

- 5 I have edited this text and published it under the title “The Moral and Spiritual Theology of Richard Fishacre: Edition of Trinity Coll. MS O.1.30,” *Archivum Fratrum Praedicatorum* 60 (1990), p. 5–143.
- 6 *Ibid.*, p. 19–20.
- 7 *Ibid.*, p. 31.
- 8 See my article, *Richard Fishacre’s Treatise ‘De libero arbitrio’, Moral and Political Philosophies in the Middle Ages*, Proceedings of the Ninth International Congress of Medieval Philosophy, eds. B. Carlos Bazàn, Eduardo Andújar, Leonard G. Sbrocchi, vol. 2 (Ottawa: Legas, 1995), p. 879–91.
- 9 Oxford, Balliol Coll. MS 62, col. 3.
- 10 *Statuta antiqua universitatis Oxoniensis*, ed. S. Gibson (Oxford, 1931), p. 49.
- 11 I take 1267 as the *terminus ante quem* from Roger Bacon’s philippic in that year against the modern theologians who had abandoned the source of Christian truth, the Bible, in favour of novelties; *Opus minus*, in *Fr. Rogeri Bacon Opera Quaedam Hactenus Inedita*, ed. J. S. Brewer (London, 1859; reprinted, Nendeln, Liechtenstein: Kraus, 1965), p. 329.
- 12 Ignatius Theodore Eschmann, *The Ethics of Saint Thomas Aquinas. Two Courses*, ed. Edward A. Synan (Toronto, 1997), p. 196–97.

## Law and Theology in Fishacre’s *Sentences Commentary*

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The topic of this brief communication, Theology and Law in Fishacre’s *Sentence Commentary*, emerges, as one might expect, from the decade-long project of producing a critical edition of the commentary on Peter Lombard’s *Sentences* by the Dominican theologian, Richard Fishacre. Preparing this edition has been a delightful and often-surprising exercise, and it is one of the surprises that concerns us here. Put in the form of a question, it is this: Why does a Dominican theologian, teaching in the theology faculty of the University of Oxford during the 1240’s, devote so much of his exposition of Book Four, on the Sacraments, to a detailed consideration of the Church’s canon law and to the teachings of the jurists?<sup>1</sup>

The edition of Fishacre’s commentary provides two kinds of clues to the question. The first is what Fishacre says, explicitly, and the second is what he does—the ways in which he utilizes canon law and the teachings of the canonists in his commentary. We will examine each

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type of evidence in turn.

Fishacre, like most medieval teachers, took a great deal of care in writing his inaugural lecture for each term of study in the schools, and these lectures now form the prologues to his commentaries on each of the four books of *Sentences*.<sup>2</sup> What is striking, at least to this reader, is not what Fishacre says about the relation of Law and Theology, but rather what he does not say. Nowhere in the Prologue to Book Four does he prepare us for the abundant recourse he is about to make to the teachings of the canonists. It is as if he sees no substantial divide between the authorities and arguments of the canonists and those of the theologians. An argument from silence alone, of course, is not persuasive, but it suggests at least that the professional rivalry between theologians and jurists which will dominate much of the academic writing of subsequent centuries was of less importance, or was understood differently, by Richard Fishacre and his Dominican confrères at Oxford.<sup>3</sup>

If he adverts not at all in his Prologue to the propriety of a theological master making use of canonistic sources, he does provide some clues as to why juridical authorities might be more appropriate in a commentary on Book Four of the *Sentences* than in Books One to Three. He begins the prologue to Book Four with the text of Wisdom 6,24: “What wisdom is and how she was born, I shall explain; and I will not hide the mysteries (*sacramenta*) from you.” These words, Fishacre says, can be fittingly put in the mouth both of Master Lombard himself, and of the one who expounds Lombard’s textbook in the schools. The first three books of the *Sentences* teach “what wisdom is and how she was born”: that is, they teach about uncreated wisdom (the Trinity) in Book One, about created wisdom (the Angels and the created world) in Book Two, and about how uncreated wisdom (Christ) was made man in Book Three. Having taught about wisdom in the first three books, the master then reveals the “mysteries” or Sacraments of God in Book Four.<sup>4</sup>

