

## *Transdisciplinary ways for a global juridical conscience.*

Gustavo Korte-Brasil

*Introduction. Values and an innate notion of order. Perspectives announcing future. Structures, systems and organs. Religions, theories and doctrines. Levels of thinking. Levels of reality and levels of existence. Conscience and existence. Searching juridical knowledge. Generic transdisciplinary procedures. Methods to knowledge. Fragmentary and holistic knowledge. Global integration and the insufficient verbal languages. Empiric and pragmatic approaches against crimes, corruption and social ruptures. Searching global solutions in face of particular forms of thinking.*

### Introduction

*above.*

*Being and no being were not in the beginning,  
Neither the flow of the wind not even the heaven*

*move.*

*Who was taking care and embracing the world?  
Where was the ocean, where the inscrutable abyss?  
Immortality and death did not exist.  
The night did not appear and also not the day,  
The Unity blew in the origin of everything but did not*

*Rigveda)<sup>1</sup>*

*Within the cosmic context nothing more did exist.  
(Hymn of Creation,*

*To think* is a process. Originated in the mind, the action of thinking communicate is a previous electromagnetic human individual phenomenon propitiating the transference of ideas and thoughts to other people. When excited by some physic, biological, chemical, electric or electromagnetic impulses all mental processes require some sort of order, rules and patterns.

Sixty years ago I have heard from my first teacher of philosophy that human kind is different and superior when compared to other living beings because we exercise the verbal language. His believe was that without verbal language we are not able to think. Since that day I disagree with such intellective formulation.

To induce *knowledge* there are genetic dispositions directing the human being to mental processes. Mind produces thoughts and electromagnetic discharges. Those procedures demand a natural obedience to some basic orders, rules and patterns. That submission propitiates the process generator of thoughts. But, the *processes to order ideas and to order words* have not the same dimension because to *order words* we have to accept

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Poetic version of the author.

the *grammatical and logical rules* dictated by verbal language what doesn't happen when we order only ideas.

*Order*, as a noun, expresses an *essential foundation of thinking*.

Black's Law Dictionary defines it as *a mandate, a precept, a command or direction authoritatively given, a rule or regulation... Term is also used to designate a rank, class, or division of men; as the order of nobles, order of knights, order of priests... Final order. One which either terminates the action itself, or finally decides some matter litigated by the parties, or operates to divest some right; or one which completely disposes of the subject-matter and the rights of the parties.*

*To order* seems to be a *basic procedure to understand* the possible evolution of the mental activity. As an attribute, ordering seems to be a final disposition of ideas conducing to a correct result. *Ordering* and *to order* are words inducing to understand the correct procedure as the natural purpose of existence.

*Disorder*, as a noun, means a sort of *partial, slight and temporary physical ailment*.

Opposed to order, social sciences identify *disorder as a turbulent or riotous behavior; immoral or indecent conduct; the breach of the public decorum and morality*.

*Physical Science* measures disorder as *entropy*, that is *a measure of the amount of energy in a physical system not available to do work. As a physical system becomes more disordered, and its energy becomes more evenly distributed, that energy becomes less able to work.*

We shall measure *order* by the progress resulted from it. We shall measure *disorder* by the *entropy* present in it.

To clarify what we *shall understand as order, to establish and to obey natural, state and social orders* we have to adopt that *natural, state and social orders* are fragments of a generic state of conscience. From the *social state of conscience* are originated the *natural and reasonable procedures adjusting our common ideal for a democratic, free, equalitarian and fraternal society*.

## 2 – Values and an innate notion of order

*Value* is usually referred to an economic meaning. *Price* and *value* are connected during the daily commercial relations. But, *value* is also used for *non economic phenomena* when we say that a painting has a great *cultural value*.

There are *a sense of value* and a *sense of existence*.

*Value* is also used to measure *the utility of an object is satisfying, directly or indirectly, the needs or dsires of human beings, called by economists "value in use", or its worth consisting in the power of purchasing other objects, called "value in exchange". Value meaning worth carries other ideas such as price, cost, quality, concept, merit, consideration, regard, influence, authority, significance gives support.*

In fact, we have observed that when we refer to *value* we have on mind some sort of *scale*. That means some *graduation*. An *hierarchic* classification. *Chronologic scale*

becomes explicit when we say *actual value*, *past value* or *future value*. *Market value* means the scale of *current price*. *Preference* and *selection* appoint some sort of *value* defined with the help of other sense than only economic. Kant teaches about *echt moralischer Wert* referring to *moral values*.

Many people have studied *value* and have exposed different theories about *values*. Plato attributed to ideas the maxima dignity, therefore, ideas are *worthy*.

We should extend this approach to value *ad infinitum*, but it is not the main object of our theme. We have a limited time and restrict observations. We let that discussion to advance in our presentation.

*Order* is understood as a noun and *to order* as a verb. *Order*, as a noun, corresponds to a *natural scale* of values, patterns, virtues, empiric and idealistic rules. But *artificial order* many times gives support to many other meanings and theories.

*Natural order* seems to be in Nature itself, *imposed by the cosmic constitution of existence*.

As a consequence of that belief, *to order* becomes a *process of recognition of some entities related to others*.

I adopt as a postulate so as Plato did, that *all minds have an internal impulse to order things, facts, ideas and phenomena*. That *original impulse* moves human mind to the acceptance of *categories* as the first step to relate ideas. *Entelechia* is the correspondent Greek word to that effective *internal pulse*. *Entelechia* is in fact an *impulse*.

When using an idiom as a specific *national* or *regional verbal language*, we recognize immediately two sorts of *categories*: *lexical* and *logical*.

Usually in western idioms *lexical categories* refer to:

- a) substantives, nouns, (identifying the essence of word in itself);
- b) adjectives ( words related to the noun or to other adjective to qualify, limit or define it);
- c) verbs (expressing the action or state of beings, also the static or dynamic relations between beings, entities or abstract ideas);
- d) adverbs (words used explicit the contextual sense of the verb, of the adjective or other adverb, with the power of modify their meanings);
- e) pronouns, ( words used to substitute the nouns, instead of the nouns);
- f) conjunctions, (words used to join clauses, to connect verbal phrases or complex expressions);
- g) prepositions, (words used to join words as nouns, adjectives, verbs etc. showing the relation to some other word in the sentence);
- h) interjections, ( words expressing passion or emotion when suddenly uttered) and
- i) articles, *a*, *an* (the indefinite articles) and *the* (definite articles) are words used to designate *definite* or *indefinite* ideas.

*Logical categories* define the *function of the word in the structure of the verbal expression*. Verbal expressions are linked by connectives coordinating or subordinating one expression to others. Subject, object, predicate, attribute and connective are the basic functions. But there are others. The preliminary process of recognition including these two verbal categories are very useful to understand distinct idioms.

A basic analysis of verbal expressions adopt categories as previous degrees that reveal and transfer to our forms of perception the essential idea of the object we are reflecting, talking or hearing about.

It seems to be difficult to define the categories when we refer to arts, in special plastic and musical arts, because they are not limited by the logical and grammatical rules of verbal languages. Both fields of artistic expressions are able to transfer feelings and perceptions from the artist to their public transcending the limits of verbal rules.

Accepting *time* as a noun, included in that grammatical category, the sequence *induces to identify the notion of time as an abstract phenomena*, including *past, present, future, dreams, projects and hopes*.

We become able to recognize *abstract and concrete categories of nouns* when we refer to human behavior as *intention, desire, hazard, chance, fortune, will, opportunity and human values*.

Using the capacity of connecting and relating ideas, we are induced to *think that there are limits in the relations between different nations and people when they are only linked by the a common idiom*.

The doubt consists on knowing if, by that *common verbal language, they become able to recognize the same scale of social patterns and values*.

The solution seems to be easy: if different people don't have a common verbal language, therefore they will need to start electing a common idiom and with it they have to identify common and different needs, values and intentions.

The elected common idiom doesn't seem to be enough to propitiate a simultaneous and convergent procedure to a common goal.

Soccer teaches that the game has to adopt at least two opposed goals.

Human game in global era is composed of many goals, not only two.

What I want to clear is that our performance as lawyers, teachers and academic students has to recognize the simultaneity of an infinite human objectives concurring since the past to global present and future era.

By one way we shall observe that *it is not essential to establish a common verbal idiom*, but, in fact, *it will be necessary common patterns of identification of ideas, facts, goals, actions and categories not restricted to verbal forms of expression*.

*Pattern* seems to be a *sign* indicating the way to arrive to some *specific knowledge*.

Philosophy uses *methods* as ways to knowledge.

*Methods* use *patterns of procedures* to arrive to an objective.

*Human patterns* are used as *values*, fixed and built paying attention to the *needs* and *intentions* of human being when living in communities. They are related by mental processes to define individual and social behavior. *Conscious internal tension* is an *intension*.

