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C. S. Peirce's theories as a method for understanding political decision and the laws that govern politics: liberalism and republicanism

As teorias de C. S. Peirce como método para a compreensão da decisão política e das leis que governam a política: o liberalismo e o republicanismo

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Abstract: This study aims to clarify the possibility of reading and understanding man's conduct, especially in the field of law and political life, based on the theories of C.S. Peirce, which are structured as a method of scientific inquiry. How can the method proposed by C.S. Peirce be used to understand man's conduct? If Peirce has an alternative method to the *a priori* method, to the tradition of cartesianism, how can it be applied in order to understand man's conduct and allow appropriate responses to social and political reality? The possibility of understanding the reasons for conduct and not just describing how it happens in the world has been verified. According to Peirce, it is not possible to be completely logical without an ethical basis, which is confirmed by observing that a decision emerges within a continuum that tends towards an end, which can be evaluated in the field of Ethics with the use of induction; the existence of laws that govern man's action, the continuum, has also been verified, and that these laws, in the world of politics, characterize political liberalism and republicanism.

Keywords: Liberalism. Republicanism. Ethics. Induction. Method in Peirce.

Resumo: Este estudo tem como objetivo esclarecer a possibilidade de leitura e compreensão da conduta humana, especialmente no campo do direito e da vida política, a partir das teorias de C. S. Peirce, estruturadas como um método de investigação científica. Como o método proposto por C. S. Peirce pode ser utilizado para compreender a conduta humana? Se Peirce apresenta um método alternativo ao método *a priori* e à tradição do cartesianismo, de que maneira ele pode ser aplicado para compreender a conduta humana e permitir respostas adequadas à realidade social e política? Verificou-se a possibilidade de compreender as razões da conduta, e não apenas de descrever como ela ocorre no mundo. Segundo Peirce, não é possível ser completamente lógico sem uma base ética, o que se confirma pela observação de que uma decisão emerge dentro de um contínuo que tende a um fim, o qual pode ser avaliado no campo da Ética com o uso da indução. Também se verificou a existência de leis que regem a ação humana, o contínuo, e que essas leis, no campo da política, caracterizam o liberalismo político e o republicanismo.

Palavras-chave: Liberalismo. Republicanismo. Ética. Indução. Método em Peirce.

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1 Introduction

The present study aims to elucidate the potential for comprehending and interpreting man's conduct, especially in the field of law and political life, by drawing upon the theoretical framework of C.S. Peirce. This



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theoretical framework is structured as a methodological approach for scientific inquiry. The employment of the *a priori* method, a tradition stemming from cartesianism, has yielded theoretical responses that are significantly divorced from reality (such as the hypotheses positing the non-necessity of power for life in society or the invisible hand of the market, which fails to account for man's ingenuity).² The *a priori* method is safe in terms of its procedures, but, in many cases, it remains magical in terms of the premises for its decisions. The starting point of this study, in terms of method, was the hypothesis that Peirce's architecture of the sciences provides the basis for developing a reading of the conduct of individuals in society that offers answers which are compatible with social reality and the particularities of each historical moment.

The questions that have arisen can be summarized as follows: What is the reason behind man's conduct (not in its psychological aspect, but as social action)? What method can indicate the reasons for man's conduct? Considering that Charles S. Peirce proposed an alternative method to the *a priori* method, breaking with the Cartesian tradition, more precise questions unfold: How can the method proposed by C. S. Peirce be used to understand man's conduct? How can this method be used to answer the question of how man thinks and acts in the world? If Peirce offers an alternative method, how can it be applied to understand man's conduct and provide appropriate answers to social and political reality?

How can we know how man thinks and acts in the world? The hypothesis, in summary, is that knowledge of habit, from Peirce's theories, allows knowledge of action/conduct, present and future; knowledge of conduct allows knowledge of habit (and the origin of habit), knowing the past and the future. The biggest problem arises when chance occurs, which breaks the habit. In Peirce's explanations, action/conduct has habit as a reference for the practice of action (in the vast majority of cases), but doubt can arise, due to chance, modifying the action that was expected for a given moment; in this case, another reference for conduct must be found and this reference must then be, it seems, in the future. When doubt excludes the habit that existed, a new habit must be sought in the objectives of man's life (the field of ethics), which are to be found in the future.³

So how can we explain the goals that can be chosen and pursued by man? How can we explain man's conduct in the society in which he lives? The hypothetical answer to these questions is that these objectives, valid for each and every man in a society (a rational synthesis of human will), must be found in Politics (specifically in the theme of freedom), as a field of debate and decision-making for life in a political society. In addition, it must be a rational synthesis (thirdness) of human will, explained, then, among the Normative Sciences, by Logic. This objective must also host a set of values, an ethical orientation for man and the community, values that can characterize, it seems, a liberal society or a republican society.

What comes into play when making decisions in a political society, which must also preserve freedom and pluralism of ideas, is the choice of values that should govern that society. This problem is more carefully evaluated in the field of judicial decision-making. In this environment, the decision is at the discretion of the judge, based on the judge's⁴ subjectivity⁵ produced based on the *a priori* method.

2 Max Weber's observations on the irrationality of religion have been widely cited, particularly in the context of numerous theories that emerged during the 19th and 20th centuries. According to Weber (1982, p. 324), the endeavor to rationalize divinity resulted in religion's encroachment into the domain of the irrational. The pursuit of a comprehensive, meaningful world order – such as a cosmos imbued with significance – led to the rise of religious rationalism, which was actively pursued and constructed by intellectuals. The endeavor to imbue the world with rationality resulted in the rationalization of religion within an irrational world. As Weber asserts, the general result of the modern way of totally rationalizing the conception of the world and the way of life, theoretically and practically, intentionally, was to divert religion into the world of the irrational.

3 This hypothesis was initially presented in a previous article (Striquer Soares, 2015, p. 129-149), which laid the groundwork for the expansion and deepening of the present study.

4 "With the judicial decision, subjective certainty is transformed into universal certainty. From the certainty found in the subject, we arrive at certainty for society. The truths for society are produced in the judicial sentence based on the truth extracted from the judge, the subject who pronounces the sentence" (Striquer Soares, 2012, p. 453). The solution given to contemporary society is explained by Perelman (2005, p. 62-63): "every justice system depends on the values established by its principles"; "Justice has its own value [...] which results from the fact that its application satisfies a rational need for consistency and regularity."

5 Jürgen Habermas (2000) presents subjectivity as the philosophical problem of modernity and contemporary society.

However, in a personalistic and patrimonialistic⁶ society, the solution given in the sentence does not adhere to the public interest, but to the interests of individuals and groups. From there, there is no objective criterion that can give coherence to the legal order, there is not even the possibility of observing the precedents of the Supreme Court, due to mistrust about the justification of the decision. On another front, the reference to legal principles⁷, decoded on the basis of argumentation theory⁸, still leaves the final decision to the subjectivity of the judge and does not ensure a solution in accordance with the prevailing values in social life. Finally, the fundamental rights; although they are necessary to balance disputes between individuals and between individuals and the State, in contemporary society, adherence to them as an axiological reference for political decision-making (especially judicial) is not compatible with Peirce's theories, as they are, according to Michel Villey (2003, pp. 153-159), a nominalist solution that "excludes the existence of realities that are supra-individual."

A very coherent alternative is Ronald Dworkin's solution for difficult cases, whereby the solution must be found in the principles that guide society, anchoring the solution in values that guide a given society⁹; but even here, the solution must be found by Judge Hercules and remains subjective to the judge.

The hypothesis investigated in this study, regarding the values to be adopted, is that Peirce's theories offer the possibility of interpreting judicial decisions (as well as political decisions in the legislative and executive branches) and understanding the axiological choice made by the authority. According to Peirce, logic presupposes ethics. More objectively, logical reasoning presupposes a choice between values; the connection between logic and ethics occurs through the continuum, through the regularities, through the laws that exist in the world; reading the political decision (whether judicial, legislative, or administrative) is interpreting the continuum in which that decision is inserted, where we find the axiological choice of the authority and the logical reasoning used by it, but also the end to which the decision is directed, the ethical choice of the authority, exposed by its action directed toward an end.

This work is divided into three parts. The first part investigates the logic of decision in Charles S. Peirce's theories. The second part delves into the relationship between decision and Ethics and the possibility of understanding and reading man's decisions, which also requires the help of Logic. The third part analyzes Peirce's realism and based on realism, understanding the laws that govern politics, laws which guide conduct from a liberal or republican perspective. It is worth mentioning that all three parts address Peirce's theories as a method, although it is more evident in the first two parts; and, regarding the laws governing politics, the foundations for the explanations were also drawn from Aristotle, from his text Politics.