The material of this fourth book, Fishacre explains, is particularly difficult. One can compare it to the three preceding books of *Sentences* using the words of Solomon in Proverbs 30,18: “*Tria sunt difficilia mihi et quartum penitus ignoro*”—“Three things are difficult for me, and the fourth I do not understand at all.” What makes this fourth book so difficult to understand is not, it seems, the intricacy of the metaphysical problems that it raises; the doctrines of the Trinity in Book One, of Creation in Book Two, and of the Incarnation in Book Three are much more philosophically challenging. Rather it is the inherent mutability, and the free-choice, of the human beings who are both the recipients and the ministers of these sacraments, that makes the science of the Sacraments so difficult. Fishacre compares the study of the Sacraments

to the study of the natural sciences and of medicine: These sciences are difficult because they study mutable subjects, the material world and the human body. He observes: "If those who spend all their time and energy studying nature are able to arrive at few, or no, immutable laws about the relation of particular causes and effects, how much more difficult is it to describe the effects of the Sacraments, especially since these effects vary not only according to the mutable wills of the recipients, but also according to the equally mutable wills of those who confer them." And: "Since the ills of the soul are more numerous than those of the body, so too the medicines of the soul, the Sacraments, are more varied than the medicines of the body. And if the medical doctor often encounters cases where he is quite ignorant of both the illness and of its proper cure, ... so much the more is this true of the doctor of souls." "Therefore," Fishacre concludes, "there are many cases which arise concerning the Sacraments which we do not dare to resolve definitively, and many about which there continue to be disputes among the learned, just as there are among the medical doctors."<sup>5</sup>

Fishacre draws no immediate conclusions from these observations, but if we read on, to see what he does in his commentary on Book Four, we will see him fully aware that there is another ecclesiastical discipline, canon law, which is particularly well suited for dealing with the ambiguities which arise from the mutability of the human will, and with the multiplicity of cases that one confronts in the study of human (as contrasted to Divine and Angelic) affairs.

In his commentary-proper on Book Four, Fishacre reveals his awareness of the close relationship between the two standard textbooks of the "ecclesiastical sciences," the *Decretum* of Gratian (for canonists) and the *Sentences* of Peter Lombard (for theologians). He refers his readers repeatedly to the *Decretum* as the source for many of the patristic, papal and conciliar authorities which are found in Lombard's *Sentences*. Fishacre's commentary is an excellent example of what we would call "source criticism"; he is certainly one of the first authors to identify consistently Lombard's debt to Gratian's *Decretum*, and he is sometimes more thorough and accurate in this task than even the twentieth-century editors of Lombard's text.<sup>6</sup>

But we would miss the point of Fishacre's work if we were to see it merely as an exercise in historical source-criticism. By situating these authoritative sentences in the context of Gratian's *Decretum* he implies that it is to the interpreters of the Church's law, the jurists and canon lawyers, that one should turn for relevant arguments and interpretations. This is confirmed by another unexpected aspect of Fishacre's commentary on Book Four, his full and informed use of the writings of the contemporary canonists. Whereas explicit references to his fellow theologians are few and far between in his commentary on Book Four,

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references to the canonists are frequent and specific. He quotes not only the *Decretum* of Gratian and the *Decretals* (Liber Extra) of Gregory IX (1234), but also the enormously influential *Summa* of Huguccio (ca. 1188), the *Glossa ordinaria* on the *Decretum*, and at least one yet-to-be-identified apparatus or commentary on the *Decretum*, and another on the *Decretals* of Gregory IX. He also makes full, if unacknowledged, use of the juridical expertise of his Dominican confrère, Raymund of Peñafort, whose *Summa de penitentia* (ca. 1234) is quoted at length, in many contexts. The task of identifying Fishacre's sources is still incomplete, but these are enough to indicate that he has a very high expectation of the familiarity which his theology students should have with the sources of, and the commentaries on, canon law.

Which brings us back to the question: why is there so much canon law in Fishacre's theological lectures on Book Four of the Sentences. I would propose two hypotheses to account for this: First is that the study of sacred scripture (*sacra scriptura*) and sacred doctrine (*sacra doctrina*) is a task in which both canonists and theologians were equally engaged. With the emergence of faculties of Theology and Law in the late-twelfth and thirteenth centuries, the academic study of sacred scripture came to be divided: the theologians took primary responsibility for the study of the revealed Scriptures, the text of the Holy Bible, and the canonists especially for the authoritative determinations of popes and councils. Theologians treated the difficult questions that arose from the study of the Bible in their commentaries on Lombard's *Sentences* and in various types of theological questions and *summae*. Canonists based their scholastic discussions in glosses and commentaries on Gratian's *Decretum* and on the collections of papal *decretals*. Both canonists and theologians also took into account the authoritative teachings of the ancient fathers (Ambrose, Augustine, Hilary, Jerome, etc), especially those teachings which had been sifted out over the centuries and then collected in Gratian's *Decretum* and Lombard's *Sentences*.