When we observe Nature and its phenomena we are induced to *recognize human, natural, planetary and cosmic values*. I adopt as a postulate that *every entity carries some sort of internal tension*.

*Human values* are identified directly as *mental impulses* giving origin to *intentions, actions and motions* during our experience as *human social beings*. They are commonly recognized as *moral, legal, economic, physic and social patterns*.

*Natural values* are identified with *planetary and contextual life* without human intervention. They seem to give signals how to preserve the Planet in its micro and macrocosmic relations. The acceptance of *natural values* has been effective in the past. Now, conditioned by consumer society, the cosmic and natural patterns are at most maintained under a subliminal state of social conscience.

Global society announces that human mind adopts human values as more essential than natural ones. Global conscience of human kind is processing the substitution of *natural values* by *human patterns*.

Artificial values emerge from globalization process, seeming to be dominant in future. *Natural and cosmic values* help the definition of rules directed to *preserve Nature* as it is. We observe that the artificial human values are directed to other objectives. The projected conclusion makes evident that human kind is advancing to a parallel or wrong way.

We have to correct that human procedure.

### 3 - Some perspectives announcing future

*Perspective* is an abstract noun meaning some *hypothetic possibility*.

Social sciences and philosophy study *perspectivism* as the possibility to consider the global phenomenon and, in general, the world, starting from different points of view and converging to unity.

*Gustav Teichmüller* (cf. *Die Wirkliche und die scheinbare Welt*, 1882) explained that we are able to observe the world from distinct points of view, all sufficiently justified, in such a form that from each distinct point of view the result offers only one perspective, that is, the only abstraction possible to understand what will happen in the future.

*Leibnitz* in its *Monadology* arrives to similar conclusion.: “So as a city observed from distinct points seems to be another city, completely different and so as multiplied prospectively so the infinite multitude of single substances gives place to other many different universes which are not more than perspectives of the only universe observed from different points of view of each *monada*”

*Nietzsche* identified *perspectivism* or *fenomenalism* the fact that the nature of animal conscience only allowed to acquire the *conscience of the world* as something superficial and generic, as the result of the union of the conscience with corruption, false perception and superficial generalization.

*Radosla A. Tsanoff* (in *World to know: a Philosophy of cosmic perspectives*, 1962) identifies “*cosmic perspectives* “ as the ways to see the world”.

When we direct our mental efforts to recognize different proposals of life we have to remember that the inclusion of *geometric perspective* in figures, *geometry* and *plastic arts* began about five thousand years ago and has been more developed during the recent twelve centuries with the cultural process we are all inserted.

The first systematic studies of perspective have been renewed in paintings by the classic social revolution called *Renascence* (sec. XIII) and its plastic artists.

We are able to recognize the scientific progress directed to identify the structure of thoughts and its origins as result of many trials, approaches and reflections.

Some moments of those approaches have been cleared by Aristotle (sec. IV b. C.) when he focused his attention in the study of the *categories of ideas and their respective words*. The Greek philosopher perceived that when we began to identify specific things and thoughts we have to submit our mental process to some sort of previous language reflecting a natural order, complying what is sensible with its correspondent idea. Aristotle, as it was usual in Classic Greece, had the help of a *formal verbal grammatical language*.

Many disciplines directed to social sciences have been expanding their foundations and studies based essentially in *formal verbal languages*.

Now, I invite you to observe the existence and general use of some distinct ways of expression and communication not restricted to *formal verbal languages or some specific idioms*.

*Aristotle (IV B.C.) believed that there are two essential kinds of expressions: 1) the ones that mean something without being linked with others (man, window, movement); and 2) the ones that only acquire meaning when linked to other expressions (man running, opened window, circular movement).*

*To such Greek thinker, the expressions without link didn't refer neither to affirmatives nor to negatives, but they were recognizable and identifiable in and by themselves, and assigned to categories. Such categories informed the meanings of: 1) substance (ουσια), as the man and the window; 2) amount (ποσον) (two, three things); 3) quality (ποιον) (white, black); 4) relation (προζ τι) (half, double); 5) place (που) (city, home); 6) time and date (ποτε) (yesterday, year); 7) position and situation (κειμαι) (stand, lied); 8) possession and condition (εξειμι) (armed, dressed); 9) action (ποιειν) (does, walks, talks); and 10) passion (πασκειν) (feelings, hurt).*

Such mandatory intuit is noticed as inseparable of the cognitive process. There is an original need of recognizing on the objects of the perception forms a little bit of simple essentiality, not complex, by which the ideas can be recognized.

While people search ways to express themselves, by sounds, words, gestures, images, figures, actions or movements, to communicate or to transmit some meaning to others, it becomes necessary that such meaning is recognizable by the ones who receive it, otherwise it wouldn't generate, by itself, any of the desired effects.

The communicative experience translates some sort of relations between human beings and the entities with which they are connected, related or supposed to be inserted in some specific or temporary context. A verbal language well structured and with a systemic form of expression maintains the intended communication during centuries.

But we have to agree that the use of a unique idiom and its formal grammar to think and to communicate *becomes a sort of restriction on the process of knowledge and reflects a fantastic reduction of our power of thinking*.

Therefore, global culture and science, since the beginning of our actual stage of civilization, are trying to develop a precise language that should induce us to the ways of a progressive knowledge. But, as the specific lines of research, that language becomes accessible basically only for the students of that discipline.

In fact, the actual stage of our global cultural arrived to many forms of communication, using specific disciplinary languages, which are not understood by students and researchers operating on the others fields of knowledge.

Really, we are living in a global confused by so many alternatives.

We shall observe that powerful nations use to submit weak people to learn and practice their dominant idioms. It reveals a natural effort of the social human power to *rediscover a lost common language*.

To advance with formal language we need to know its rules which can combine the symbolic expressions with the *notion of grammatical categories and the logical functions*. We shall direct this approach to some *cosmic amplitude* searching an *universal form of communication*, trying to become *holistic and cosmic researchers*. But we have conscience of our weakness and we understand as an inevitable contingency that we have to proceed reducing our studies to fragments adopted as *fragmentary informs, not complete information or partial knowledge*.

We are excited by the desire to know the invisible. The invisible announces a supposed whole, which is previously admitted as something infinite, not possible to be limited.

We believe our advance is possible approaching the fragments.

We perceive the fragmentary knowledge as the only which gives useful results because we have conscience of our *fragmentary limits of reason, empiric perceptions and physic existence*, observed from the perspective relations projected by the intuitive notions of *space, time, matter and energy*.

*Fragmentation* seems to be the only way to knowledge even when we know that *the results will be uncompleted, provisory and not useful for all sciences*.

Cosmic, universal and holistic knowledge are utopic if we understand that the whole is not contained in the sum of the parts but all parts are included in the whole. In fact, *the whole transcends the sum of the parts*.

The mental movement is not concerned to make equal the being and its representation but to transcend that relation searching the link between activity and theory.

Emmanuel Lévinas, in the Preface of his *Essay sur l'exteriorité* under the title *Totalité et infini*, has signalized that link saying that philosophy is able to *reveal the meaning of that relation between activity and theory but not having that result as a goal*. The expression of the phenomenon emerges *with and in itself*.

To *work conscious*, with *conscience*, is not to equalize the Being by its representation but it is some sort of mental work. It is expressed by the intention to clear where that adjustment has to be processed. In fact, it is a dynamic process to define the borders of the phenomenon and to adjust that perspective to *what seems to be the best*

possible result. What suggests *philosophy discovering but not producing knowledge*, because *knowledge comes with the perception of the phenomenon, in it and with it*.

Human mind is always searching *synthesis as the result from the sum of parts*.

Cartesian method gives *synthetic knowledge* as a formal consequence of the composition of analytic knowledge. It is a natural tendency to believe that synthetic formulation is an advance over analytic observation. We have to decide if we will adopt synthetic or analytic procedures.

The research procedure seems to be correct if the work operates *within the limits of order of greatness accessible by our senses*. That is, *empiricism* is the most usual method to acquire conscience about what we are trying to understand, but we know that the empiric forms of perception are fragile and *don't give enough support to abstract reasonable thoughts*.

*Rationalism* becomes a useful method to order, but is always conditioned by *empiric perceptions* and the limits of *mental processes*. When we become able to announce the conclusion of our observations by rational methodology we think we arrive to the law of the phenomenon, that is, to the expression of the relation *cause-effect*.

*Sceptic methodology* reveals the modesty of the researcher when he puts in doubt everything he supposes to know. We can observe that our intellectual tradition induces the mind to try to unify knowledge. It seems that we have to verify if that conduct is strictly necessary or we are allowed to reject that impulse to universalize knowledge

*Methodic empirism* is necessary to *unify* knowledge. It excites the aggregation of fragmentary experiences and shows a peculiar perspective for a synthetic conclusion. What means that *empiric methodology*, based on sensible experience and experiments, is essential to guarantee credit to what we think.