2 The logic of an individual's decision in C. S. Peirce's theories

Decision-making presupposes the use of reason and logic. In the explanations of Lauro F. Barbosa da Silveira (2007, p. 131-132), *Reason*, according to Pierce, "is a process and requires the phenomenal world in process", the real world in evolution; "it will find its place of realization at the level of thought

6 As Marinoni (2023, Chapter III) shows: "Personalism, patrimonialism, worship of irrationality, and contempt for predictability."

7 In the words of Robert Alex: "The legal possibilities for implementing a principle are determined not only by rules, but also, essentially, by opposing principles. This implies that principles are susceptible and in need of consideration"; It is a matter of "responding to a legal question which, due to its content, is also a question of political morality. At least part of the arguments on which the judge bases the conclusion of his consideration has, in terms of its content, the character of moral arguments."

8 According to Robert Alex, legal argumentation must respect certain limitations, including subjection to the law, mandatory consideration of precedents, its framing within the dogma developed by institutionally organized legal science, as well as the limitations of procedural rules (Alexy, 2005, p. 46).

9 Integrity "insists that law – the rights and duties that arise from collective decisions made in the past and which, for that reason, allow or require coercion – contains not only the limited explicit content of those decisions, but also, in a broader sense, the system of principles necessary for their justification. History is important because this system of principles must justify both the status and the content of these previous decisions" (Dworkin, 2003, p. 274).

as representation and domain of conscious conduct directed towards the future, reason is directed towards the future”, and the understanding sought is aimed at action in the future. It is up to *Logic*, “as a general normative science of the representation of conduct, to adapt it to the ideal and promote the best means for this to happen”. As Silveira quoting Pierce (CP 2.773 *apud* Silveira, 2007, p. 132) explains: Logic “has its roots in people’s own rationality which, forming the habit of coherently and concretely seeking an ideal, forms for itself guidelines for the generalization of its conduct”, guidelines for generalization directed towards the future, when faced with the need to make a decision and take action. *Reasoning* is, by definition, “a chain of judgments in which the propositions maintain a causal relationship with each other, with the conscious and controlled adoption of a consequence of other knowledge (with the adoption of inferences).” (CP 2.442 *apud* Silveira, 2007, p. 134-135) According to Charles S. Peirce, the core of logic, “the heart of it lies in the classification and critic of arguments” (CP 5.130) made (classification and criticism) by inference. “The object of reasoning is to find out, from the consideration of what we already know, something else which we do not know.” (CP 5.365) These connections made by reasoning are inferences, explained by Logic, which link what we already know to what we do not know, in order to discover something. Reasoning does not happen in an instant or at random, it is a process characterized by a chain of judgements controlled by the rational being. Thus, a rational individual is the one who makes inferences, directing man’s conduct towards the future.

2.1 The real world as a reference point for decision-making

Understanding man’s conduct requires understanding man’s relationship with the world; it is not a matter of interpreting the phenomenon, but of its characteristics – the interpretation itself is also a phenomenon to be observed. “There are Real things, whose characters are entirely independent of our opinions about them; those Reals affect our senses according to regular laws, and [...] we can ascertain by reasoning how things really and truly are.” (CP 5.384)

In the words of Ivo Assad Ibri (2017, p. 22),¹⁰ who quotes Pierce, in the relationship between mental phenomena and the real world, reality acts as an element of otherness, forcing upon the mind facts that remain unaffected by what we may think of them. Real objects have a compulsive force on thought, while non-real objects are devoid of this capacity, “there is no sense of exteriority in them – namely, that sense of reaction promptly experienced and which, as a second to consciousness, actually persists and insists against it. The real objects are alter, and so remain independent of the thought that represents them.” (Ibri, 2017, p. 22-23) There are then two important elements for characterizing reality: otherness and the compulsive force on thought resulting from generality (or the insistence, the persistence of reality against consciousness).

Otherness occurs with the other, with the external object that forces a mind to recognize its existence, an object that remains unaffected by what we may think of it. And even if one denies it, it continues to force one’s mind according to regular laws. The compulsive force on thought makes the subject recognize that that external object is part of some regularity in the world, has a connection with other similar facts that occur in the world and are independent of what one may think. An occurrence that imposes a decision on the individual (an alter object) demands them to respond in a way that is compatible with reality, compatible with the generality into which that object fits, otherwise they will not be successful in their conduct. Fictional films are fictional films, but fiction ceases to exist when we leave the movie theater.

10 Ivo Assad Ibri (2017, p. 22) bases his explanations on the following paragraphs from the Collected Papers: “reality is that mode of being by virtue of which the real thing is as it is irrespectively of what any mind or any definite collection of minds may represent it to be” (CP 5.565). “Objects are divided into figments, dreams, etc., on the one hand, and realities on the other. The former are those which exist only inasmuch as you or I or some man imagines them; the latter are those which have an existence independent of your mind or mine or that any number of persons. The real is that which is not whatever we happen to think it, but is unaffected by what we may think of it.” (CP 8.12).

2.2 The association of ideas and generality

2.2.1 The association of ideas

A man's conduct, actions, or decisions can stem from analytical judgment, which draws necessary conclusions based on true premises. However, it is known that such reasoning does not generate new ideas. These emerge instead from *a priori* synthetic judgment, which is distinguished primarily by its synthetic nature (alongside *a posteriori* synthetic judgment). Therefore, the understanding of man's decision, resulting from the reasoning that goes into discovering something we do not know from what we already know, begins with the understanding of synthetic judgment. Peirce explains this inference:

But synthetic inference is founded upon a classification of facts, not according to their characters, but according to the manner of obtaining them. Its rule is, that a number of facts obtained in a given way will in general more or less resemble other facts obtained in the same way; *or, experiences whose conditions are the same will have the same general characters.* (CP 2.692, author's emphasis).

The construction of knowledge implies the association of ideas, which occurs, according to Lauro Frederico Barbosa da Silveira (2007, p. 133):

[...] by resemblance and by continuity and, defining the former as a process by which one idea suggests another, similar to itself, and the latter as the process by which one idea suggests another linked to itself by experience, recognizes in the former the determining presence of the inner instance of the subject and, in the latter, the necessary cause being constituted in external experience.

Faced with the brute fact, there is a sensation of resemblance between the existing fact and some element that is sought for an association; similar sensations attract and repel each other, seeking an amalgam for the understanding of otherness. The association of ideas is the process by which, in the field of thirdness, reasoning takes place with the conscious and controlled adoption of a consequence of other knowledge in an inferential process; in the field of firstness, it (association of ideas) allows the understanding of hypothetical judgment without the need, in this study, to rehash concepts such as percept, perceptual judgment and abduction. More important, however, in this study on the decision-making process, is the understanding of the generalization carried out to confront reality.

2.2.2 Generality

In the words of Peirce, quoted by Ivo Assad Ibri (CP 1.14 *apud* Ibri, 12017, p. 43;), "All positive reasoning is of the nature of judging the proportion of something in a whole collection by the proportion found in a sample"; in a more objective way, "all reasoning is done from a sample, inferring the proportion of something in an entire collection." (Silveira, 2007, p. 137) Framing the sample in a collection gives the sample meaning, allowing a rational reaction by recognizing the relationships of that object, the rules that govern it. Regarding the framing of the object in some rule, Ivo Assa Ibri (2022, p. 242) has the following passage:

According to Pierce *mind* is something that possesses the basic capacity of generalizing, that is, of extracting from experience those elements that are noteworthy, detectable through their permanence and redundancy, and which [...] point toward a possible rule that would explain [...] a rule that *produces* such facts. (author's emphasis)

Associating objects with collections of objects in search of a rule that gives coherence to that alter object – this is the essence of generalizing ideas.

2.3 Symmetry of categories and genetic unity

The association of ideas and the resulting generalization, however, do not occur solely within the subject's subjectivity, as if detached from the world. It needs to be examined through Peirce's Objective Idealism, from which stems a unity principle, based on the substantial undifferentiation between reality and ideality, where subject and object are not presented as opposite poles, but as parts of a continuum. Thus, the generalization for a position to be taken and the consequent decision of the subject derives from a symmetry between the internal and external worlds, meaning not only the existence of the categories in these two worlds, but also the correspondence between them, i.e. the categories are presented in the external world, the real, and have their equivalent in the internal world, of the subject, "will be valid both on the plain of the subjectivity taken logically and on its objective expression: in other words, on the spheres of representation and of reality as such." (Ibri, 2022, p. 97-98)

In firstness, this symmetry between the internal and external worlds is found in the diversity of nature (the canopy of one tree never looks the same as another, for example) and in the unity of feeling qualities (in the subject), both of which present the same way of appearing, which, from a logical point of view, is under the sieve of possibility (Ibri, 2022, p. 99-100); there is a field of freedom found both in nature and in the subject. The logical origin of hypothesis lies in feeling – in the quality of feeling inherent to firstness – and in the unity of consciousness (Ibri, 2022, p. 102-103). This makes unimaginable answers possible for any objective reason or even for solutions based on statistical surveys, although statistics can give approximate answers even for results that presuppose free action.

