

REINHART KOSELLECK (1998 – Athens)

Kondylis's contribution to the “basic historical concepts”¹

[Translated (by C.F. March-April 2018 ©) from the German “Kondylis’ Beiträge zu den „geschichtlichen Grundbegriffen“ in Horst Falk (Hg.), *Panajotis Kondylis. Aufklärer ohne Mission Aufsätze und Essays* [= *Panagiotis Kondylis. Enlightener without a mission. Articles and Essays*], Akademie Verlag, Berlin, 2007. Due consideration was also given to the Greek translation by Kostas Koutsourelis (Κώστας Κουτσουρέλης), «Παναγιώτης Κονδύλης» in Κονδύλης Παναγιώτης, *Μελαγχολία και Πολεμική. Δοκίμια και Μελετήματα*, Θεμέλιο, Αθήνα, 2002. The opening paragraph of this speech is not part of the German text and is available only in the Greek translation.]

I thank you very much for the invitation and for the friendly words with which you introduced me at this event, whose occasion and cause are unfortunately most distressing. If I knew Greek as well as Kondylis knew German, it would be much easier for me to speak tonight. Because the recognition of another person passes, naturally, through the learning of languages, and I am obliged to confess that my school education, although including ancient Greek, did not concern itself with familiarising me with modern Greek too. I must therefore confess that I am ignorant of your language and apologise to you that I am speaking to you in German, hoping that the translation will be intelligible. If not, please interrupt me because I would not want to speak in vain.

¹ (Speech on the thought of Panajotis Kondylis in the Autumn of 1998 in Athens [[= shortly after Kondylis's premature death]]; the text of the speech is abridged at the introduction. Koselleck goes into the contributions, i.e. articles, which Kondylis wrote for the historical lexicon: „Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland“ [= “Basic historical concepts. Historical lexicon on political-social language in Germany”], Stuttgart 1972-1997, ed. by Reinhart Koselleck i. a.) [The footnote to the Greek version reads: This speech by Reinhart Koselleck, Professor Emeritus of the Theory of History at the University of Bielefeld, was given on 20 November 2000 at the Goethe Institute of Athens. First publication: periodical *Νέα Έστία* [= New Hestia (= New Hearth)], issue 1747, July-August 2002.]

Panagiotis (Panajotis) Kondylis lived for 55 years, from 1943 until 1998. An intense life, long enough to gift to those surviving him a work on which we will draw and live for a long time, be it critically, be it approvingly, in any case, to be taught and challenged for the purpose of reflection and for thinking ahead. But it was also a life too short, as Kondylis was not able to complete his work. His, in three volumes, planned social ontology is, as from now, uncompleted after the first volume. Because of that, a deep sorrow has taken possession of all of us. We have lost a person who for many was a friend and irreplaceable. And over and above that, with him, a researcher has been torn from his creative process, whose findings, incomplete as they have remained, as much as they challenge us to thinking ahead, whose final formation however has been denied to us to read, unassailably. So what remains for me is only to trace the contours of an immense work, without claiming to polish off and complete the remaining torso.

Who knows what critical notes or what sarcastic remarks Kondylis would tender in regard to the following sketches, if he still could do it. Not without hedonistic punch lines, nourished by his sensual spontaneity, all of which he gained from the Enlightenment, I see him still before me. I can no longer count how often we had met in the Old City of Heidelberg, yet I remember well how it had been. In a bar or in a café, one met up with female and male friends, for spicy dishes, hearty food or sparkling wine, in order for, when the day's work is done, the questions of everyday life to be associated and intertwined with those of the world and its politics. Kondylis's judgements stood out through their gravity, composure and a sobering-up effect, through the clarity of the arguments and their substantiation, through the integrity and incorruptibility of an open partisanship beyond all fashionable vacillations or all kinds of unreasonableness. Thus, his friends enjoying food and drink at the same table shared in his impetuous lust for perspicacity and intellect, which belonged to the

urbane environment like the food and drink. However, every one of us knew of what strict work discipline Kondylis always subjugated himself to – only that his intellectual(-spiritual) activity was fed by sensual pleasure, joy. He got up early in order, with fresh air, to get through his day's workload, which he had imposed upon himself. And into the bargain he used his own hand for writing without a typewriter or computer, in order to fill, note to note, card to card, or sheet of paper to sheet of paper, with that unmistakable handwriting, which we all discerned at once upon reading his texts. Handwriting was, as it were, executed corporally.

