to mind some example without our having to embark upon a close analysis of this kind of sensation. In our case the warmth is sensed as belonging to some object, the liquid. But now this is not a necessary condition. I go out of my house into the open; I can then perceive pure warmth – I perceive it in all exposed parts of my body. On the basis of this sensual perception I apprehend a state of affairs: the being warm, and I acquire the conviction of this state of affairs: the conviction that it is warm. We are far from wishing to deny that here too the warmth *may* appear as belonging to something other, to the air, for example, which is streaming against us. What is essential however is that this does not need to be the case. Let us think of a case where we have not the slightest awareness of the movement of the air about us, where we perceive, as we go out into the open, pure and isolated warmth. In such a case this is not bound up for us with any further object. It would be a fabrication of the worst kind if one wanted to assume that warmth must be bound up for us with the surrounding space or with the 'totality of existents' or even with 'chaos', which would then all of them have to be perceived at the same time. For what is sensually perceived is warmth, pure and simple; and what is apprehended, in consequence, is the being warm, and thus conviction also relates to this same state of affairs. That the being warm is a state of affairs stands beyond doubt after our earlier investigations. For it is clearly something which can stand in relations of ground and consequent, that possesses a negative counterpart to which it stands in contrary opposition, that can adopt modalities, etc. But it is at the same time a state of affairs which distinguishes itself in a characteristic way from others, e.g. from the being warm of a liquid: for this state of affairs is through and through one-membered. We apprehend and become convinced of a precisely determined being thus and so, but one which is in no way the being thus and so of some object (the air, or something similar), but rather it is a simple unattached so-being.

Much more ought we to fear objections from an opposite direction. It is the warmth – so it might perhaps be argued – which, in our example is perceived; and thus also it is this alone which comes to be apprehended and believed. If I am convinced of the warmth then my judgment relates to this condition, which we call warmth, and it is not at all clear

why we should now require the concept of a state of affairs here at all.²⁹ This objection threatens not only our conception of the individual examples at present under investigation but also the foundations of the theory of judgment earlier attained. For a spatially perceptible condition is certainly not a state of affairs. And if in this case conviction truly related to the condition, then we could no longer maintain the thesis that it lies in the essence of the judgment as such to relate to states of affairs. It is however necessary to proceed with great care at this point. The question arises whether the expression 'warmth' is wholly unambiguous, whether it truly designates the determinate condition in all its uses. Already, before we bring directly into view the phenomena in question, there are certain considerations which are suited to shake this belief. We speak of having pleasure in the warmth and of being pleased about the warmth, and this change of expression is not without significance. It is distinct references of our feelings which are meant thereby. Pleasure 'in' something presupposes that that something in which I have pleasure is somehow present to me. I must sense the warmth, see a colour, hear a melody, or I must at least bring each of these intuitively to mind if I am to have pleasure in them. Concerning pleasure *about* something however the matter is quite different. Facts are related to me. I hear the words of he who is speaking and understand them. I can be pleased about that which he relates, even though it need not in any way be brought to mind by me. One thinks of conversations in which sentence rapidly follows sentence in complex cycles. I understand that which is communicated to me, and I can alternately be pleased or displeased about it. But that it should be intuitively present to me, that is neither necessary, nor, as a rule, is it in fact the case. This immediately takes us one step further forward however. That in which I have pleasure, and that about which I am pleased, the two being grasped in such different ways as the corresponding attitudes develop in me, are themselves completely different from each other. I take pleasure in the warmth, in the rose, i.e. in objects in the widest sense. I am pleased about this: that there are roses, that it has become warm; every pleasure *about* something – like every sadness, anger, etc. – necessarily relates to a state of affairs. Thus if we can speak, now, both of having pleasure in the warmth, and of being pleased about the warmth, this points to a double meaning of the expression in question. Indeed I do take pleasure in the warmth as an object when I let myself luxuriate in its washing about me on all sides. But when, in contrast, I am pleased about

the warmth, then this will in general mean that I am pleased about this: that it is warm (that is, about the state of affairs). Thus 'warmth' means both the condition and the state of affairs. Only thus can we understand how one could come to the erroneous conception that it is not a state of affairs which is judged in a sentence but a condition.

That this is an erroneous conception is quite certain. Warmth in the sense of a condition can never be something which could be believed. This can best be made clear by reflecting on the fact that conviction that it is warm stands opposed to conviction that it is not warm as its contradictory. Now if the first relates to a positive condition, the second must therefore relate to a condition which would contradict it. But what condition could this be? The condition of coldness perhaps? But firstly warmth does not contradict coldness in the logical sense; and secondly it is not at all correct that the two judgments 'it is not warm' and 'it is cold' are equivalent to each other, much less that they are identical in meaning. The condition of warmth has no contradictorily opposite negative condition; only the state of affairs of being warm has the contradictory opposite: not being warm. And similarly it makes no sense to posit, alongside the 'simple' condition, a condition having the modality of probability or of improbability attached to it; conditions do not admit of such modalities, which attach rather to states of affairs. Thus when we have, beside the judgment 'it is warm', also judgments such as 'it is probably warm', etc., such judgments can be made understandable only as relating to states of affairs and not to conditions. All of this is an immediate consequence of our earlier discoveries. What is new is the insight that there indubitably exist one-membered states of affairs and convictions of such states of affairs. Of course the conviction of its being cold, light or dark, noisy or quiet, musty or clear, each of these has equal status with the conviction that it is warm. Each case is such that it is the warmth or coldness, the light or darkness, the quiet or loudness, the clarity or mustiness, as pure conditions, which are perceived, and that on the basis of this the corresponding state of affairs is apprehended and believed. These states of affairs are one-membered. Certainly in some cases there is a second member to which the sensed content is in itself attached, but this is not comprehended within the judgment and thus the conviction is in no way related to it; in other cases however there is no objective second member at all. Thus when I am convinced that it is dark, or that it is quiet, it is normally not possible at all to state what, in an individual case, is dark or quiet.

§ 13 Negative Conviction

We have now acquired the means to answer our initial question. We started with the case of positive conviction directed towards something negative, pointing out the difficulties which have been encountered in regard to this case. These difficulties are unavoidable for the traditional conception, which allows relations to function as the intentional correlates of judgments. This view could be maintained so long – though only in the sphere of positive judgment-correlates – because, on the one hand, many states of affairs could indeed be considered as relations, and on the other hand for those which remained (as, say, the being red of a rose) transformation into a relation, whilst in fact incorrect, still seemed possible in the absence of a closer analysis. The matter is quite different in the negative case; here it is after all only too clear that with the being non- P of a no relation between a and P is judged. Thus it is quite understandable that sensible logicians endeavoured to transfer negation from the objectual side over to the side of consciousness. We have seen that this attempt broke down for the case of positive conviction in something negative. It is now not difficult for us to recognise why this should have occurred. The negative something toward which the positive conviction or belief in the being non- P of a is related is of course neither an object nor a relation but rather a negative state of affairs. Negative states of affairs subsist in precisely the same sense and with precisely the same objectivity as do positive states of affairs. A subjectivising re-interpretation is here neither necessary nor possible. Alongside the negative conviction or disbelief in a positive state of affairs, now, there stands on an equal footing the positive conviction or belief in a negative state of affairs. And both can carry the name 'negative judgment', for a logic which systematically carried through the distinction between judgment and judged state of affairs could scarcely decline to classify judgments according to the characteristics of their correlated states of affairs.