In this hypothesis both faculties had much in common. Together they took as their starting point the authoritative texts of sacred scripture and sacred doctrine. In this, Theology and Canon Law together were distinguished from the other arts and sciences, each of which took some aspect of human knowledge, rather than authoritative teaching, as the starting point of their investigations. The dignity and the prestige of the university theologians and canonists lay in this: they were charged with understanding and interpreting the highest authorities. Thomas Aquinas' words in the first question of his *summa*, "On sacred doctrine," apply equally well to the work of the canonists as to that of the theologians: "Arguments from authority are of the essence of this [sacred] doctrine. Since its first principles are known to us through revelation, it is proper

that the authorities through whom this revelation is made be given full credence. Nor," he adds, "does this reliance on authority diminish the dignity of [sacred] doctrine; for, although an authority which is founded on human reason provides the weakest form of argument, an authority which is based on divine revelation is the strongest."<sup>7</sup>

Neither the canonists nor the theologians had an easy task, and both approached their work in similar ways. As everyone knows, the authorities of the Bible and of the Canons are anything but an open book; they often seem to be at odds with each other, and it is not difficult to find two authorities which seem to be in direct contradiction. The so-called scholastic method of argumentation was developed to meet precisely this challenge. In his *Sic et Non* (ca. 1122), Peter Abelard elaborated the technique of juxtaposing apparently contradictory passages from the Bible and the Church Fathers, and suggested ways in which a theologian might go about resolving them.<sup>8</sup> Some twenty years earlier Ivo of Chartres had done precisely the same thing with the authorities of the Church's canon law.<sup>9</sup> Ivo's project came to fruition, of course, in Gratian's immensely successful textbook for teaching canon law in the schools, compiled ca. 1140, to which he gave the descriptive title: "A concordance of discordant canons." Peter Lombard's four books of *Sentences*, compiled in the 1150s, was deeply indebted to the techniques of argumentation and the methods of reconciling conflicting authorities that were illustrated so famously in Gratian's text.

If the theologians and the canonists shared a common starting point in the study of sacred scripture, and common approaches in the primacy of arguments from authority over merely human reasoning, they developed distinct and distinctively appropriate methods for handling their respective authorities. The theologians relied with ever-increasing sophistication on the arts of grammar and dialectic, and on the philosophical sciences (both Platonic and Aristotelian) taught in the arts faculties. The canonists, on the other hand, found the most suitable training for the kinds of arguments they were making in the study of jurisprudence as it was introduced in the schools of rhetoric, and elaborated in the study of Civil (or Roman) Law. The result, reflected in university statutes throughout Europe, was a curriculum of studies in which one progressed from the study of arts (philosophy) to the study of Theology, on the one hand, and from the study of Roman law to the study of Canon Law on the other.

This divergence of background and training made it increasingly difficult for scholars in the two senior faculties, Theology and Canon Law, to interact with each other in the exercise of their professional skills. It would be a mistake, however, to view the two disciplines simply as two solitudes, or two separate and competing disciplines. Students who came to the schools were quite willing and eager to

benefit from the expertise of both faculties, and it was a common ideal throughout the Middle Ages, that the well-formed churchman would be conversant in both.<sup>10</sup>

A second hypothesis about the prominence of canon law in Fishacre's *Sentences Commentary* is more speculative, but no less important in understanding the relationship of law and theology in the medieval schools. It would suggest that theology (and its handmaid, philosophy) were understood to have real limitations, as well as strengths, when it came to the exposition of sacred doctrine. Their strength was in the scientific elaboration and defence of the Truths of Faith. These truths, growing out of the Articles of Faith<sup>11</sup> revealed in the Bible and taught authoritatively in the Church's creeds, are general, eternal, and immutable, and thus of the highest dignity and importance. But for precisely this reason, the theologian (and the philosopher) are less well-prepared for resolving difficult questions involving mutable and time-bound matters, especially about God's continuing and particular actions in the Christian community, through the sacraments, miracles, and the lives of the saints and sinners. It is in treating such matters that a different kind of science is necessary and where the expertise of the canonist and the jurist is most valuable.