Please forgive me my personal reminiscences because they apparently do not belong to the context of a scientific line of argumentation and adducing proof. Yet as much as this should become clear, Kondylis did not induce or deduce his fundamental anthropological thesis in respect of the inseparable make-up of biologically, psychologically, mentally mutually determined dependencies only theoretically, but that behind such a thesis his own entire personal experiences were collected. His exciting, thought-provoking thesis regarding the sociology of knowledge, that identities can change and vary or gradually become interchangeable, whereas the real existence of a person perseveres, this experience-saturated proposition is based on his wholly personal achievement, namely to have never abandoned or changed or even betrayed his own personal existence. His existence, speaking personally, in its biological, psychological and mental interweaving, continually remained consciously reflected upon, always identical with itself. External impositions of identification or identification pressures or changes of identification, as they have become almost familiar in German history, all these impositions, to stay up to date or to be allowed to stay, Kondylis was always able to turn away from himself. His existence, if one may say so, was not very far from the existential philosophy of the 1950s. He remained, long before he could afford himself his own academic

self-formation, in the vicinity of Heidegger, Plessner, Jaspers or Sartre: this existence was always in conformity with itself. His carrying out or performance of his own life, was as always biologically determined or physiologically framed, yet socially interlaced and psychically well-balanced, however above all mentally and intellectually persistently self-controlled; that was an entirely personal self-justification, which led him to his world outlines pertaining to the theory of history and social philosophy. There are certainly few thinkers of our so-called past century, who had withstood so consistently all ideological and fashionable, topical and time-bound impositions like Panajotis Kondylis. His personal existence was his identity itself, to use two catchwords, which permit us to capture his uniqueness.

Scientifically, I myself had the luck to have had a close collaboration with Kondylis in the editing of the lexicon of “basic historical concepts”. Our common teacher in social history, Werner Conze, had won him over to write two articles [[i.e. entries]] for which hardly anyone interested could be found in the close-knit guild of historians, because the to-be-treated concepts promised nothing topical or even exciting or thrilling. Namely, „Würde [[= Dignity]], dignitas“, and „Reaktion und Restauration [[= Reaction and Restoration]]“, two concepts, which tend to roll off the tongues of modern historians only with abhorrence and disgust. However, Conze won Kondylis over to working on these concepts, and Kondylis knew how to bring these seemingly stale concepts – by the way, in collaboration with the well-known old master and doyen of Latin studies, Victor Pöschl in Heidelberg – to life again, in the medium of their history. As to „Würde [[= Dignity]]“ or “dignitas”, Kondylis demonstrated the theological enrichment of the concept in the so-called Middle Ages, after its Ciceronian preliminary course. He showed how the, for all men, equally intended dignity was to be comprehended only via man as image and likeness of God, how much dignity, scholastically speaking, was founded and justified

through the incarnation of God as Man, in distinction to the Ciceronian-humanistic tradition. However, Kondylis likewise showed how much the philosophically-theologically founded and justified, in terms of egalitarianism, readable dignity of all men as such, was counteracted by and clashed with a completely different concept, by a new concept, which arises under the same word „Würde [= Dignity]“ or “dignitas”: namely, dignity as an estate-based² criterion. “Dignity” was, as a criterion of hierarchical demarcation, from above and top to below and down, or from below to above, to be described in terms of office [[and position of authority]] and domination, which by no means were to be bestowed equally upon all men. Office [[and position of authority]] and dignity could therefore be totally separate concepts, specifically estate-based or Christian universal, although the word „Würde [= Dignity]“ could also mean “office [[and position of authority]]” [[in an estate-based hierarchy]].

Kondylis had worked on a broad spectrum of sources, theological, philosophical, legal [[juridical]], political and social texts, and he summoned them in order to tersely and masterfully filter out the nodal and turning points of the concept’s history. Thus, it was shown by him how and where in the estate-based world the personal dignity of a person and his legal position, which is attributed to this person, converge or drift apart from one another. Both concepts of official [[i.e. pertaining to an office or post of authority]] or of a private classification come into tension. For the rulers at the upper levels, that is, for emperors, pope or princes, a doctrine of a double dignity therefore comes into being. Immortal dignity, which is kept up in the succession to offices [[positions of authority, titles, hereditary privileges etc.]], as Kantorowicz described that in his renowned book “The king’s two bodies”, was further handed down transpersonally [[i.e. from person to person]], whereas earthly dignity was retained for the mortal person. The dignity of the mortal and that of

² “Estate-based” refers to the medieval feudal estates of the principle Western (and Central) European regions and countries in today’s France, Germany, United Kingdom, Italy, etc. [translator’s footnote].

immortality aim therefore at distinct social circumstances. Kondylis carries out this drawing of a clear dividing line with brilliant knowledge of the source texts.