In the light of the discussions so far, negative conviction in positive states of affairs and positive conviction in negative states of affairs seem to be completely parallel to positive conviction in positive states of affairs. If we turn our attention, however, to the preconditions under which negative judgments of these two kinds develop, then we discover certain important differences as compared with positive judgments. We have so far only hinted at the peculiarities which are involved; now

however we must throw a rather stronger light upon them. Positive states – as already pointed out above – can be ‘read off’, e.g. when, on the basis of the sensual perception of a physical thing, there arises simultaneously both the apprehension of and a belief in an appropriate state of affairs. Now a negative state of affairs could never be ‘read off’ and a negative conviction could never arise in this fashion.

To take first of all the case of negative conviction: as already pointed out above, this has as its psychological presupposition an intellectual position-taking relative to some state of affairs, *S*, a position-taking which may be one of positive conviction, of conjecture, of questioning, or what have you. Having taken up such a position we approach a state of affairs, *S'*, which is in conflict with *S*. As we apprehend *S'* and simultaneously grasp this conflict, *S* appears to us under a quite different aspect, an aspect for which we have, as yet, no adequate terminology and about which we can give, at this stage, no more than indications. The *second* apprehended state, *S'*, stands before us in such a way that it can be said to have an evidential character: in this apprehension the state of affairs is evident to us.³⁰ When, now, we grasp the conflict in which the first state stands with this second state, the former acquires that peculiar aspect which we might most reasonably designate as negative evidence. And it is only on the basis of this latter ‘negative’ evidence that the relevant negative conviction or disbelief develops within us.

Let us consider an example of this. In simply scanning the world around us we may clearly come to the positive conviction that some object is red, but never to the negative conviction that it is yellow. The precondition of the latter is that the corresponding state of affairs has somehow been first brought into consideration, whether through our questioning, doubting, or in some other way. What, then, takes place when we move from such consideration of an initial state of affairs to a terminating conviction? We stand before the relevant factual material in the existing world and we apprehend that the object is red. With this state of affairs positively evident to us we grasp that the state which is under consideration, the being yellow of the rose, stands in conflict with it, and thus this second state acquires that peculiar countenance which we have chosen to call negative evidence. Now only does there develop within us the disbelief in this state of affairs.

Negative conviction therefore is subject to two preconditions: it must be preceded by an intellectual position-taking relative to the state of affairs in question; and there must then occur an apprehension of a con-

flicting state and a grasping of this conflict. The first of these conditions refers to the attitude which is the precondition for the occurrence of the judgment. Thus it is of specifically psychological interest. The second precondition is that which must be satisfied if negative conviction is to acquire certainty and justification. Thus it has a specifically epistemological interest; we shall call it the fundament of the negative judgment.

Let us now turn to the case of positive conviction of a negative state of affairs. This too is subject to quite specific preconditions, for if we were to limit ourselves to reading off those states which are given to us by the world of real and ideal objects then such a thing as a negative state would never be presented to us. And here also it is certain intellectual position-takings which are presupposed. I must turn my interest to the negative state as such and, for example, put it into doubt or into question, if I am to be able to judge about it. That we come to such position-takings at all is quite understandable given the existence of negative conviction in positive states of affairs. For the present case is so closely related to the case of positive conviction of a negative state that psychologically the one can very well move in to take the place of the other.

Much more important than this psychological precondition is the fact that here too there is a complex epistemological fundament which underlies the conviction involved. Like the negative conviction of a positive state so also the positive conviction of a negative state presupposes the apprehension of another state. The conviction that 3 is not smaller than 2 can develop only on the basis of the apprehension that 3 is greater than 2. Here already however we can clearly discern the difference between this and the former case. For there it was necessary that a state be apprehended which stood in conflict with the judged positive state. Here in contrast the judged negative state – the being-not-smaller-than of the number 3 – stands with the apprehended state – the being greater than – in a relation of necessary connection of such a kind that the subsistence of the one is directly bound up with the subsistence of the other. In consequence our present task is a quite different one from the above. For there the (positive) state to which the (negative) conviction was referred was negatively evident, in the sense that it stood in conflict with the other, positively evident state. Here the (negative) state toward which the (positive) conviction is referred is positively evident, since of course it stands in a relation of necessary connection to the positively evident state.

Now of course there also exists negative conviction (i.e. disbelief) in negative state of affairs, i.e. a doubly negative judgment. The psychological precondition here is an intellectual position-taking relative to the negative state which is in question. The epistemological fundament however, as in all of these cases, consists in the apprehension of a positive state which underlies the negative conviction which is involved. As in the first case so also here this underlying state must be such that the state which is judged stands in conflict with it, but here the conflict is a quite peculiar relation: the two states of affairs are contradictory to each other.³¹

Naturally we are not dealing here with empirical contingencies, but rather with *a priori* connections among essences. One such connection can be given the following provisional formulation: that every positive conviction of a positive or negative state of affairs presupposes – epistemologically – the positive evidence of that state of affairs [i.e. presupposes that it is apprehended with positive evidence]. Every negative conviction of a positive or negative state of affairs presupposes the negative evidence of that state of affairs. The positive evidence of a negative state of affairs presupposes in turn the positive evidence of a positive state which is necessarily bound up with it. The negative evidence of a positive or negative state presupposes the positive evidence of a conflicting positive state – and in the case of the negative evidence of a state which is itself negative the two states are always contradictory to each other.

Each of these not at all simple relations will require a still more detailed investigation.

III Negative States of Affairs and the Sphere of Assertion

§ 14 The Character of the Assertive Sphere: Simple and Polemical Negative Judgments

We have established above a distinction between conviction and assertion. Conviction or belief develops on the basis of the apprehension of states of affairs. It outlives that apprehension, and it can endure even when the state in question is no longer current. If conviction passes away, then it leaves behind what is generally called inactual knowledge. On the other hand however a state of affairs of which we remain convinced can become re-positing in an act of assertion. We have already seen that at the basis of every assertion there lies a conviction. This thesis can now be made more precise as follows. The conviction which underlies an assertion must in every case be positive; in no case can a negative conviction underlie an assertion. It belongs to the essence of assertion (assertive positing) that that which is asserted is *believed*; thus if there should develop in the sphere of conviction a *disbelief* then it must transmute into a belief in the contradictory state of affairs before an assertion can develop out of it.

As in the case of conviction so also in the case of assertion it is states of affairs which can alone function as objectual correlates, though in the case of apprehending conviction the states in question are presented,³² where in assertion they are merely meant. And this is connected to another important peculiarity of assertion. For in apprehending conviction the state of affairs stands before me as it were in one blow, in its totality; we have no sequence of successive acts of grasping [constituents of the state], but rather one single act, in which the state as a whole is taken hold of. Quite different is the case of assertion. If I say, positingly: the rose is red, then there is here a series of acts in which the elements of the state of affairs are meant successively. The state is not meant in one blow – as it is in mind in one blow in the case of apprehending conviction. It is rather, built up in a series of acts, analogous to the way in which the elements of a melody constitute themselves in succes-

sive experiences of hearing. Clearly these acts of meaning do not appear side by side unrelated to each other – as little as do the successive experiences of hearing the notes of a melody. Just as there the unity of the elements unifies the several experiences into the total hearing of the melody, so the unity of the elements of the state of affairs unifies the acts of meaning into a total meaning of the whole state. In the present case this total meaning is governed by the specific moment of assertion, but it may be governed in other cases by, for example, the moment of questioning. The state of affairs which stood before us in one blow in our apprehending conviction of it now acquires, in this assertive total meaning, a peculiar modification of its form, becoming articulated into the elements now successively constituting themselves. A series of categorial forms which are often referred to as ‘merely grammatical’ – although they extend beyond the linguistic sphere into the region of logic – have their place here. A further development of this point would, however, lead us too far afield.

