The following text is a proofread computer-translation of my commentary to Hans Kelsen's critique of Eric Voegelin's New Science of Politics that was originally published in German as the "Nachwort" to my edition of this text. I have carefully read the translation and revised all passages where I felt the computer-translation was wrong or did non adequately capture the intended meaning of my German text.

The bibliographical data of the original publication can be found here:
https://eckhartarnold.de/DE/philosophy.html#Kelsen_A_New_Science_of_Politics

The internet link to this text is:
https://eckhartarnold.de/papers/kelsen/Nachwort_en.pdf

As this text is now twenty years old, I have added at the end of this English translation a few corrigenda (see below, following the bibliography).

Eckhart Arnold, 4th of July 2024

Epilogue: Voegelin's "New Science" in the light of Kelsen's critique

from Eckhart Arnold

Introduction

There are books in the history of science that owe their extraordinary success less to the originality of their approach, the depth of their thought or the significance of their statements than to the fact that they strike a chord with the zeitgeist by giving expression to fears or resentments that are, as it were, in the air, but have not yet been clearly expressed. One such work is Eric Voegelin's "New Science of Politics", first published in 1952.[1] This work claims to provide an explanation for the great evil of its time, totalitarianism, and at the same time wants to point the way out of this misery. However, the explanation for totalitarianism that the "New Science of Politics" then offers is extremely simple and amounts to the

[1] Eric Voegelin: The New Science of Politics. An Introduction, Chicago/London 1987 (first published: Chicago 1952). German edition: Eric Voegelin: Die Neue Wissenschaft der Politik. An Introduction, Munich 1959.

scientific rationalization of an idea that was very popular in the 1950s: totalitarianism is a consequence of the loss of Christian-religious ties and values in modern times.[2] According to Voegelin, the loss of orderly religious ties does not, as one might think, lead to the slow withering away of religion in modern times, but on the contrary to the uncontrolled proliferation of particularly excessive forms of religiosity, which Voegelin summarizes as modern “Gnosis”. Voegelin saw totalitarian ideologies as merely the most extreme expression of the reawakened “Gnosis”. Voegelin attempts to elevate this basically very naïve explanation to the rank of scholarship with a great deal of technical terminology and complicated explanations, so that the reader, to whom this popular idea seems plausible, can gain the impression of having been confirmed in his religious resentment from the highest vantage point of scholarship. This is probably the main reason for the fashionable success that Voegelin's book enjoyed in the USA in the 1950s – and to a lesser extent in Germany in the early 1960s -[3] and for the interest that Voegelin's work still arouses among some readers today.

It is a completely different question whether such a work can stand up to careful scrutiny. Even at the time of its publication, Voegelin's “New Science of Politics” was extremely controversial in this respect. While supporters admired Voegelin as an “analyst of civilization” with almost prophetic gifts[4] and saw in the New Science of Politics “the kind of book that may well constitute a landmark in political theory”[5] and an “essential contribution to the fundamental problems of politics and to the intellectual-historical localization of the present”[6] , critics, on the other hand, found Voegelin's book completely unacceptable as a scientific

[2] Cf. Hermann Lübbe: Secularization. Geschichte eines ideenpolitischen Begriffs, Munich 1965, p. 108ff.

[3] The abundance of reviews of the book in both countries bears witness to this. An extensive collection of German and English-language reviews can be found in the Eric Voegelin Archive in Munich.

[4] F.R. Buckley: The Dreamers, Review of The New Science of Politics by Eric Voegelin, in: The Freeman, Vol. 5, No. 14 (August 1955), pp. 621-622 (p. 621).

[5] Review by John H. Hallowell, in: Lousiana Law Review - Vol. XIII No. 3 (March 1953), pp. 525-530 (p. 525).

work: “The almost complete lack of systematic evidence to support the argument of the book would alone remove it from the field of science.”[7] One reviewer even considers it “as very dangerous in trend – indeed as being as reactionary as anything I have noted in America in my memory”.[8] Voegelin is almost universally reprimanded - even in many favorable reviews - for his confused style and unclear language: “...it is written in an extrodinarily awkward, polysyllabic language only distantly related to the one normally used in written discourse in English-speaking countries”.[9]

Kelsen's replica

The scientific significance of Kelsen's replica

Despite the abundance of reviews, there has not yet been a single response to Voegelin's “New Science of Politics” that has dealt with Voegelin's arguments in detail. For the most part, Voegelin's critics did not regard him as a serious scholar and therefore ignored his work. In the small circle of his followers and supporters, on the other hand, Voegelin seems to enjoy a status of unassailability that prohibits any critical examination of his work from the outset.[10] Hans

[6] Review by Joachim Ranke, in: Zeitschrift für Staatswissenschaft 111/1, pp. 173-179 (p. 179).

[7] Review by William Anderson, in: The Journal of Politics, Official Organ of The Southern Political Science Association, Vol. 15, No. 4, pp. 563-568 (p. 563).

[8] Review by George Catlin, in: Political Studies, Vol. 11, No. 2 (June 1954), pp. 174-175 (p. 175).

[9] Robert A. Dahl: The Science of Politics: New and Old (Review of David Easton: The Political System: An inquiry into the State of Political Science, New York 1953 and Eric Voegelin: The New Science of Politics: An Introductory Essay, Chicago 1952), in: World Politics, Vol. 7, No. 3 (April 1955), pp. 480-489 (p. 484). - Cf. also William Anderson, op. cit. p. 568.

[10] This can be seen in the aggressive polemics to which even a moderate and well-meaning criticism of Voegelin is exposed. Cf. Thomas J. Farrell: The Key Question. A critique of professor Eugene Webb's recently published review essay on Michael Franz's work entitled ‘Eric Voegelin and the Politics of Spiritual Revolt: The Roots of Modern Ideology’, in: Voegelin Research News, Volume III, No.2, April 1997, at:

Kelsen's extensive replica “A New Science of Politics” now fills the resulting gap. Kelsen's reply is without doubt the most thorough and in-depth examination of Voegelin's "New Science of Politics" to date. But not only that. It is both a very careful analysis and a comprehensive commentary on Voegelin's "New Science of Politics", because Kelsen does not limit himself to reviewing Voegelin's argumentation, but also takes the trouble to trace Voegelin's numerous references to intellectual history. This is important not least because many of the sources to which Voegelin refers are not always familiar even to specialists, such as, for example, the writings of Paulus Diaconus.