The efforts to synthesize knowledge *unifying fragments* show that sensitive approaches are essential to propitiate positive and useful results. The *ordination of categories* becomes essential to understand the relations *stimulus-answer* and *antecedent-consequent*.

*Pragmatism* is the way by which we adopt some objectives supposing they will be the useful result of the knowledge and we reject others putting them away, because we believe they will not give support to what we intend.

*Intuition* suggests the existence of *intuitive forms of perception*. They us to recognize some of the *infinite number* of ideas, entities and objects as *fragments of the whole*.

*Phenomena* shall be studied and described under objective formulations. The verbal language makes possible the communication of part of results of such intellectual efforts.

But only the methodic *descriptions and narratives* formulated during and after the cognitive approach translate ideas with the characteristic of *sufficiency and veracity on themselves*. Otherwise, is essential to observe that it is the shortest way to understand ideas related to others ideas.

Isolated ideas are useful only as theoretical arguments or when integrated to complex forms of thinking. Heidegger classified those procedures of description as identifying the ideas by *das sein, eins sein und mit sein*. And we arrive to a convergent point: there are categories of *ideas and thoughts* which existence is ever related to others, that is, there *existence* is possible to be considered only as *mit sein*. *Adjective* is included on that category.

During the mental process becomes clear that *ideas are reported to entities* whose connections are fragments of the universal context.

The perceptions of those entities, objects, actions, movements and fantasies are always particular and limited to the individual power of perception. What means that our mind, as a consequence of its natural and physic constitution, *is not able to transcend fragmentary forms of perception*.

On terms of *abstract* and *concrete*, most forms of thinking need relations, links and connections to become useful and understood. To transcend we need to believe.

Since the beginning and during the process of knowledge, our mental efforts have been included to elect some postulates.

**First**, to a sense of a *former unity* linked to the generic idea of *universal movement*, that is, all things and thoughts move to a unique central point.

**Second**, we shall arrive to the idea of One, Unique and Universal Whole obeying the mental process of cognition and *connecting ordination with composition of fragments*.

**Third**, we receive intuitive impulse to perceive matter, energy, space and time as essential concepts to compound the knowledge of the whole. The main question is reduced to clear if there are essential and non essential elements what means to know if the whole contains something not essential in itself.

**Forth**, we generally accept as true what is common or different between the fragments we have identified with the help of verbal language. The process of identification obeys the ordination of the objects of thoughts according to their grammatical and logical categories, phyla, classes, orders, families, genders, species and varieties.

**Fifth**, we are induced to relate those notions, establishing forms of communications through which that *supposed knowledge* becomes able to be transferred to other human beings, for present and future generations. We hope that they should be integrated to the memory of human kind, which possibly becomes acquired characteristic or phenotypic change, and like so, integrates the social or collective memory.

The definition of memory refers to the capacity to evoke previous similar experiences in face of some stimulus. Memory is a sort of electromagnetic field that archives the intellectual and empiric phenomena occurred during the individual or social existence. We feel that there are individual, collective, social and national memories. Why not also a planetary memory or a cosmic memory?

Social efforts and the renewed testimony of that movement link the conjoin of collective and individual beliefs, uses, customs and traditions. Sometimes they are reproduced or accepted as *historic facts or historic documents*. With such contributions human societies establish the foundations of their particular process of evolution.

Consequently, the construction of social structures, systems and organs helps people to distinguish *present nature of human societies* from what was its past and from what we suppose and hope to become its future.

#### 4 – Structures, systems and organs

Structures, systems and organs are answers to the efforts of human mind when trying to order the processes of thinking. They seem to be the only possible way to recognize order in the empiric and theoretic approaches to reality. They are present within concrete and abstract entities.

The mental procedures expose all sensible phenomena as parts of some structure, system or organism.

*Past, present and future* are three accepted intuitive stages to localize phenomena in chronological dimensions, but we are able to admit that the idea of time has always an essential and indissoluble link with the notion of space. Therefore, it is easy to accept that we are not able to think without referring to the intuitive notions of space and time. But it is not only that sort of previous restrictions that dominate our thoughts. They are also submitted to the intuitive notions of matter, energy and internal tensions.

Matter and energy are also conditioning our forms of thinking.

Intellective approaches to Science and Philosophy show that at least five intuitive dimensions rule our forms of thinking. Space, time, matter, energy and internal tension.

The notion of *entelexía* helps to understand the meaning of *natural tendency to perfection* or *original internal tension to be and do the best*. That tension is the essential cause that moves all entities.

We began our presentation introducing the concepts of *entropy* and *entelexía*. When studying thermodynamics, scientists have recognized an *internal disorder* as some sort of *internal force* present in all matters but more easily observed during the variations of temperature. That means, scientific experimental observations induce to confirm that *every matter contains and internal tension increasing its internal disorder*.

By other mental procedures, philosophers are induced to recognize *entelexía* as the internal impulse moving all entities to *become complete, perfect in themselves*, what also means to *become perfectly ordered according to their nature*.

We have observed structures and systems in our collective memory as part of our collective past. They shall be respected as consistent if proved by historic documents. But they shall be accepted as a *true past* also without proves, only received like so by our believes.

Sometimes structures, systems and organs are only perceived because they affect our senses and become perceptible. But we have to admit the possibility and probability of an infinite series of structures and systems not perceived through our sensitive organ, even when they exist simultaneously with our relations space-time-matter-energy and intentions.

Because of that we adopt complexity not only as a possible postulate, but an effective and real probability of existence. *It means that everything is complex, interlinked and nothing exists or happens isolated* <sup>2</sup>.

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<sup>2</sup> Everything is complex. There does not exist isolated phenomena. It is the first transdisciplinary postulate .

Empirical Sciences inform that the processes of transmission of ideas and forms of thinking occur by propagation of electromagnetic waves. That phenomenon has its starting point in the mind and is generated by external or internal stimulus.

Internal impulses are also recognized as *desires, wishes, intentions, volitions*. Religious and mystic prayers talk about temptations referring to what they suppose as a *wrong impulse*.

The diffusion of ideas happens resulting from movements of propagation of electric and electromagnetic waves with their perceptions limited by the electromagnetic capacities of human mind.

If someone is interested to share some idea he needs to use some rules of communication understood by whom his action is directed. Within human relations, if there is someone trying to communicate he has a great chance to have another person ready to receive the message by his own wish or obeying internal or external orders.

### 5 – Religions, theories and doctrines

Approaching distinct points of view we have observed many doctrines, offering distinct structures and systems of thinking, forming streams of convergent and compatible ideas, from which we are able to distinct three more relevant, both marking the opposed limits of possibilities.

The first one refers to those that observe the universe as a whole, unic, holistic, total, to whom it seems possible and probable the communication between present, past and future, that is, to communicate with entities that have been existing on the past to those that will exist on the future. They accept the sense of universal time, named by the Greek as *ayon*.

On that group there are those who believe on the eternity of the Being, that is, what does exist now has been ever existing. *We all are eternal and, so, we are all divinities*.

For them *death seems to be an implication of life*.

We observe that for some of those believers the concept of death reveals a metamorphic process that doesn't exclude simultaneity with other existences of the same individual on distinct levels of reality. It seems to be an implication of the intuitive notion of the universal time which doesn't change the continuity of existence. For them it is not impossible to speak with dead people because in fact they believe that death is only a metamorphic phenomenon not related to the interruption of existence. But that sort of field of thinking is not object of the empiric or theoretic modern sciences.

The second doctrine is formed by empiric sciences and philosophical doctrines based on human senses and perceptions, submitted to the meaning of multiplicity of empirical characteristics.

The plurality and complexity of facts induce to believe that everything is previous determined by an universal immutable design which is not changeable. That means future is written and what is written is immutable. That inevitable future is designed *destiny*.

The third theory serves to modern scientists even when based on what Bergson designs *retrograde knowledge*. *Time* is only considered in a *futuristic sense*, connected with *what shall or should occur*. *Future* is the implicit result on what occurs in present.

Each moment is constructed with the contribution of every phenomenon. On the fields of Ethic, ethical phenomenon is that when human being participates or exercises his power of choice.

The common sense absorbs the meaning of *destiny* as the idea of an unchangeable future. Future seems to be the direct consequence of present. Present is what it is, so future is also an immutable consequence of what is now.

We observe that the concept of *destiny* is linked with space-time-matter-energy relations occurring under immutable rational rules.

We learn very much with empiric sciences, but modern knowledge based on the Quantum Physic Theories induces us to understand that the essential rule of cosmic entities is that all is moving. Changes of position, placement, constitution and relations are the common characteristics of all phenomena. Universe is mutable, not constant, is the most changeable phenomenon existent. If what we call Universe is true, true is not constant but mutable as the Universe.

It is obvious that, when *considered on the same level of reality*, the concepts of *destiny* and *free will* are opposed one to other. They are always submitted to the notion of time and its implicit relation *past-present-future*.