Books One to Three of Lombard's *Sentences* treat the former matters. They raise difficult questions about the eternal truths of Faith, the unchanging nature God, Man, Angels, Creation, and Incarnation, and about the general nature of Good and Evil, Virtue and Vice. Book Four, although it treats the Sacraments under their generalizable and universal aspects, also requires that the student pay close attention to the mutable and the material aspects of the sacraments and their ministers.<sup>12</sup> Fishacre responds to this requirement by appealing to the experts in these practical and particular aspect of sacred doctrine, the canonists.

An important implication of this second hypothesis is that theology (and philosophy) are somewhat constrained in what they can say about morals and about difficult cases of conscience. As Fishacre notes in his prologue to Book Four, these questions depend not on the immutable and eternal nature of God, nor on the mutable nature of the created universe, but on the even more mutable human mind and will, and on the free choices of rational human beings. Theologians and philosophers, he implies, can provide certain and true guidance concerning the nature of good and evil, and the dynamics of virtues and vices, but their science does not extend, except secondarily, to a consideration of particular acts and passions in individual Christians. It is the canonist and the jurist whose discipline trains one properly to consider particular human actions, and to come to judgements in the internal court of conscience according to the Divine Law, in much the same way as secular and ecclesiastical judges consider cases and reach

decisions in the civil and ecclesiastical courts.

If this must remain simply an hypothesis concerning the reasons for Richard Fishacre's extensive use of Canon Law in his Commentary on the *Sentences*, it finds explicit and eloquent support, some eighty years later, in the writings of the theologian Augustine of Ancona.<sup>13</sup> Augustine posed the question "Whether the one who is qualified to teach theology should be obliged to know canon law." In responding, he distinguishes five ways in which the method of inquiry of the theologians differs from that of the canonists. The fifth concerns the treatment of moral matters. He observes that the theologians treat these questions under their universal aspect whereas the canonists treat their particular applications in human life. He concludes: "Since universal arguments are of little use in moral matters (as Aristotle says in the first book of the *Ethics*), I think it would be a good rule that the candidate in theology, after he has lectured on the books of the *Sentences*, should be required to lecture on the *Decretum*, where the things necessary for counselling the faithful concerning the health of their souls are treated in a more detailed and expert fashion."<sup>14</sup>

Richard Fishacre, writing some 80 years earlier, seems already to be anticipating, and fulfilling, this sage advice.

To recapitulate, it has been argued here that Theology and Canon Law should be considered together as the two senior disciplines in the medieval university, and that together they constituted the ecclesiastical sciences whose task it was to understand and interpret sacred scriptures and sacred doctrine. Although they shared a common subject of study in the revealed and inspired scriptures of the Christian Church, they developed largely separate approaches, with the theologians drawing on the techniques of philosophy, and the canonists preparing themselves for their task by studying jurisprudence and the juridical sciences. Secondly, it is suggested that some (perhaps most) medieval churchmen recognized the limitations of the academic discipline of Theology in the study of the Church's sacramental activities and in the analysis of ethics and cases of conscience. It is in precisely these areas that the sister discipline of Canon Law is particularly well versed, and it is to the canonists that they turned for expert advice in "counselling the faithful concerning the health of their souls."

1 A version of this paper, entitled "Philosophy and Law in Richard Fishacre's *Sentences* commentary," was delivered to the Tenth International Congress of Medieval Philosophy, Erfurt, 26 August 1997. A more informal discussion of the principle findings was delivered at the "Colloquium to Commemorate the 750th Anniversary of the Death of Richard Fishacre O.P. (1221–1248)," held at Blackfriars, Oxford, 8 July 1998.

2 See R. James Long, "The Science of Theology according to Richard

Fishacre: Edition of the Prologue to his Commentary on the Sentences,” *Mediaeval Studies* 34 (1972), 71–98.