The biographical and historical context

However, before discussing the substantive aspects of Kelsen's Voegelin critique, a few words should first be said about the historical background and the circumstances surrounding the creation of Kelsen's Voegelin critique. This is because Kelsen's replica is not only relevant as an academic examination of the “New Science of Politics”. It is also of biographical interest, as Hans Kelsen and Eric Voegelin were personally acquainted. Voegelin had studied under Hans

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http://vax2.concordia.ca/ vorenews/v-rnIII2.html - Maben W. Poirier: VOEGELIN- - A Voice of the Cold War Era ...? A COMMENT on a Eugene Webb review, in: Voegelin Research News, Volume III, No.5, October 1997, at: http://vax2.concordia.ca/~vorenews/V-RNIII5.HTML . - Even the Voegelin debate, which recently took place in the “Zeitschrift für Politik”, does not change the finding that a critical discussion of Voegelin's work has hardly existed to date. The contributions that have appeared there are limited either to predominantly paraphrasing accounts (cf. Robert Chr. van Ooyen: Totalitarismustheorie gegen Kelsen und Schmitt: Eric Voegelin's “political religions” as a critique of legal positivism and political theology, in: Zeitschrift für Politik, 2002, pp. 56ff.) or to studies on the genesis of Voegelin's thoughts (cf. Barry Cooper: Constituent elements in the genesis of Voegelin's political science, in: Zeitschrift für Politik, 2001, p. 243ff. - cf. Tilo Schabert: Die Werkstatt Eric Voegelins, in: Zeitschrift für Politik, 2002, p. 83ff.) or lack any tangible argumentative substance from the outset (cf. Arno Baruzzi: Kritik der Moderne nach Voegelin und Heidegger. Thesen und Fragen, in: Zeitschrift für Politik, 2001, p. 257ff.). The series of “Occasional Papers” published by the Eric Voegelin Archive in Munich has so far also been largely concerned with reviewing and publicizing Voegelin's work, although there are some welcome exceptions (e.g. Hermann Lübbe: Zustimmungsfähige Modernität. Gründe einer marginal verbliebenen Rezeption Eric Voegelins, Munich 2003).

Kelsen and received his doctorate from him in 1922. And although Hans Kelsen and Eric Voegelin belonged to academic, ideological and – with some reservations – political camps that could not have been more different, what they both had in common was that they had to flee from National Socialism into exile in America.

Hans Kelsen lost his professorship in Cologne in 1933 due to the so-called “Law for the Restoration of the Professional Civil Service”, which served to remove Jews from public office. After continuing to teach first in Geneva and then in Prague, he was forced to emigrate to the USA in 1940. There he first taught at Harvard Law School and from 1945 at Berkely.[11]

Eric Voegelin did not fare much better: after the “Anschluss” of Austria to the Nazi Reich, he was wanted by the Gestapo, but was able to flee to Switzerland with his wife Elisabeth by the skin of his teeth. Shortly afterwards, he also emigrated to the USA, where he taught at Louisiana State University in Baton Rogue until his return to Germany.[12] The critical confrontation with National Socialism is reflected in the thinking of both in very different ways, based on a likewise very contrasting understanding of science.

As a positivist, Hans Kelsen adhered to the goal of a strictly rational science that was committed to the ideals of value freedom and purity of method and kept strictly within the limits of what is accessible to human reason. Kelsen never concealed his agnostic attitude, which is also clearly evident in his reply to Voegelin, although he always advocated the careful separation of science and worldview.

In the political sphere, Kelsen took a liberal-democratic position. As is well known, he was one of the architects of Austria's democratic constitution of 1920, and he was still a staunch defender of democracy when the turn towards the authoritarian Dollfuss regime was already looming.[13] In line with his basic

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[11] Cf. Achim Bischof: On the biography of Hans Kelsen, at: www.hans-kelsen.de, pp. 11-16.

[12] For a biography of Eric Voegelin, see Michael Henkel: Eric Voegelin zur Einführung, Hamburg 1998, pp. 13-35.

[13] Cf. Hans Kelsen: Vom Wesen und Wert der Demokratie, 2nd reprint of the 2nd edition (Tübingen 1929), Aalen, Scientia-Verlag 1981.

liberal-democratic convictions, Kelsen's conception of the state was also very sober: For Kelsen, the state is merely an organization, defined by certain legal norms, with other tasks but not different in nature from other organizations. Above all, the state is not an expression of any supposed essential substance of the state beyond the legal order[14], such as the homogeneity of the body of the people or a historical telos or – which would go in the direction of Voegelin's political thinking – an inner spiritual connection between the citizens of the state.[15]

Eric Voegelin, on the other hand, was quite different: to a certain extent, Voegelin can be counted among the generation of young right-wing intellectual academics who paid homage to an irrationalism inspired by the philosophy of life that was spreading in the 1920s and 1930s.[16] The members of this movement outright rejected the values and worldview of science. It was no longer or no longer only the better arguments that should count, but also and above all the depth of insight and feeling, the emphasis of emotion.[17] Voegelin was never able to completely free himself from this early influence. The accusation of ideological misconception always remained the most decisive point of criticism that Voegelin later made against scientific theories that he rejected. The irrationalist core of Voegelin's view of science is particularly evident in Voegelin's conviction that

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[14] Cf. Hans Kelsen: Allgemeine Staatslehere, Springer Verlag, Berlin 1925, p. 16ff.

[15] Cf. Hans Kelsen: Reine Rechtslehre, Vienna 1992 (reprint of the second edition of 1960), pp. 290-291.

[16] As an example of how much Voegelin was committed to the jargon typical of the time, here is a sample from an early speech on Max Weber: "At the low point of the disruption to which language had also fallen, the gradual regaining of the educational heritage in philosophy and history began and the creator of the new language emerged in Stefan George. The miracle of repeated renewal is much talked about, and the best believe in the eternal youth of our people as its distinguishing happiness above other peoples..." (Eric Voegelin: Die Größe Max Webers (ed. by Peter J. Opitz), Munich, FinkVerlag, 1995, p. 32.) - Cf. also the objections expressed by Leopold von Wiese to this and similar phrases in a letter to Voegelin, ibid., p. 49.

[17] Cf. Kurt Sontheimer: Antidemokratisches Denken in der Weimarer Republik, dtv Wissenschaft, Munich 1983, p. 54ff.

political science in the sense of a comprehensive, normatively understood science of order is not possible without reference to human experiences of transcendence. Voegelin believed that there is a transcendent sphere of being that we humans cannot perceive with our senses, but which we can experience mystically in our inner feelings. Such a belief can be found in various forms in most religions. However, Voegelin refused to regard the recognition of transcendent being as a question of faith. Rather, he treats the existence of transcendent being as a scientific truth, and those who do not believe it consequently have no say either in science or in the shaping of the political order.[18]

His political standpoint is more complicated than Voegelin's understanding of science. In the 1930s, Voegelin was in favor of Austrian clerical fascism, as expressed in the Dollfuß-Schuschnigg regime. The fact that his approval of the authoritarian state stemmed from genuine convictions and not, as Voegelin later explained in his autobiography, from pragmatic insights,[19] is very clearly shown in his work "The Authoritarian State", in which the frontal position against Hans Kelsen's liberal state thinking is much more pronounced than that against National Socialist legal scholars such as E. R. Huber and Carl Schmitt.[20] After Voegelin had to flee to America, however, he seems to have gradually made friends with the democratic form of government, even if he also attributed a historical-metaphysical justification to American democracy,[21] which is a far cry

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[18] Cf. Eric Voegelin: Die geistige und politische Zukunft der westlichen Welt (Lecture of June 9, 1959), Munich 1996, p. 33f.

[19] Cf. EricVoegelin: Autobiographical Reflections (ed. by Ellis Sandoz), Louisiana State University Press, Baton Rouge and London 1996, p. 41.

[20] Cf. Eric Voegelin: The Authoritarian State. Ein Versuch über das österreichische Staatsproblem, Springer, Vienna / NewYork 1997 (first published in 1936), pp. 10-14, pp. 24-34, pp. 102ff. - Both E.R. Huber and Carl Schmitt had fully embraced the National Socialist point of view at the time when Voegelin wrote the “authoritarian state”.