It seems an absurd to say *past is*.

*Past was*, that sounds better. But *what was* or *has been* constitute what we consider *past*.

*The verbal difficulty* consists to understand past as existent or non-existent reference.

Past should be easily understood as *the antecedent of what is present*. *Future will be* the rational consequence of *what is*.

If life is ordered *only under that perspective*, logically *destiny is immutable*.

The suite of that forms of thinking induces to believe *that future is the teleological cause of past and past is the deontological cause of future*. But, we have learned that *perspective is not the notion perceived from only one point of view but from many others*.

What we accept like *future is the perspective perceived from a chronological point of view*, revealed through an *intuitive and abstract form of perception* which reveals time as an *imaginary movement directed from past to future crossing present*.

To be coherent with our previous premises we have to approach the fields of knowledge from other points of view. We propose that, during the next moments, we shall process our thoughts totally free of those former restrictions, not feeling fasten with bolts to any theory. But we will have to observe the limits of our procedures and *to advance respecting all what is concerned in our memory as a true belief*.

The *sensation of freedom* will induce us to open the horizon of our observations, changing our position from one to many different points of view.

Eastern Culture, exposed on the *Upanishads*, compiled between the 9th and 5th century before Christ, impulses the human intellectual efforts directed to harmonize a large multiplicity of points of view referred to knowledge.

Originated on the *Upanishads*, based on a verbal oral tradition, emerged a first doctrine which recognized the unity between Brahman and Atman, the doctrine of Unity.

*Brahman is the source and the beginning of all what exists, originated and existing on himself as the essence of the world present in every fragment of the whole. Atman means itself, that is the soul of the entity, understood as its authentic essence, and so differs of what only refers to human beings by external and non authentic factors. The most advanced knowledge that the human being has to arrive is that Atman and Brahman constitute the Unity. The Unity is the only original existent being in the world, in which the soul is included, only beginning ruling the Whole and all his fragments in all space and time, matter and energy. That is the only intimacy where the soul shall learn the immutable intiacy of the Being. . "This whole world is Brahman..."<sup>3</sup>*

From another point of view, the Eastern Culture announces a second doctrine which contains the ideas of *kharma* and *reincarnation*.

The doctrine of *kharma* announces as a *true believe* that human being have a *necessity to reincarnate* as a consequence of his actions during previous lives. The *sequence of reincarnations* is infinite because they are all linked to the Idea of an eternal soul.

*From that point of view we are able to recognize an eternal law (dharma) which rules the world and is expressed in every phenomenon. Dharma imposes to each entity, during his life, some predetermined duties according to his nature and social context. The doctrine induces to believe that the true way of existence is to abstain in state of conscience from every personal desire and action. The abstinence becomes sterile and without value if not correspondent to the state of conscience in which knowledge is acquired. The redeemer force of that belief is the supreme and intuitive perception of the essence of Brahman, because who knows Brahman is, in himself, Brahman<sup>4</sup>.*

Veda means in Sanscrit *Wisdom, Knowledge*. The *Veda religion* expresses a variety of beliefs and rites described in the Veda, written between 1800 and 800 years before Christ.

*The vedic texts are distributed in four great sections, each one named Veda:*

*Rg-Veda, is the knowledge approached by levels and phases;*

*Yajur-Veda, the wisdom presented under liturgical formulations;*

*Sama-Veda, the wisdom transmitted by liturgical melodies*

*Atharva-Veda, the knowledge taught under the Atharvan model which is a particular class of priests.*

<sup>3</sup> KUNZMANN, P. e others. *Atlas de la Philosophie*. Paris: Librairie Générale Française, 1993, p.17.

<sup>4</sup> KUNZMANN, P. e outros. *Idem*, idem., p.17.

*Nyâya, results from the its fusion with Vaisesika. Their basic procedures are supported by logic and deduction, subordinated to the rules and structures of verbal language, through which the Vaisesika has its foundations on the atomist comprehension of Nature.*

It should say that religions result from distinct points of observation of Nature, from which emerge the correspondent beliefs. But it is not so.

Identifying the remote religions we become able to elect the most important facts and sometimes the soul of its original people.

*So, the literary works compiled with the documents collected from the Pyramides reveal the structure of Egyptians religion. The Homeric Poems expose the rites and myths of Classical Greec. Bonism has now only a few centers of studies and cults and is almost unknown. The Vedic religion is supported by a few books. Hinduism and Budhism are based on distinct believes. Shintoïsme is presented by Kojiki and Engishiki texts. Mazdaism and Zoroastrism have the Avesta as their sacred book. History links religion with the mental structure and memory of each people. Judaism, Christianity and Islamism have the same origins, but have been developed using distinct rites and conceptions.*

Since the 5th century b. C., the forms of intellective perception with the help of verbal languages and religions have been developed as essential to communicate knowledge. To built structures and systems over verbal thoughts become an essential need to the nations and mystic procedures.

The social and political success has become dependent of the assimilation of the winner idiom by the dominated nations. The assimilation of knowledge need structures, systems and forms of thinking ordered such a manner to propitiate the exercise of individual, collective and social memory. Intellective work becomes an obsession for some people. They recognized the need of categories to develop verbal thoughts.

Painting, sculpture, music, dance emerge from that context expressing something to which the use of verbal language was not enough to communicate.

The human essential needs are conditions to preserve our nature. We are fragments of the universe. And like fragments of the universe it is Just to believe that we have some universal characteristics.

## 6. Levels of reality and levels of existence

Transdisciplinary postulates give support to simultaneous distinct levels of reality.

For instance, the specificity of the entity is the recognition of a fragmentary but complex reality. The idea of *Universe* is originated from global perspective.

Therefore, on a first step, it becomes implicit that there are, at least, two levels of reality. The first one, a *reality of fragments*, where each entity is considered on its specific and limited individuality. The second, where all existent beings are integrated compounding a whole whose fragments are infinite, not isolated and not recognizable.

Intuition induces to accept that between those two levels of reality it does exist simultaneously an unlimited and inaccessible number of other realities where entities,

positions and relations space-time-matter-energy pulsed by internal tensions do exist. They are inaccessible to our forms of perception.

We suppose that the intuitive notions of space, time, matter, energy and internal pulse shall be existing, even when not expressed or revealed, with all possibilities and probabilities of existence.

Only founded on that believe the holistic thought hall countain the idea of simultaneous existence of Being and No Being, of what exists or doesn't exist, of what is from that of what is not but will be.

Within that level of holistic reality the necessary, the contingent, the possible and the probable do coexist as forms of thinking.

Therefore, is acceptable to believe that the whole is more than the sum of the fragments and that the idea of the whole is contained in all its fragments.

*These conceptions are converging with the idea of Pythagoras referring to the **Monada**; with Demócrito de Abdera mentioning the **atomein**; with the ideas of Parmenides of Elea the Unity of the Eternal Being; and with the dynamic conception of Heraclit of Ephesos, concerning to the eternal to become. Leibnitz helps with the infinite number **interexpressions between cause and effect** . Pascal contributes with the notions of the two **infinites, micro and macro ones**.*

We have to pay attention to not confuse the notion of reality with what we suppose existent. Using verbal language we perceive that an idea, a thought or an entity shall exist without being materialized. On the opposite, we have to consider existent what doesn't exist now but has been in past r will be in future because if not existing the entity should not be located on the relation space-time.

Our beliefs induce to think that the *levels of reality* shall be considered as *fields of thinking* where many phenomena occur inaccessible to our forms of thinking.

Religions believe that God thinks. For those who recognize Nature as the Divine Mother, the answer has to be positive.

If someone doesn't believe in God, but recognizes Nature as undeniable evidence, it becomes implicit that Nature has power to think because we are not able to deny to the whole some quality existing in its fragment. What means that Nature is able to think independent of *human verbal ideas*. Should we learn the language of Nature?

## 7 – Conscience and existence

Etimology suggests that the noun *conscience* is derived of two ideas: *con* (meaning with) and *science*(meaning learned knowledge). Therefore, *conscience* means to *know with somebody*. *Conscience* becomes a sort of witness of *existence with others*.

We shall consider different states of conscience. *Psychological conscience, moral conscience, scientific conscience, juridical conscience, social conscience etc.*

*To be conscious of coexistence reveals complexity.*

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To be *conscious* of *what we are*, of *what we intend to be* or of *what we are doing* is to have the perception of *others existing simultaneously* or *coexisting* with us *simultaneously in the future*.

*To be conscious of something* reveals contrasts, similarities and temporary relations. In fact, *to be conscious* expresses the perception of some relations space, time, matter, energy and internal forces.

*Entelexia* and *entropy* are perceived when we are conscious of ourselves *within our context*.

*Conscious state of mind* offers opportunities to have *conscious pleasure directed to perfection*.