As in the case of conviction, so also in the case of assertion we have to distinguish the positive and the negative judgment. Side by side with the judgment ‘*a* is *P*’ we have also the judgment ‘*a* is not *P*’. Traditional logical theory tends here to oppose rejection to acceptance, denial to assertion, negation to affirmation, or otherwise make appeal to some opposition of this sort. According to such theories it is one and the same state of affairs which is asserted or affirmed in the positive judgment and negated or denied in the negative, corresponding exactly to the way in which, in the other judgment-sphere, both positive and negative conviction (belief and disbelief) can relate to the same state of affairs.

This view is however by no means as self-evident as it may at first sight seem. The following difficulty seems above all to have been overlooked in this regard. Positive and negative conviction are both of them *conviction*, even though they are of opposite sign. This is what allows us to conceive both as judgments of a single type. But what is it which assertion and denial (or affirmation and negation) have in common which makes both of them judgments? This is clearly a question which cannot be answered immediately, without further consideration. It is of course true from the descriptive point of view that even in the sphere of assertion positive and negative judgments are closely related to each other. Indeed Lotze’s attempt (1880, p. 61) to propose a tripartite division encompassing affirmation, negation, and questioning as standing equally, side by side with each other, breaks down precisely in virtue of this

intimate community of the positive and negative judgment, as compared to acts of questioning. But it thereby becomes all the more urgent for the traditional conception that it give an account of what precisely this relationship is. However this problem may be solved, it cannot be avoided as a problem by the proponents of this conception. That it has not so far been solved need not imply any objection to the view in question. We wish merely to point out that we have here exposed an important difficulty for a view which had at first seemed so clear and self-evident. The only thing which can be decisive in cases such as this is to turn one’s attention directly to the phenomena themselves; only thus can we discover once and for all whether denial is properly to be regarded as on an equal footing with assertion.

First of all we must pose once more our familiar question, the question as to whether the term ‘negative judgment’ has an unequivocal sense in the sphere of assertion at all. And just as we distinguished two types of negative judgment in the case of conviction, so we must now do the same here also, even though the distinction does not perhaps spring so immediately to the eye in this as in the former case.

Let us consider the judgment, ‘the king was not energetic’, as it occurs in two different contexts. In the first context it is uttered by a historian who is expressing his opposition to the view that the king has been energetic. In the second context it occurs purely descriptively, in the course of a historical narrative. One must not overlook the quite different aspects which are possessed by the judgment in these two cases: in the first case it has the aspect of opposition to the contradictory positive judgment, (‘the king was *not* energetic’), in the second case that of simple portrayal, (‘in this period the country flourished anew. The king was, be it said, not energetic, but ...’). One may wish to take no notice of such ‘trivial’ differences. This attitude we can very well accept, but only so long as it is admitted that they are differences. And given the evidence of the situation before us this is something which one cannot avoid: on the one hand we have a polemical taking up of a position against another judgment, on the other hand a simple positing. Now in the first of these cases the traditional conception, according to which the negative judgment is to be regarded as a denial or a rejection, has all the appearances on its side. In the second case, in contrast, an unprejudiced consideration would lead us much rather to speak of a positing or an asserting. In any event it has by now become clear that this whole question, far from being self-evident, demands a much closer investiga-

tion. We begin with an analysis of that which is brought to expression in the word 'not', for it is of course this which outwardly differentiates the negative from the positive judgment.

§ 15 Cognitive Functions: 'And', 'Hence' and 'Not'

Already above we have spoken quite generally of 'words' and of the peculiar meaning-acts directed towards objectual correlates which lie before us with the understanding utterance or words. Husserl speaks here of meaning-bestowing acts, acts which ensure that we do not stay tied to the mere word-sound as such, but rather that the latter acquires 'meaning' [*Bedeutung*] for us. However well-founded is this notion of meaning-bestowing act, and however important it is for the understanding of the fundamental concept of (ideal) meaning as such – of which we will here have nothing further to say – it must be emphasised that objectual meaning and meant objectual correlate cannot be assigned to every word. Words such as 'and', 'but', 'also', 'hence', 'not', and so on, are understood in the course of the understanding utterance of sentences without our being able to say that they are guided by acts of meaning objectual correlates – as are, say, the words 'Socrates' or 'tree'. It is indubitable that when I utter one of these words understandingly in the context of a sentence there is something more than the utterance itself which is involved; but it is equally indubitable that this something more is not a direction towards something objectual in the sense earlier delineated. For what could this objectual something be, which would correspond to 'also' or 'but'? This makes all the more urgent the question as to what it really is which corresponds to such 'objectless' expressions. Here we wish to restrict our attention to 'and' and 'not'.³³ It is strictly speaking only the latter which is of interest to us, but calling in aid the other, more neutral example will be useful to our purposes.

If I say '*a* and *b* are *C*', then in regard to the subject-place I am directed to *a* and to *b*, but not however to any *and*. In spite of this, the directedness towards *a* and *b* does not exhaust everything which is involved here: *a* and *b* are not just meant, they are at the same time *connected together*. It is this connection which corresponds to 'and'. The and-function, therefore, connects; it combines together.³⁴ And indeed it connects together always pair-wise. If someone wishes to combine *a*, *b*, *c* as in '*a* and *b* and *c* are *D*', – then two such connecting functions are required. Of course instead of this one could also say: '*a*, *b* and *c* are *D*',

or even: '*a*, *b*, *c* are *D*', but the absence of the word 'and' does not imply that the corresponding function too is absent. It is indeed clear that in these cases also the and-function is doubly present. For *a*, *b*, *c*, are not meant without relation to each other; they are rather bound together in a 'connectional meaning act'.

We must separate most strictly the connecting function which we ascribe to 'and', from that which is constituted for us in the connectional meaning-act, i.e. the 'totality' or 'whole' made up of *a* and *b*. These – certainly highly ambiguous – terms should not be misunderstood. Above all, the whole, *a* and *b*, which is constituted through the operation of the and-function, is not a spatial or temporal togetherness; it is not at all the kind of unity which would be characterised by any material relationship between its constituents, however remote. The most heterogeneous entities can clearly be 'bound together' by means of 'and'. And just as little should this connecting-function be confused with synthetic apperception through which entities brought to presentation are combined into a unity. (See Lipps, 1906, p. 119). For the and-function is to be found in the sphere of meaning, in which, of course, entities are not brought to presentation at all.

It is scarcely possible to determine more closely this connection: one can only issue the invitation to reflect upon it and convince oneself of its peculiar nature. It is not at all something which is brought to presentation in the understanding utterance of the sentence, just as little as are – according to the results of our earlier investigations – the objects themselves. If I say: *a* and *b* and *c* and *d* are *E*, then a series of connecting functions is involved, but the totality which thereby develops is not presented to me. And what holds for this whole of several objects holds also for a whole consisting of only two. Of course I am at each stage free to bring this totality to presentation. And then I apprehend it securely as that which had been constituted through the connectional meaning-act. Indeed without this possibility we could not speak of a constitution effected by means of the and-function at all. However, in the course of speech such a bringing to mind does not normally take place.