[21] Cf. Eric Voegelin: Anamnesis. Zur Theorie der Geschichte und Politik, Munich 1966, p. 353f. - For a critique of this reasoning, which is based on a very peculiar interpretation of the "Common Sense Philosophy" of the Scottish philosopher Thomas Reid, which in reality is not relevant to American constitutional history, see Eckhart Arnold: Die

from the usual theory of liberal-democratic democracy as set out in the “Federalist Papers”, for example.

Answering the question of Voegelin's attitude towards democracy is made more difficult not least by the fact that Voegelin attached at most a very subordinate importance to the problem of the best form of government. For Voegelin, the constitution and the political institutions that a state has at its disposal are less important than the religious and ideological foundations on which the political order is based. Very much in contrast to his supposed role models Plato and Aristotle, who discussed the question of the best form of government in great detail, Voegelin's interest is almost exclusively focused on the transcendental experiences on which a political order or a political theory is (supposedly) based. If a political order is based on genuine and unadulterated experiences of transcendence, then the political order is good, otherwise it is bad. Unfortunately, the best that can be said about the standards by which Voegelin judges the authenticity of transcendental experiences is that they are highly subjective. Despite a thoroughly authoritarian streak associated with these convictions in Voegelin, Voegelin's dismissive attitude towards the theory of democracy can therefore often be attributed more to the resentment flowing from his irrationalist view of science than to his political convictions.[22]

The genesis of Kelsen's replica

Due to the lack of a date on the manuscript, it is only possible to roughly determine when exactly Hans Kelsen's replica was written. Since Hans Kelsen

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Bewusstseinsphilosophie Eric Voegelins (als Grundlage politischer Ordnung), Magisterarbeit Universität Bonn 2000, p. 118f., on the Internet at: http://www.eckhartarnold.de/papers/voegelin/node40.html .

[22] For example, when Voegelin polemicizes against Aristotle's explanations of the advantages of the democratic form of government in the Aristotle volume of "Order and History" (Cf. Eric Voegelin: Ordnung und Geschichte. Volume 7: Aristotle, Fink Verlag, Munich 2001 (first Baton Rogue 1957), p. 93), his dislike is probably primarily directed at the thoroughly rational and pragmatic style of argumentation in Book III of Aristotle's “Politics” and not so much at the supposed justification of democracy, which Aristotle, who was by no means a democrat, could not have been very interested in, anyway.

wrote to Eric Voegelin in a letter dated February 27, 1954[23] that he had devoted many weeks to studying Voegelin's book (which does not seem excessive given the level of detail in Kelsen's replica), the manuscript must have been written in early 1954 at the latest, i.e. not too long after the publication of Voegelin's "New Science of Politics" in 1952.

The question of why Hans Kelsen did not publish his replica seems more important than the time of its creation. This fact is all the more surprising as the manuscript was apparently close to completion: in terms of content, it appears to be largely complete and, having been thoroughly revised at least once, it contains hardly any errors of omission. The main reason for the non-publication of the manuscript is probably that Hans Kelsen, shortly after sending the manuscript to Voegelin, made plans for a more comprehensive discussion of neometaphysical doctrines, in the context of which his criticism of Voegelin would have been incorporated. But even this work, which Kelsen had worked on for several years and which should have appeared under the title “Religion without God”, ultimately remained unpublished. In his biography of Kelsen, R.A. Métall states that the reason for the non-publication of this work was that Hans Kelsen later came to the conclusion that he had based his work on too narrow a concept of religion, which only encompassed religions based on belief in God (or in several gods), which meant that secular religious movements were not included.[24] This overly narrow concept of religion and the resulting oversimplified opposition of religious-metaphysical worldview on the one hand and rational philosophy on the other is also evident in Kelsen's Voegelin review. However, the argumentation of Kelsen's Voegelin review remains unaffected in all essential points.

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[23] The (brief) correspondence that took place between Eric Voegelin and Hans Kelsen at this time, to which reference is made here and below, is held at the Hans Kelsen Institute in Vienna. A copy can also be found in the Eric Voegelin Archive in Munich.

[24] Cf. Rudolf Aladár Métall: Hans Kelsen. Leben und Werk, Vienna 1969, p. 91 - Cf. also the foreword by Günther Winkler in: Eric Voegelin: Der autoritäre Staat, op. cit. p. XXV. (pp. V-XXXII.). Winkler's version, which is presumably based on Voegelin's autobiography and according to which Hans Kelsen would have left his work unpublished because he would have realized that, as a positivist, he could not have a say on humanities topics, is, apart from the obvious resentment that speaks from it, also implausible because Hans Kelsen also often published on philosophical and humanities topics later on.

Unfortunately, the correspondence between Kelsen and Voegelin breaks off before Voegelin has read Kelsen's manuscript, so that a reply by Voegelin, which Kelsen wanted to give him the opportunity to make before the manuscript was published, is no longer available.

In the “Autobiographical Reflections” edited by Ellis Sandoz, Voegelin later attributed the fact that Kelsen did not publish the manuscript to the fact that he had initially warned him cautiously in a letter and then more clearly via mutual acquaintances that Kelsen's ignorance of classical philosophy would expose himself rather than Voegelin to ridicule if he published it.[25] It is not possible to say for certain whether Voegelin's “letter of warning” alludes to his criticism of Kelsen's treatise “What is Justice?” in a letter to Hans Kelsen dated March 7, 1954. It seems rather unlikely, however, that Kelsen left his reply unpublished for fear of embarrassment, especially since the interpretation of the sources of intellectual history in Kelsen's reply is always more credible and solid than in Voegelin's “New Science of Politics”.

In the case of two academics who once had a teacher-student relationship but later belonged to different academic camps, the question also arises as to the motivation behind their mutual criticism. By reminding Kelsen in a letter[26] that the best students are those who later go their own way, Voegelin suggests that the irritation expressed by Kelsen about the “new science of politics” could be related to the fact that Kelsen may not want to allow his former student to go his own way in science. In addition, Voegelin had subjected Hans Kelsen's “Reine Rechtslehre” to rather harsh criticism in his book on the “Authoritarian State”[27]

[25] Cf. Eric Voegelin: Autobiographical Reflections (ed. by Ellis Sandoz), Louisiana State University Press, Baton Rouge and London 1996, p. 53.

[26] Letter from Voegelin to Kelsen dated February 10, 1954. The letter is in the Hans Kelsen Institute in Vienna.

[27] Cf. Eric Voegelin: The Authoritarian State. Ein Versuch über das österreichische Staatsproblem, Springer, Vienna / New York 1997 (first published in 1936), pp. 102-149 - For Voegelin's criticism of Kelsen's Pure Theory of Law, see Dietmar Herz: Das Ideal einer objektiven Wissenschaft von Recht und Staat. Zu Eric Voegelins Kritik an Hans Kelsen, 2nd ed., Munich 2002. On the same topic also: Robert Chr. van Ooyen: Der Staat der Moderne. Hans Kelsen's theory of pluralism, Duncker & Humblot, Berlin 2003,

(after he had defended Kelsen's theory of law against misunderstandings in earlier writings).[28]

So is Hans Kelsen's reply to Voegelin's “New Science of Politics” ultimately just a tit-for-tat response, the result of a strict teacher's annoyance at his unruly pupil? Fortunately, there is a very simple means, accessible to every reader of Kelsen's reply, to find out whether Kelsen's writing is motivated more by personal resentment or primarily factual-scientific: it is sufficient to pay attention to whether Kelsen's objections to Voegelin's writing contain serious arguments or whether this is not the case. If Kelsen's writing contains predominantly serious arguments, which a later reader who does not share Kelsen's possible personal reservations against Voegelin could also adopt, then one can confidently assume that the reply was primarily motivated by factual and scientific considerations. In principle, a rational argumentation can also spring from highly individual and even deeply irrational motives, but this remains irrelevant as long as the argumentation is well-founded and coherent in itself and thus scientifically usable.