*Hedonism, Epicurism and Stoicism* are moral doctrines directed to these approaches.

Originated from Latin the word carries two main ideas: *ex* ( meaning what is out of something) and *essere*, meaning *to be*. The world *existere* (orig. Latin) gives origin to thousand of studies and texts.

Daily, the word existence means *what is testified* by our senses. *There is a book on the table. There is a person looking to you.*

*Phenomenology* and *perspectivism* refer to essential dependence deriving *existence* and *perception*. For those doctrines the sense of *existence* seems to emerge from *mutability* and *fragmentation*. We are induce to understand *existence* when proved by appearance, images, similarities. The idea of existence is connected with *time, space, matter and energy and internal pulses*. *Juridical procedures* are dependent of *senses of existence* and *senses of value*. They are always referred to *existence* and *individual and social conscience*.

## 8- Searching juridical knowledge.

When we start searching some sort of knowledge we act on a *temporary state of conscience* during which we believe we are and will continue *coexisting* with *community, society and state*. That is, *we proceed considering a chronological perspective*

**Justice**, as a noun, includes a *dynamic meaning* when associated to a *social movement to adjust differences*. The idea of justice requires time as essential condition of existence. Delayed justice ins not what society claims and needs.

*Delayed justice* is an adjustment determined by time, not by the systems of justice.

*Delayed justice* has to be deleted from our global perspective during human planetary integration. It is not justice, but only a shadow of what human kind is searching to survive.

Black 's Law Dictionnary says:

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*Justice corresponds to a proper administration of law.*

*Commutative justice concerns obligations as between persons and requires proportionate equality in dealings of person to person.*

*Distributive justice concerns obligations of the community to the individual, and requires fairs disbursement of common advantages and sharing common burdens.*

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*Social justice concerns obligations of individual to community and its end is the common good.*

.....

Juridical sociology refers to *Retributive* and *Restorative justice*.

Our studies during the last five years are focusing the *Restorative Law, Restorative justice, Victimology* and *Preventive Justice*.

We have observed that Justice is one of the most searched virtues of human kind during recent 5.000 thousand years.

The term justice combines with the idea on a process to social adjustment.

Inclusion, exclusion, injunction, restoration, retribution, pardon, repentance, remorsefulness, capture, arrest, conviction, punishment, revenge and many others items correlated with moral phenomena and juridical acts have been the themes of thousands of books.

We have to recognize that our recent culture, since the Sumerian times, is worried with justice.

Half a century of juridical activities propitiate me some notions about the meanings of justice. The word is always combined with the idea of adjustment. Sometimes requires also the notions of objective law.

To adjust expresses the intention to order behavior of individual or collective interests.

In some aspects that practice means to combine fragmented individual or collective behavior with social wishes or state laws.

Juridical knowledge is a collective pragmatic answer to compound fragmentary notions and to rule activities within a state structure. The complex collection of doctrines and laws obtained from that answer serves also to rule private entities and all relations between what is from state to what is private. The fragments of juridical knowledge shall be uni or multidisciplinary. But to become effective the transdisciplinary perspective seems to be the most convenient.

Justice, as a process, is a pragmatic answer to a claim. By that way, justice combines fragmentary informs as premise. The result is not a straight logical conclusion but a sentence emerging from an appearance of facts. Therefore, justice is done when the *quaestio juris* becomes adjusted by according the *sense of existence* to the *sense of value* defined in law.

We have to consider that Law and Justice exist in *different levels of reality*.

*Law* emerges from a supposed social wish, resulting from virtual hypothesis.

Justice is referred to concrete facts. Law is the expression of the authority of a juridical organized state.

Justice is the *empiric* and *pragmatic* result induced by that *empiricism, pragmatism* and *authoritarianism*.

The approach of theory of information to juridical practices shows that the actual systems of justice, by nature, don't have condition to receive the complete

informs about any of their processes. That conclusion comes from a single daily observation. Let us do it once.

Usually we have no problem in distinguishing individuals of our community, because we are helped by *recognition*. We have their *images* in our memory. The image we have from somebody results from *fragmentary informs* we have accumulated referring to him. Fragmentary informs modify each moment. The *image* of any individual of our community is supposed to be the *reflection of a mutable entity*, what means that what we suppose to be *one image* is a *sequence of similar images* retained in our memory. Similar visual phenomena on Optics is designed *persistence of the image on the retina*.

Multiple informs about *position, placement, size, color, tone, rhythm, mental capacity, physic health, physiologic symptom, hereditary characteristics, intention, wishes, hopes, regrets, financial, economic and social relations* suggest that their combinations are dynamic. Their mutability and arrangement don't allow the correct description of anybody. Usually, the image is distorted or, at least, non actual.

The image we can have of any entity is always corresponding to some moment of its past existence. Empiric sciences are retrograde because they their references are on the past.

It is fact, systems of justice do their work based only on a summary of informs. They try to decide over something they know is fragmentary and past.

Global era needs systems of justice projected to future.

## 9- Transdisciplinary procedures.

Our studies about methodology began with the writings of William Pepperell Montague, when he approached the paths of knowledge. It has never excited us to criticize, or contest Montague's methodological content, nor that of any other thinker. Nor, did we have any intention of adding anything to theirs. The methodology of knowledge aided us as a guide on the path through which we esteemed reaching the transcendental and sacred both emergent from the effort to integrate fragments.

Scientific knowledge results from a cognitive process emerging from a combination of *methodology, metaphysics* and *axiology*.

*Methodology* works with *logic* and *epistemology*. *Metaphysics* refers to ontology and cosmology. *Axiology* based on *theories of values*, related to Ethics and *Esthetics*.

Backed by transdisciplinary approach, the delimitation and ordering of thoughts is materialized fundamentally by four beliefs called the transdisciplinary postulates, namely, *complexity*, the *levels of reality*; the *participation of the other* and *that the Sacred exists*.

In writings about transdisciplinary procedures, some call *the other* an indefinite *third*, which may be included or excluded, but is always in the relation.

Opening the doors to knowledge, the contours drawn by distinct and simultaneous *levels of reality* compel us not only to recognize them as distinct and essential *points of view*, but also as appropriate fields to develop *methodology* and *language*.

The forms of communication codified in signs and symbols are recognized as *language*.

*Verbal language*, therefore, is the oratory code through which thoughts and ways of thinking are articulated and classified.

All language is based on referential parameters. In other words, the disciplines can be identified through parameters that lend support to their own specific jargon.

Distinct thoughts and ways of thinking, though contrary or contradictory, incompatible or incongruent, can coexist on the different levels of reality, even if codified by means of diverse languages.

To arrive to knowledge, however, it is necessary and essential that the incongruous and opposites ideas do not occur at the same level of reality. The contradictions are not allowed at the same time on the same level.

To admit as true some incoherent and contradictory thoughts occurring simultaneously in the same field of perception is to deny the paradigms of truth and falseness with which they are concerned.

Four postulates of transdisciplinary method contribute to knowledge.

They are: a) the *complexity* of the phenomena; b) simultaneous and different *levels of reality* at which thoughts occur; c) the existence of the *other* on all cognitive formulations and d) the *Sacred exists*.

### 9.1 - First postulate: complexity

The experience, whether scientific as is each of our lives, teaches that it is impossible to completely isolate one phenomenon from the others. Even with the greatest precision and rigor with which laboratory procedures are performed, the observer sees himself obliged to appeal to imaginary limits in order to isolate the phenomena under observation detaching it from all other contextual instances by using hypothetical fiction,

In so far as all phenomena are dependent and interlinked, one must admit that *nothing is simple*, but quite the contrary, that *everything is complex*. There are no isolated phenomena; nothing is singular in the world in which our perceptive forms function. All the phenomena, including all living beings, are interlinked and are interdependent. This leads us to believe that *complexity* is an assumption for the knowledge we intend to acquire.

In the Universe, the fragments of the all continue to be part of the all, as tiny as they may be. Deprived of any of its fragments, the Universe would no longer be *universe*, but a quasi-universe. Thoughts are always abstract thoughts of the Universe. They occur within the All; their references integrate the all, and to it remain connected.

For such observances, we adopt, as a true and justified belief, that *all phenomena, of whatever nature, including thoughts, are complex and nothing happens alone or independently from all that exists in the Universe*. This is the first postulate of transdisciplinary methodology.

## 9.2 – Second postulate: level of reality for knowledge and communication

The observation of the processes and methods that lead us to knowledge and for this reason become propitious to communication, show that the varied available resources originate, and subsequently are processed and externalized from distinct observable points. Such resources follow pre-existing language and concept parameters.

Each person, from their observations, reads the phenomenon differently from another resulting from personal subjective and objective reasons insofar as they come from distinct presuppositions. In view of this verification, we are led to recognize the *state of consciousness*, which is intellective by nature and the signals with subjective and objective perceptions.

