

CHAPTER 4

SPECIFIC EVIDENCE OF THE ONTOLOGY TYPE AND A FINAL PICTURE OF OUR CRITICISMS

In this chapter we will present a coherent picture of the specific form which synthesis takes in Dooyeweerd's system. We will try to gather our criticisms into a whole, emphasizing the features of the ontology type outlined in chapter 2. We will try to show how the grace-nature motive is specified in the particular features of the ontology type. If our analysis in the previous chapter is correct then the consequences for the total systematics could not be fully shown since these criticisms are foundational and affect all the branches of his system. All we hope to do here is present a thesis for deeper investigation by others.

In recent years¹ the differences between Dooyeweerd and Vollenhoven concerning the problem of time have come to the forefront. Vollenhoven takes exception to Dooyeweerd on a number of crucial points. They will just be mentioned now and later we will go into them in some detail. First, the problem of where we first find time in the modal scale. If time is found in the first aspect, in the function of the arithmetical, as we find in Dooyeweerd and even in the early Vollenhoven, then, according to Vollenhoven, we have to contend with the modalizing of time. A second main point of difference might be said to be concerned with the scope of cosmic time. For Dooyeweerd time is related to the cosmos, but the soul or heart is above the cosmos. The scheme in Dooyeweerd looks like this: God-soul or heart-cosmos. For Vollenhoven man is completely

1. Vollenhoven, "College systematiek - het probleem van de tijd."

in the cosmos and completely in time. The scheme in Vollenhoven looks like this: God-law-cosmos. Both of these points are of essential importance for the evaluation of Dooyeweerd's thought. The third major point of difference is concerned with whether the order of functions is to be conceived of as a time-order.

We will deal with this third point of difference first. There seems to be quite a fundamental difference between Vollenhoven and Dooyeweerd on the nature of structural law. Vollenhoven suggests that the law is certainly supra-temporal, but it also has the character of temporality in so far as "het slaat op de subjecten aan de subjectzijde."² That this is a fundamental difference with Dooyeweerd comes out most clearly in Dooyeweerd's discussion of cosmic time. One point of clarification is in order, however. In respect to the religious fullness and unity of the law, Dooyeweerd and Vollenhoven seem to agree that the law is supra-temporal. Dooyeweerd says, "De zin-totaliteit van onzen tijdelijke kosmos, die de wezenlijke eenheid en volheid aller sociale aspecten van den zin der schepping is, kan in der tijd niet gegeven zijn. Zij is van transcendent, boven-tijdelijk karakter."³ The difference seems to come in respect to the structural law. Vollenhoven says, "De liederwet en de structurele wet gaan niet in de tijd op (vs. Gebet der Stunde), daar-entegen de positieve wet wel (gaat in de tijd op)."⁴ For Dooyeweerd the fact that the structural law is completely temporal is tied in with his notion of cosmic time. Temporal reality is divided into a law side as

order and a subject side as duration. He says, "Al is de orde der modale aspecten zelve constant in den tijd, evenals deze aspecten zelve naar hun modale structuur, zoo doet dit aan het tijdelijk karakter dezer orde als zoodanig geen afbreuk. Zij is immers een bestanddeel van de tijdelijke wereldorde, in Gods scheppingsplan vervat, en mag op geenerlei wijze als van eeuwigheidskarakter worden beschouwd, of althans als een orde, welke den tijd zou transcendeeren."⁵ It appears quite clearly from this that there is an essential difference between Vollenhoven and Dooyeweerd concerning structural law. The law side, as Dooyeweerd calls it, is an essential time order, and the modal aspects even on their law side as law-sphere are essentially time aspects. He makes this very clear when he says, "Zijn nu alle aspecten gelijkelijk door den kosmischen tijd omsloten en dus van intrinsiek tijdelijk karakter, dan kan het concentratie-punt van het menselijk bestaan, waar all tijdelijke aspecten als in een brandpunt samenreffen, niet zelve van tijdelijk, maar slechts van boven-tijdelijk, transcendent karakter zijn."⁶

It is interesting in connection with this discussion that to say that the structural law is not covered by time or does not go under in time (niet opgaan in de tijd) and that the order of functions is not a time order as Vollenhoven now says, is apparently for Dooyeweerd to fall into the error of ascribing an eternity character to the structural law. It means that constancy and eternity have been confused. This distinction of constancy and eternity (eeuwigheid) concerned Dooyeweerd very early in his thought. Dooyeweerd has been jealous to protect the correlation of law and subject. This is one of the chief emphases in his early work.