From this point of view, it should be noted that Kelsen's arguments in his reply are extremely clear and factual throughout, even where he polemicizes. Although Hans Kelsen's reply is somewhat polemical in many places, this is fundamentally legitimate, especially when one considers the intellectual and moral impositions contained in Voegelin's “New Science of Politics”. After all, Voegelin attributes positivists such as Hans Kelsen to a supposedly newly awakened “Gnosis” and thus to a current that he declares to be dangerous to the public in the same breath. The fact that he explicitly excludes Hans Kelsen from the accusation of being a “Gnostic” in a letter dated February 10, 1954 is undoubtedly a polite gesture, but it does nothing to change the sweeping nature of the accusations that Voegelin makes in the “New Science of Politics” and also repeatedly reiterates in

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pp.223-242.

[28] For example, in the review: "Die Verfassungslehre von Carl Schmitt", in: The Collected Works of Eric Voegelin. Volume 13. Selected Book Reviews (ed. and trans. by Jodi Cockerhill and Bary Cooper), University of Missouri Press, Columbia / London 2001, pp. 42-66 (44-46). The review, in which Voegelin already leans towards Carl Schmitt's point of view, first appeared in: Zeitschrift für Öffentliches Recht 11 (1931), pp. 89-109.

later publications.[29] Accordingly, Voegelin's talk of “destructive positivism” is by no means to be seen merely in the sense of the sober statement, to which Voegelin refers in the same letter, that positivist philosophers reject metaphysics. Rather, Voegelin's attacks on positivism always resonate with the accusation that positivism undermines the intellectual foundations of the political order.

Assessment of Kelsen's replica

But how should Kelsen's criticism of Voegelin be judged in terms of content? Do Hans Kelsen's highly critical comments on Voegelin's “New Science of Politics” actually contain serious arguments, or has Kelsen merely failed to understand Voegelin's way of thinking? This will be examined below with regard to the most important points of contention.

Value freedom and the scientific ideal

One of the most fundamental differences between Voegelin and Kelsen arises in the assessment of the question of value freedom. Is there a scientific way to recognize the correct moral values and does science, in addition to imparting theoretical knowledge, also have the task of value education, as Voegelin demands?[30] Or does no such scientific method of objective and generally binding knowledge of values exist, so that science not only cannot serve to impart values,

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[29] Thus Voegelin once complains very bitterly that the “social influence” of the form of “science of people in society and history” that he values is still “very small”, “drowned out by the market clamor of political intellectuals and their followers in well-fortified positions - academic, party, trade union, publishing, journalistic and other social bastions”, only to continue with the words: ‘It will take much time, persuasion, labor, and probably the use of force to push back these destructive factors even so far as to prevent them from doing more mischief than they have already done.’ Quote from: Eric Voegelin: The Murder of God. On the Genesis and Shape of Modern Political Gnosticism. (Edited by Peter J. Opitz.), Fink Verlag, Munich 1999, p. 56.

[30] Cf. Eric Voegelin: The German University and the Order of German Society: A Reconsideration of the Nazi Era, in: The Collected Works of Eric Voegelin. Volume 12. Published Essays 1966-1985 (ed. by Ellis Sandoz), Louisiana State University Press, Baton Rouge and London 1999, pp. 1-35 (p. 26).

but should also be pursued as value-free as possible in order not to be hindered by prejudices of a moral nature? The latter is the view held by Hans Kelsen.

The question of value judgment is probably one of the most discussed problems in the philosophy of science, at least as far as the humanities and social sciences are concerned. It would go too far to revisit the extremely controversial discussion here and weigh up all the arguments for and against.[31] The most important results of this discussion can (in my view) be summarized in the following points:

1. There is no scientific method for deciding questions of value. All previous attempts to prove the validity or invalidity of moral values have failed. Values cannot be rationally justified.

2. However, the truth or falsity of scientific statements does not depend on the acceptance or rejection of any values. Statements about facts or (natural) legal relationships are independent of statements about values. In this sense, science is value-free. At least it can be.

3. Regardless of the value-free nature of science in terms of content, science as an institution in the social context is subject to a multitude of - often very ambivalent - value references. Questions such as which branches of science should be promoted, what consequences the dissemination of certain scientific findings has and for what purposes scientific findings may be used are not only strongly value-related but also eminently political issues.

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[31] Almost all essential aspects of the question of value judgment can already be found in Max Weber. Cf. Max Weber: Der Sinn der "Wertfreiheit" der soziologischen und ökonomischen Wissenschaften, in: Max Weber: Gesammelte Aufsätze zur Wissenschaftslehre, Tübingen 1988, pp. 489-540. Cf. Max Weber: Die “Objektivität” sozialwissenschaftlicher und sozialpolitischer Erkenntnis, in: Weber, Gesammelte Aufsätze zur Wissenschaftslehre, op. cit, An overview of the more recent discussion can be found in the anthology: Hans Albert / Ernst Topitsch (eds.): Werturteilsstreit, Darmstadt 1971 - With reference to Voegelin's “New Science of Politics”, this question is discussed in: Eckhart Arnold: Die Bewusstseinsphilosophie Eric Voegelins (als Grundlage politischer Ordnung), Magisterarbeit Universität Bonn 2000, pp. 10-15, on the Internet at: http://www.eckhartarnold.de/papers/voegelin/node5.html .

The first of these points is, of course, most emphatically disputed by Eric Voegelin, who claims that a political science of order, which also encompasses the knowledge of values, is entirely possible, and that such a science already existed in ancient Greece with Plato and Aristotle and in the Middle Ages with Thomas Aquinas.[32] But Voegelin's assertion is wrong. For none of these philosophers found a usable method to justify moral values scientifically, i.e. in an intersubjectively comprehensible and verifiable way. It is therefore just a simple bluff when Voegelin refers to the supposed fact of a normative political science of order in Greek antiquity and in pre-Reformation Christianity. In a letter to Hans Kelsen[33] , Voegelin also concedes that there is “no science that could develop a sustainable concept of justice that could be established as valid according to the verification rules of an immanent science” and that “none of the great philosophers [...] has ever made an insane attempt of this kind”.

But then what did the great philosophers whom Voegelin invokes as guarantors do? In order to support Voegelin's point of view, they would have had to have succeeded at least in some way in justifying moral values in an intersubjectively binding manner in such a way that no one could seriously deny that they were obliged to observe these values. Voegelin should have demonstrated this conclusively by interpreting the great philosophers. However, his interpretation of Aristotle from “Order and History” is an example of how little he succeeds in doing so[34] : Voegelin addresses a fundamental objection to Aristotle's attempt to justify ethics in an unusually open manner, namely the objection that it is merely a matter of personal opinion, i.e. “what you think”.[35] The answer that Voegelin finds to this possible objection in Aristotle is that a moral conviction is authoritative if it is expressed by an “authoritative person”.[36] But this obviously

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[32] Cf. Voegelin, The New Science of Politics, op. cit. p. 20.