These markers, when differentiated, make it possible to read several distinct results and to consider them valid and efficient even though the forms of perception may indicate incompatibilities and incongruencies. When this happens, the solution for resolving the difficulties in this state of consciousness requires an artifice like that used for calculating, or a simple perceptive resource to identify and locate the contradiction at the different *levels of reality*. With this approach, the antagonisms can be overcome through use of the diverse forms of perception at each *level of reality*.

The chronology of the transdisciplinarity documents began with the Declaration of Venice, dated March 07, 1986, to which Brazilian mathematician, Ubiratan D'Ambrósio contributed and helped to elaborate. Items 3 & 4 of the Final Communiqué originated from the colloquium on *Science and Tradition: transdisciplinary perspectives for the XXI century* held in Paris from December 2-6, 1991, organized by UNESCO. They are part of the conclusions of seven items formulated by the editorial committee comprised of René Berger, Michel Cazenave, Roberto Juarroz, Lima de Freitas e Basarab Nicolescu, and say the following:

*3. Paradoxically, one of the conceptual revolutions of this century (XX) came from science, and particularly from quantum physics bursting the old view of reality with its classic concepts of continuity, locality and determinism still predominant in contemporary political and economic thought. It gave birth to a new logic corresponding in many aspects<sup>T.N.</sup> the old logic forgotten. A capital dialogue evermore rigorous and profound between science and tradition can now be established to construct a new scientific approach: the transdisciplinary approach. 4. Transdisciplinarity does not seek to construct any syncretism between science and tradition: modern science's methodology is radically different from traditional practices. Transdisciplinarity pursues points of views from whichever enables science and tradition to interact. It seeks to find intellectual space that will take it out of its unit while respecting the differences, especially those supported by a new concept of nature.*

In the Transdisciplinarity Charter, struck at the First World Transdisciplinarity Congress, held at the Arrábida Convent, Portugal, November 2 - 6, 1994, article 2 reads:

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T.N. Of the many conferences sponsored by UNESCO the Declaration of Venice emerged from the symposium "Science before the Boundaries of Knowledge", organized with the Georgio Cino Foundation in 1986. "Science and Culture for the 21<sup>st</sup> Century was the name given to the Vancouver symposium held in 1989.

*The recognition of the existence of different levels of reality governed by different types of logic is inherent in the transdisciplinary attitude. Any attempt to reduce reality to a single level governed by a single logic does not lie within the scope of transdisciplinarity.*

#### And in Article 14:

*Rigor, openness and tolerance are fundamental characteristics of the transdisciplinary attitude and vision. Rigor in argument embracing all existing data is the best defense against possible distortions. Openness involves an acceptance of the unknown, the unexpected and the unforeseeable. Tolerance implies acknowledging the right to ideas and truths contrary to our own.*

Each *level of reality* needs specific forms of perception and particular rules to think and to communicate. Each level requires premonitory paradigms to enable intelligibility.

The process to think and to make choices between worth and single patterns to work with them simultaneously on *different levels of realities* constitutes the first difficulty to transpose.

Our studies lead us to believe that there are at least eight *levels of reality* in which humans simultaneous think, act and obtain positive results.

That is, what we call *conscious states* occur at the same time on different levels of reality with a *particular state of consciousness corresponding to each level*.

We call *state of consciousness* the period during which knowledge is revealed to the *observer* in his physic and mental context.

We identify as *levels of reality* those *fields of thinking* where methods for apprehending knowledge are exercised.

That's why *mysticism, authoritarianism, rationalism, empiricism, pragmatism, skepticism, amorousness and intuitionism* can be considered *simultaneous paths to knowledge*.

### **9.3 - Third postulate: the *other*, as the *third* to be included or excluded.**

The transdisciplinary approach suggests a third state of consciousness wherein *the other* exists, enabling it to be or not to be included or excluded in relation to the observed. We know that *other* is an indefinite pronoun: a different or an additional person or thing. It can refer to something personal as well as impersonal, human or inhuman, great or small, colored or uncolored, opaque or transparent, a lot or a little, lasting or transitory, light or heavy, present or absent, current, past or future.

In transdisciplinary observations, the presence or absence of this *other*, because it is limitless and indefinite, and may unduly be being included or excluded— is always a sign that *humility* ought to preside in the knowledge inquiry process. Hence, transdisciplinary vision is resolutely sensitive to propitious openings of new knowledge in so far as it surpasses the dominion of the exact sciences. It imposes, through its

dialogue and tendency, to reconcile not only with the human and social sciences, but also with literature, poetry and spiritual experience.<sup>5</sup>

#### 9.4- Fourth postulate – The Sacred does exist.

Not all people working with transdisciplinary methodology use to adopt that postulate as an effective argument.

For those who feel the mystic influence of human traditions and cultures, the attribute *sacred* refers to *Logos* (Λογος), as a mystic belief. And like that it becomes the fourth postulate of the transdisciplinary methodology.

Nobody is obliged to adopt it as a postulate, but transcending the ways of empiric and rational knowledge, it emerges like a real and efficient true based on primitive believes and traditions .

I am induced to accept *the Sacred* as a powerful argument useful during the process of thinking: from that believe becomes easy to understand the *origin of natural impulses* existent in the *animated* entities. The nouns *anima* and *spirit* are linked with the meaning of the adjective *sacred*.

### 10- Transdisciplinary methods to knowledge.

#### 10.1-Mysticism

Observation corroborates the affirmative that *we all have mystic and mythological roots*. When these roots are not personal we are able to identify them by their origin in the collectivity in which we live or to which we belong.

The mystic and mythological roots are formed by mediation of *use, customs, religions* and prevailing *traditions* in the social context in which we are or were rooted.

Usually every individual accepts and incorporates the proper traditions and customs of his original nation.

Global Era announces other sort of inheritance not built over tradition. We shall observe that *tradition is related to social values and expressed by beliefs and rituals*. In fact, tradition reports to the past. But people of Global Era are not worried to preserve the past: they are devoted to make ruptures against the past. They are trying to build a new world over other values even when they do not have elected new ones.

People of our Global Era are demanding *new values*.

We shall see what is happening over the whole world: historic narratives referred to *moral values, mystic, mythological* and *religious* traditions are disdained when facing the possibility of a new global future.

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<sup>5</sup>(Cf.art. 5. ° da Carta de Transdisciplinaridade

The arguments brought by supposed *pragmatic rationalism* and *empiricism* generate irresolute doubts and pertinent query as to the origins and causes for existence, whether of individual or of universal nature.

Accordingly, in a state of consciousness we want information that exceeds the levels of empirical and rational reality.

An intellectual anguish, by nature intimate and personal, leads us to perceive the existence of a *mystic level of reality* integrated by spaces of diffused images, where the movements of shadows and mist are disturbing individual and social thoughts.

It becomes usual to perceive this as much by the emphatic denial of the incredulous as by the credulous beliefs. We just are able to observe those who consciously adopt mysticism as a reason for living and others denying what is mystic.

In view of these premises, it is easy to understand the reason behind the assertion in article 9 quoted from the same Transdisciplinarity Charter cited above:

*... Transdisciplinarity leads to an open attitude towards myths and religions, and also towards those who respect in a transdisciplinary spirit.*

We observe a level of *mystic reality in which we are all ensconced* when we go to church, to religious meetings or to gatherings of mystic or mythical nature.

It is also possible to note that the efforts made by clergymen and pastors who seek to retain their followers at this *level of reality*, not only use mystic and mythological arguments but exercise scatologic, pragmatic, authoritarian and skeptic reasons. They are claiming with most of people of Global Era for *futuristic values*.

## 10.2- Authoritarianism

This work and the efforts developed herein endeavor to provide *vital amorousness*. This text is moves intend to propel us to travel through the diverse fields of knowledge, transcending them while collecting compatible informs.

In that flux of *ideas, lines, methods and forms of thinking* we have to honor those who have transmitted to us their attention, the ones have collected and directed their informs, ruled by ethical principles that give life meaning.

However skeptical we may be, we always let ourselves be convinced and adopt as true the informs and beliefs originated from people to whom we attribute moral, social and scientific authority.

Accordingly, we receive and adopt as our own truths, the thoughts and *ways of thinking* that, in fact, integrate another's reality.

This supposed true knowledge is received from others. We adopt as true reasons and narratives formulated by others to whom we give credit attributing them intellectual, moral and mystic authority.

Furthermore, because we believe in these people, we accept their affirmations as truths.

That acceptance, therefore, stems from the subjectivity and the credibility we lend to the human source from whom the information originates.

This method of acquiring knowledge by adoption of others ideas, informs and reasons is called *authoritarianism*.

*Authoritarianism* assumes the characteristic of a *level of reality imported subjectively, to which we claim the validity of their informs* and by which *we form our own judgments, reap opinions and garner values*.

There are thinkers who affirm that around ninety percent of what we suppose to know is originated from authoritarianism.