With the New Times increasingly coming on, the moral, referring to the person, and the social-political, referring to rank and position, classifications became increasingly separated. By virtue of this separation, can then the birth-right bearers of dignity [= dignitaries] normatively and situationally be played off against one another. The separation of a personal and an official [[i.e. pertaining to an office or post of authority]] dignity served in relation to that, to criticise birth rights, which in fact a human palmed off pre-personally [[i.e. without consideration of the actual person qua person benefitting]]. With the French Revolution, that process began which fully privatises dignity, comprehending it as the inner asset of individual humans, without it finding an institutional backing in the social constitution of the surrounding society. In the course of this, Kondylis masterfully sketches the differences between the Italian, French and English usages of language and that of German language usage. And after the catastrophe unleashed by the Second World War, together with its great crimes, then in the German language in the fundamental law of the Federal Republic of West Germany, dignity moved up in the first article to that inviolable and sacrosanct good, which the state has to protect unchangingly and unceasingly. The first article reads: “the dignity of man is inviolable. To respect and to protect it is the obligation of all state authority [[force, power and violence]].” Kondylis announces here, as you will suspect, his scepticism critical of the language used by pointing out the varied and contradictory utilisation of the concept dignity in various social and political party camps. I myself am inclined to see in this variety of judgements and word utilisations of “dignity” a criterion of the basic concept, namely, of being irreplaceable. One cannot exchange the concept with other concepts, and precisely because it is irreplaceable, it is contentious, because many want to know that with their

notion of the term on each and every respective occasion, dignity is understood in such a manner as they themselves understand it. In this respect, this criterion of arbitrariness is for me also the criterion for the fact that we are dealing with a basic concept, without which one cannot do, and over which one must squabble. However, Kondylis decided in favour of the perception that exactly because of the going language usage of dignity, it is to be understood as an empty formula, which is a decision pertaining to language politics, which one can honour, without having to share it.

Of similar tensions are the histories of the concept of “reaction” („Reaktion“) and “restoration” („Restauration“). First since and with the French Revolution did reaction and restoration come conjointly into German language usage – as in the French and English cases as well –, and they were pulled into the vortex of the presupposed philosophy of Progress as the criterion of a backwards-looking, retrogressive hampering and checking or resistiveness against any change, alteration or movement. Reactive and reactionary and restorative is someone in the struggle against every single kind of Progress; this sets the leading category under which both our concepts generate their negative association. Of course, this interpretation of reaction and restoration in the everyday polemical language of the 19th century by no means corresponds to each and every respective semantically precisifiable [[i.e. capable of being stated more precisely]] individual position of the speakers. Kondylis understands it, i.e. to masterfully acquire from language usage general criteria without thereupon relinquishing to differentiatedly judge the individual speaker or concrete orator. That is why you must forgive me if I also here again only in a wholesale manner sum up what Kondylis himself never understood as a presupposition, but only as a finding of his analyses.

Therefore, “reaction” before the French Revolution was a learned neologism, which stems from Newton’s natural-scientific language: “action and reaction”

are related to each other. Action and reaction serve, in relation to that, to reciprocally balance each other, to be called an equilibrium in the language of the Enlightenment, without evaluating what is better or worse. Reaction is exactly reactive upon an action and because of that itself is a further action, upon which other reactions follow and so on and so forth. This natural-scientific substratum moulded the Enlightenment concept of “reaction” and will change only since the French Revolution.