[33] Letter dated March 7, 1954; the correspondence is in the Hans Kelsen Institute in Vienna. A copy is in the Eric Voegelin Archive in Munich.

[34] Cf. Eric Voegelin: Order and History. Volume Three. Plato and Aristotle, Louisiana State University Press, Louisiana 1957, pp. 299-303.

[35] Ibid, p. 299.

[36] Cf. ibid. p. 300.

only postpones the problem. Voegelin does not go any further into the question of how to determine who may be considered an “authoritative person”. Instead, Voegelin sings the praises of Aristotle's significant contribution to the epistemology of ethics.[37] Instead of showing how Aristotle solves the problem of justification in ethics, Voegelin praises him for having done so in such a brilliant way. Voegelin fails to refute the objection he himself raised earlier.

In the aforementioned letter to Hans Kelsen dated March 7, 1954, Voegelin basically admits that there is no scientific method for establishing values, as Voegelin refers to the emergence of values in the “souls of the great prophets, nomothetes, philosophers and saints”. However, this is only one - and not even a particularly convincing - answer to the empirical question of how values arise. Pointing out how certain moral values came about, or how moral values tend to come about in the first place, is by no means a justification of the validity of these values. Voegelin's normative ontology does not provide any substantial arguments that could be used to attack the first of the above points.

Once this has been clarified, the question can be examined as to how the different positions taken by Eric Voegelin in the “New Science” of politics and Hans Kelsen in his reply to the value judgment controversy should be assessed against the background of the above-mentioned results of the value judgment controversy. On this issue, Hans Kelsen is fundamentally right when, in line with Max Weber (whom he very rightly defends against Voegelin's crude insinuation that Weber was only able to adhere to the freedom of value because he ignored the philosophy of antiquity and the Christian Middle Ages), he calls for the freedom of value in science. One can also agree with Hans Kelsen's statement that imparting an objective and thus value-free knowledge of political reality to students of political science is a “highly sensible” undertaking, “precisely because it leaves the choice of values to the students themselves” and they thereby “become aware of the fact that they have to make this choice on their own responsibility.”

On the other hand, however, it must be acknowledged that a strict separation of values and facts is very difficult to maintain in practice, especially in the social sciences. Sometimes, certain questions of value are almost obvious, e.g. in the

[37] Cf. ibid. p. 300.

scientific comparison of different political systems. In view of the third point mentioned above, the social role of science as an institution, one could almost demand that the associated questions of responsibility also be addressed within scientific institutions. It would therefore seem somewhat artificial to want to banish the discussion of any value issues from scientific institutions at all costs.[38] We must also be wary of the naïve belief that because some views are scientifically based, they are also value-free, because in fact the ideal of value freedom is often not fulfilled in science.

However, one thing must be borne in mind when discussing value issues in an academic context: Insofar as value issues are discussed or touched upon within an academic discussion, no one can claim any kind of professional authority for them. Rather, it would be tantamount to an abuse of professional authority if – as Voegelin seems to imagine – university lecturers were to claim to be educating their students in values or even shaping their souls.

Kelsen's analysis of Voegelin's concept of representation

Originally, the title of Voegelin's work was not supposed to be “The New Science of Politics” but “Truth and Representation”.[39] The concept of representation is also one of the central themes of the “New Science of Politics”. Admittedly, Voegelin's concept of representation differs completely from the concept of representation established in constitutional law and political science. In addition, Voegelin's discussion of the concept of representation is by no means clear. The difficulties one encounters when trying to untangle the ambiguities of Voegelin's concept of representation and avoid confusion with the conventional concept of representation are also reflected in Hans Kelsen's reply. Frequent repetitions and insertions, in which Hans Kelsen has to explain again and again which concept of representation he is talking about, indicate the difficulties he had in clearly analyzing Voegelin's concept of representation.

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[38] Of course, Max Weber demanded this with not bad arguments. A professor, as Max Weber saw it, should not use the catheder to disseminate his political views, but can do so – just like any other citizen – in the political club after work.

[39] See the foreword by Dante Germino in Eric Voegelin: The New Science of Politics, op. cit. p. V.

Nevertheless, Hans Kelsen succeeds in an impressive way in resolving the conceptual confusion, and in doing so not only clearly distinguishes the conventional concepts of representation from Voegelin's understanding of representation, but also puts Voegelin's theory of representation, as far as this is possible, into clear words. After this clarification, the situation is roughly as follows:

Two different concepts of representation are commonly used in political science and constitutional law: firstly, the concept of representation of an institution by an individual (*organ representation)*. According to this concept, for example, a head of state is a representative of his state if he is legally and factually in a position to act independently for this state and make decisions that are then attributed to the state as a whole. (A specifically political concept of representation can be distinguished from other forms of organ representation by the fact that in the political relationship of representation, the sphere of action of the representative, i.e. the government of the state, is not delimited from the outset). The second meaning of the word “representation” is that of *democratic representation*. A government is representative if it has been democratically elected. Even if the same word is used, the two terms describe different things.

In contrast, Eric Voegelin has three different concepts of representation, which only marginally overlap with the usual concepts of representation, but are essentially directed at other questions: The first of these is the concept of *descriptive representation*, by which Voegelin seems to mean roughly the formal processes by which a government is instituted.[40] Voegelin's concept of “descriptive representation” is thus much broader than the conventional concept of democratic representation. For even if Voegelin's examples refer primarily to processes within a democracy (namely the electoral process), the term could just as easily be applied to a dictatorship in which the ruler can simply be proclaimed. The fact that the concept of descriptive representation is much broader than that of democratic representation, which only covers a specific process, namely the democratic appointment procedure, means that it is also much more insubstantial. It is therefore questionable why Voegelin introduces this term at all, when he could just as aptly and at the same time much more clearly have

[40] Cf. Voegelin, New Science of Politics, op. cit. p. 32.

spoken, for example, of the “appointment procedure of the government” for the thing he wants to describe with it.

The second of Voegelin's concepts of representation describes a completely different problem, namely the problem of the effectiveness or power-political assertiveness of a government or a regime or a political system.[41] Here too, Voegelin's choice of words is anything but plausible, because no one will understand the term *existential representation* without an explanation, whereas it is immediately clear what is meant when, for example, the "ability to maintain power" is mentioned. Voegelin only seems to introduce this term in order to be able to polemicize more easily against democratic representation. However, as Hans Kelsen very aptly points out, his polemic is completely misguided in that Voegelin accuses the theorists of democracy of neglecting an aspect that they have not neglected at all, but only tend to discuss under a different title than precisely that of “representation”.[42]

The third stage of Voegelin's concept of representation, the concept of *truth representation*, again describes a completely different aspect, namely that of the religious legitimation of power.[43] Voegelin's concept of “truth representation” is

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[41] Cf. Voegelin, New Science of Politics, op. cit. p. 36ff.