At this level of reality use to adopt as true the informs inherited from our parents, received from our teachers or gleaned from third parties in whom we trust.

The level of reality called authoritarianism is formed by alien experiences and beliefs through the translating of what others have established as truth.

Using personal conviction based on authoritarianism becomes easy and advantageous to espouse as a truth. For example, we accept as truth, neither questioning nor delving into rational or empirical verification that the theory of relativity corresponds to a scientific truth.

After all, it has been confirmed by innumerable authorities in the field of physics, and also derives from the intellectual authority we attribute to Albert Einstein.

Furthermore, we take our children to be vaccinated against poliomyelitis based on the scientific authority we credit to our scientists. Informs published in serious newspapers and credible magazines by their publication assumes the value of recognized true.

Therefore, we have to adopt authoritarianism is strong resource of informs to arrive to knowledge.

### 10.3- Rationalism.

There is a level of *rational reality*, by nature abstract, which is not only identified in algebraic and geometric expressions, but is also concerned to idioms, languages and linguistic formulations. It becomes perceptible by expressions, judgments and ordination of thoughts and *ways of thinking*.

The level of reality in which reason seeks to harmonize, identify or signal what appears to be real and true uses symbolism and symbolic language.

Rationalism is the most readily accessible way to collect, to construct and to project ideas.

Rationalism has its foundations in the symbolic context connected to informs produced by mathematicians, physicists and other scientists, to empiric procedures, to mystic beliefs and theoretical productions and pragmatic intentions. Rationalism uses past as argument, present as reality and future as a projection. For rationalism future derives from a rational perspective resulting from present knowledge.

The essential requirement of rationalism in mental procedures demands the compatibility, congruency and verifiability of conclusions in relation to the same level of reality.

#### 10.4- *Empiricism*

The codification of presuppositions, where the tower of knowledge is seated, the one we call corpuscular physics, when applied in another scenario such as quantum physics renders it necessary to establish whether or not the same scientific language used in corpuscular physics can be adjusted to the communication needs imposed by quantum physics. This occurs because the conceptual presuppositions that rule the relationships between the thought forms of these disciplines have shown themselves to be empirical and rationally incongruent. This means that saying that what is observed by one empirically as the materialization of bodies, to the other is only a probability of existence.

Hence, we can observe an empirical reality that comes through our senses of taste, touch, smell, sight and hearing, conditioned by forms of perception such as the auditory, which sensitizes us by the sound uttered, or is articulated through sounds and noises. One also observes other empirical realities such as those expressed in body language, in the art forms of communication, those perceived through the intermediation in the culinary arts and in so many others that we learn to decode throughout our lifetime.

We can ascertain that the existing codes in the different scientific languages lose their value and effectiveness when they are incoherent, contradictory and controversial when they are considered at the same level of reality. Experience teaches that a sole scientific language is not always best for communication when used within different levels of reality.

Up to now we have spoken of transdisciplinarity. The transdisciplinary methodology is multidimensional and does not exclude a trans-historical horizon.

*Transdisciplinarity* endeavors to open all the disciplines to paths of knowledge that transverse and transcend them evoking not only *mysticism, authoritarianism, rationalism, empiricism*, but also *pragmatism, skepticism, amorousness and intuitionism*.

#### 10.5- *Pragmatism*.

*Pragmatism* and *practicability* don't correspond to the same concept. *Pragmatism*, also called *practicalism*, sees the usefulness of things. *Practicism* is one of the manifestations of pragmatism. Above all holds in view the ease and speed to which actions may be reverted.

Montague signals that:

... *The pragmatic principle is implicit in the statement that the truth of a theory depends on the practical validity of its consequences. Therefore, if in this statement the word "consequence" is highlighted, pragmatism becomes a general tendency or attitude and so widely disseminated that we end*

up studying it as futurism; but if we emphasize the word practical, its color and character change because it is designated as practicalism. And, being thus, more specifically applies to the problems of logical methods.<sup>6</sup>

A more polished approach leads us to understand that *modern pragmatism* is guided by the same *anthropocentric* beacon that has directed humanistic thinking since the XII century. In fact, *force*, *extension* and *intention* are attributes of *pragmatism*.

The knowledge to which we are directed is submitted to the idea of a future created resulting from our actions. Because of that, many people understand *pragmatism* as *futurism*.

To consider *futurism* as a goal, is to invade, to create and to modify present relations.

#### 10.6- Skepticism.

The philosophical content paramount to skepticism is the possibility for knowledge that comes imbedded within the limitations of the human mind and results in the subject's inaccessibility to the object of knowledge. Certainty and skepticism oppose one another because of the

- a) confusion of languages;
- b) diverse meanings attached to the same words;
- c) different levels of reality in which the phenomena and thoughts processed are focused;
- d) ambiguities in the *conceptual* field.
- e) irregular practices and
- f) adverse facts

The criticism to skepticism is that by adopting the principle of systematic doubt as certain, the skeptic behaves as though the truth contained in the doubt itself were an irrefutable dogma, and for this reason, incurs in the same error as the dogmatists.

Moral skepticism sustains: a) that moral principles cannot be proved; b) that there are no moral truths; c) that morality has no rational base and d) right or wrong is a question of preference or convention.

As one can see, skepticism is a level of reality in which shocks of ideals become evident when one intends to fit them into thought forms processed at other levels of existence.

In approaching transdisciplinarity, one must consider that the empirical sciences depend on two essential approaches, namely:

- a) *empirical nature*, dictated by *common sense of perception*,
- b) *abstract nature*, when the *abstract conclusion* becomes the researcher's own, incorporated in the researcher's individual subjective memory.

Skepticism serves approaches of empiric and experimental nature. These approaches can succeed through intermediation of the intellective capacity of a

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<sup>6</sup> MONTAGUE, William Pepperell. *Los caminos del conocimiento*. Buenos Aires: Sudamericana, 1944, p.113.

collective sense (*common sense*). But they can be successful also through a subjective neurophysiologic perceptions of the observer (*personal sense*).

### 10.7- Amorousness

When we study *relations of love* garbled the meaning contained in the word *amorousness*, we do not exclude sex nor confine ourselves to the understanding that sexuality is the essence of love or of amorous gesture. Sexuality is present on animal and vegetal beings, *may be not* on the micro and macrocosmic entities.

The Christians affirm that God is Love. Roman people believed human beings linked by the actions of cupid. As a noun, *amorousness* translates desire, wanting, appetite, passion. Mystically speaking Love is the name of the God Eros, a divinity.

Social relations related to mystic love unveil an answer to divine calling. Love is a greatness, a vectorial greatness, defined by point of application, intensity, direction and sense. Nature receives from Love the energy to become perpetuated. Love is also the attractive force direct to repeat the being's existence, the preservation of Nature and the *happiness* of all entities. Love is linked to the ideas of happiness, pleasure and harmony.

Love between entities of different sexes manifests itself with the reproductive force. That reproductive force an instinctive expression some internal tension, proper of the living entities.

Common sense identifies *amorousness* behavior related to respect, jealousy, care, attention and lovingness.

It does not seem possible to arrive at a conceptual content nor at the practices of knowledge without including the idea of *amorousness* in the approach.

Love is of vectorial magnitude defined by intensity, direction, meaning, application point. As a phenomenon, love is always temporary, limited to time borders and survival conditions. But is possible to add other characteristics to that conception.

Within the methods that can propitiate knowledge, *amorousness is the most pleasurable, efficient and productive*: Love attracts people, resolves problems, dissipates doubts, is creative and skillful, seeks to induce development processes, systems and solutions that render the *human assimilative capacity* efficient and productive, harmonious and pleasing. Love seems to transfer virtues of the spirit to soul and body.

*Amorousness* expresses a methodology. Comprehended as a method, that is, a way to knowledge, *Amorousness* identifies a level of reality in which certain states of conscience are manifested by signals with transcendent powers. Decoding these signals human mind conquers transcendent meanings. They transcend uni, inter, multi and pluri-disciplinary informs.

Without love, there is no creed to connect the subject to the integrating elements of a supposed objective truth. Without a creed, no justification is possible. Hence, intellectual experience shows that without *amorousness* there isn't the slightest possibility of practicing transdisciplinarity. Moreover, without transdisciplinarity, scientific knowledge defined as a true and justified creed becomes a mere fictional hypothesis. .

Induced by the mysticism by which we are possessed, we assume the belief and accept as intuitive truth that there is a level of reality in which love is the supreme force that induces to encountering knowledge. At that point we become able to understand the meaning of the expression *God is love*.

### 10.8- Intuition

For five thousand years the Bonist monks, followers of the Bon Po religion, the oldest in Tibet, have studied the phenomenon they call Dzoghen, which we understand as intuition.

Intuitionism is recognized as an efficient method for revealing knowledge.

Based on *common sense*, we intuit what is made conscious through the intermediation of the internal forms of perception, regardless of all a priori knowledge, rational activity or personal experience.