- 3 An excellent recent study of the interrelationship of scholastic theologians and jurists is James Gordley, “Ardor quaerens intellectum: Sex within Marriage according to the Canon Lawyers and Theologians of the 12th and 13th Centuries,” in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 83 (1997) 305–332.
- 4 “Quid est sapientia et quemadmodum facta sit referam, et non abscondam a vobis sacramenta Dei,” Sap. 6<,24>. Potest hunc sermonem dicere aut Magister aut exponens Magistrum. In praecedentibus enim libris docetur sapientia, sed in hoc sacramenta. Cum enim sit sapientia creata et increata, de quiditate increatae agitur in primo libro, de quiditate creatae in secundo, scilicet angelorum, et ita patet continuitas illorum duorum librorum, quia uterque est de quiditate sapientiae. Sed et creata sapientia facta est, Gen. 1<,3>: “Fiat lux,” et increata facta est, Gal. 4<,4>: “Misit Deus Filium suum factum ex muliere.” Sed quomodo facta sit creata determinavit in secundo, quomodo increata in tertio, et ita continuatur secundus cum tertio, et ita de sapientia determinatur in tribus primis libris, secundum illud Prov. 22<,20>: “Ecce descripsi eam tibi tripliciter,” scilicet sapientiam. Iam ergo quid sit sapientia et quomodo facta sit retulit, nunc sacramenta Dei manifestare proponit. (The text has been reconstructed from three manuscripts, C=Cambridge, Gonville & Caius MS 329/410, f. 352va; O=Oxford, Oriel College MS 43, f. 331ra; R=London, British Library, MS Royal 10.B.vii, f. 264ra.)
- 5 Primum est manife stare difficultatem cognitionis sacramentorum ... . Difficultas autem illa sic patet .... Item, si quaeras, cum natura habeat leges certas et stabiles, unde in naturalibus tot mutationes et instabilitates ut non possunt ab homine praecognosci, respondent naturales /C=r353rb/ quod harum tot mutationum incomprehensibilium causa est materia, quae est indeterminatum principium, quae est susceptiva actionum naturae, et ad omnem formam suscipiendam prona. Unde Rabbi Moyse comparat eam, immo dicit Salomonem comparare eam, mulieri vagae et coniugatae habenti virum, quoniam non est materia aliquando sine forma. Sed tamen habens unam, parata est /R=264va1 ad suscipiendam alteram sicut adultera, Eccli. 36<,23>: “Omnem masculum excipiet mulier.” Quomodo nunc ex hac putrefactione erunt culices nunc pulices, cum tamen certa lex naturae sit quod horum fiat. Si igitur effectus naturae particulares nos latent propter incomprehensibiles mutationes materiae in qua fiunt illi effectus, cum anima rationalis in qua fiunt effectus sacramentorum sit satis mutabilior quam materia, quia materia fit quandoque necessitas ad formam aliquam, sed voluntas numquam est necessitas respectu effectus alicuius sacramentalis, dico adulti, quia semper habet liberum arbitrium quo potest non suscipere illum effectum quantumcumque disponatur ad ipsum. Ergo satis difficilius est de effectibus sacramentorum /O=33 1vb/ certam dare regulam et cognitionem quam de naturalibus.  
Si igitur illi naturalium effectuum scrutatores qui totum tempus ad eorum cognitionem habendam expenderunt, nec ad paucas aut nullas certas regulas circa effectus naturales pervenerunt, quid putas erit in effectibus



sacramentorum difficultatis, maxime cum casus hic non varientur tantum penes voluntatem recipientem ita variabilem, sed et penes ministri voluntatem conferentis totidem modis variabilem. Et ideo vere dicere possumus de tribus libris praecedentibus, et de hoc quarto, illud Prov. 30<, 18>: “Tria sunt difficilia mihi et quartum penitus ignoro.” Quia ergo multiplicius sunt morbi animae quam corporis, multiplicius est medicamentum animae, scilicet sacramenta, quam corporis medicina. Et si medici frequentius ignorent totum morbum et ideo medicinae temperamentum quod competeret illi in multis casibus, et si quaeras medicinam, dicet, non plene novi morbum, et si nosset, ignorare tamen posset curam, sic multo magis medici animorum. Unde multi casus circa sacramenta quaeri possunt quos plene determinare non audemus, et multi in quibus inter doctos dissentio est sicut inter medicos.