“Restoration” was, on the other hand, before the French Revolution a revolutionary concept. In the sense of the word of the old “*revolutio*”, with which Polybius had indicated the cycle of the constitutions [[i.e. polities or systems of government]], “*restauratio*” aimed at the ending of a *revolutio*. Whilst the cycle of the constitutions ran from monarchy via forms of decline to aristocracy and to democracy or the other way around via the forms of decline back to monarchy, every *revolutio* in the language usage until the 18th century contains a *restauratio*: as re-establishment [[i.e. restoration]] of a preceding state of affairs. In this respect, restoration e.g. in English language usage is unambiguously an outcome of the revolution and is to be used in the same sense. Hobbes one said about the English Revolution: “I have seen in this revolution a circular motion.” That was the language usage around 1660, after the English Revolution was over. “Restoration” had as the outcome of the Revolution also a cyclical meaning. This meaning of recurrence [[i.e. return to a previous state of affairs]] would then become completely rejected; the Polybiusian tradition fell into absolute oblivion. The pre-modern sense of a repetitive political structure, which was evoked from *revolutio* as much as from *restauratio*, was lost with the new, unilinear world view of Progress. In French – like in the English language usage of 1660-1688 – it was attempted once again from 1815 to 1830 to restore the pre-revolutionary situation. But “restoration” lost its ability to meet with approval and turned in retrospect after 1830 into a

concept of a concluded period. “Restoration” still described only the epoch from 1815 until 1830, and since then there was no restoration any longer in the previously customary language usage. And with the flaring up of the July Revolution of 1830 it was clear: a restoration is no longer possible. In this respect, Progress gains a progressive [[i.e. pioneering]], dynamic meaning, which removes the concept of restoration from the old, cyclical concept of revolution. If the concepts, reaction or restoration, nevertheless pop up, then it is a matter of only polemical rhetoric from the left camp, which with both these concepts, its own progressivity or capacity for and ability at Progress is assured through the exclusion of the opponent, without the opponent knowingly being able to agree, because no-one of his free will confesses to being a reactionary or a restaurateur [[i.e. proponent of Restoration]]. Polemics, i.e., thereafter boils down to simultaneously depriving those being addressed and targeted the ability to gain approval. That is the rhetorical figure, in which restoration and above all reaction since 1830 are used. And exactly because of that Kondylis did not see both concepts as being in terms of form, empty [[or empty formulae]], because they in their utilisation time and again acquire and renew this polemical function. They continue to live and draw on their polemical thrust. That is the finding of his analyses, which in my opinion are, in terms of language pragmatics, indisputably correct.

It is for me, as I have said, impossible to retrace and re-state the individual steps in the argumentation of both of Kondylis’s masterly conceptual histories. For in regard to that, they are written way too tersely and in a manner way too packed. Because the learned abundance and fullness only from the primary sources cited steers and controls the evidence so accurately and precisely that no limb in the argumentation may be dropped and become unnecessary. Only in the totality of the articles [[i.e. entries]] is their inherent line of reasoning based on proof to be retraced and properly understood. That is, so to speak, the

minimum with which Kondylis has made a maximum in statement possible: the lexical optimum.

With that, in the two apparently small masterpieces, I have named a criterion which distinguishes all of Kondylis's work. Just as in his contributions to the Basic Historical Concepts – a tiny fraction of his total oeuvres – Kondylis always processes an immense sum total in primary texts he has read so that all his books also acquire the character of handbooks. Which reader has not taken delight in the tidily and lucidly consolidated and reviewed informational content of his writings? This criterion of a handbook, which applies to all of his five major works³, should however be called only secondary and nearly coincidental. Because primary and authentic are his intellectual accomplishments, with which it is always worth one's while to grapple. All his profound and comprehensive deliberations have almost universally and throughout the character of an anthropological as well as a historical adducing of proof, which are assigned to one another in various ways. It is not easy reading, but whoever gets involved with Kondylis's works and thought, is richly rewarded. The baselines of his theory, which emerges behind these changing points of access to information and analysis, however are clearly formulated by him, i.e. they have been properly formulated. It is a matter of an anthropologically founded theory of history of all possible human kinds of society. Or, as the subtitle of his posthumous work reads: "basic features of a social ontology".

Allow me to attempt to trace some of these basic features. Already the conceptual histories from Kondylis's pen refer to common positions, which make their mark on his other works too. We have therefore in the conceptual histories in nuce [[= in a nutshell; briefly stated; in the embryonic phase]] an abundance of methodological proficiencies, skill and virtues which distinguish

³ *The coming into being of dialectics* (1979); *The Enlightenment...* (1981); *Conservatism* (1986); *The new-times critique of metaphysics* (1990); *The political and man* (1999). However, rather than, or in addition to, the first text mentioned here, Koselleck might or could have had in mind *Theory of War* (1988) [translator's footnote].