Considering that self-consciousness arises immediately from the consciousness of the other, the second category achieves symmetry – granting undifferentiated validity to both the subjective and objective worlds – through the recognition of an internal non-self, "an internal *non-ego* as a kind of otherness in the interior world represented by the past that contains our experienced facticity." (Ibri, 2022, p. 100) (author's emphasis) with the same properties that external objects possess, of reacting against consciousness (IBibri, 2022, p. 100). So, on the one hand, external objects, the real ones, act as not-me; on the other hand, in the internal world, the past acts as not-me. This is the first moment of the human saga to act according to reason; real otherness seeks a connection with the past, real individuals seeking a link with individuals accumulated through experience (the past as a collection of facts of what I have known and know). In the third category, finally, symmetry, that Ibri (2022, p. 101) explains that "comes in the form of the *laws of Nature* in the external world and of judicative *thought* in the inner word." (author's emphasis) The judicative thought is thought under self-control, where ethics and morality meet, where logic can track thought in a judicious way, since inferences can be controlled. Thus, "the Piercean metaphysical realism¹¹ correlates real general structures to the generality of what we consider thought, within the sphere of subjectivity." (Ibri, 2022, p.72)

The symmetry between the external and internal environment in the three categories places these worlds on a continuum in such a way that the inner world ends up endowed with modal generality, in which both firstness and thirdness participate: the former as possibility and the latter as necessity; in this respect, the second category is the bearer of real otherness and requires the reaction of man's rationality. (Ibri, 2022, p. 101)

2.4 The genesis of decision in firstness

Firstness is characterized as "a phenomenological form of appearing characterized by the experience of unity between subject and object, indistinguishing internal and external worlds. In fact, this is an experience of an *internal* nature." (Ibri, 2022, p. 71, author's emphasis) In this environment, the unity of consciousness also arises, which is necessary for the emergence of a hypothesis.

11 According to Ivo Assad Ibri (2017, p. 14), Metaphysics is responsible for investigating "the reality of thirdness, and thus to suppose that there is something of a general nature in the exteriority to which our thought conforms."

As mentioned above, the symmetry between the internal and external worlds is found in the diversity of nature – in the external world – and the unity of qualities of feeling – in the subject –, which is under a continuum of possibilities; it is the field of freedom found in both nature and the subject. The logical genesis of a decision stems from this symmetry, which occurs as a phenomenon within the subject. Thus, the provocation of an alter object (secondness) triggers a search for the coherence of this object with what the subject knows. This search initially takes place in the realm of firstness, under the freedom inherent in the irregularities of nature and feelings, and requires a unity of consciousness that expresses an initial response.

The experience of firstness appears through an internal side as contemplation, as pure qualisign, as *a continuum* in which *subject* and *object* distinguish themselves. Through its external face, this experience, in turn, becomes viable when a gaze, striving to divest itself of concepts and memories, can discern all that is *singular* in the world, all that cannot integrate classes, does not share common predicates with possible objects, supposedly similar to it, and that, for all these reasons, is *first*. (Ibri, 2022, p. 73) (author's emphasis).

The decision, then, takes place in the internal world but arises from the symmetry between the internal and external worlds. That is, the provocation of otherness leads to the observation of individuals found in the external world—not as individuals belonging to a law, but in their diversity, as free elements in a world of possibilities. On the internal side, otherness involves the past and an infinity of information recorded within the subject, completing a continuum of possibilities. Many of these pieces of information are registered in the conscious mind, while many – most of them – are not consciously perceived.¹² It is in this environment that the unity of consciousness is sought to suggest a response that gives meaning to that alter object and places it under the scrutiny of reason, based on an explanatory hypothesis.

This decision-making process within the inner realm can be illustrated by Peirce's metaphor of the mind as a bottomless lake,¹³ as described in CP 7.547. According to the author, it is not possible to tell oneself the whole truth of what is in the mind, even after a thorough review of the field of consciousness. In this environment, where all our past experience is to be found, thousands of ideas in varying degrees of vividness (of depth in the lake) move up and down, to oblivion or, depending on the power of each one, in superposition, in the attraction of one over the other. It should also be said, according to CP 7.553, that these various ideas react on each other by selective attraction, by a criterion of relevance,¹⁴ which represents the associations between ideas, which tend to agglomerate them into single ideas.

These associations of ideas cannot be explained by reason.¹⁵ There is “an immense world residue” (Ibri, 2022, p. 193), something that cannot fit into the conceptual networks that mould our perception, waiting for its representation and meaning. Ivo Assad Ibri summarizes it:

To contemplate what the creative freedom of some principles suggests [...] brings the identity between the internal and external within the sphere of that for which there is no language: freedom is not cognizable because it does not submit to the concept.

[...] Its generality will be that of a possibility pointing toward a multiplicity of meanings, toward a ludic practice of the hypothesis that will not require passing

12 “[...] our logically controlled thoughts compose a small part of the mind, the mere blossom of a vast complexus, which we may call the instinctive mind, in which this man will not say that he has faith, because that implies the conceivability of distrust, but upon which he builds as the very fact to which it is the whole business of his logic to be true” (CP 5.212) (author's emphasis)

13 See Santaella (1996, p. 97-101)

14 “Past experience, reflected in the form of a repertoire that constitutes criteria of relevance, undertakes the selection of the signs that are important to interpret in a current experience” (Ibri, 2022, p. 183).

15 “The generalizing process of the hypothesis, based on its iconic character, is effected by the conjectural generalization of the similarity between certain characters of the fact considered and the totality of the class to which this fact belongs” (Silveira, 2007, p. 146).

through a certain theater of reactions for its validation as truth, but which, due to its intrinsic freedom, points to many possible worlds and truths. (Ibri, 2022, p. 74)

The playful practice of hypothesis indicates many possible truths. In this playful practice, the mind soaks up an environment of firstness and allows itself to be hooked by the possibilities of diversity that move freely in the world and also beneath the surface of the lake. From this emerges the explanatory hypothesis, as a cluster of ideas brought together by association that expresses a hypothesis coming from a world of possibilities.

The formation, strictly speaking, of an explanation for the alter object and for a possible decision comes with abduction, the process of forming an explanatory hypothesis (CP 5.171). This process begins with the formation of the percept and continues with abductive inspiration and perceptual judgement. The possibility of controlling the cognition process begins after the formation of the percept and is made possible by perceptual judgement. (CP 5.115) A judgment is an act of formation of a mental proposition combined with an adoption of it or with an act of assent to it. A percept on the other hand is an image or moving picture or another exhibition. (CP 5.115) “[...] our perceptual judgments are the first premises of all our reasonings and that they cannot be called in question. All our other judgments are so many theories whose only justification is that they have been and will be borne out by perceptual judgments.” (CP 5.116)

As for abduction, a passage from Peirce is enlightening for our purposes:

Our first premises, the perceptual judgments, are to be regarded as an extreme case of abductive inferences, from which they differ in being absolutely beyond criticism. The abductive suggestion comes to us like a flash. It is an act of *insight*, although of extremely fallible insight. It is true that the different elements of the hypothesis were in our minds before; but it is the idea of putting together what we had never before dreamed of putting together which flashes the new suggestion before our contemplation. (CP 5.181) (author's emphasis)

Thus, the hypothesis (arising from an *abductive inspiration*) arises from an *insight* based on associations of elements that are out of our control; in the same way that the brain controls our heartbeat or our digestion without us having control over this process, it also makes associations giving us awareness only of their result, like a flash that informs us of the outcome. On the other hand, perceptual judgments are our first premises from which reasoning develops; in turn, abductive inference does not allow any analysis, both are identical; it is the transition from a generality of possibilities to a generality of laws. The hypothesis is extremely fallible, which indicates a process of externalizing unfinished ideas, associating elements that are many times not compatible with the world of facts.

Another important element in understanding the process of hypothesis formation is that “perceptual judgments contain general elements (and) universal propositions are deducible from them,” (CP 5.181) In Ivo Assad Ibri's explanation, (Ibri, 2022, p. 90)¹⁶ the generality apprehended perceptively is an introvision of the system of relations that occurs in real thirdness. It follows that the alter object, as an individual, triggers the formation of a hypothesis characterized by generality, which can support deductions for individual cases.