5. Dooyeweerd, op. cit., p. 199.

6. Ibid., p. 177.

2. Ibid., p. 14.

3. Dooyeweerd, "Het tijdsprobleem in de W.d.W.," p. 197.

4. Vollenhoven, op. cit., p. 14.

"De structuur der rechtsbeginselen en de methode der rechtswetenschap in het licht der wetsidee." He stresses that principles of legal life (rechtsbeginselen) are not transcendent but "immanente gelding hebben in den kosmischen zin-samenhang." He is trying to eliminate a misunderstanding. He continues, "Het misverstand van hem, die aan ware beginselen den eisch stellen, dat ze van eeuwigheldswaards zijn, boven den tijd verheven."⁷ He is fighting the metaphysical view of principles of legal life in which ideas of reason are abstracted out of their cosmic temporal meaning coherence and are at the same time absolutized to eternal values. Over against this he is emphasizing the "tijdelijk organisme der wetkringen." He is stressing that "Ieder normensysteem toont in haar eigen soevereine zin-structuur een onlosmakelijke verflechting van goddelijk beginsel en menschenlijke positivering."⁸ The question which he places is whether the divine principles show a dynamic character. He says, "Aan ieders zin-functioneele ni-logische norm is het positiviteits-
element inhaerent, maar de menschenlijke positivering is nimmer een wille-
keurig scheppen, maar een verming van goddelijke beginselen. De vraag is nu, of in de nu-historische wetkringen, waartoe ook de rechtkring behoort, de goddelijke beginselen zelve onafhankelijk zijn van de historische ontwikkeling, dan wel of ze op het substraat dener historische ontwikkeling een dynamisch karakter vertoonen."⁹

Vollenhoven also stresses the correlation of structural law and positive law by saying that structural law has temporal character in its relation to the positive law, but he would seem to say that it neverthe-

7. Dooyeweerd, "De structuur der rechtsbeginselen en de methode der rechtswetenschap in het licht der wetsidee," p. 241.

8. *Ibid.*, p. 243.

9. *Ibid.*, pp. 236-237.

less is supra-temporal. The question then is not whether the structural law is temporal in the sense that it is related to positive law, but in what sense it is supra-temporal.

Dooyeweerd would not agree on this with Vollenhoven as appears quite clearly from this quotation which we used previously, but in another context.

Het grootste gevaar, dat de gewraakte metaphysische opvatting der rechtsbeginselen voor de rechtsbeschouwing met zich brengt is dit, dat men met een devote kniebuiging voor de eeuwige beginselen 'die niet in den tijd ingaan' het tijdelijke rechtallevan beginselloos meent te kunnen vatten en een en fond utilitaristische houding tegenover de rechtverving inneemt. Het begrip 'beventijdelijk rechtsbeginsel' is intusschen in zichzelf tegenstrijdig. 'Beginsel' beteekent 'begin' en alle begin is in den tijd.

Niet het beginsel is boven-tijdelijk, maar alleen de eeuwige, religieuze zin der wet en alle normatieve beginselen, ook die van logisch, historisch, sociaal- taal-, aesthetisch, economisch, moreel en pistisch karakter zijn een tijdelijk zinvreking van dien ewigen zin der wet, gelijk die ons door Christus is geopenbaard. De gende in haar boven-tijdelijken religieuzen zin, is niet een zin-functioneele normovertreding, maar raakt het hart, den werte, van het menschen-geslacht, zij beteekent een ververping van den ewigen zin der wet, den dienst van God. Doch ze openbaart zich in den tijd in een opstandige houding tegen de zinfunctioneele ordinantien, die God de Heere voor iederen wetkring gesteld heeft.¹⁰

From this it appears that for Dooyeweerd the structural law as norm-principle (norm-beginsel) is completely temporal as opposed to Vollenhoven who speaks of the structural law as supra-temporal in some sense.

To say that the norm-principles (norm-beginselen) for Dooyeweerd are temporal does not imply that they are variable. In discussing the idea of the horizon of human experience he says of that horizon, "It is rather the a priori meaning-structure of our cosmos itself in its dependence on the central religious sphere of the creation and in subjection to the

10. *Ibid.*, pp. 242-243.

Divine Origin of all things. The horizon of human experience is that of our earthly cosmos as it is given in the Divine order of the creation. This is a truly supra-individual and law-conformable centre which is constant [underlining mine] in contrast with all change in actual subjective experience."¹¹