his major works, so that one can already recognise his overall work in the aforesaid conceptual histories. If one wants to say so, they are like a Leibnizian monadology, so that in the individual work the overall work is mirrored; one can perchance formulate it thus. The concepts are analysed by Kondylis always as elements of the language acts of wholly concrete speakers or groups of speakers. The semantics of these speakers of a language follows, according to Kondylis, primarily language pragmatics. Leading [[i.e. directive]] is a historical theory of language activity, in which the learning of the meaning of the words and the sentences remains secondary, measured against the linguistic intentions which the speakers pursue with their language acts. The language acts turn, as it were, into deeds, in one wants to say so, into political deeds, bringing about events or helping to cause events. From that necessarily follows that the language deeds also like every activity are dependent on other language deeds, to which they react, be it friendly-collaboratively, be it inimically and in terms of exclusion. According to Kondylis, there is no concept without a counter-concept. And no concept is even imaginable or sayable, without implicitly thinking of a counter-concept together with the concept, even if the counter-concept is not expressed. That is his position pertaining to language theory. The political is, in other words, already entangled, embedded and integrated in all human language behaviour⁴. The political can, into the bargain, mean both human self-organisation in the history of the reception of Aristotelian thought, as well as the delimitation and exclusion of polemical, party [[i.e. partisan]] and exactly in this respect, political determinations of a position.

This duality of the concept of politics, that it can mean both social self-organisation as well as the process of how one through party-political decisions separates or even ascribes camps from or to one another, both these meanings

⁴ Personally, I would not have said “all” since the social is both potentially and not infrequently in practice larger than the political as highlighted in *Das Politische und der Mensch (The Political and Man)*, though the social and the political can be and are used interchangeably in the Aristotelian tradition [translator’s footnote].

are, in Kondylis's words, contained in all political language deeds. That is his anthropological presupposition. Up to friendship and enmity, concepts become [[what they are]] in their utilisation and are stamped through such usage. From this position, a further position follows, which Kondylis made strongly felt and crystal clear in his conceptual histories. This further position reads that no concept is moulded for its own sake. Because of that, according to Kondylis, no text can be taken at face value as a self-statement [[i.e. self-referential statement]]. The nominal value of a self-referential statement is always scrutinised by him in respect of the political function which the statements contain. That is a one-sided reduction, which Kondylis adheres to, and which one is first of all supposed to accept as his fundamental theoretical decision before one judges, reviews or criticises it. I shall talk about that towards the end. So the nominal value is not for him that which one may read instantaneously from the text, but he questions from the outset what is the function of this text with regard to political self-organisation, with regard to political enmity or friendship, in order to become capable of acting [[action]] [[i.e. in order to be (potentially) used by people in various kinds of social-political interaction]]. Therefore, not only is it that every concept is context-bound – which in fact is banal – but all language deeds are, up to the edifices of ideas [[i.e. ideational structures or constructions]] or great systems, ineluctable bearers of a political and social function⁵. Because of that, one must with Kondylis methodically [[methodologically]] isolate the political and social functions, gather them from the texts in order to be able to analyse them. That is a procedure which presupposes the determination of [[the]] function [[of the text]] as the task of every textual reading. With that, a decided departure from the pure history of ideas is marked, but likewise moves its language history into general social and political history. That is to say, if language only exercises functions, the bearer

⁵ I would have said “a political and or social function”. Cf. footnote 4 above [translator's footnote].

of these functions themselves must be named; and it always stems from social and political history, which Kondylis thinks through as the implicit presupposition of his language theory.

With that, I come to the second part and to the conclusion, in order to present to you some problems arising from all that, in the hope that we can have a discussion and argue about them. The first step, which Kondylis takes, is that of him himself not at all taking particularly seriously the history of a concept, which he had commanded masterfully – which I have indeed already presented –. The history of the concept was for him, so to speak, methodological tools of the trade. His objectively called-for primary position is an onomasiological, and not a semasiological position. And the onomasiological position is directed by him against the history of the concept. The question standing behind this position is very easy to formulate: are there in general facts and circumstances in history, in politics, in theology, in the praxis of social relations, are there at all any facts and circumstances which are already pre-existent before the word, which serves in relation to that, to describe these facts of the case and circumstances in question? Are there any facts and circumstances which are in existence before the concept which names these facts and circumstances? The concept of the state e.g. crops up, as we know, first in the 16th century, it gains an abundance of associations in the course of the 17th and 18th century, it becomes independent and autonomous as a political-theoretical concept first in the course of the New Times – in England and in France earlier than in Germany, in Italy earlier than in France, in England and France more or less in parallel, but in Germany always about one hundred years later. But if one asks whether there was a state as the final authority of political decisions and of their bearers of political action before the concept state existed at all, then Kondylis would have said, yes, the state existed also before the concept “state” appeared in linguistic reality. And he pointed out with tremendous knowledge of the