2.4.1 The “flash” in the judicial decision

The process of producing a judicial decision is a good example for understanding the formation of a political decision. When examining a process to produce a judgment, a judge has, on one hand, the

16 Ibri (2022, p. 90) reads: “Under a categorial point of view, as thirdness has an ontological statue characterized by the system of relations between the phenomena that have spatiotemporal continuity, generality perceptively grasped is, in fact, an insight of that system.”

arguments of the plaintiff and, on the other hand, the arguments of the defendant; and he or she must render the judgment based on the law. It is common to explain this process as an analytical judgment, in which the judge must derive the solution for the specific case from the law. However, the entire process is not limited to an analytical judgment.

Analyzing the production of a judicial sentence based on Charles Peirce's theories – a sentence as a solution to a conflict that cannot be resolved based on some already consolidated habit – it can be said that the plaintiff's arguments and the defendant's arguments are individuals who act as another, as an alterity of the world of facts on the judge's mind; the law to be applied, known to the judge, acts as a past and known reference for the decision (which involves not only the law, but also the judgments and comments on the law known to the judge). Having finished examining the case, the subject looks for the solution to be given; it is the effort of someone who has many elements and no answer at all. Faced with so many truths presented, the judge must seek the answer through the playful practice of hypothesis, as seen above, a game of "*no, maybe, it could be*" which tends to provide a flash, an insight with the answer. "*I found it!*" is the common expression of this flash. This moment of discovery, however, is only the beginning of a decision that is proposed to be self-controlled, since the confirmation of this hypothesis must also pass through the sieve of thirdness.

There is another important element to be highlighted, not from Peirce's theories, but present in a decision-making process. Decisions are made according to values embraced by the subject, but in the case of the potentiality of firstness, such values are free. What stands out about the genesis of decision in the abductive process is its close relationship with the values that will later be discharged into conduct. It is there, in that tangle of feelings and layers of different depths, where hopes and disappointments, desires and frustrations, joys and sorrows, hatreds and passions are allocated, feelings that will propel a general hypothesis to solve a specific case that has arisen as an alterity; impulses that manifest themselves in action as values to which the subject adheres. In a simple example, one could use a conflict involving someone's greater freedom confronted with someone else's equality; some will agree that it is better to ensure greater freedom, others will agree that equality needs to be strengthened. What is the relationship of firstness to these antagonistic responses? The answers can be rationalized using objective arguments. But when we look for the ultimate reasons that lead the subject to accept one side or the other, these reasons are hidden in firstness, in feelings that associate and repel each other in a process not controlled by man. The reasons are not known, the ultimate reasons for the judge's decision and the values he accepts are not known even by him or her.

2.5 Generality in thirdness

As brute force, alterity triggers the search for regularities where to insert this individual, it is like the state of attention of a chess player facing an unexpected move by the opponent: he or she speculates where the opponent wants to go with that piece movement. There is no generality in this relation of secondness. As seen above, this search for regularity occurs initially in the field of firstness, under the freedom proper to the irregularities of nature and feelings, and in this occurrence demands a unity of consciousness that expresses an initial response, a response that gives meaning to that alter object and places it under the scrutiny of reason, based on an explanatory hypothesis. To thirdness falls the task of clinging to the suggested hypothesis and, following the criteria of logic, evaluating the coherence of that response; it is the moment when a mediation becomes necessary¹⁷, an element that "embodies the temporality of thirdness in the nontemporality of secondness." (IBRI, 2022, p. 269) Faced with brute force, it is necessary to seek signs that enable mediation, triggers of a semiosis that allows understanding the world (external and internal) and enables the coexistence of subject and object:

¹⁷ Mediation is done through representations, such as concepts: "concepts mobilize the memory of generalized knowledge and propose a predictive view of future facts derived from the state of things placed before the mind." (Ibri, 2022, p. 299).

Such an acknowledgment of the insistence of an experience requires a comparing intellect that mediates the immediateness of each occurrence of this experience, that is, an intellect that no longer takes it as an immediate experience, but as a generalized representation that recognizes the relation between its occurrences. Thus, as experience, existence loses its individual character when generalized in a relation that is the context itself of a general representation [...] the permanence of a reaction transforms it into thirdness by becoming a regularity in time. (Ibri, 2017, p. 26) [The insistence of reality that forces itself against consciousness for its reasoning seems to suggest that] "exterior generality is grounded by the generality of thought as mediating representation." (Ibri, 2017, p. 26)

The external, real object, which emerges as alter, in the inner world, and repeats itself over time, enables a comparing intellect to mediate these occurrences, constructing a generalized representation that recognizes the relationship between its occurrences; it loses the character of individuality, of mere alterity, gains the texture proper to a general representation, a concept, for example, and becomes a regularity over time. It can be said, then, that the possibility of reasoning stems from this generality of the external world, which underpins the generality of thought as a mediating representation.

2.5.1 Through generality one can reach the continuum, the laws of social life

For Peirce (CP 5.93-5.96), thirdness is real. He uses the example of the stone that falls from the hand when released to explain the reality of thirdness¹⁸; to explain that thirdness is operative in nature and implies generality. Experience shows, he says, that similar objects behave in a similar way, for example, if I let go of a stone from my hand, as long as there is no obstacle, it falls to the ground, which is repeated whenever I do the same with other stones. This is a general proposition that has a representative nature and is not a mere representation of the mind, but a representation that reacts, that is, a representation that can be proven by the repetition of experience, by otherness (this is an explanation that confronts realism and nominalism). *"When I say that really to be is different from being represented, I mean that what really is, ultimately consists in what shall be forced upon us in experience, that there is an element of brute compulsion in fact and that fact is not a mere question of reasonableness", a question of rationality* (CP 5.97). This general proposition is a general idea, it is essentially predicative, since I am able to know, in advance, what will happen if someone says they will drop a stone from their hand. Generality lies in the behavior of a certain object similar to other objects – a small group of objects associated with an entire collection of objects, which indicates or expresses a rule –, behavior that allows us to say that that object behaves in the same way as these other objects; and all these objects continue and will continue to behave in the same way in the future, exposing a rule that produces that fact.¹⁹

As Ivo Assad Ibri points out (2017, chap. 2, especially, p. 28-29), the law (or rule), as a regularity that repeats itself over time, implies that the real are (in the present) behaving as they have been behaving (in the past) and will continue to behave (in the future); this generality has a predictive character that, as a thirdness phenomenon, is permanently tensioned for the course of future experience,²⁰ the predicate of many must allow for a multiplicity of future individuals. Thus, the association of ideas initiated in the myriad of emotional interpretants, refined by the alterity present in secondness, is shaped into a process

18 On Peirce's realism, Ivo Assad Ibri's passage (2022, p. 6) is enlightening: "Not a Realism that solely admits the existence of things external to our interiority, but rather, that which recognizes the reality of a fabric of generality that is connatural in its ideality with our thought. A continuous structure of order, developing evolutionarily from primeval chaos. It is this order, and it alone, that allows us to predict the future conduct of the world. Often wrongly or fallibly, but evolutionarily capable of growth."

19 The connection between generality and thirdness, specifically, can be made, in Peirce's explanations, by a definition of the general idea, according to which the general idea is - in the annotations of Ivo Assad Ibri (2017, p. 13) "that which is naturally apt to be predicated of many". Lapping up the concept, Peirce (CP 5.102-5.105) concludes that thirdness is merely a synonym for representation, and it can be said that "a general principle that is operative in the real world is of the essential nature of a Representation and of a Symbol".

20 "the general is essentially predicative and therefore of the nature of a representamen" (CP 5.102).

that gropes for logical, generalizing associations, mediations for an action/conduct/decision that satisfies future objectives.²¹ The associations carried out in the fields of firstness and thirdness, triggered by the provocation of secondness, are not isolated; they intertwine in the search for a response. The separation of these structures, in this text, is done solely for the understanding of these structures.

2.6 Types of reasoning in the decision-making process: the logic of the decision

The generality that is in the laws of nature, and throughout the order that exists in the world, is also in the mind of man, since man is in the world. In his daily actions, man acts either by following habits – built by instinct or by logical reasoning – or, when faced with doubt, he needs to use his intelligence to reinforce a habit, modify a habit, abandon a habit, or create a new habit. In this moment of doubt, man can then make use of tools from Logic to go beyond his instinct and even beyond his rational capacity; he can use guidelines from Logic to enhance his rational capacity, training his reasoning through paths explained by Peirce. Within his instinctive capacity, man already follows this logical path, but Peirce's method explains this path, which is already part of man's nature; Peirce's method allows reaching a decision with greater self-control.