Here we find an opposition skew to that which was distinguished earlier between meaning and presenting. There corresponds to 'and' not the meaning of some object, but rather a function, in particular a connecting function.³⁵ This connecting has to be separated on principle from the presentation of that which becomes constituted in it. And thus beside the opposition of meaning and presenting one and the same ob-

jectual something there now appears the quite different opposition between the execution of a function and the presentation of that which is constituted in this execution. Certainly there is such a thing as direction towards the function itself; indeed it is to precisely this that we appeal when speaking of the function. And this in turn must be distinguished from the presentation of the function, as this occurs, e.g. when one attempts to make our current considerations understandable. It is on the other hand possible to direct oneself toward [to *mean*] that which is constituted in the function, as when we speak of 'the totality *a and b*', and it is in turn possible also to bring to presentation this same totality. Here we have once again our old opposition between meaning and presenting. What is new is this second opposition, between the execution of a function on the one side, and the presentation of that which is constituted by the function on the other.

Our principal aim is the clarification not of 'and', but of 'not'. Consideration of the former has been of benefit however, since the relationships associated with it are less complicated than and yet at the same time in several respects parallel to those associated with 'not'. For when I say '*a is not B*' it is again impermissible to speak of a direction towards a *not* in the sense in which one can speak of a direction towards *a*, or towards *B*. Here too it is a function which is involved. In the case of 'and' we spoke of a 'connecting' function; here we have a function which we can designate as a 'negating'. But whilst in the former case there are always at least two objects which become connected together, the negating function is set to work on only *one* objectual something. Its locus of action can be very precisely determined. Neither *a* nor *B* can be negated, but only the *being B of a*. In our example therefore the negating function relates particularly to the 'is', and therefore at the same time it relates to the whole state of affairs, *a is B* which becomes constituted, articulated and [thereby] modified in its form, through the execution of the judgment. To this extent the old scholastic thesis is perfectly correct: *in propositione negativa negatio afficere debet copulam*.

Clearly we must make a distinction here also between the *function*, that to which the function is *applied*, and that which is *constituted* or *developed* in this application. For as the *is* in the state of affairs becomes negated, there develops the contradictory-negative state of affairs *a is not B*. It is not altogether easy to picture clearly to oneself the situation here. The negating function itself has to be securely grasped as that which corresponds to the 'not', but so also has the fact that this function

is applied to that element of the state of affairs which finds its expression in the 'is'. This 'is' becomes negated and transmuted thereby into an 'is not'. Thus by means of the negating function there arises the negative state of affairs. This latter is itself in no way brought to mind in the ordinary course of our thinking; it is as though the advance of our meaning acts leaves it behind. But it is at all times open to us to bring it to mind in new acts of presentation and thereby to apprehend it as that which is constituted for us through our act of negation. Thus we have the meaning and the presenting of the negating function, and we have also the meaning and the presenting of the negative state of affairs which has become constituted for us through this function. And finally we have the opposition with which we are here concerned between the execution of the negating function and the presentation of the negative state of affairs thereby constituted.

The expression 'constitution' should not be misunderstood; its use should naturally not imply that negative states of affairs are somehow created or manufactured through the negating function. For we know that negative states of affairs subsist precisely as do positive states, quite independently of whether or not they are presented to anybody or come to be apprehended, believed, meant, or asserted. *That 2×2 is not equal to 5*, this state of affairs, subsists wholly independently of any conscious subject which may grasp it, just as much as does the positive *being identical of 2×2 and 4*. Thus precisely as in the case of positive states, so also negative states are apprehended (though on the basis of the apprehension of positive states), and in this apprehension is founded the belief or conviction in them. If states thus believed are subsequently brought forward in acts of assertion, then in the case of positive states the latter are built up from acts of meaning of objectual elements. In the case of negative states, in contrast, this building up requires the execution in the meaning-sphere of a function which negates certain meant elements. This therefore is the sense of the expression 'constitution': not that states of affairs in themselves are generated through the function of negation, but rather that by means of this function they are built up in and for the act of meaning.

§ 16 The Moment of Assertion

Let us turn once more to our original question. Since according to our exposition there occurs in the negative judgment a negating or denying,

so one could say also that the negative judgment is to that extent itself a denial [*Verneinung*], and that we ourselves have overturned our original scruples in regard to this thesis. But this is completely to misconstrue the situation. For the division of judgments into affirmations and denials involves, after all, much more than the claim that there exist judgments with and without denials. What one wants to claim is that in the notion of denial the essence of the negative judgment *as a judgment* is completely captured, that it is sufficient to characterise something as a denial in order for it to qualify thereby as a judgment – and it is precisely this which we must call into doubt. This doubt finds complete corroboration in our analysis in terms of functions. It is not true that the notion of denial captures all that pertains specifically to judgments in the negative case; for there exist formations in which a denial is to be found which are not judgments at all. Consider the case where in response to the judgment ‘*a* is not *B*’ we say: ‘*a* is not *B*; that I doubt very much.’ A denial is certainly present in this response, but one cannot seriously speak of the presence of any judgment ‘*a* is not *B*’ which is somehow revoked in the second half of the sentence. A genuine, complete assertion is clearly not to be found in the antecedent clause. Thus we have here a case of denial which is not a judgment. And such examples can be multiplied: ‘Is *a* not *B*?’, ‘Suppose *a* were not *B* ...’, etc. Everywhere we can find denial in the absence of judgments.

Now one may very well say that ‘denial’ was not meant in this sense. In the sentence ‘*a* is not *B*; that I doubt very much’ and in the other cases mentioned there is no denial, no negating act, present at all. Something further must be added in order that the sentence be turned into a judging denial. With this we can do nothing but agree. But what is it which is to be added? If we compare our sentence with the judgment: ‘*a* is not *B*’, then we see very clearly what this should be. What is there merely repeated, put forward without being honestly asserted, is here truly asserted. Thus it is the moment of assertion which makes the negative judgment, just as much as the positive judgment, into a judgment at all.

We shall therefore say that there are assertions in which no negating function is to be found – these are the so-called positive judgments. And there are also assertions in which the copula of the state of affairs, and thereby the state of affairs as a whole, is negated. In the negating function a negative state of affairs becomes constituted, and it is the negative state thus constituted which is put into question in the negative

question, assumed in the negative assumption, and finally asserted in the negative judgment. On the other hand there is no ‘act of affirmation’, and just as little is there an ‘act’ of negation in relation to which we should have to seek the essence of the negative judgment. Much rather do both the positive and the negative judgment present themselves as assertions; and the negative is distinguished from the positive judgment only in this, that in the former the assertion relates to a negative states of affairs which becomes constituted in the execution of the negating function. It is this negating function which makes the negative judgment into a *negative* judgment – and it is the moment of assertion which makes it into a judgment at all.³⁶

We spoke at the beginning of the difficulty for traditional theories of judgment of exhibiting the feature which makes purported acts of affirmation and of denial into judgments. Such difficulties do not arise for our conception. Positive and negative judgments are judgments in virtue of their possession of the specific moment of assertion. The term ‘positive judgment’ does not somehow imply the presence of a special act of affirmation or a special affirmation-function, but merely the absence of the negating function. A welcome corroboration of this is provided by the fact that where our language exhibits a ‘not’ as the expression of negation, there is, in the case of the positive judgment, no special particle which would give expression to a corresponding function of ‘affirmation’. The traditional conception of positive and negative judgments is unable to provide an explanation of this peculiarity of language.

