

Methodology of the Sciences is the third volume published in the series *Philosophical Companions*. The readership is not explicitly identified by the author, but on the back flap of the dust cover the publisher announces that the companion, as „an academic survey,” is „written in an accessible style with didactic elements.” In the Introduction the author acknowledges that the editors – seeking perhaps the completeness of the survey – endorsed some topics going beyond the initial plan of the book. Indeed, in its final form the book covers a broad range of topics within philosophy and methodology of science, some of which, however, seem not to contribute, essentially, to the author’s project. Moreover, in terms of the coherence of the book, the four appendices may well have been saved for a different occasion. The book does not include an English summary or contents page, and the detailed content page is not divided into lines and has no page references. The publisher’s description of the book could give the false impression that its main target is an elementary exposition of philosophy of science in Poland and elsewhere, or that *Methodology of the Sciences* presents definitions of the central notions, illustrates them with examples and helps to test a student’s comprehension. Grobler purposefully brings out only the standpoints and ideas relevant to his own approach to induction and explanation in science. Moreover, to appreciate the accessible style in some parts of the book the reader has to be an advanced – and perhaps also a dedicated – student of philosophy of science. *Methodology of the Sciences* is an advanced textbook for graduate philosophy students and scholars. Familiarity with 20th century philosophy of science is a prerequisite for an informed study of the book, and acquaintance with erotetic logic would certainly be an advantage.

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Friedrich August von Hayek *The Constitution of Liberty*, Warsaw, PWN 2006, 528 pp.

We had to wait 46 years to have a Polish translation of „The Constitution of Liberty” by Friedrich August von Hayek, who is one of the most famous representatives of the Austrian neoclassical school. This work – in which the author tries to establish a systematic political philosophy based on individual freedom – was first published in 1960 and is believed to be one of the most important works on political and legal theory. Its author, an Austrian economist and political philosopher is one of the biggest enemies of socialism and central planning. In 1974, for his achievements in the field of economy, he was awarded with the Nobel Prize.

This book focuses mainly on the concept of freedom under the rule of law. It is based on a theory, according to which, if we respect laws taking the form of abstract

rules established independently of our individual case, then we are not subject to the will of another man and therefore we are free. This leads to the conclusion that the rule of law allows coercion only when it agrees with general rules of law and does not aim at the achievement of certain goals of current politics.

The book consists of three parts (each of them has eight chapters) and a post-script. In the first part (*The Value of Freedom*), the author wishes to emphasise the motives which lead us towards freedom and to show its advantages. He starts his analyses by trying to return to the primeval meaning of the term „freedom.” He comprehends it as the state „in which a man is not subject to coercion by the arbitrary will of another or others” which is „often also distinguished as „individual” or „personal” freedom” (p. 25). To show the difference of this conception from others he compares it with other meanings. So he distinguishes it from: political freedom; „inner” or „metaphysical” freedom; freedom regarded as the „ability to do what I want”; and finally from the freedom associated with power and wealth.

Analysing the mechanisms of civilization, he shows the meaning of „ignorance” in the process of the development of civilization and he formulates a thesis that „individual freedom rests chiefly on the recognition of the inevitable ignorance of all of us concerning a great many of the factors on which the achievement of our ends and welfare depends” (p. 42). Hayek believes that material progress is the only way of diminishing poverty and that it is the driving force of civilization. He defines progress itself as a process of „formation and modification” a process of „adaptation and learning in which not only the possibilities known to us but also our values and desires continually change” (p. 53).

In this part the author also directs our attention towards important differences between the French liberal tradition (speculative and rationalistic) and the English liberal tradition (empirical and unsystematic). These differences are clearly visible in the relationship between the concepts of evolution and of the functioning of social systems, typical for these traditions, and the role of freedom; in the assumptions about the individual nature of man; views on the role of tradition and the meaning of all other results of unconscious growth proceeding throughout the ages. Hayek is definitely closer to the English tradition. He notices the complementarity of freedom and responsibility, he criticises deterministic concepts which do not make man responsible for his actions. He perceives responsibility as something individual, and believes that freedom „demands that the responsibility of the individual extend only to what he can be presumed to judge, that his actions take into account effects which are within his range of foresight, and particularly that he be responsible only for his own actions (or those of persons under his care) – not for those of others who are equally free” (p. 92). Therefore he opposes collective responsibility. In this part he also discusses the problem of democratic governments and presents the arguments in favour of democracy. He stresses the meaning of the ideas of political philosophers and shows their responsibility associated with that

fact. In the last chapter of the first part of his book he discusses employment and independence in the context of freedom.