Many of the theories about the decision-making process in the field of law – the decision of a judge in a court judgement, for example – are based on deductive logic. From a legal norm, a general norm, the decision for a particular case must be extracted. Following Peirce's explanations, however, deductive logic is only part of the decision-making process. Peirce talks about three types of reasoning to reach a self-controlled decision (already in the field of Ethics). A self-controlled decision begins with the construction of a hypothesis (abductive process) and must also go through the inductive process of experimentation or testing the proposed hypothesis²²⁻²³.

2.6.1 Abduction or hypothesis

It can be said, as examined above, that a decision starts not from a law, but from facts that present themselves for evaluation. The hypothesis is the solution found, which happens in an instant, like a *flash*. But it is not guesswork. That instant comes after the judge has examined the case. Initially, the subject's mind is filled with a set of elements (internal and external secondness), facts and arguments related to the decision, but still as unrelated individuals; it is like rummaging through a bag looking for a particular object. It is the feelings that act in this environment, it is the firstness that does this searching; and it is under the command of firstness that a theory emerges to explain not only the decision, but the foundations of the decision. Of course, in this *insight*, the arguments are not ready; in general, they still

21 "From a continuum of infinite possibilities of qualities, some singularities stand out, the kind that can be gathered into continua of dimensionality, defined in some manner. Why would such formations occur? For no other reason than owing to the eidetic tendency of the acquisition of habits; it will substantiate forms of general regularity, which constitute thirdness" (Ibri, 2017, p. 68).

22 The use of hypothetical, deductive, and inductive reasoning is well known to legal theorists. Arthur Kaufmann, in his well-known book on Philosophy of Law (2004, p. 111-112), explains deduction, induction, and abduction. In the field of Civil Procedural Law, a manual widely used in Brazilian universities (Marinoni; Arenharte; Mitidiero, 2015, p. 51) contains the following passage: "Applying the law means *drawing legal consequences* from the application of legal norms in a given legal situation – that is, drawing *practical consequences* in the normative world, usually from a specific case. This operation certainly involves deductive logic, that is, the use of judicial syllogism, but not only that. Beyond deductive logic, it is common to use *inductive and abductive logic* in judicial reasoning, especially in forming judicial convictions regarding the facts alleged in court" (author's emphasis).

23 Two texts, which deal with the types of reasoning in Peirce and judicial decision-making, are quite enlightening. The first is by Giovanni Tuzet, a rather elaborate study on abduction and the justification of judicial decisions. According to the author (2005, p. 267), the process of legally conceptualizing the relevant facts and determining their normative consequences, such a complex inferential process is to be compared with what is called, by the recent literature, Inference to the Best Explanation (IBE): it is the articulation and interplay of abduction, deduction and induction that provides a suitable justification. The second text to be highlighted is the book "*Pragmatismo e decisão judicial: como pensar a consequência jurídica*", authored by Flavianne Fernanda Bitencourt Nóbrega, which aims to "understand the judge's decision-making process from the pragmatist perspective, founded by Peirce through abductive reasoning" (Nóbrega, 2024, p. 29). Neither text, however, goes beyond the field of inferences to seek the relationship between Logic and Ethics. Peirce's understanding of logical reasoning is very well explained in these texts. The purpose of this study, however, is to establish the relationship between Logic and Ethics, investigating the possible axiological references for a judicial decision, which presupposes the study of the types of reasoning in the decision-making process in order to then seek the relationship between Logic and Ethics.

need to be worked on by logic, and many of them are even discarded until an acceptable one is reached, and others until a plausible conclusion is found.

According to Ivo Assad Ibri (2017, p. 93), abduction generates an original argument, i.e., it contains the genesis of an explanatory theory of facts, “abductive reasoning moves from observed experience to the construction of a concept” – a representation. Being in the field of firstness, it stems from feelings or qualities of feelings immersed in our mind and, in this environment, aims to find an explanatory hypothesis for the alter object that provokes us. “It is an activity of the imagination that discovers the general from the particular.” (Dentz, 2010, p. 25) The facts provoke the subject who issues an explanatory hypothesis in a manifestation of firstness.

In Lauro F. Barbosa da Silveira's explanations, based on Peirce's texts, the hypothetical argument can be summarized as follows:

Starting from surprising facts, we suppose them to be a case of a general law. [...] Its conclusion has the status of a mere possibility, not necessarily concluding the truth. Although it is the weakest form of argumentation, it is the only method that gives rise to new ideas concerning real things. (Silveira, 2007, p. 142).
[A] hypothesis is a conditional proposition in its paradigmatic form (Silveira, 2007, p. 145).

Thus, hypothesis provides an explanation for the problem or question we face, a coherent solution to clarify the facts examined, but it appears as a mere possibility, as it still needs to be confirmed (which will occur with deduction and induction, in the sequence of reasoning); although it may initially seem true, the conclusion is not necessarily so, as it may still be rejected in the course of reasoning; however, even though very fragile, it is the only way to generate new ideas coherent with the real world.

2.6.2 Deduction

In a second step, the imagined decision and the grounds for that decision need to be checked; the practical consequences offered by the hypothesis need to be verified. This is the deductive process. Based on Peirce, Lúcia Santaella (2004, p. 149) states:

The most striking feature of deductive reasoning is that, if it is correctly employed, it cannot lead from true premises to a false conclusion. [...] Deductive reasoning is hypothetical because it is bound to lead to a true conclusion on condition that the premises are true. [...] this type of reasoning is necessary [...] [since] it is not exposed to empirical refutation, a necessary proposition [...] will remain true in any possible universe because its truth does not depend on a question of fact, but merely on the interpretation of the signs by which it is expressed.

In the deductive process, the argument presented as a hypothesis must be examined in detail to see how this argument might react in the world of facts, in the various instances in which it can or should be applied; the hypothesis functions as a general rule with the possibility of shaping specific conduct. This is the fundamental rule of pragmatism: the meaning of a conception can be found after verifying all conceivable practical consequences of that conception (CP 5.9 and 5.412). This means that, in order to fully understand the hypothesis raised, all the practical consequences deducible from the hypothesis must be taken into account; if any consequence is not evaluated, it (the hypothesis) can manifest itself at the moment of action, of conduct, compromising the evaluation made.

Thus, if the conclusion, in a deductive process, is already contained in the premises and does not depend on facts, this reasoning is necessary and does not allow choices, because it is limited by the premises, by the general rule; in this case “practical consequences are necessarily extracted from the

concept that has its meaning under investigation. In other words, the consequences are deduced from it.” (Ibri, 2017, p. 92)

The hypothesis is presented as a general rule from which possible practical consequences will be deduced²⁴, allowing the understanding of the consequences to be assumed as an effect of that hypothesis. In some instances, the argument will align with the real world and the facts of the case, while in others, it will reveal flaws. It is then up to deduction to prove that the consequences of the hypothesis raised are appropriate among the elements available for the decision, made available by the hypothesis.

2.6.3 Induction

In the construction of a decision, man examines the validity of their argument not only in terms of the conduct he imagines to be appropriate and its practical consequences (deductive logic), but also whether the argument can achieve certain objectives that have been set as necessary. In a text that deals with reasoning, Peirce relates the argument to an objective, by questioning what a logical good is: “We have seen that any kind of goodness consists in the adaptation of its subject to its end [...] it is the argument alone which is the primary and direct subject of logical goodness and badness.” (CP 5.158 and 5.159) Therefore, the reasoning that goes into making a decision and establishing a course of conduct must assess whether the practical consequences – verified in the process of deduction – will be able to achieve a general orientation (an objective) that is valid for all conduct or for all moral issues.

This is where inductive reasoning comes in, whereby a particular element must seek its compatibility with a general one (Silveira, 2007, p. 158-159). In inductive reasoning, the deductive inferences drawn from the hypothesis act as individuals. But what is this generality sought when dealing with man’s conduct in society, especially when dealing with decisions related to the power of the state? If inductive reasoning starts from a particular element obtained from the hypothesis and must seek compatibility with a general, this general can only be the objective set for man’s conduct in C. S. Peirce’s Ethics. So, then, the elements raised in a theory – the hypothesis with the deductive inferences –, must go through inductive reasoning, from the specific argument to the general, in order to verify the compatibility of the argument with the objective to be pursued. This objective is not an abstraction, it is real, because it forces its existence on the mind of the subject, so that they maintain their conduct and remain in time; it is a phenomenon of thirdness (a general) tensioned towards the future, originating in the past. This goal is not something abstract that can only be found in the future, it is realized in everyday life, as a phenomenon of thirdness that recognizes the generals that exist in the world.²⁵ For Peirce, thirdness is not constructed by the mind, it is real.