§ 17 The Pure Logic of Emphasis

Our conception throws immediate light on the simple negative judgment. But how does it fare in the case of the polemical negative judgment which we distinguished above? If I turn against someone who has asserted the being *B* of *a* with the words: ‘(No.) *a* is not *B*’, then it seems hardly possible to deny that here a rejection or a denial plays an essential role. And indeed we do not wish to deny this at all. But we have to insist that the various factors involved here are kept strictly apart.

What strikes us first of all about the polemical judgment is what we shall call its accentuatedness or emphasis. For in contrast to the simple negative judgment the ‘not’ here is emphasised. It would be very super-

ficial thinking to want to consign this emphasis exclusively to the sphere of linguistic utterance. For whilst, certainly, there is such a thing as spoken emphasis which is related purely to the sounding of words, this emphasis is only the expression of emphasis in our initial, logically significant sense. What purely phonic emphasis achieves in speaking is achieved in printed or written sentences by the use of bold or italic print or underlining of the word in question. Each of these different modes of expression gives expression to one and the same thing, and it is this identical thing which is our present concern. This finds support also in the fact that the spoken emphasis of one and the same word can serve to give expression to the logically significant emphasis of different things. Consider the judgment '*a is B*', which may on one occasion contradict the assertion '*a was B*' and on another the assertion '*a is not B*'. Through the emphasis of the same word 'is', what is emphasised is in the first case the current temporal moment which the 'is' expresses, and in the second case the positivity of 'is', as something which is opposed to the 'is not'. This second, logical emphasis is surely something primitive, not further reducible. It does not contribute to the constitution of the element which is emphasised; but it must also be very strictly distinguished from any 'heeding' or 'apperceiving' of that element, for such acts have their place not in the sphere of meaning an object but in that of presentation. Here we shall not be able to pursue the important problems of emphasis nor investigate the laws to which it is subject, but shall set forth only that which is indispensable for our purposes.

There is, first of all, emphasis which occurs in the simple meaning of an object: '*the rose (not the tulip) is red*'. And then there is also emphasis which relates to what we called functions; '*a and b (not a alone) are C*'. Here it is a connection which is emphasised; in the execution of the and-function that which is constituted, i.e. the specific moment of connectedness of the totality, undergoes an emphasis. And similarly we find that besides simple negation there is also an emphasised negation: here what is emphasised is the negativity of the negative state which is constituted in the execution of the negating function. All judgments carrying emphasis presuppose the existence of something against which this emphasis is directed. Emphasised negation, in particular, is necessarily directed against another contradictory judgment or sentence which is rejected by the judging subject.³⁷ Thus the polemical negative judgment is distinguished in two respects from the simple negative judgment: it presupposes some contradictory positive judgment (or a

contradictory positive sentence), against which the polemically judging subject is directed and which he rejects; and – connected closely with this – it is such that an emphasis is built into the execution of its negating function through which the negative character of the state of affairs is set into relief relative to that opposing positive judgment. The rejection is directed against the alien judgment, the emphasis relates to the negative state of affairs posited by the subject himself.³⁸

Through this distinction the situation which was at first problematic is now clarified. The polemical negative judgment, too, must indubitably be characterised as an assertion; this is not affected at all by the fact that, thanks to the emphasis which is applied, the negating function emerges more strongly here than in the simple negative judgment. There are, admittedly, other formations which are not judgments and yet which are such that the negating function plays the same dominant role (although for such formations the prior rejection of something contradictory is missing). Consider for example the assumption: '*Suppose a were not B*'. If we ask what distinguishes the assumption from the corresponding judgment, then we can point only to the moment of assertion on the one side and to the moment of assumption on the other. That this situation has been misunderstood is very understandable. It was easy, first of all, to overlook the moment of assertion as something additional to a negating function made prominent through emphasis, and then – what is even more important – it became easy to mistake the rejection of the contradictory positive judgment which precedes the negative judgment for the negative judgment itself.

Thus we see that also in the case of the polemical judgment it is the moment of assertion which makes up the judgment-character as such. And herewith we have broken with the old logical dualism which wanted to split up the unified assertion into two quite different acts, both of which would then – heaven knows why – carry the name 'judgment'. Thus we can agree completely with Theodor Lipps when he says (1906 p. 168): "The negative judgment is, like the positive, an act of acceptance" – is, in our terminology, an act of assertion.³⁹

At the same time we have discovered amongst negative assertions – which is what we may call all of those assertions in which a negating is to be found – a fundamental distinction: that between simple and polemical negative judgments. The logicians have in the main treated only of the polemical negative judgments, which are so much nearer to hand because they are so much more common; in scientific contexts it tends

to be almost exclusively negative judgments of this kind which occur. Ideally speaking, however, every polemical negative judgment corresponds to a simple negative judgment and conversely.

The very same distinction can be carried through also with respect to positive judgments. For in addition to the simple judgment 'a is B' we have also the polemical judgment 'a is B' directed against a contradictory negative judgment or a contradictory negative sentence, the positivity of the corresponding state of affairs being brought into prominence through the emphasis on the copula. In this case everything is related in a way quite analogous to the case of the negative judgment, but here, in contrast, it is the simple positive judgment which in actuality occurs more frequently. Thus the distinction between simple and polemical judgments can be established for judgments in general (in so far, of course, as they belong to the sphere of assertion and not to that of conviction).

§ 18 *Sachverhaltselemente* (The Elements of States of Affairs)

The meaning of 'not' is not exhausted in its giving expression to the negating function. Functions of other types can also be bound up with it, without the judgment involved becoming branded as a negative judgment. A theory of the negative judgment must however make reference to them, if only to ward off the possibility of their being confounded with that which is genuinely negative. One needs only to compare two judgments such as 'a is not B' and 'a is – not B (but rather C)' in order to disclose immediately a fundamental difference. At first one may well express this difference by saying that in the first case the 'not' relates to 'is' and, in the second case to 'B', so that in the former it is only the copula which is affected, in the latter the predicate-constituent of the judgment. But clearly this is not an account with which we can be content. The question immediately arises whether the two are 'affected' in the same way. And this is indubitably not the case. For in the first case a negating occurs; the 'being [such and such]' in the state of affairs is negated and a 'not being' is thereby constituted. In the second case, in contrast, there is, no possibility of talking of B becoming negated such that in this negation a *non-B* would be constituted. There is no such thing as a negative object, which would somehow become constituted in a negation.

We have an identical situation in the case of the judgment 'Not a (but rather c) is B'. Here too we have a 'not'; and here also there can be no suggestion that a negating occurs in which some kind of *non-a* would be constituted. There is clearly some function which lies before us here, but not a negating function; rather it is a 'retraction' or 'dislodgment' of something which has been intended in the flow of speech.

We spoke earlier of the way in which in an assertion the state of affairs is built up successively out of its elements. Now normally this building up goes through successfully without disturbances; the elements of the state of affairs follow upon one another, supplementing each other in a fashion which is similar to that of the tones in a melody. But there are cases where an element which interposes itself is then retracted – and these are the cases in which 'not' functions in the manner just discussed. In regard to the genuine negative judgment there can be no talk of its being a dislodgment or retraction.