In the second part of his book (*Freedom and the Law*) the author analyses the institutions developed in the West, which are created in order to protect freedom of the individual. The analysis begins with the definition of „coercion,” which the author understands as a situation in which the actions of one man are subordinate to the will and goals of another. „Coercion implies, however, that I still choose but that my mind is made someone else’s tool, because the alternatives before me have been so manipulated that the conduct that the coercer wants me to choose becomes for me the least painful one” (p. 141) – writes Hayek. Coercion understood in that way is a negative phenomenon, because it does not allow for the full development of mental abilities and makes a given person unable to contribute to the life of the society to the best of his/her abilities. Authority understood as „the authority of compulsion,” which forces an individual to serve the will of another person under the threat of harming that individual, is also an evil. Analysing the concept of compulsion in the context of monopoly, the author writes that except in such instances as the „monopoly of an essential service, the mere power of withholding a benefit will not produce coercion” (p. 145). He believes that the creation of the sphere of privacy for an individual is a way of preventing compulsion. Hayek tries to find general rules concerning conditions necessary for objects or situations to become a part of that protected sphere of a person or persons. First of all, he points to the recognition of private or personal property, to the network of rights created on the basis of agreements, the right to use public property (e.g. sanitary equipment and roads) and the right to privacy and secrecy. He also discusses the ways of erasing those aspects of the threat of compulsion which are generally believed to be harmful and which cause opposition.

Later on he describes the character of the abstract rules (which, in a strict sense, are referred to as „laws”) which are developed in order to reduce compulsion imposed by other people and the state. The aim of the author is to restore and specify the concept of law on which the ideal of freedom under the rule of law used to be based.

In the next chapters of the second part the author presents the sources of the rule of law. Here we find references to ancient Athens, the Roman republic, medieval and present England. The author also mentions American constitutionalism and *Rechtsstaat* – inspired by the American example. Next, the author synthesises different historical situations in order to prepare a systematic presentation of the main conditions necessary for the existence of freedom under the rule of law. The rule of law means that the state can force an individual only if it is necessary to enforce a declared rule, which limits the rights of all authorities including the right of the legislative branch. Such rule is based on full conformity to the law and it is necessary for all laws to agree with certain rules. Because the rule of law is the limit of all legislation it cannot be a law in the same sense as the laws produced by

the legislative branch. Such rule cannot be a part of a democratic system if it is not a part of the society's moral tradition, a shared ideal which is uniformly respected and unconditionally accepted by the majority. The rule of law limits power only as far as compulsion is concerned. Furthermore it requires the implementation of the doctrine of the separation of powers, which divides the function of law creation and law enforcement in individual cases between different people or authorities. But according to Hayek, this rule „must not be interpreted to mean that in its dealing with the private citizen the administration is not always subject to the rules laid down by the legislature and applied by independent courts” (pp. 212-213). That is why in the rule of law there has to be an authority which takes care only of the rules and not of the temporary goals of the government. This authority decides „not only whether another authority had the right to act as it did but whether what it did was required by the law” (p. 216).

Under the rule of freedom the sphere of personal freedom includes all actions which are not clearly forbidden by the general law. It shows the role of the declarations of basic rights, the goal of which is to protect individuals against all serious violations of their individual rights. The author notices that even „the most fundamental principles of a free society, however, may have to be temporarily sacrificed when, but only when, it is a question of preserving liberty in the long run” (p. 218). The rule of law limits such actions only to special cases, which are regulated by law and can be judged by an independent court. People suffering from such actions have the right to full compensation for the harm done to them while such actions were taken.

Later Hayek presents arguments supporting the thesis that the rule of law provides a criterion which makes it possible to decide whether certain actions conform to the system of freedom or not. He believes that respecting the rule of law is necessary, but not sufficient for the right functioning of the market economy. The last chapter presents the process which started in the 19th century and led to the abandonment of the rule of law. The signs of the revival of such an ideology were visible in the 20th century.

In the third part (*Freedom in the Welfare State*) the rules existing in the state of law are checked against some important economical and social problems. The author starts to implement the rules mentioned in the previous part by analysing the case of labor unions. His choice is influenced by the fact that „the basic principles of the rule of law have nowhere in recent times been so generally violated and with such serious consequences as in the case of labor unions” (p. 263). In his opinion „by establishing effective monopolies in the supply of the different kinds of labor, the unions will prevent competition from acting as an effective regulator of the allocation of all resources” (p. 269). Hayek does not only criticise, he also notices the rightful functions of trade unions. He points to the need for legislative and judicial modifications which would reduce the pressure of trade unions on the individual.