As already examined, the phenomena of thirdness as a synthesis of elements, which form concepts and arguments in the human mind, arise from generalities existing in the world and recognized by the human mind as an event, which still happens and will continue to happen, that is, the generality links the past to the future, as it triggers a sequence of known events (semiosis) and, given the repetition of the event, they will continue to happen, allowing the evaluation of the future. Then, Ivo Assad Ibri (2017, p. 92) concludes by stating: “[...] the validity of induction is grounded on the real generality of the investigated object. In other words, if generality is real, generalization acquires its most legitimate logical right”. Although he works with three types of induction, Peirce considers that the logical structure is the same for all of them, inferring from a sample to the whole, “all types of induction have in common the fact that they are processes for testing hypotheses that have already been raised.” (Santaella, 2004, p. 134-135)

24 In the words of Giovanni Tuzet (2005, p. 268), “according to the mature Peirce every scientific inquiry is constituted by three inferential steps: first, abduction suggests a hypothesis explaining a fact; second, deduction determines the conceivable consequences of the hypothesis; third, induction tests the conceivable consequences of the hypothesis”.

25 In the text “Pragmatism and Hegelian absolute idealism” Peirce (CP 5.436-5.437) affirms the reality of thirdness.

Finally, with the help of the hypothesis and deductions built on suggestions from the hypothesis, induction is used to adjust conduct to the regularities of the world, to existing habits, to the generalities of the world perceived by the mind, in such a way that the subject, performing the act, knows what the future result of their action should be.

Another element to be considered when studying man's conduct is understanding the values chosen by the subject to guide their conduct. Where do the axiological references for conduct come from? The most effective element to boost a decision, a choice, is in the firstness, in the field of sensations. But, examining the rational aspect of decision-making, the field of thirdness, one can observe, in Peirce, that the spectrum of values lies in Ethics, in the study of possible ends for conduct. Conduct is determined by the goal we are willing to assume; it is in the goal that one can find a portfolio of possibilities for the subject's future, the general ideas that function as true interpreters of one's thinking, and the subject must evaluate what they are willing to assume for their life: conduct that is more appropriate to social demands or an orientation that means a change of habit in society; or even conduct aimed at satisfying personal interests or the community's interests. These choices involve values to which an individual adheres and assumes for their life. The choice derives from the objective assumed for the conduct and is defined in the inductive process where the subject has control of the future, where the constructions of logic delimit the axiological elements contained in the generality (the objective to be achieved); it is there that the subject will choose his decision.

It can be concluded, then, that a magic of induction, for the sciences that deal with human conduct, lies in allowing the reading of the course of events over time, not only from the past to the present but also of the possibilities of future effects of conduct. For the author of the decision, deciding on a course of conduct, the best decision is one that is directed, in its generality, to satisfy the intended objectives. On the other hand, for an observer of conduct, for a third party, who observes the generalization resulting from the conduct practiced or the generality in which that conduct is inserted, it is possible to ascertain where the conduct leads and the values privileged in the conduct.

2.7 Ethics and morality in the self-controlled decision-making process

The importance of the role of induction in the decision-making process can be verified in Lauro Frederico Barbosa da Silveira's explanation:

The revolution undertaken by Pragmatism is certainly to be found in the shift from origin to purpose, in the search for clarity. The clarity of ideas or concepts, for Peirce and for anyone who adopts the pragmatist method, does not consist in the obviousness or immediacy with which they should present themselves to the mind, but in the constant improvement of the representation of the conceivable effects resulting from them. (Silveira, 2007, p. 183)

The objective of conduct is a determining element of conduct. The search for the reasons for our ideas or the concepts resulting from our thoughts will always have an inconclusive answer, since these elements originate in feeling and not in logically enlightening arguments. The purpose of action is exposed to everyone's self-criticism and criticism; and the tool for evaluating the purpose of action is specifically induction.

But what is or could be the purpose or objective of action? This falls within the domain of Ethics, in Peirce's architecture of the sciences: "*the approval of a voluntary act is a moral approval. Ethics is the study of what ends of action we are deliberately prepared to adopt*" (CP 5.130, author's emphasis). Ethics and morality are placed side by side, but with different meanings. Ethics is presented as a theory that investigates objectives for conduct and morality as the field of approval of an act, the field of conduct itself.

The phenomena of reasoning are, in their general features, parallel to those of moral conduct. For reasoning is essentially thought that is under self-control, just as moral conduct is conduct under self-control. Indeed reasoning is a species of controlled conduct and as such necessarily partakes of the essential features of controlled conduct (CP 1.606).

What is understood as rationally correct conduct cannot be imposed on someone, given the freedom of each individual in the world of practice, and therefore, it is up to that individual (that someone) to carry it out. Theory can explain the possible or appropriate conduct for man, for the pursuit of desired ends, which is the field of Ethics. Evaluating certain ideals of general conduct description that every man has, Peirce (CP 1.591 ff.) asserts:

Finally, in addition to this personal meditation on the fitness of one's own ideals, which is of a practical nature, there are the purely theoretical studies of the student of ethics who seeks to ascertain, as a matter of curiosity, what the *fitness* of an ideal of conduct consists in, and to deduce from such definition of fitness what conduct ought to be. (CP 1.600) (author's emphasis)

Moral conduct is rationally controlled conduct, conduct undertaken in the world by the individual and subject to self-criticism; this is the field of the individual's action in the social environment, which acts according to the evaluation of the practical consequences of their conduct. Ethics supports this intent to act in the world; Ethics, however, presents itself, properly, as theory, which is not concerned with practice, but offers support for the critique of man's conduct and support for making man's actions more efficient. Here we have the individual in their social environment with their moral conduct, who can draw on Ethics to find the best path for their actions, and on the other hand, we have Ethics as theory, which offers support for the observer of conduct to understand the conduct of that individual (moral aspect), insofar as Ethics allows us to understand the ends to which the action is intended, the action is subject to criticism.

2.8 Induction, ethics, and self-controlled conduct

Then, from an initial impulse, a response to the presented facts emerges (hypothesis) and the arguments that compose this response – this is the work of firstness, of freedom in the continuum of possibilities; from there, it is then necessary to verify whether the hypothesis raised, as a general rule for someone's conduct, is suitable to satisfy the need of the moment, indicating particular conducts (deduction) – a response to the provocation of secondness, to the demand of alterity – further verifying whether the response, now expanded with the practical consequences deduced from the hypothesis (the hypothesis and the consequent responses obtained by deduction), is capable of achieving the general objective set as a long-term guidance for the subject's conduct (inductive reasoning) – a response subject to the evaluations of Logic, the field of thirdness and controlled decision, subject to criticism and self-criticism.²⁶

What can be seen, therefore, is that *the theory arising with the hypothesis functions as a general in the deductive process, as a general rule for a particular conduct*, making it possible to raise the practical consequences of it for the conduct of each individual. *The deductions arising from the hypothesis function as particulars that seek a general, in the inductive process*, seeking proof of the hypothesis as a guide to conduct.²⁷

26 "Abduction is the process of forming an explanatory hypothesis. It is the only logical operation which introduces any new idea; for induction does nothing but determine a value, and deduction merely evolves the necessary consequences of a pure hypothesis. Deduction proves that something *must* be; Induction shows that something *actually* is operative; Abduction merely suggests that something *may* be. Its only justification is that from its suggestion deduction can draw a prediction which can be tested by induction, and that, if we are ever to learn anything or to understand phenomena at all, it must be by abduction that this is to be brought about." (CP5.171) (author's emphasis)

27 The world of actions, through which one exercises the ends desired, becomes the external side, subsumed in the category of secondness: on the internal side, the association with the categories of firstness and thirdness. (IBRI, 2022, p. 274)

The decision itself still depends on the choice, because the different particular decisions suggested by the hypothesis can also have different future consequences. It is the subject's responsibility to choose the one they are willing to accept as their own, assuming the consequences of the decision he has to make (the field of self-controlled decision, of Ethics). On the other hand, once he has made the decision, he adopts an attitude towards the world – the field of morality – that can be critically evaluated by anyone.