There are very many different types of elements of states of affairs, both essential and inessential. For after all states of affairs, as these constitute themselves in assertion, cannot be simply stuck together, as it were, out of arbitrary elements: they are rather subject to definite laws of constitution. In particular, when the building up of a state has once begun, this cannot be arbitrarily broken off or brought to an end but demands the addition of definite elements, elements prescribed by laws relating not to content but to form, quite parallel to the situation which we encounter in the building up of a melody. We cannot, for example in the case of a state of affairs which has begun with 'the rose is', arbitrarily break off at this point; some element or other, perhaps of the form of [a predicate] B must join up to complete it, and that element is, to that extent, a necessary element of the state of affairs. In the judgment 'the car has travelled quickly', in contrast, the 'quickly' is not a necessary element but rather one which is inessential to the formal constitution of the state of affairs. Now elements of states which are retracted through the above-mentioned use of 'not', when they are necessary elements, require to be replaced by others of the same form: Not a – but rather c – is B; a is – not B, but rather C. In the case of inessential elements of the state there is, in contrast, the possibility of retraction without replacement: The car was – by no means quickly – driven.

Of course those judgments in which a retraction function occurs are not to be designated as negative judgments, for in them there is no negating to be found, and nor – what comes to the same thing – is a

negative state of affairs asserted in them; nothing more is involved than the retraction of an element, its exclusion from the state which is in the course of being built up. In the judgment 'a is – not B, but rather C,' a positive state of affairs, the being C of a, is asserted, and the fact that within this act of asserting there occurs the retraction of a stated element cannot alter this at all.

The concepts which we have introduced in this section have their place exclusively in the sphere of assertion, not in that of apprehending conviction. This holds above all for the concept of function. Whilst in the assertion 'a is B and C' we posit, thanks to the connecting function, one single state of affairs, in the sphere of apprehending conviction it is two states of affairs which come to presentation, for in this sphere there is no connecting, (no connective *meaning*). And we have an analogous situation for each of the remaining functions. Each of them arises only in the sphere of assertion. Certainly the application of such functions is not arbitrary: they must find their support and justification in the states of affairs themselves and in the relations between them. Only when a negative state of affairs obtains is a negating function permitted to be activated within an assertive meaning act. Only when there are states which stand in definite relations of foundation or of opposition do the functions of 'hence' and 'but' acquire a justification.

The distinctions between being emphasised and unemphasised, between the simple and polemical negative judgment – and between both of these and the judgment which involves merely the rejection of a stated element – have their place only within the sphere of meaning and not in that of apprehending. Once this has been clearly seen, it can no longer be doubted that the division of the judgment into apprehending conviction and assertion carries with it a division of the theory of judgment into two parts, each requiring quite separate treatment.

IV The Locus of Negation

§ 19 Subjective and Objective Aspects of Negative Judgments

We wish briefly to express our view concerning some principal problems which have developed around the negative judgment in the historical development of logic, and thereby once more to throw into light the most important of our results. One thing which is much disputed is the locus of negation: is it a 'real relation' or something 'purely subjective'? In regard to such an ambiguous question a one-sentence answer cannot be supplied. If it is a matter of whether negation is to be sought for on the 'side of consciousness' or on the objectual side of the judgment, then we must say that it is possible to speak of negativity on both sides. In the sphere of apprehending conviction there is disbelief, i.e. negative conviction, and in the sphere of assertion there is the negating function. Both are 'subjective' insofar as they belong to the side of consciousness. However beside (negative) disbelief there is also (positive) belief in something negative (in a negative state of affairs); and further the negative state of affairs to which assertion is related is constituted in the function of negation. Here, clearly, we have negativity on the objectual side of the judgment, and it is to that extent 'objective'.

But talk of the alleged subjectivity of negation has another, quite different sense, one which has been confounded with the above. Even someone who admits that a negative entity can function as the objectual correlate of conviction and assertion may yet go on to say that this negative entity is nothing 'real', that even though it is not something which is located on the side of consciousness, it is yet something which is essentially dependent upon consciousness and which to that extent does not possess any objective being. We must, however, reject such an opinion in the sharpest possible way. Certainly there is no real 'relation' which is posited in the negative judgment – but just as little need this be the case in the positive judgment. Judgments, both positive and negative, refer much rather to states of affairs. These states divide into positive and negative and both of these in turn divide into subsistent and non-subsistent. If a state subsists then its subsistence is independent of

all consciousness; there is absolutely no justification for offering an explanation of precisely the negative state of affairs as being dependent upon consciousness. The denial of objective subsistence to all states of affairs whatsoever, that is the absurd position of absolute epistemological scepticism; for states of affairs are, after all, what is apprehended and judged. He who does not subscribe to this scepticism is not allowed, either, to deny the subsistence of negative states, for the objective subsistence of both are bound together by laws. This is stated with full force in the fundamental principles of logic: of two contradictory states of affairs, either the positive or the negative state must subsist. And: if a positive state does not subsist, then of necessity the contradictory negative state does subsist.⁴⁰

§ 20 Negation of the Predicate and of the Copula: The Doctrine of Infinite Judgments

The question concerning the locus of negation is contestable in yet another dimension, distinct from those so far discussed. Distinguished logicians have declared that, in the judgment, negation attaches not to the copula, but rather to the predicate, that is, in the case of the judgment: 'a is not B', not to the *being B* but rather to *B* itself. We hold this conception to be completely erroneous. In the sphere of apprehending conviction, first of all, it finds absolutely no foothold. For if, on the basis of my discerning the being red of a rose, I apprehend that the rose is not white, and my conviction relates to this latter state of affairs, then we have no function at all, no 'not', which could act upon anything, whether predicate or copula; a simple negative state of affairs is apprehended by us. It is only in the sphere of assertion that a negation-function is to be found; but there it acts upon the copula, not somehow upon the predicate 'B'. This becomes all the more clear when we reflect upon a case where 'not' truly relates to the predicate, for example in the assertion: 'a is – not B, but rather C'. Here it is indeed the predicate-element which is 'affected', but this affecting is a retracting from the state of affairs, not a negating.

Once it has been recognised that the negating-function can relate only to the copula, then it also becomes untenable to talk of 'limitative judgments' or of *propositiones infinitae*, where negative objects are supposed to function as predicates, or subjects, of positive judgments,

('the rose is non-red', 'non-smokers take their places in this section', etc.). Here the logician has allowed himself to be misled by the [form of the] linguistic expression which is involved, for there just is no such thing as a negative red or a negative smoker. If we remove the ellipses which lie before us here then our judgments read: 'the rose is something non-red (i.e. something that is not red)' and: 'the non-smokers (i.e. those who do not smoke) ...'. In both cases it is states of affairs which are negated, though certainly states of affairs which are not themselves asserted in the judgments in question but which have rather suffered peculiar transformations – of a type not here further discussed – in their subject- and predicate-places, respectively.

§ 21 Concluding Remarks

Let us now cast one final glance at the thesis according to which the negative judgment always has as its presupposition an executed or attempted positive judgment, and that it presents itself to us essentially as a rejection of this positive judgment, a thesis which has been so much discussed especially since Sigwart's 1904 (see also Erdmann, 1907, p. 504 ff.; Bergson, 1907, p. 311 ff.; and Maier, 1908, p. 272 ff.). Here there are, it seems to me, all kinds of observations – both correct and incorrect – mixed up together.