sources all the phenomena which apply and attach to the territorial state, to the so-called feudal state, to estate-based society, in order to later then lead to the fact that eventually a state emerged from all those phenomena. In the course of this, his argumentation is that the onomasiology, the various appellations of facts and circumstances become more important than that expression which semasiologically brings the state to its final concept [[i.e. that expression which is the final form of expression of the reality of the state as the concept “state”]]. That is his procedure and method. And this procedure, you can naturally apply to political units [[unities or entities]] of acting [[action]].

Did the “koinonia politike” [[= «κοινωνία ἡ πολιτικὴ» = “political society”]] exist before the polis [[= Ancient Greek city-state]] or not? This question would have to be directed to Aristotle. Or is there the koinonia politike [[= “political society”]] only with the polis [[= city-state]]? Or for starters we ask: was the egg laid by Athena beforehand, or did it come into being first in Athens itself? Please allow me the metaphor. Or the national economy: did the national economy exist before the oikos [[= οἶκος = familial house, property incl. (extended) family members, servants, slaves, et al.]] was theoretically expanded to an entire nation? The oikos doctrine deals with, as is known, the household, and concerns, inside the polis, the family, the community of action called “familia”, but there is oikonomia [[= economy of the oikos]] as economic theory for the entire state first and only since the 18th century. Kondylis would say, no, there is also a national economy in antiquity, one had only not called it so. One must look it up only under various names, under various designations. – Here it should be conceded that both paths are methodologically possible, and in terms of theory, both paths are permitted. And I would be the last person not to agree that the onomasiological history of the naming of various, different phenomena is just as important as the history of the concept of a phenomenon which is attached to only on one word. They are the fundamental alternatives

with which one can carry out various strategies in respect of political research [[i.e. in respect of political-social phenomena]].

Now, how does Kondylis escape from the dilemma that a set of facts and circumstances is already existent even without its own concept? This dilemma, he himself created, if one wants to say so, and he himself escapes from, by using, without having to say it, Max Weber's ideal type. He devises the ideal type of a possible state, the ideal type of a possible society, which he calls "societas civilis", as the translation of the "koinonia politike" [= "political society"], which in fact is transposed⁶ successively via the "res publica" into the "societas civilis" of the Ciceronian tradition as the translation from the Greek into medieval scholasticism. The concept of the bürgerlichen society – said in German⁷ – was in that case as a concept something which meant an estate-based-hierarchical society until the French Revolution. Kondylis idealises this finding of societas civilis typologically, so that he may say that it existed in actual fact since the early Middle Ages until the French Revolution. And with that he is not wrong, because there is indeed an abundance of common criteria, which from the Middle Ages, let us say from the early 12th until the late 18th centuries survive, persevere and are repeated. They are: society is hierarchically ordered, office [[i.e. position of authority]] and dignity – in order to come back to the concepts, officium and dignitas, more or less converge, personal dignity and the officially held dignity of the office as position of authority determine each other. – And one can say that the law [[and justice]] are generally pre-given [[i.e. pre-existing, already made]], law and justice become only discovered and discerned, they are uncovered and not invented. – And there is always talk of a two-world-doctrine, whose norms reach and extend from the From There (i.e. That World or Life) into the From Here (i.e. This World or

⁶ The literal translation reads: "is migrated" [translator's footnote].

⁷ Rather than „bürgerliche“ meaning “commoner's, civil, civic, civilian, bourgeois, middle-class” as is the normal understanding of the term in the Western world, Koselleck is referring to the historical German usage of “estate-based or feudal” society [translator's footnote].

Life), a theological argument which makes the normative evaluation of a society through a, if you so want, Platonic teaching of Ideas, foundable and justifiable. – And speaking empirically, it is a society which the nobility as aristocracy leads and commands. And the nobility remains the leading, commanding class and force, as long as *societas civilis* survives in this estate-based definition.