As for the process of making a judicial decision, an example could be the case of a legal separation in which the spouses move to distant cities and both the father and the mother want to keep the child. The judge has to decide who gets the child. Then, after considering the arguments of both parties and the law, the judge produces a hypothesis for resolving the conflict, it is "*Eureka*", "*I have found the answer*". This, however, is not yet the answer; it is only a possibility that may or may not be confirmed. The possible conclusions of the hypothesis contain the answer to be given in the process; there are two alternative answers: the child will stay with the father or with the mother. However, this answer is still incomplete, because the judge has to assess the future consequences of his/her decision, it is a test of the solution given. In the process of generalization, the answer given indicates the future implications of that answer. But the inductive process always requires a general reference to which the particular decision tends to be directed; it is the field of ethics and the objectives we are willing to adopt. In the case of a decision about the custody of a child, the aim must always be in the best interests of the child, not the father, not even the mother; it is the protection of the child that must be the aim of the judge. Therefore, in the inductive process of testing, the judge ends up realizing that the child will be largely absent from one of the parents, he ends up testing the hypothesis of the child staying with the father or staying with the mother; but which solution best serves the interests of the child? The decision must favor the answer that best satisfies the interests and needs of the child; it is the objective of the child's welfare that must guide the judge's decision. This is the solution that Peirce's ethics provides for this judicial question.

3 Delimiting an individual's decision from C. S. Peirce's ethics: a method for understanding and reading man's decisions (specifically political decisions)

This study considers Peirce's theories as a method for reading and understanding man's conduct in society. Ethics, within these theories, is perhaps the most relevant for reading and understanding conduct in the social group, since the decision about action is determined by the objective that the individual intends to achieve, and Ethics is precisely the field of study of the objectives that we are deliberately willing to achieve. Bearing in mind that pragmatism presupposes realism, Peirce's Ethics emerges as a tool for understanding conduct. It enables us, with the aid of logic, to classify and critique arguments, thereby minimizing implausible arguments advanced by opposing ideologies. The hypothesis is that this method allows us to understand the reasons for man's actions, going beyond the mere description of facts. An interesting example is the Athenian citizen's responsibility toward the affairs of the polis. Endowed with civic virtue, they acted in the world to prioritize the interests of the polis. Why did they behave this way? Why does the modern citizen retreat from politics into private life, while the citizen of the polis placed the city's interests above their own? The hypothesis is that this method, far from being mere speculation, provides a pathway to obtaining objective answers to these questions.

3.1 A method for reading and understanding conduct

We seek, in this study, to present arguments to evaluate the possibilities of understanding man's conduct in society, a conduct, an action, a decision that can affect and be affected by the conduct of others. The field of study of conduct, within Peirce's architecture of the sciences, is that of the Normative Sciences,

divided into Esthetics, Ethics and Logic. The Normative Sciences are responsible for investigating “the laws of conformity of things to ends” (CP 5.129).

Regarding *laws*, in a more refined way within Peirce’s theories, they can be observed in social life²⁸ through antecedents that determine future consequences; or, they can be observed through the generalization of facts, that is, by the similarity of a fact to equivalent facts, which have known consequences and follow a rule; or, they can be observed through the continuum, a path that can be found through generalization, a path that is typically traced from one fact to others, giving meaning to a fact based on its antecedents and indicating its future consequences.

The conformity of things to their ends, in turn, emphasizes the harmony of the world, in which one individual fact is linked to another and another and another... but in general, linked to an end, to a goal to be achieved. Ethics is, as already mentioned, the study of the purposes of action that we are prepared to adopt, this is “that is right action which is in conformity to ends which we are prepared deliberately to adopt” (CP 5.130). So, Ethics studies the ends but also the correct action that aligns with the intended ends. And what are we deliberately willing to assume? It is the ends. The intended ends determine the means; the ends modulate the means. The action itself stems from the choice of ends, and the understanding of the action (the means to achieve the goal) presupposes the understanding of the objective that formatted it.

The construction of the decision, from the perspective evaluated here, stems from the *unity between the external and internal worlds*, and also from the *interweaving of the categories*.²⁹ The manifestation of the brute fact gives rise to associations of ideas and generalizations that place this fact under the sieve of reason. It is in firstness that brute force exerts its compulsion, but it is up to thirdness to offer coherent responses to the brute fact and to the actions that will come under everyone’s criticism.

The genesis of the decision is based on the unity between the external and internal worlds. In firstness, the search for associations and generalities that explain the existing one (that brute fact) is supported, in the external world, by the diversity and irregularities of nature, and also by the diversity of individuals accumulated in the past, in the internal world. It is in the freedom inherent in the irregularities of nature and feelings that we find the continuum of possibilities for a first response, a hypothesis for that provocation from otherness.

In the third category, this unity between worlds “comes in the form of *laws of Nature* in the external world and of positive *thought* in the inner world.” (Ibri, 2022, p. 101, author’s emphasis). Judicative thought, as mentioned above, is thinking under self-control, where ethics and morals are found. Self-control occurs through logic, with critical evaluations of the hypotheses offered by firstness, accepting or rejecting possibilities, until one of them is considered appropriate to face the criticisms of the social environment. It is logic that supports ethical and moral arguments; but it is up to feelings to give the final answer.

3.1.1 Esthetics, ethics and logic

Our pretension here is to present Peirce’s theories as a method applied to the practical sciences,³⁰ for the clarification of conduct related to a certain end for the will,³¹ it is the application of this method especially to the understanding of conduct in the fields of Law, Politics and History.

28 In the text entitled “Pragmaticism and hegelian absolute idealism” Peirce highlights that “continuity is an indispensable element of reality” is the generality in the logic of the relative and is the essence of thought; he also states that the third category “is an essential ingredient of reality, yet does not by itself constitute reality, since this category (which in that cosmology [he refers to the cosmological articles published in The Monist Magazine] appears as the element of habit) can have no concrete being without action, (...) just as action cannot exist without the immediate being of feeling on which to act” (CP 5.436).

29 This is explained by Ibri (2022) in Part II, Chapter 6 of *The Heuristic Exclusivity of Abduction in Peirce’s Philosophy* and Ibri (2022) Part VII, Chapter 20 of *The Ontology of Action in Peirce’s Philosophy*.

30 About practical sciences, see, CP 5.125.

31 See SILVEIRA, 2007, p. 221; and, CP 5.134.

Let us begin with a passage from Peirce (CP 5.129) on the possible ends of action:

Supposing, however, that normative science divides into esthetics, ethics, and logic, then it is easily perceived, from my standpoint, that this division is governed by the three categories. For Normative Science in general being the science of the laws of conformity of things to ends, esthetics considers those things whose ends are to embody qualities of feeling, ethics those things whose ends lie in action, and logic those things whose end is to represent something.

What Peirce presents in this text is the validity of ends from a purely theoretical perspective, the possible ends for any fact that has some consequence in the world, and what he offers is a method for interpreting³² the existents in the world, the understanding of specific. In the final part of paragraph 5130, the author emphasizes that Ethics³³, the genuine normative science of ethics, “is the normative science *par excellence*, because an *end* – the essential object of normative science – is germane to a voluntary act in a primary way in which it is germane to nothing else” (author’s emphasis). The ultimate end of the deliberately adopted action, as Pierce states, “must be a state of affairs that *reasonably recommends itself in itself*, apart from any ulterior consideration. It must be an *admirable ideal*, having the only kind of good that such an ideal *can* have, namely the esthetic good.”

Thus, it falls to Ethics to investigate the ends, the proper ends investigated by Normative Science; but, an ultimate end of conduct will always be an esthetic end, an end that deliberately attracts the subject’s attention as an appropriate end to be achieved. In this way, an ultimate end is one that attracts the subject’s attention, leaving this subject convinced about the objective to be assumed. The definitive decision about conduct is, then, expressed by firstness, by feeling. And after stating that an end is linked to a voluntary act, which is not linked to anything else, Peirce goes on to assert that he has “some doubts about the existence of a true normative science of the beautiful”,³⁴ and then further states that an ultimate end is one that recommends itself, apart from any further consideration. The final decision lies, thus, with feeling, an attitude that has no rational explanation.

Still in paragraph 5.130, Peirce explains that a decision is not merely making choices that attract (this is only a decision of firstness, an immediate response to what presents itself). The decision that attracts, esthetic, must undergo a logical evaluation. The role of logic in the decision-making process, beyond the formulation of the hypothesis and after receiving the suggestions of the hypothesis, is to classify and critique the arguments by performing inferences (CP 5.130) that result in a qualitative assessment, a rational evaluation within the realm of thirdness, enabling a decision under self-control, as Pierce explains: “[...] logic is a study of the means of attaining the end of thought. It cannot solve that problem until it clearly knows what that end is. Life can have but one end. It is Ethics which defines that end” (CP 2.198).