Recall, first of all, our discovery that every apprehending negative conviction (every disbelief) and every apprehending positive conviction (or belief) in something negative presupposes the apprehension of a positive state of affairs. Here there can be no talk of the negative judgment's presupposing a positive *judgment*, for the apprehension of a positive state of affairs is not identical with conviction or belief in it. Or recall, secondly, the fact that both negative conviction and positive conviction in something negative have as their psychological presupposition certain intellectual position-takings. Only in the case of negative conviction is this position-taking directed towards a positive state of affairs. And moreover whilst this position-taking *can* be one of conviction, and thus also a judgment about the positive state involved, it may just as well be one of conjecture, doubt, etc. (See also Windelband, 1884, p. 177.)

Thus the thesis that every negative judgment presupposes a positive judgment must be restricted to one case only, that of negative conviction.

tion – and even there it need not *necessarily* apply. But what is wholly to be rejected in the sphere of conviction is the stronger claim according to which the negative judgment is precisely a judgment *about* such an attempted or executed positive judgment (Sigwart, 1904. p. 159). For of course a negative conviction does not relate to a judgment at all, but to a state of affairs.

This second claim reveals that a covert move has been made from the sphere of conviction over into the sphere of assertion. For in the latter sphere there are indeed, as we know, negative judgments directed against contradictory positive judgments which they deny. Certainly the objectual correlate of the negative judgment is in this case too the positive state of affairs; but nevertheless there is here a good sense in which we can say that the negative judgment presupposes a positive one, against which it is directed. We would take exception to this only in pointing out that it is not the negative judgment in general which is here involved, but only the negative *assertion*, and even then only the *polemical* negative assertion.⁴¹

The simple negative judgment, as we have seen, does not have as its presupposition a positive judgment which it rejects or denies. And negative judgments of this type play such an important role, especially in descriptions and narratives, that it is a clearly thoroughly one-sided conception of the negative judgment to suppose, with Kant and many others, that the negating judgment 'serves solely to guard us from errors' (A 709).

Notes

¹ From its very beginning logic has met with great difficulties in its treatment of the negative judgment, difficulties which have still by no means been successfully resolved: extensive differences persist within the most diverse schools of thought. Only part of these difficulties touch on the negative judgment as such; for the other part they result from the fact that the positive judgment has not yet successfully been determined in an unequivocal way. And as long as the concept of judgment itself suffers from equivocation and unclarity, so also will the treatment of the negative judgment. In the following paper the attempt will be made not to solve the problem of the negative judgment in all its aspects but to bring this problem nearer to a solution in certain directions. First of all however the scope of our present problems dictates that we begin with some considerations of judgments in general.

Since I must limit myself, in what follows, to the exposition of what is most necessary to my subsequent goal, I have almost completely dispensed with discussions of the relevant literature.

² It is clear that consenting relates to the judgment not only in the sense of the act of judgment but also in the sense of the judgment-content. It is not necessary, however, that we should carry through here the somewhat difficult differentiation involved.

³ This is the case also, perhaps to an even greater extent, with the term 'approval' ['*Billigung*'] which is employed by Windelband to designate the judgment: 1884, pp. 167 ff.

⁴ That it won't do to characterise the two cases as cases of 'mere utterance of words', only the first of which rests on an associated *conviction*, which is absent from the second, will be shown by the discussions which follow. Brentano himself of course speaks of a presentation 'in the widest possible sense' (1889, p. 15).

⁶ '*Vorstellung*' in the sense of 'imagination'-Tr.

⁷ [*Dasein*] Clearly one cannot confuse this existence or 'being there' with that which is involved in an object's being there expressly face-to-face: we cannot speak of e.g. that which belongs to the background of perception as being there in this latter sense. Cf. Theodor Conrad, 1911, p. 57.

⁸ On this see Lipps, 1906, pp. 113 ff., and Husserl, 1900/01, II, p. 129f.

⁹ Here we ignore so-called 'intuitive word-presentation', since we are concerned exclusively with meaning or intending objects.

¹⁰ We clearly do not wish to conceal the fact that wherever an assertion is made by an empirical consciousness there will usually be much more involved than acts of meaning of a particular kind.

¹¹ Thus, to mention only one example, we have spoken here of meaning as something which occurs with the understanding *utterance* of words but not of those related occurrences involved in the understanding *hearing* of words. The latter cannot themselves be designated as acts of meaning since they do not exhibit any spontaneous 'direction towards' but rather a receptive 'taking in'. Nor, however, are they acts of presentation, since that to which this understanding is related is not, in the pregnant sense, 'there', to the subject, or at least need not be there.

¹² Cf. Lipps, 1906, p. 230f.

¹³ This expression for the judgment as such distinguished from the objectual something to which it is related is readily understandable. It would clearly be more correct to speak of the *intentional* side of the judgment.

¹⁴ Instead of depending upon the relations of subsistence and inherence (for physical things) one may attempt to appeal to the more general relation of belonging together, assigning this to our third judgment. Thus Marbe (1910, p. 5) holds that the judgment 'the rose is red' refers to the relation of belonging together which holds between the redness and the rose. But once more we have to object that the judgment 'the rose belongs to the redness' is *different*, in its meaning, from the judgment 'the rose is red'. The former is, for example, reversible ('the redness belongs to the rose'), the latter not. And if one wishes to designate such differences of meaning as trivial, still this triviality of meaning-differences does not make them meaning-*identities*. We are of the firm conviction that if we are to arrive at a solution to the problems which here concern us we must pay the most careful attention to displacements of meaning of this kind, however insignificant they may be in other contexts.

¹⁵ Reinach's original reads: Kant spricht davon, daß er irgendein Problem 'vor' unbee-rechtigt halte, heute verbietet uns das der Sprachgebrauch. – Tr.

¹⁶ A controversy has arisen with regard to this concept; for the literature see Meinong, 1910 p. 98 ff. In his treatise on "Appearances and psychic functions" 1907, Stumpf remarks that already three decades earlier Brentano had emphasised in his logic lectures that there was a specific judgment-content [*Urteilsinhalt*] corresponding to the judgment, that it was something distinct from the presentational content (or *Materie*)