The counter-position ideal-typically leads, naturally, to the dissolution of this *societas civilis*. And this [[ideal type of the society succeeding *societas civilis*]] can be sketched quickly: the civil [[bourgeois]] society of the modern state, which no longer is identical with an estate-based-hierarchical society, lives in respect of the legal equality of everyone, at least ideally. Legal equality for citizens is the minimal prerequisite of a modern state-based society. Whether it is called, in terms of form, liberal, or, in terms of content, social, is a secondary issue⁸; however, legal equality, be it legal [[juridical]], be it social, is a modern challenge, which did not even emerge in the old *societas civilis*, because it was hierarchically scaled, layered and tiered from the beginning. Law [[and justice]] are in modern society planned, set [[positive, instituted]], enacted, created [[made]]. Now one knows as a historian that the law [[justice]] had been set and brought about [[i.e. made, enacted, instituted]] in the Middle Ages too. But how far does this objection go against Kondylis und his ideal-typical opposition: law [[and justice]] as [[man-]]made [[positive]] law [[and justice]] versus law [[and justice]] as pre-given [[i.e. pre-existing]] law [[and justice]]? It is naturally clear to Kondylis that already in the Middle Ages set [[positive]] law [[and justice]] was in existence; the German expression „Willkür“ [= arbitrariness, capriciousness, despotism]] aimed at that time at a man-made, positive law, e.g. positive law made by the ruler’s act of will. That exists, therefore, also in the

⁸ Koselleck is acknowledging the reality that most or at least many scholars call a society “liberal” because of universal formal legal equality, and that Kondylis’s approach of, based on general social-political criteria, distinguishing between “*societas civilis*”, “bourgeois liberal society”, and (Western) “mass democracy”, remains the approach of a tiny minority of observers of human affairs [translator’s footnote].

High Middle Ages⁹. Now Kondylis would retort against this objection, which historiographically is easy to formulate, that a set, positive law [[and justice]] in the Middle Ages, that is, brought about, man-made law [[and justice]] had always still been grasped ideal-typically as pre-given [[pre-existing]] law [[and justice]]. In this respect, the objection, that the legal history of the setting of the law [[and justice]] [[i.e. legislating]] begins first with the French Revolution or with absolutism, is offset and weakened, because an ideal-typically pre-given [[pre-existing]] cosmological legal order(ing) or system perpetually permits a scaling, layering, tiering of the law [[and justice]], inside of which one could also set, make or create law.

Kondylis finds a further criterion against all metaphysical codifying in favour of their [[concepts']] functional utilisations in the convergence of the From Here (i.e. This World or Life) and the From There (i.e. That World or Life). In the entire critique of metaphysics¹⁰, it is proven by him that the convergence of the From Here (i.e. This World or Life) and the From There (i.e. That World or Life) in anthropology, in social doctrine and theory, and in the philosophy of history since the French Revolution, was presupposed. As in the natural sciences, the teaching of two worlds no longer had any theoretical stringency [[persuasion and application]] for modern discourse on human self-organisation. All dualistic teachings [[theories, doctrines]] must therefore be interpreted functionally. In this reduction lies a consistent sobering-up [[disillusionment]], which Kondylis brings to its concept[[utalisation]] as “descriptive decisionism”. In relation to that, we should say quite a bit, because it is a self-willed, unconventional, elaborate and skilful concept. Descriptive decisionism abstains from every rating and evaluation, and with that, does not mean a single decision [[Entscheidung]] in the sense of the decision [[Dezision]] as Carl Schmitt

⁹ C. 1000 to 1250 A.D. [translator's footnote].

¹⁰ See esp. *The new-times critique of metaphysics* (*Die neuzeitliche Metaphysikkritik* (1990) = *Η κριτική της μεταφυσικής στη νεότερη σκέψη* [Greek text Parts I – III by Kondylis] (1983) [Part IV; 2012 Greek text not by Kondylis] [translator's footnote].

understood it, that namely the sovereign can be free to judge how society is to be organised. But Kondylis means that everything that is acted upon in general politically, structurally always contains a decision, so that the counter-position must always be already thought through, even if it is not properly formulated. Describing [[Descriptive]] decisionism is not a decisionism of action, which empirically requires from day to day a decision. Rather, it refers to a decision taken in advance: how they [[i.e. people]] have decided historically beforehand about which fundamental organisation [[to have]], in order for a constitution to be enacted at all. And every constitution then by definition excludes all non-partners of [[i.e. non-parties to]] this constitution. That is the anti-universalistic point, which Kondylis always makes very strongly, without he himself identifying with it. His main argument aims at the clear description of that which is the case, without having to, with others, decide politically or even decisionistically for the one or the other [[side and its political decision]].