He believes that such changes are necessary, because the policy of labor unions on the level of real wages leads to the constant growth of inflation.

Discussing social policy he suggests that freedom „is critically threatened when the government is given exclusive powers to provide certain services – powers which, in order to achieve its purpose it must use for the discretionary coercion of individuals” (p. 285). Because of certain limitations the author discusses only the main spheres of social security: provision for old age, for permanent disablement from other causes, and for loss of the breadwinner of the family, the provision of medical and hospital care, protection against loss of income through unemployment.

While discussing the question of taxation he criticises progressive taxation, analysing progression as the rule of the whole taxing system. Here he promotes proportional tax, because in his opinion it provides a formula acceptable both for those who in objective categories pay more and those who pay less. Such taxation solves the problem of a different rule for the minority and furthermore it does not change the relationships between the net salaries of different professions.

The author realizes that at present the monetary framework has to be largely controlled by the authorities and he points to some dangers connected with that fact, believing that inflation is one of the main threats. In this part of his book, Hayek writes that there are „two points which cannot be stressed enough: first, it seems certain that we shall not stop the drift toward more and more state control unless we stop the inflationary trend; and, second, any continued rise in prices is dangerous because, once we begin to rely on its stimulating effect, we shall be committed to a course that will leave us no choice but between more inflation, on the one hand, and paying for our mistake by a recession or depression, on the other” (p. 328).

The author believes that in the sphere of housing it is necessary to limit rents or to appoint their highest level, because together with inflation they are a great threat to liberty. In his opinion the problem of housing, which is a part of a larger problem of poverty, may be solved only by the general increase in profits. In the case of urban planning, he expresses the view that it should compliment and support the market instead of stopping market mechanisms and introducing central control.

According to Hayek, the contemporary agricultural policy which protects agricultural production is irrational and absurd. In such a form it is the main enemy of profitable farming. At present it is not the protection of agriculture which should be the main problem of agricultural policy but rather how to extricate governments from a system of control „in which they have become entangled and to restore the working of the market” (p. 353).

As far as education is concerned, Hayek’s opinion is that today „with the traditions and institutions of universal education firmly established and with modern transportation solving most of the difficulties of distance, it is no longer necessary that education be not only financed but also provided by government” (p. 364). He

also believes that the existence of an intellectual proletariat which cannot sell its knowledge might be dangerous.

In the postscript the author explains why he is not a conservative. He also does not call himself a „Liberal.” The author finally decides that his ideology leads him to calling himself an „Old Whig.”

At the end of the book we may find a large number of quotations from the bibliography of liberal individualistic thought, an index of names and a subject index.

In the past thirty years, Friedrich August von Hayek had a large influence on the debate about the economy and political philosophy. In his scientific work he aimed at restoring the meaning of the concepts and problems of classical liberalism by trying to present them as powerful arguments. „The Constitution of Liberty” is believed to be Hayek’s „monumental work.” It is an important contribution to the above mentioned discussion. It is a presentation of the values which dominated Hayek’s scientific life. In the book Hayek also expresses his concern for the future of free societies. There is only one rule which can save a free society – it is the absolute prevention of any coercion, with the exception of the coercion necessary for the enforcement of general and abstract rules, which are obligatory for everybody.

We may say that in its most fundamental aspect Hayek’s thought takes after I. Kant, because it negates our possibility of understanding things as they are and seeing the world as it is. We may also notice the influence of contemporary philosophers, such as K. R. Popper, L. Wittgenstein and M. Polanyi. Hayek admits that the ideology presented in his book was largely influenced by the members of the Mont Pelerin Society, especially L. von Mises and F. H. Knight.

His book combines philosophy, aspects of legal science and free economy. It may be recommended to anybody who wishes to broaden his/her knowledge about the functioning of free societies and especially to lecturers and students of philosophy, sociology, political science, law and economy.

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Ireneusz Ziemiński, *Tod, Unsterblichkeit, Sinn des Lebens. Existentielle Dimension der Philosophie von Ludwig Wittgenstein* [Śmierć, nieśmiertelność, sens życia. Egzystencjalny wymiar filozofii Ludwiga Wittgensteina], Kraków: Aureus 2006, 368 pp.

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