- 6 The critical edition is Petrus Lombardus, *Sententiae in IV libris distinctae*, ed. Colleg. S. Bonaventurae, 2 vols. (Grottaferrata 1971, 1981).
- 7 Ad secundum dicendum quod argumentari ex auctoritate est maxime proprium huius doctrinae, eo quod principia huius doctrinae per revelationem habentur, et sic oportet quod credatur auctoritati eorum quibus revelatio facta est. Nec hoc derogat dignitati huius doctrinae, nam licet locus ab auctoritate quae fundatur super ratione humana sit infirmissimus, locus tamen ab auctoritate quae fundatur super revelatione divina est efficacissimus. *Summa theologiae*, 1.1.8 ad 2.
- 8 Peter Abelard, *Sic et non*, PL 178, 1339–1610.
- 9 Ivo of Chartres, “Prologus,” in PL 161, 47–60. See Stephan Kuttner’s classic article: “Harmony from dissonance: An interpretation of medieval canon law,” reprinted in his *History of ideas and doctrines of canon law in the Middle Ages* (London, 1992), 1–16.
- 10 The same point is made by Gordley, “Ardor quaerens intellectum”: “Their [i.e. theologians and canonists] methods were similar. They began with authoritative texts. They then drew distinctions that would minimize logical conflict among texts themselves, and with common sense, and with generally accepted legal and moral principles. ... the important difference was not in their methods themselves. When they asked the same questions, they usually encountered similar difficulties and found similar ways of resolving them, so much so that one can scarcely distinguish canon law from theology. When differences arose, the reason, most often, was that they asked different questions. The canonists were more interested in finding rules, the theologians in explaining them. The canonists asked which actions were sinful. The theologians were concerned with why they were sinful. When there was little dispute as to the appropriate rule, the theologians simply asked more questions than the canonists. When the rule itself was in doubt, the canonists’ effort to determine the appropriate rule helped the theologians by suggesting conclusions that the theologians could borrow and use.” p. 307.
- 11 L. Hödl, *Articulus fidei: Eine begriffsgeschichtliche Arbeit*, in: J. Ratzinger / H. Fries (eds.), *Einsicht und Glaube*, Freiburg - Basel - Wien, 1962, 358–376; J. Goering, “Christ in Dominican Catechesis: The Articles of Faith,” in: K. Emery Jr. / J. Wawrykow (eds.), *Christ among the Medieval*

*Dominicans*, (Notre Dame, IN, 1998) 127–138.

- 12 See above, at note 4.
- 13 See R.J. Long, “Utrum iurista vel theologus plus proficiat ad regimen ecclesie: A Quaestio disputata of Francis Caraccioli, Edition and Study,” *Mediaeval Studies* 30 (1968), 134–162.
- 14 Augustinus Triumphus: Utrum dignus magistrari in theologia teneatur scire ius canonicum. ... Differunt tamen <scientia iuris canonici et theologia> in modo considerandi quantum ad quinque. ... Quinto, quia a theologo determinantur magis universaliter et in foro conscientie in quo agitur causa inter hominem et Deum. A canonistis vero magis particulariter applicando ad particularia negocia in foro exterioris iudicii in quo agitur causa inter hominem et hominem. Et quia sermones universales in materia morali parum sunt utiles ut dicitur i. ethice; ideo puto quod provida ordinatio esset ut dignus magistrari in theologia post lecturam libri sententiarum teneretur legere librum decretorum quatinus magis tritus et expertus assumeretur in his que sunt necessaria ad consulendum saluti animarum fidelium. ed. R. J. Long, *ibid.*, Appendix 2, 160–162.

## Why Medievalists should talk to Theologians

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Philosophers regularly debate with their predecessors, historians of philosophy are often astonished at the results, yet the two seldom exchange notes. *The Bounds of Sense*, published in 1966 by Peter Strawson, is one of the best books by one of the finest Oxford philosophers of our day: an interpretation of Kant’s *Critique of Pure Reason*, the author allows in the second sentence of the preface that, ‘as any Kantian scholar who may read it will quickly detect, it is by no means a work of historical-philosophical scholarship’. In the other philosophical tradition, Martin Heidegger brought out a study of Kant in 1929 which immediately sold out: in his preface to the second edition (1950), he allowed that the ‘violence’ of his interpretation, deplored by Kantian scholars, could indeed be substantiated from the text, but fended off the criticism by claiming that ‘historical-philosophical research is always justified when it makes this objection against attempts that want to bring about a thoughtful conversation between thinkers’. He goes on: ‘In contrast to the methods of historical