The teaching of the descriptive decision offers a fundamental anthropological category. It demonstrates how all political organisations are based on determinable options or choices. In a certain way, this is derived from Carl Schmitt's constitutional teaching and theory, and has an advantage which I would like to make clear argumentatively: it is a matter of a form-related [[formal]] determination and definition. One cannot stress strongly enough that Kondylis operates with a formal definition when he says that antithetical thought, which always again encloses and keeps out, produces inclusion and exclusion, as political thought is absolutely open to every content-related filling. Whoever e.g. sets up a model of a liberal constitution, excludes that social equality is meant with that. A liberal constitution aims at an equality before the law [[and in respect of justice]], allowing equal chances [[opportunities]] before a court, but does not demand an identification of everyone with the property and assets of everyone. It does not, therefore, permit or approve any communistic

solution. The opposition implicit in a liberal constitution is based at least on equality before the law and equality of opportunity, which prohibits social equality, because such social equality would have to put aside the minimal distinction between rich and poor in favour of an eo ipso illiberal mass democracy.

Therein lies a critique of the present-day situation, in which on all sides there is liberal argumentation, although the social state of affairs of the constitution and polity tends towards mass democracy. Behind that seemingly stands an impulse in regard to cultural critique. However, the advantage of Kondylis's arguments consists in that he says that the opposition which one sets: "liberal" versus "democratic", is a formal opposition. No-one is obliged to demand that he may be only liberal or only democratic. Kondylis says this is a matter of practical politics. For himself he says that he only describes the form-related [[formal]] structures as to how decisions come about, and he completely abstains from his own partisanship or the forming of a judgement. It is a philosophical gesture, almost mystical abstinence, in order to salvage value freedom as an analytical programme from the usual polemics of political everyday speech and language. That is categorically possible only if form-related [[formal]] categories were offered, which are, in terms of content, filled miscellaneously. And I personally am inclined in relation to that – if I may say it – to think in similar categories, and I would like to express my sympathy. Of course, it must be added that such formal categories in accordance with the Kondylisian anthropology are indeed necessary categories of every political action, but do not suffice. Concrete, actual decisions cannot by definition ever be derived from formal categories. That is the aporia which Kondylis has left behind for us and which remains difficult to solve, especially since we cannot get to know both of his two final volumes anymore¹¹. We cannot know how he

¹¹ Koselleck is referring to *The Political and Man (Das Politische und der Mensch)* [translator's footnote].

would have later grappled with this opposition of a formally compellingly necessary, but, in terms of content, never sufficient determination or definition of the political¹².

With that, I come to the end. Here lies the problem, which remains assigned to us to think through further. I could summon up various problems for that purpose; but I shall not do that now for the benefit of debate, but to finish off I shall call Kondylis as a person to mind once again. He always argued hard, argued proudly, argued one-sidedly, incorruptibly, unerringly, analytically and provocatively. He himself was hard, proud, one-sided, incorruptible, unerring, analytical and provocative. In this way, someone can – in my judgement – live scientifically, because whoever displays such qualities can have it out with him. One can and must argue hard, analytically, incorruptibly and unerringly over the positions which he unambiguously and unequivocally formulated.

And one may add that his sovereign handling of causal or normative determinations or definitions in political philosophy exposes a lasting opposition: social-historical and legal[[juridical]]-moral justifications cannot be put down or reduced to one another. And if one has once taken notice that for political or moral arguments as well as for arguments pertaining to social-historical, international or constitutional law, a *causa* can be used – that however for the purposes of justification many *causae* can just as well be used – but never all *causae*: then one learns to be intellectually modest. It is impossible to specify and itemise all causalities which are conceivable or possible. But the alternative, whether I shall refer to one *causa* or to several, is ultimately a free decision, which does not contribute anything to the quality of the arguments. Because that there are also other *causae*, we know that anyway. And it is a great advantage to be unambiguous and clear so that ambiguity and multiple

¹² It seems to me that things would have been basically left as they are – a social ontology, because of its epistemological founding, if it wants to be true to itself, is incapable of going into sociological-historical matters pertaining to content [translator's footnote].

meanings are lured out in discussion. For that reason, please join me. As Kondylis said after all: “there is ... no final, definitive solution and no happiness or luck not in danger.”