Dooyeweerd again stresses the constant character of this meaning structure or horizon of human experience when he sets off his idea of the a priori character of this horizon from the Kantian notion of the a priori as non-empirical. He says, "If we had no experience of this horizon, how should we ever be able to know of it, and how could we give account of it philosophically? It can only be called an a priori structure insofar as it is the constant meaning-structure of all human experience and of all temporal reality."¹² Here we see Dooyeweerd's stress on the constancy of the meaning structure as horizon of human experience. Structural constancy, however, does not mean that the horizon is not of a temporal character. This is clear because temporal reality has a meaning (zin) character. The restless, pointing character of created reality is revealed in the very structure of cosmic time. The meaning dynamics show this temporal character. Consequently the very order of functions is a temporal order. The transcendental anticipatory direction of cosmic time expresses this meaning character of created reality. Constancy of structure is a characteristic that is within the meaning characteristic of created reality. This is made clear when one sees that all modalities of meaning both on the law side as subject side are temporal refractions of supra-temporal fullness, totality, and unity of

11. Dooyeweerd, A New Critique, II, p. 546.

12. Ibid., II, p. 550.

meaning on the law and subject sides. Even their structural constancy is taken up in the meaning dynamics of the opening process and of cosmic working in general. The constancy structures themselves are interlaced in such a way that their meaning is only indicated fully when this interlacement is understood.

It would seem that when Vollenhoven calls the structural law supra-temporal he has implicitly broken with the notion of structural law as temporal refraction of a supra-temporal fullness. When he denies that the order of function is a temporal order he is also denying the meaning dynamics on the law side and consequently the whole meaning character of created reality as Dooyeweerd has articulated it.

The term "constancy" has still another shade of meaning for Dooyeweerd. Here the distinction is concerned with the nature of the principles of legal life (rechtsbeginselen). Dooyeweerd says, "Eerst thans, nu wij de groote differentieering in de zin-structuur der rechtsbeginselen kosmologisch hebben opgeklard, sijn we in staat de vroeger opgeworpen vraag te beantwoorden, of alle rechtsbeginselen een in de historische ontwikkeling gefundeerd dynamisch karakter dragen, dan wel of er ook constante, statische rechtsprincipia sijn."¹³ He explains these constant, static principles of legal life (rechtsprincipia) further when he says,

Heben wij deze kosmische structuur der juridische zin-individualiteiten in ons opgenomen, dan sien wij in, dat in den rechtskring inderdaad van een natuurrecht in den vollen zin des woords kan worden gesproken, een natuurrecht n.l. in den zin van in voor-historische (van de historische ontwikkeling als zoodanig niet afhankelijke) (natuur) wetmatigheid gefundeerde rechtsbeginselen, die als zoodanig een statisch-constant karakter dragen, een natuurrecht intaschen, dat slechts een deel der rechtsbeginselen, n.l. de constante, omvat.¹⁴

13. Dooyeweerd, "De structuur der rechtsbeginselen..." pp. 250-251.

14. Ibid., p. 255.

That the term "constant" used in the sense of principles of legal life (rechtsprincipia) grounded in the pre-historical (voorhistorische) (natural) in no sense signifies a supra-temporal character is clearly seen when he says, "Vast staat reeds thans, dat ook voorsover het bestaan van zulke constante, statische rechtsprincipia, kan worden aangevoerd, het toch immer gaat om tijdelijke beginselen, beginselen in den kosmischen zin-samenhang gegeven."¹⁵

Vollenhoven, it would seem, is not willing to immerse the structural law (including the norms, given as principles) in time as Dooyeweerd does. Time for Dooyeweerd expresses itself on both law side and subject side. It is not just that time on the law side is the constant structural order and framework in which changing variable things come and go, but also that this constant structural order and framework unfolds in a temporal order. In a certain sense this means that constant structures come into existence and make their appearance and then remain. That this presents a problem is seen by Peter Schouls when he writes, "A number of questions most of which have been raised by others as well, will have to be answered or dismissed as speculative if we are to get further clarity on the relationship between God and the law. Among these are the following...: To what extent does the dynamic character of reality apply to the law-order of creation?"¹⁶

G. E. Langemeijer seems to see the same trouble spot when he writes,

Immers aan de stelling is toegevoegd: 'in onze gedifferentieerde samenleving'. Dus de individualiteitsstructuur doet zich slechts gelden in een bepaalde situatie. Het zou ook moedelijk anders kunnen zijn. Echter, dan komt bij de buitenstaander ook terstond de vraag op, hoe dan filosofisch valt uit te maken, dat de individualiteitsstructuur zodanige

vastheid heeft bereikt. Ook voor wat betreft de modale aspecten schijnt. Dooyeweerd bereid een dergelijk, men zou geneigd zijn te zeggen: slechts potentieel aanwezig zijn van de onderscheiding aan te nemen. Zo waar hij opmerkt, dat in vroegere stadia van beschaving normen van maatschappelijk verkeer, van recht en van redelijkheid nog niet gescheiden zijn.¹⁷

A third notion of constancy in Dooyeweerd is mentioned throughout the third volume of A New Critique of Theoretical Thought. It is the relative constancy or identity which individual things possess for naive experience even despite the changes of a thing. To explain this given, classical philosophy developed the notion of substance, but, as is well known, Dooyeweerd has substituted his idea of individuality structures for this.