[42] I am indebted to Claus Heimes for pointing out that Voegelin's understanding of representation could have been directly influenced by Carl Schmitt. Cf. Carl Schmitt: Verfassungslehre, 3rd ed, Duncker und Humblot, Berlin 1957 (first Munich and Leipzig 1928), pp. 204-220. - In fact, Voegelin's concept of “existential representation” is based on Carl Schmitt's concept of representation, because Carl Schmitt also expressly understands representation not as a normative process but as something “existential”, which Carl Schmitt explains as follows: “The idea of representation is based on the fact that a people existing as a political unit has a higher and more heightened, more intensive kind of being compared to the natural existence of a group of people living together in some way.” (ibid., p. 210). (ibid., p. 210.) Voegelin's concept of the political “articulation” of a society into a unit capable of historical action through the formation of an effective association of rulers (i.e. “existential representation”), developed in connection with his theory of representation, echoes this type of “intensification of being”.

[43] Cf. Voegelin, New Science of Politics, pp. 52ff.

so questionable not least because Voegelin believes that the religious legitimation of power or rule could actually be more or less true. This must have seemed downright absurd to Hans Kelsen, because every known religion is based in some way on a metaphysical worldview the truth of which cannot possibly be proven. Accordingly, the religious legitimation of rule can never have any other function than that of an ideology of rule. If Voegelin now not only claims that a religious legitimation of rule can be more or less true, but actually demands that the political order should be based on the correct experiences of transcendence, then the suspicion of ideology is unavoidable. This is all the more true as Voegelin hardly takes the trouble to explain why rule must necessarily be religiously legitimized. Is rule that is legitimized in the right way by religion more just? Is it more stable? Judging by the direction of Voegelin's polemic, Voegelin seems to believe that without the right religious legitimization, there is a risk of falling into totalitarianism. But Voegelin makes not the slightest attempt to substantiate this assumption empirically.

Kelsen has undoubtedly correctly identified the weak points of Voegelin's concept of representation. In short, Voegelin's comments on this topic say little more than that for him the questions of whether the rulers are properly illuminated by religious experience and whether they are able to prevail through power politics are much more important than the question of whether the government is democratically elected or not. In contrast, the scientific value of Voegelin's concept of representation remains rather doubtful.

Excursus on Voegelin's theory of truth representation: Voegelin as a theorist of a mullah state

An important question that presumably arises for every reader of Voegelin's writings on political theory in the narrower sense[44], but which has hardly been asked, let alone examined in detail, in the secondary literature on Voegelin, is what form a political order that meets the standards of Voegelin's political theory would have to take. However, the answer to this question is of essential importance for the assessment of Voegelin's political theory, because without an answer to this question, an appropriate assessment of Voegelin's political thought, whose religious foundations can of course be viewed in very different

[44] In addition to the “New Science of Politics”, the essay “What is political reality?” in Voegelin's work “Anamnesis”, a philosophy of consciousness, should be mentioned here.

ways, hardly seems possible. For this reason, an attempt will be made at this point to provide at least a sketchy answer to this question.[45]

As an approach, it makes sense to first consider the central principles of Voegelin's political theory in order to then search for a constitution that fulfills these principles as far as possible.

At the heart of Voegelin's political theory is the principle that political order must be based on – to use Voegelin's jargon – a deformation-free experience of transcendence. Without this anchoring in transcendence, which must be mediated by spiritually sensitive individuals, a political order is unacceptable for Voegelin, indeed almost unthinkable. The greatest danger for a community comes from the loss or adulteration of this reference to transcendence. Consequently, Voegelin once demanded that “anti-Christian or anti-philosophical” parties should be dealt with very decisively by banning them.[46]

What should the institutional order of a system be like that satisfies the central principle of Voegelin's political theory? In fact, there is a political system that meets Voegelin's standards in an almost optimal way. It is the political system of

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[45] The possible objection that Voegelin spoke only as a political philosopher and observer from a higher perspective and therefore should not be pinned down to certain positions with regard to detailed questions of state organization or constitutional policy is misguided for two reasons: Firstly, Voegelin also repeatedly expressed his views on day-to-day political issues and usually took a firm stand on them, regularly justifying his views by recourse to his basic political-theological convictions. It was therefore evidently possible for him to draw concrete and tangible political conclusions from his political philosophy. On the other hand, there are only two possibilities: Either any consequences can be drawn from Voegelin's political philosophy with regard to the shaping of politics and the structure of the political order. In that case, however, it is also legitimate to ask what these consequences are. Or no institutional, constitutional or general political consequences can be drawn from Voegelin's political philosophy. In that case, however, the question would arise as to whether Voegelin's philosophy as political philosophy is not irrelevant at all and exhausted in political romanticism and inconsequential mysticism.

[46] Cf. Eric Voegelin: The Spiritual and Political Future of the Western World (Lecture of June 9, 1959), Munich 1996, p. 33.

the Islamic Republic of Iran. The “Islamic Republic of Iran” bears the name republic not entirely without reason. There are some reasonably democratic institutions in this country: a parliament, an elected government, free elections, which are apparently only manipulated to a limited extent (for example by excluding candidates in advance). But above these institutions towers the “Religious Leader” as the supreme constitutional body, whose office ensures the preservation of the fundamental principles of Iran's political order. Among these principles, the Iranian constitution explicitly mentions belief in the “sovereignty of God”, “divine revelation” and the “justice of God”.[47] The reference to transcendence – for Voegelin an indispensable basic prerequisite for at least every good political order – is thus already firmly anchored in the Iranian constitution. In line with Voegelin's multi-level theory of representation, the reference to transcendence is clearly superior to the democratic principle, as the above-mentioned principles are neither at the disposal of democratic decision-making procedures nor can the religious leader be democratically elected or voted out of office.

The Religious Leader is assisted in the task of preserving the Islamic order in Iran by a special constitutional body, the so-called “Guardian Council”. This is a body made up of half clerics and half jurists, which has the responsible task of ensuring that the principles of the Islamic order of state and society remain untouched.[48] To this end, the Guardian Council has extraordinary powers: for example, the Guardian Council can reject at will any draft law that does not correspond to the ideas of the clerical members of the Guardian Council about the correct Islamic order.[49] In Voegelin's terminology, one could put it like this:

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[47] See Article 2 of the Iranian Constitution. Source: Constitute Project (University of Texas at Austin and University of Chicago at: https://www.constituteproject.org/constitution/Iran_1989

[48] Cf. Article 91 of the Iranian constitution. - Cf. also Vanessa Martin: Creating an Islamic State, I.B. Tauris Publishers, London / New York 2000, p. 162f.

[49] Cf. Article 94 and Article 96 of the Iranian Constitution. - The clerical members of the Guardian Council have a preponderance insofar as they alone decide on the incompatibility of laws with Islam, i.e. without the jurists represented in the Guardian Council, while conversely the Guardian Council as a whole decides on incompatibility

The Guardian Council has the honorable duty to guarantee that legislation is exercised strictly in terms of “adequate transcendental experiences”. As can be seen, the establishment of the Council of Guardians optimally realizes the central requirement of Voegelin's political theory that the political order must be based on a healthy relationship between man and the transcendent ground of being. Accordingly, the formation of a Council of Guardians or a comparable body seems not only logical, but downright necessary from Voegelin's conception of politics.

All in all, therefore, there is much to suggest that a political order such as that of Iran corresponds perfectly to Voegelin's political ideas, certainly better than liberal democracy, in which it is always left to chance whether its selection mechanisms will bring to power a leader who, in Voegelin's view, has the spiritual prerequisites that are essential for the preservation of the political order.[50]

Kelsen on the “Gnosis theory” and Voegelin's approach to intellectual history

A not insignificant merit of Hans Kelsen's Voegelin critique is undoubtedly that he examines Voegelin's interpretation of the sources of intellectual history in great detail and in some cases virtually exposes Voegelin's not always overly conscientious approach to intellectual history. This becomes particularly clear in connection with Voegelin's “Gnosis theory”, i.e. the theory that the vast majority of the intellectual currents of modernity are to be understood as gnostic heresies at their core, and that this is the main cause of the emergence of communist and fascist totalitarianism.