Respecting intuition, logical and empirical reasons lay open. It is proper of intuitionism to emerge distanced from the claws that bind us to verbalized thoughts.

What we designate intuition is neither imprisoned by discursive language, nor by other specific forms of communication such words, ideas, lines or ways of thinking, geometric or plastic forms, sensations caused by sound, noise, luminosity, taste, touch or smell.

Truly, *intuition translates existence* of non verbalized ideas and impulses, emerged from an internal level of reality from where soul is talking to the conscious mind. There are very developed forms of intuitive perceptions, studied in many different advanced institutions.

Aristotle called has recognized intuition as the *image* of the phenomenon.

*Intuitive perception* seems translate what is connatural on the writings of Thomas of Aquinas.

We are not in conditions to ignore that intuition contributes to knowledge.

## 11- Fragmentary and holistic knowledge.

When we refer to the object of a discipline we mean to convey the set of phenomena whose characteristics are, or can be contained or delimited by the intellectual resource in this specific field of knowledge.

We know that one phenomenon, similarly to a field of empiric experience, can't be totally isolated.

Scientific practice has proved that only theoretically, helped by *imaginary* and *science fiction*, becomes possible to isolate totally the phenomena. And the hypothesis to isolate is contained and limited to the experimental field of observation.

Such procedures occur on *specific levels of reality* and according to their nature and order of magnitude. Each of them is contained within the limits of acumen of the respective forms of perception.

There is also no doubt about the reduction process occurring on the fields of observation. They confirm the necessary analytic procedure recommended by Descartes.

When we order ideas using analytical process, we become able to reduce our difficulties and incomprehension to the smallest possible dimensions. By that way, the observer focuses the object of analysis on the appropriate level of reality. Step by step, it becomes possible to clear, to classify and to understand one by one of the results.

From the smaller variables, the synthesis enables us to form a set of answered questions that allows a broader range for comprehension and understanding. From an analytical fragmentation point of view through transdisciplinary methodology founded on holistic perspectives, we endeavor to render our intellect fit to better comprehend our context.

Exploring simultaneously the diverse levels at which distinct realities coexist, transdisciplinarity, based on its postulates and method, offers an ample perspective for human wisdom. It propitiates the broad scope of holistic view. Through this vision without boundaries, transdisciplinary attitude signals with the possibility of overcoming space-time-matter-energy- internal pulses and induces the approach to what is *Sacred*.

Descartes, satisfying the anxiety for the truth, propels us toward the knowledge of the whole.

The Oracle of Delphos directed to the knowledge of ourselves: *Know yourself, don't forget you are mortal, and nothing in excess.*

When we talk about fragments it is not possible to ignore the new conceptions of the Chaos Theory, when it refers to *fractal*.

The American Heritage Science Dictionary clears:

*Fractal. A complex geometric pattern exhibiting self-similarity in that small details of its structure viewed at any scale repeat elements of the overall pattern.*

...

*Fractals are often associated with recursive operations on shapes or sets of numbers, in which the result of the operation is used to input to the same operation, repeating the process indefinitely. The operation themselves are usually very simple, but the resulting shapes or sets are often dramatic and complex. For example, a fractal set called a Cantor dust can be constructed beginning with a line segment by removing its middle third and repeating the process on the remaining line segments...*

...

Chaos theory refers to the idea of chaos as

*the behavior of systems that follow deterministic laws but appear random and unpredictable. Chaotic systems are very sensitive to initial conditions; small changes in those conditions can lead to quite different outcomes. One example of chaotic behavior is the flow of air in conditions of turbulence.*

## 12- Global integration and the insufficiency of verbal languages.

When we talk about integration it will be helpful to know what mathematics informs: *integral calculus* is a field of knowledge that has as object the studies about integration and its uses.

*To calculate areas bounded by curves, volumes, bounded by surfaces and solutions for differential equations are useful in the practical life and in the most developed studies.*

The mathematical meaning of integration refers to a process that starts from fragments to arrive to something greater, limited between limits, that is, some minimum and some maximum previous defined.

Social sciences translate a human meaning to the idea of integration. *Reintegration* refers to the *reabsorption* of the individual by his original community.

Other meaning refers to the *inclusion of individuals, groups or communities* in a *bigger social context* from which they have been excluded because of some specific restrictions. The basic condition to integrate or reintegrate is that the participants of the process don't lose their individual and particular characteristic but have to adjust them to the whole.

To integrate and to reintegrate criminal people in their community is an essential proposal to be considered in Global Era.

The integration or reintegration of nations under democratic global era conscience is what we are intending to do.

Integration and absorption are related to distinct concepts, but we have to understand they don't exclude one the other.

Referred to *integration*, Herbert Spencer (1820-1903) has published *A system of synthetic philosophy* (1860), based on the *principle of evolution*. Spencer said that the mission of *Philosophy is the knowledge of evolution in all aspects of reality, which is never equal to absolute reality. The phenomenon is a succession of phenomena and the universal evolution is the expression of the Supreme Unic Being, not possible to be known.*

Our previous arguments before exposed induce us to think that a common language will not be enough to a global integration. Language should be a good instrument that should facilitate but not sufficient to integrate global humanity.

We suppose that we have to use other instruments, related to matter, energy, time, space and internal forces of each nation, each collectivity, to integrate them by abstract and material common interests.

To search the definition of the common interests to be satisfied with a global integration we suggest transdisciplinary methodology.

### 13- Empiric and pragmatic approaches against crimes, corruption and social ruptures.

We are jurists. The main object of our lives are not only Law and Justice, but the social results of their conception and application.

Because of that we involve ourselves with the study of many other disciplines when the facts we are studying need their informs.

Empiric and pragmatic intellectual approaches against crimes, corruption and social ruptures require the sense of reality focusing facts and their presumable effects.

Points of view, philosophical perspectives and methodology are the starting points to begin the approaches.

What is crime?

The juridical dictionaries define *crime* as *some act against law*.

That is to say, before the existence of a law the act should not be defined as crime?

The concept of crime has to be much more extensive, because the extinction and the inexistence of law are not able to extinguish or delete crimes.

*A crime may be defined to be any act done in violation of those duties which an individual owes to the community, and for the breach of which the law has provided that the offender shall make satisfaction to the public.*

*Criminology* becomes an enormous field of studies and researches.

The two main aspects of criminology are defined as empiric and pragmatic approaches.

Criminal phenomena are perceptible and sensible. The first approach has to be using *empiricism* as the first step. The second refers to the pragmatic results of the studies. That is to say we expect positive results from that field of knowledge, watching to resolve and to diminish *crimes*, such as *corruption* and *social ruptures*.

The mentioned crimes, corruption and social ruptures includes some sort of corruption and some sort of social ruptures not enough defined by law, but which effects are against customs and moral traditions, which offend social order and individual rights. .

Pragmatic solutions have to be defined by social wishes. And many times social wishes are not translated in written Laws.

The omission of the Law has two main effects: or the offense is not repaired because of the legal omission ("*nullum crimen nulla poena sine lege*" (Beccaria) or *the solution comes through despotic decision*.

A true concept emerges from reality. the good result of a social rupture is not considered crime, but only the bad one.

After social ruptures, *history is written by the winners*.

We believe that on the democratic structure projected to be effective in all countries on our global era the solution of the offenses will be resolved with the help of other languages than written verbal ones.

A *global common sense* will be dominant to resolve offenses between individuals, collectivities, nations and states not depending on international written law.

#### 14- Searching global solutions in face of particular forms of processing.

Dear colleagues,

We are here, during these short days, clearing and searching juridical proposals to help our global society to find solutions for international and local problems.

Propositions, as substantive ideas, are in themselves abstractions.

Process is the adjective to give reality to the abstractions.

Juridical process is the instrument to materialize the International Law.

If we are not successful to organize an global international system of justice, which will include a tribunal with global jurisdiction, we are capable to initiate that organization with regional or limited international tribunals.

Tribunals need processes codes, rules and norms to become functional and to work.

That is the pragmatic direction we shall assume to give our contribution: to study and to make proposals. Particular and generic forms of processing have to be studied and brought face to face.

Forms of processing demands, international adjective law ( global process code) and the definition of a global wish through substantive codes (Civil, Commercial and Criminal) have to become our common work.

I believe that, during this conference, and participating with so many as possible, our observations will be productive and will help global society to find its goal: peace, harmony and justice over the whole planet.

Many ways are present to be chosen. We propose transdisciplinary methodology which respects and use the help of every disciplines and believes from a transdisciplinary perspective. In fact reality contains in it self that internal force expressed in the hope of a better world.

Assuming that we are *complex*, existing simultaneously in *different levels of reality*, with some *other* always present in our context and respecting the *Sacred* , I think global integration will be successful.

São Paulo, 06 may 2014  
Gustavo Korte  
www.gustavokorte.com.br

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