Now that we have seen that there is a rather clear difference between Vollenhoven and Dooyeweerd on the most important philosophical question, namely, the place of the law, it remains to specify how this neo-realism manifests itself in Dooyeweerd's philosophical system. We must keep in mind that for Dooyeweerd law and subject are always correlated, as they are for Vollenhoven also. The categories of law, subject, and meaning are those which have the most breadth and the widest application in Dooyeweerd's thought. We have seen how Dooyeweerd constantly refers to the central law, i.e., the law of love and service to God and man with the whole heart, as the eternal, incorruptible, transcendent meaning of law. It is this central law which is the boundary between God and man as well as cosmos. This central law is the unity, totality, and fullness of all diversity of law. It is not these three things, however, as a unity within diversity, but as a unity above, before, beyond, and behind

15. Ibid., p. 251.

16. Schouls, Man in Communication, p. 65.

17. Langemeijer, G. E., "De betekenis van Dooyeweerd voor de wijstheorie van niet-kerkelijken huize," Perceptief (Kampen: J. F. Kok, 1961), p. 15.

diversity. Dooyeweerd very definitely speaks of all diversity of law as contained in this one law and as proceeding from it by way of refraction through time.¹⁸ There is a splitting up of this undifferentiated unity and fullness of law. Without this splitting up or refraction, the root unity of law does not bear fruit.¹⁹ It remains a root, but has no expressions, no diversity. It does not grow into an organism of diverse law spheres of which it is the root unity, fullness, and totality.

This eternal central law must be correlated to a subject, for as we have seen, law has no meaning without subject, and subject no structure or existence without law. Therefore, there must be a corresponding subject which is subjected to this central supra-temporal law.²⁰ The corresponding subject must be the unity, fullness, and totality of subject on the subject side of the creation. No individual man can meet this qualification because this root unity on the subject side must be a fullness and totality of all diversity of subjects. The individual is only the root unity, fullness, concentration point, and consummation of his individual functions and existence.²¹ If the central eternal law is

18. Dooyeweerd, "De wetbeschouwing in Brunner's boek 'Das Gebot und die Ordnungen'." On p. 370 he says, "Naar het goddelijk scheppingsplan waren alle kringen van tijdelijke ordeningen slechts een onderling gelijkwaardige tijdelijke uitdrukking, en een tijdelijke differentiatie van den volten religieuzen zin der wet, die door Christus, als wortel der herborren schepping, vervuld is." (Underlining mine) The term differentiatie is not often used by Dooyeweerd in later years. See also "Wat de W.d.W. aan Dr. Kuyper te danken heeft," where he quotes Kuyper's idea of differensiering with favor (p. 65), for discussion and critique of this idea in Kuyper see Volens, op. cit., pp. 84ff.

19. The most important development of the refraction idea is in "Het tijdsprobleem in de W.d.W.," pp. 193-212, and A New Critique, II, pp. 3-8.

20. Dooyeweerd, A New Critique, III, p. 525.

21. Ibid., I, p. 59.

to have meaning there must exist such a root unity on the subject side which is subject to it. This root unity is therefore of a supra-individual character.²² The root unity on the subject side was Adam, but because of his fall into sin, which is therefore a fall in the root unity of the creation, he is substituted for by a new root, Jesus Christ.²³ He only fulfills and obeys the central transcendent law. He is the spiritual (geestelijk) root, the last Adam. The first Adam is the natural root.²⁴ In the root the participants are a human root community of hearts. This is a religious, central, supra-temporal, transcendent community, existing because created, but not yet differentiated. This root community of mankind is created in its first root or head, Adam, and in him it falls. In the new root or head, Christ, this root community is restored. In Christ the creation reaches its destination, its fullness, and consummation of meaning. In Christ the fallen root is overcome and finally eliminated.²⁵ Nothing of the creation is lost because it is all restored and preserved in the new root. There is nothing in the class of adiaphora in the cosmos because all lives out of this new root.²⁶ Nothing can be thought of in itself because it only exists in its root, because only in its root is it related to its Origin. Because of election not all individuals who were in the old root, Adam, and who participated in him in the creation and fall, are fully restored in the new root. All those in the new root are not to be thought of as so many individuals gathered together. Rather, in the new root mankind is restored. Those not elected in the new root are cut off as dead branches. They will not partake of

22. Ibid., I, pp. 12, 59.

23. Ibid., I, p. 60.

24. Dooyeweerd, "De leer van den mensch in de W.d.W.," p. 143.

25. Dooyeweerd, A New Critique, I, p. 175.

26. Ibid., I, p. 507.