“Gnosticism” in the narrower sense refers to certain religious movements, particularly those that emerged in early Christianity, which emphasized the dualistic distinction between a kingdom of light and a kingdom of darkness, and

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with the Constitution.

[50] Accordingly, the solution to the problem that Voegelin himself once suggested with the help of stigmatization mechanisms primarily localized in the political culture – McCarthy-era America was the model Voegelin had in mind – would still have to be judged as insufficient due to the lack of a firm institutionalization of the all-important religious factor. Cf. Eric Voegelin: The Future of the Western World, op. cit. pp. 32-34.

which taught liberation from darkness through a secret, i.e. unrevealed, mystical knowledge of salvation. If “Gnosis” is understood in this sense, it is a historical term that describes a number of religious movements that can be localized more or less precisely in terms of time and place.

However, the term “Gnosis” can also be understood more generally as a type term. In this case, “Gnosis” refers to a certain religious attitude whose most essential characteristics are dualism and belief in salvation. Voegelin uses the term “Gnosis” as a type term. However, he fails to provide a precise definition. From Voegelin's explanations in the “New Science of Politics” it can be inferred that for Voegelin the characteristic feature of the Gnostic attitude is the belief that the kingdom of God can already be realized on earth.

In the “New Science of Politics”, Eric Voegelin argues in two directions: On the one hand, he attempts to demonstrate a neo-Gnostic line of tradition that extends from its first awakening in the writings of a certain Joachim Fiori at the end of the Middle Ages to National Socialism. On the other hand, Voegelin endeavors to prove Gnostic intentions in the works of supposedly representative proponents of some modern political movements and intellectual currents.

Hans Kelsen is scathingly critical of both. Kelsen demonstrates very convincingly that the National Socialist ideology and in particular the symbol of the “Third Reich” in no way goes back to Joachim Fiori, but rather – even if there may be analogies between the ideas of Joachim Fiori and the National Socialist ideology, and insofar as this can be said with any certainty at all – is essentially fed by another source, namely Arthur Moeller van den Bruck's reception of Dostoyevsky.

In this context, Hans Kelsen naturally does not fail to notice how unrepresentative the intellectual-historical evidence selected by Eric Voegelin is. Voegelin does anticipate this criticism in the “New Science of Politics” and defends himself by saying that he is not concerned with a historical account but with analyzing the “structure of gnostic experiences and ideas”[51]. But this defense remains insufficient because Voegelin simultaneously asserts a strong causal connection between the “Gnostic experiences and ideas” and the emergence of

[51] Voegelin, The New Science of Politica, op. cit. p. 151.

various modern political movements. To prove this causal link, however, Voegelin would have had to select representative proponents of the relevant movements.

However, Voegelin's explanations contain an even more serious weakness, which Hans Kelsen also exposes with the care and precision of a lawyer: Voegelin's interpretations of works are often imprecise if not wrong from a hermeneutical point of view. This becomes particularly clear in Voegelin's accusations against the encyclopaedists, whom he accuses of wanting to create a “gnostic Koran” with their *Ecyclopédie,* which was intended to supersede all other knowledge. In doing so, Voegelin quite willfully misjudges the explicitly stated intentions of the encyclopaedists, who in reality merely wanted to publish a reference work in order to disseminate the knowledge of their time as widely as possible and make it accessible to anyone interested. With this aim, however, the encyclopaedists were also pursuing an Enlightenment agenda. If Voegelin rejects this Enlightenment agenda, then he should have criticized it as such without insinuating dishonest motives and conspiratorial intentions to the encyclopedists.

If Hans Kelsen's criticism of Voegelin's “Gnosis theory” can be accepted in every respect up to this point, there remains one aspect of Voegelin's “Gnosis theory” in which Kelsen's criticism appears somewhat undifferentiated. This aspect is related to Voegelin's way of interpreting the philosophical classics. Voegelin uses a technique of psychologically empathetic interpretation, in which not so much the factual statements of a thinker are examined, but rather his deeper motivation (in Voegelin's terminology: the “spiritual tensions” or the motivating spiritual “experiences”) is explored. This technique is of course very uncertain and, as the example of Voegelin's interpretation of the encyclopedists' motives has shown, can easily be abused. Nevertheless, this method of interpretation is not entirely illegitimate, as it sometimes allows revealing insightful connections. In particular, lingering religious convictions or simply hidden prejudices can be uncovered in this way.

In some cases, such religious references are almost palpable. This is undoubtedly the case with the French positivist Auguste Comte, who even planned to found a

positivist church in his final creative phase.[52] In another case, that of Karl Marx and Friedrich Engels, the eschatological trait of their historical theory has often been described.[53] And there is no doubt that this eschatological trait is also a very problematic and therefore important characteristic of this theory, because it was from the eschatological view of history, among other things, that almost unlimited licenses to justify revolutionary violence could later be derived. In this respect, Kelsen only makes a less decisive point when he insists, against Voegelin, that the philosophies of Comte and Marx are highly rational philosophies. After all, even a rational philosophy or a philosophy in rationalist jargon can contain deeply irrational traits.[54] It can therefore be very worthwhile to trace "Christianity in atheism".

On the other hand, when Voegelin uncovers hidden Gnostic references or religious references of a different kind in certain thinkers, he is usually very unfair in his judgment. It does not seem quite understandable, for example, why he rejects Comte and Marx on the one hand and praises Plato's philosophy or even pre-Reformation Christianity as alternatives of still uncorrupted religious truth on the other. After all, the political order that Plato outlines in "The State" can certainly be called totalitarian. But while Voegelin cannot reproach the Enlightenment and revolutionary philosophers enough, he very generously overlooks the problematic features of Plato's political philosophy. Perhaps he valued the spirituality of Plato's philosophy so highly that he no longer wanted to see its questionable aspects. However, the fact that a spiritually sophisticated philosophy such as Plato's can nevertheless be quite disastrous from a political point of view only shows once again how irrelevant the spiritual background is for the assessment of political theories.

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[52] Cf. Werner Fuchs-Heinritz: Auguste Comte, Westdeutscher Verlag, Opladen/Wiesbaden 1998, p. 235ff.

[53] Cf. Leszek Kolakowski: Die Hauptströmungen des Marxismus. 1st volume, 2nd revised edition, Munich 1981 – Leszek Kolakowski, however, does not consider the "prophetic" moment in Marx's work itself – in contrast to the later history of its impact – to be very dominant.

[54] However, Kelsen seems to have realized this later. Cf. Rudolf Aladár Métall: Hans Kelsen. Life and Work, Vienna 1969, p. 91.

The latter points to another fundamental weakness of Voegelin's “Gnosis theory”, which Hans Kelsen no longer even addresses: even if Voegelin had succeeded in conclusively proving that the entire array of modern thinkers and intellectual currents he lists is an expression of Gnostic religiosity, the question still remains as to why “Gnosticism” must be feared as a politically highly dangerous religious movement. The facts here by no means speak for themselves, as only a few of the political movements characterized by Voegelin as Gnostic led to totalitarian rule. Voegelin's constantly repeated accusation that Gnosticism is an expression of the denial of reality also falls short of the mark, as this is an accusation that can justifiably be made against any religious worldview. It is therefore not possible to draw any direct conclusions regarding the political danger of a religious conviction from the degree of denial of reality.