24 Given these arguments we cannot at all agree with Meinong when he claims that 'ob-
 jectives' can be grasped only through judgments and assumptions (1910, p. 131 ff.).
 There is e.g. a (categorical) bringing to mind, a meaning, an apprehending, and a whole
 series of other acts in which states of affairs are grasped.
 25 It is accordingly inadmissible to regard apprehension, with Meinong, as something
 which is by nature true judgment (Meinong, 1904, p. 18). A true conviction which
 has been built up on the basis of an act of apprehension is not itself an apprehension.
 And on the other hand not every apprehension need be true. If I discern from afar
 the approach of a cyclist then speaking purely descriptively this is an apprehension,
 even should it be the case that in reality it is not a cyclist at all who is approaching but
 rather, say, a cow.
 26 [i.e. the being-something-or-other] - which is of course not to be confused with the
 subsistence of the state. The two are so fundamentally different that the account of the
 objective which is given by Amseeder (1904, p. 72) and Meinong (1910, p. 61) as
 something which is being and has being can, in our opinion, lead only to confusion.
 Furthermore not every state of affairs allows itself to be portrayed without artificiality
 as a being. Consider the states of affairs [- discussed in § 12 below -] which corres-
 pond to the judgments 'it is raining' or 'it is freezing'; [Reinach's own examples are: 'es
 wird gelantz and mich friert'.]
 27 Amseeder 1904 suggests the designation *Relate* for relations in the second sense
 (p. 72). See further Husserl 1900/01, II, p. 609, and Meinong 1910 p. 57f.
 28 Thus Maier, in his *Psychologie des emotionalen Denkens*, defends the view that the
Impersonalia ['it is warm', 'it is raining', etc.] relate to conditions (and/or processes).
 29 By evidence here we do not understand only the ideal case of absolute self-giveness
 but every givenness of states of affairs in acts of apprehension.
 30 It must be noted that the present discussion relates merely to *immediate* apprehension
 and to evidence which is directly attained. In the case of those negative judgments
 which are arrived at on the basis of deductive inferences the situation is quite different.
 31 Where we have to deal with the apprehension of 'relations' (in the sense of relational
 state of affairs) than it is of course unnecessary - as Brunschwig, 1910, has exhaustively
 shown - that either of the members standing in the relation be in any way brought to
 presentation. Rather it may be grasped in a quite peculiar experience which Brunschwig
 designates as a 'direction towards' [*Richtung auf*], an experience which is neither a
 presentation nor a meaning act in our sense.
 32 To the different words 'not', 'non', 'nicht', and so on, there corresponds, of course, an
 identical function.
 33 Instead of speaking in each case of 'the function which is executed with the utterance
 of the word "and"', it is admissible to speak, more briefly, of 'the and-function'.
 34 Already in his logic lectures for the summer semester of 1906 Pfänder had spoken of
 'cognitive functions' [*Denkfunktionen*] with particular reference to 'and'.
 35 We ought, briefly, to draw attention also to the following. Just as apprehension grasps
 the apprehended state in its subsistence [Bestand], so assertion brings forward the as-
 serted - positive or negative - state of affairs in its subsistence, it fixes or establishes
 this subsistence. One must be on one's guard against confusing this fixing of the substi-
 36 tence of a state with the *predication* of subsistence of a state.
 37 Those judgments and sentences are called *contradictory* to which are correlated con-
 tradictory states of affairs: there is an analogy here to the way in which we distinguish
 sentences and judgments according to their *modality*, even though modalities are,
 38 properly speaking, inherent only in the corresponding states of affairs.
 Here the necessity of our earlier distinction between 'rejection' or 'denial' of a judg-
 39 ment and 'negative judgment' becomes very clear, for we have the two of them to-
 gether, side by side.

and that it was expressed linguistically in 'that'-clauses or in substantivised infinitives.
 Stumpf himself, as he reports, already in his lectures in 1888 began to employ the ex-
 pression 'state of affairs' [*Sachverhalt*] for his special judgment-content. The details
 of how Brentano and Stumpf developed their concepts of judgment-content and state
 of affairs are unknown to us. The concept of judgment-content as found in the work of
 Marty, esp. in his 1908, differs in all essential points from our state of affairs.
 We appeal rather to Husserl's *Logical Investigations* 1900/01 in which the peculiarity
 and significance of the concept of state of affairs was first clearly and vigorously made
 prominent in the literature. Our determinations overlap in part also with those per-
 taining to the concept of *objective* employed by Meinong and his school; however,
 there are considerable avergences. The most fundamental objection which must be
 raised against Meinong seems to me to be that his concept of objective runs together
 the two completely different concepts of proposition (in the logical sense) and state of
 affairs. It is insufficient to designate the proposition, with Meinong, as a particular
 kind of objective which lies before us and is comprehended, being uttered, where pos-
 sible, and being at the very least as it were formulated in words' 1910, p. 100. For the
 moment, however, we must wait for the results of later discussions for the demonstra-
 tion of this thesis. In what follows we limit ourselves to a short indication of those pas-
 sages where Husserl's and Meinong's accounts differ from or coincide with those given
 here.
 17 Likewise, though without the distinction within judgment in general of conviction and
 assertion, Husserl 1900/01, I, p. 12, II, pp. 48, 378, 416f., and Meinong, 1910,
 pp. 44, 46, etc.
 18 See Meinong, 1910, pp. 21, 216, etc., and cf. Husserl already in his 1900/01, I,
 pp. 242, 36f., etc.
 19 Meinong, 1910, p. 80ff.; Husserl, 1900/01, I, 13f., 16.
 20 Husserl and Meinong too speak respectively of 'contradictory states of affairs' and of
 21 'contradictorily opposed objectives': 1900/01, I, p. 91f.; 1910, p. 93.
 This coincides with Husserl's terminology, 1900/01, II, p. 598. Meinong too speaks of
 subsistence of objectives, but he speaks also of subsistence in the case of *objects* such
 as numbers, shapes, etc., with respect to which we should prefer to speak of an (ideal)
 existence (cf. 1910 pp. 63, 74). The fact that Meinong in certain circumstances is pre-
 pared to speak also of the truth and falsity of objectives arises as a consequence of his
 running-together propositions and states of affairs. States of affairs subsist or fail to
 subsist. Propositions are true or false.
 Husserl, who had used the designations 'true' and 'false' in the first volume of his *Lo-
 22 gical Investigations* in application to states, allowed them to fall away as he carried
 through the differentiation between propositions and states. But then we still, in the
 which is better avoided, since it too has its primary application in the sphere of propo-
 23 sitions. He reaches complete clarity concerning the terms 'truth', 'subsistence' and 'be-
 24 ing' only at pp. 597f.
 25 That we tend in everyday speech to understand under 'state of affairs' only 'factual ob-
 26 jectives', i.e. subsisting states of affairs (Meinong, 1910, p. 101), seems to me to be no
 adequate reason not to retain a term which - as Meinong himself declares - has the
 27 advantage of bringing with it a 'living meaning', (1905, p. 33).
 28 'keit' we understand here not only objects but also states of affairs.
 29 With other subsisting state of affairs, i.e. one which lacks state of affairs, also a bare *percep-*
 30 tion of a subsisting state of affairs, i.e. one which lacks an accompanying apprehension,
 is a question the discussion of which would take us too far a field. It would however
 31 have to be answered in the affirmative.

- ³⁹ Only thus, also, can it be understandable why for every judgment – in our now standard sense – there is an underlying *positive* conviction. Were the negative judgment a ‘denying’, then it would have to arise out of a *negative* conviction in the state of affairs which it denied.
- ⁴⁰ It will be seen that these principles relate to states and their subsistence; the same holds for the other fundamental principles of traditional logic. These have normally been related to judgments, e.g.: two contradictory judgments cannot both be correct. This principle is certainly incontestable, but it is a derived and not a primitive principle. A judgment is correct if the state of affairs corresponding to it subsists; and two contradictory judgments cannot both be correct *because* two contradictory states of affairs cannot both subsist. The law pertaining to judgments thus obtains its foundation from the corresponding law which relates to states of affairs. Attempts have been made from other quarters to relate this law not to judgments but to *propositions*. Two contradictory propositions, it is now said, cannot both be true. We acknowledge freely the difference between judgment and ‘proposition in itself’; but just as the proposition must be separated from the judgment, so also must it be separated from the state of affairs. A proposition is true when the state of affairs which is correlated with it subsists. And two contradictory propositions cannot both be true *because* two contradictory states of affairs cannot both subsist. Thus here too the propositional law leads back to a law which relates to states of affairs. At the same time this provides an example which may indicate the sense of our claim above, that the major part of traditional logic will prove to have its foundations in a general theory of states of affairs.
- ⁴¹ And clearly in this too there is nothing peculiar to the negative judgment as such, since there are of course *positive* polemical judgments in a precisely corresponding sense.

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