In summary, it can be said that Hans Kelsen demonstrates very convincingly how little Voegelin's “Gnosis theory” can be taken seriously as a scientific theory. Kelsen gets to the heart of the matter when he states that the word “Gnosis” in Voegelin's work has the character of an insult (“invective”) and not that of a precise scientific term. Nor would one be doing Voegelin any favors if one wanted to take his “Gnosis theory” seriously as a scientific theory, because a political science theory that no longer allows one to distinguish between a liberal-democratic and a totalitarian attitude – a distinction, which is no longer recognizable in Voegelin's indiscriminate application of the Gnosis accusation to liberal democratic politicians as well as to communist regimes in the polemical final passages of the “New Science of Politics” – would be nothing less than an intellectual declaration of bankruptcy by its inventor.

Concluding remarks on Voegelin's political theology

Voegelin's political thinking can be understood as a form of political theology. Voegelin's philosophy is political theology above all in the sense that Voegelin understands political society as a religious community, both in its theoretical description and in its normative objectives. For Voegelin, every political order is based on certain religious “experiences”, which, when successfully conveyed to society by the competent experts, consisting of philosophers, prophets, apostles, nomothetes and the like, create a community characterized by a connection between the members of the community that reaches deep into the souls of the

individuals. Admittedly, this idea of political order is more of an ideal conception by Voegelin, which he weakens in detail with all kinds of restrictive clauses and realistic adjustments.

Two types of objections to Voegelin's political theology can be formulated: theological and pragmatic. The pragmatic objections concern the question of whether Voegelin's ideal image of political order is realistic and can therefore be recommended as a guideline for shaping the order, provided one supports the underlying values. The theological objections, on the other hand, touch on the problem of whether Voegelin's ideas of transcendence and the soul are appropriate and correct.

Of course, the assessment of theological questions depends entirely on the respective religious point of view. Even if it would be interesting to examine the question of the extent to which Voegelin's mystical religiosity is compatible with the principle of the religion of revelation, according to which revelation is accessible to every person willing to believe, and not just to a small elite of particularly sensitive individuals, only the pragmatic objections will be discussed here.

Unlike the theological objections, the pragmatic objections can be justified empirically, at least in principle. From a pragmatic point of view, the objection to Voegelin's political theology is that it is based on completely false ideas about what the conditions of good political order are (by whatever standard). Voegelin believes that good political order is above all a question of spirituality. However, as already noted, he has provided no evidence of this causal connection anywhere. In reality, though, the quality of political order is above all a question of institutional design. The search for a suitable ensemble of political institutions that firstly allows order to be established at all and secondly protects itself against abuse is a lengthy historical process, the results of which are based far more on empirical knowledge and practical wisdom than on calculable science. Following Voegelin's terminology, one could say that in the course of this process a “knowledge of order” has accumulated, namely the knowledge of order of liberal democracy, which teaches us through which political institutions the rights of individuals can be protected and at the same time their freedom can be secured.

If a political theory such as Eric Voegelin's prevails, then there is a danger that this knowledge of order will erode, as it can only be given completely subordinate importance or none at all within the framework of Voegelin's approach. The danger posed by Voegelin's political theory is similar, albeit to a lesser extent, to the danger inherent in Karl Marx's political thinking. As is well known, Marx saw the state solely as an instrument of oppression of the ruling class. Once class rule had been abolished, Marx believed that the state would wither away. Accordingly, Marxism largely lacks those elements of political theory that deal with the organization and taming of power. It is probably not least due to this theoretical deficiency that most of the forms of rule based on Marxism have slipped into dictatorship. One can speculate that Voegelianism as a political movement would run the risk of slipping into a mullah regime for similar reasons.

Apart from the scientific weaknesses of Voegelin's “New Science of Politics”, which should now have become sufficiently clear thanks to Hans Kelsen's in-depth critique, Voegelin's political theology – and probably every other political theology – is based on a fundamental error. This error consists in the assumption, or as one should perhaps say more precisely, in the expectation that politics or the political order must also have a spiritual function. But this expectation must necessarily be disappointed, because in truth the political is a purely profane area of human life. The primary task of politics is to unite the people of a country under a legal order and thus enable them to live together peacefully. This in no way requires the foundation of a quasi-religious community or of “order in history”, if “order” is to mean more than merely peace and justice in the most external and mundane sense. Hardly anyone has seen this more clearly than Hans Kelsen, for whom the affiliation of the individual with the political community represents – as far as spirituality is concerned – indeed little more than a kind of club membership. In any case, one cannot hope for spiritual guidance or a contribution to the meaning of life from the political sphere. And it is better that way.

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Corrigenda

- In the above commentary I have assumed – like Voegelin did in his autobiography – that Kelsen had refrained from publishing his criticism of Voegelin's "New Science of Politics". This is not entirely true, as Kelsen has published the part on Voegelin's concept of "representation" in a revised form as a roughly 10-pages long subchapter of his "Foundations of Democracy" that was first published in: Ethics, Vol. 66, 1955 and his now also available in: Hans Kelsen: Verteidigung der Demokratie (ed. Matthias Jestaedt and Oliver Lepsius), Tübingen 2006.

  However, the fact that Kelsen did publish an important part of his Voegelin critique during his life-time, renders the legend, told in Voegelin's autobiography, even less credible that Kelsen had probably refrained from publishing his criticism because he had understood that his understanding of the subject matter was insufficient.

- In my commentary I assumed that the exact context in which Kelsen's Voegelin-critique has been written is unknown. When I wrote my epilogue I was not aware that Kelsen had been invited for a series of Walgreen-lectures – like Voegelin had been before him. It is only natural that a speaker might comment on the lectures of earlier speakers given in the same context. As a matter of fact, Kelsen told Hans Morgenthau, who was involved in the organization of those lectures, of his intention to (also) critically comment on Voegelin's earlier lectures, an intention that was welcomed by Hans Morgenthau.

  This has been pointed out to me by François Lecoutre who also kindly supplied me with the exchange of letters between Kelsen and Morgenthau. This background-context shows that my assumption was wrong that the context in which Kelsen's Voegelin critique emerged is unclear. While this context helps to explain why Kelsen occupied himself with Voegelin, it remains still somewhat unclear why Kelsen did go at such length with his critique. Whatever the reason may be, for the readers of Voegelin it is a most fortunate cicumstance that Kelsen undertook in minute detail the painful task of careful fact-checking and conceptual clarification of Voegelin's entire book.

  As Lecoutre also told me, already Jose Antonio Garcia Saez has commented on this context in an article on "La correspondencia entre Kelsen y Morgenthau: un dialogo en las fronteras de derecho internacional".

  Again, given this background information, it seems considerably less likely that Kelsen was "obsessed" with criticizing Voegelin as Björn Thommasson would have it (in: Debating Modernity as Secular Religion: Hans Kelsen's futile exchange with Eric Voegelin. History and Theory, 53: 435-450. https://doi.org/10.1111/hith.10723) or wrote his critique because of a personal grudge against Voegelin.