So, it is Ethics’ responsibility to study the ends that we are deliberately prepared to adopt and the actions that make them possible. But it is the responsibility of logic to classify and criticize the arguments, evaluating the means, the actions, demonstrating, for the subject who performs the act and

32 According to Décio Pignatari (2003, p. 46-47), Semiotics presents itself as a set of “general principles that govern each and every manifestation of language”; in other words, they govern each and every way of communicating or representing the world; it is a language for understanding languages. “Object language is the language that is studied; metalanguage is the language with which it is studied, it is the instrumental, critical-analytical language that allows the object language to be studied without being confused with it”. Metalanguage is the language that allows us to study any and all languages. Thus, Peirce’s theories (including his Semiotics) form a metalanguage for understanding conduct in society and in politics in general.

33 Pierce clarifies it in CP 2.198: We are too apt to define ethics to ourselves as the science of right and wrong. That cannot be correct, for the reason that right and wrong are ethical conceptions which it is the business of that science to develop and to justify. A science cannot have for its fundamental problem to distribute objects among categories of its own creation; for underlying that problem must be the task of establishing those categories. The fundamental problem of ethics is not, therefore, what is right, but, what am I prepared deliberately to accept as the statement of what I want to do, what am I to aim at, hat am I after? To what is the force of my will to be directed?

34 For that reason I have some lingering doubt as to there being any true normative science of the beautiful (CP5.130).

for the society that receives it, the viability of the action in relation to the end, the possibility or not of the action achieving the intended end or, simply, for which end the action is intended.

Logic needs ethics, because logic, with inductive reasoning, shows where the action should lead, what goal the action should achieve. It falls to inductive reasoning to test the arguments offered for debate, indicating their coherence, until reaching an understanding of which action is the most appropriate in relation to the intended end. Logic without ethics is blind; it can serve many masters, as long as the argument presents internal coherence; but, when connected with ethics, logic reveals the face of each master, what each one intends with their arguments.

So, what can be considered as doing the right thing? What is the right conduct? It is that which is in line with the ends we want to achieve (ethics),³⁵ but it is logic, with its inductive reasoning, that can show whether or not the promises contained in the arguments can be fulfilled or if they are nothing more than populist, ideological, sophist speeches. Ethics is a guide for logic. Without this collaboration, arguments become obscure, with an appearance of correctness, but with some impression of equivocation, suffocated in the insufficiency of traditional logic and susceptible to appropriation by ideologies, populists, and sophists. When the decision involves a whole community, logic shows whether the proposed decision can effectively lead to what is wanted.

With induction, with the process of testing (CP 5.145), it is possible to ascertain the continuum, the law into which the action-end fits, because laws are real³⁶ and action shows, by the end to which it is directed, into which law it fits. At a time when such laws are not yet recognized by individuals, populism, ideologies and sophists play with interests in order to obtain the result they want or, if this is not possible, to prevent the opposing side from succeeding or, at the very least, not to lose out. But they know that a certain act leads to a certain result, they know these laws intuitively, they just do not recognize that these laws are in the real world and not in their arguments, in their narratives. When society is mature enough to recognize and be guided by the laws that satisfy the objectives it is willing to take on, the role of ideologies tends not to be manipulative, but just part of the debate; populist and sophist discourses tend to be recognized and denied.

3.1.2 Ethics and morals

The decision under self-control in itself is already the field of morals³⁷, the realm of the decision made by man and subject to criticism from their fellow human beings. While *Ethics* studies the purposes of action that we are prepared to adopt, the correct action, in accordance with the purposes that we are prepared to adopt, as already noted, the act of approval, in itself, approval of one of the inferences made, after the arguments have been classified and criticized, and which leads to a self-controlled decision, is a decision in the field of *morality*.

Thus, in the conclusions of Prof. Lauro Frederico B. da Silveira (2007, p. 221-222), who directs attention on the field of Ethics as theory, and not on the field of practice that seeks a specific end for a specific action, the primary question of Ethics will consist in verifying which end will be possible to satisfy the ultimate (esthetic) demand of a rational (logical) will. It can be said that the objective, presented in this way, is used by the mind as an instrument to guide the individual's decisions and to organize the relations between subject and object.

35 "Ethics is the study of what ends of action we are deliberately prepared to adopt. That is right action which is in conformity to ends which we are prepared deliberately to adopt" (CP 5.130).

36 Explanations concerning the reality of these laws can be found in the text "The reality of thirdness" (CP 5.93 ff.).

37 This understanding of morality in Peirce can be extracted from the comparison between paragraphs 1600 and 1606 of his Collect Papers.

3.2 Man's conduct and the practical sciences

Leaving theory aside and moving on to *questions proper to the practical sciences*, and still considering the relations of these sciences with the categories, it can be said that the action itself, in the world of practice, can manifest as firstness – for example, an instinctive reaction to an aggression against life, a legitimate defense; or, in the field of secondness, a controlled reaction, but still a mere response to a provocation of alterity without careful evaluation of means and ends; or it can be a controlled, planned reaction, in the field of thirdness, which evaluates objectives to be achieved and the appropriate means to do so, such as a meticulously planned crime.

3.2.1 Man's conduct and firstness

Esthetics, while considering those things whose ends must incorporate a quality of feeling, involves, it can be said, without delving into the core of the issue, information coming from experience³⁸ and also, possibly, information originating from the individual's genetics, which are stored in a non-conscious manner but drive conscious actions in the world. It is worth noting that, if there is an esthetic objective that moves the individual, it can only be compatible with the development of the individual themselves, as it has guided them to the present day with good results and has driven humanity in its evolutionary process. This can be evidenced by the functioning of the human body itself. There is no rational control over various bodily activities: the functioning of the heart, kidneys, brain, among many others. The ultimate end is an esthetic end, a firstness end, which is not under rational control, perhaps linked to instinct and possibly to our genetics, and provokes conscious behaviors without the subject realizing that they are acting being moved by it.

3.2.2 Man's conduct and thirdness

On the rational side, there is the *logical objective* aligned with the rational capacity of man, to learn what he does not know from what he already knows.³⁹ It is due to logic that the subject performs an act under self-control, adhering to a generality and a continuum to give coherence to their conduct, this being the part of the decision that is subject to most criticism. It falls to logic to consider those things whose end is to represent something, as stated in the text transcribed above. "It is not in the depths of subjectivity that reasoning will find its legitimacy, but in the object represented by it" (SILVEIRA, 2007, p. 217). The correct question for the practical sciences seems to be: what is the representation that arises in the subject's mind of possible goals for action, when they evaluate the possibility of carrying out an action? It should be observed that "representing something must bow to that something, to what it is possible to represent" (ibidem). The representation must be a habit or a change of habit. If the action under self-control is in the field of thirdness, this representation must be compatible with existing habits or with some rationally possible change of habit for the evaluated situation.

3.2.3 Habit, ethics, and the reading of man's conduct

Man's conduct in society is commonly part of the habits observable in society, part of what can be called culture, their way of life, which arises as a result of reasoning, of what is built by man⁴⁰, conduct rooted in common sense. The representation that arises in one's mind when deciding on a conduct, which is always directed towards the future, involves a generality (a law, a continuum) found in the social group,

38 Experience is the cognitive result of living, the cognitive result of our life (Ibri, 2017, p. 4).

39 As observed previously, "The object of reasoning is to find out, from the consideration of what we already know, something else which we do not know" (CP 5.365).

40 Miguel Reale (1981, p. 25) gives the following explanation of culture: "it is the set of everything that, on the material and spiritual levels, individuals build on the basis of nature, either to modify it or to modify themselves".

and this generality, which is thirdness, is within the very culture of that society. Thus, the logical end will be part of a habit, a continuum within a culture.

The decisions made by individuals and upheld by the social group, therefore, allow us to read the continuums that exist within that society. They enable us to comprehend the moral conduct and ethical orientation of society, independent of the laws established by the state. For example, if the law of the State says that there cannot be embezzlement of money, but the authority embezzles money and nothing happens to them, one can then read, in this generality, a cultural objective of satisfying private interests, of the authority and those who have access to power, and not a culture of protecting the public interest, but a society that is under the domination of individuals or groups.⁴¹

Another interesting example is that of the permission or prohibition of the use of cigarettes in places where there is a gathering of people. *Permission* satisfies the objectives of the individual, the smoker, it ensures their freedom to pursue their personal goals without restrictions on the use of cigarettes in crowded places (they will be able to do business and participate in tense situations and perhaps reduce their stress with the use of cigarettes); but if there is a *prohibition*, the objective tends to be the preservation of the community's health, as it prevents a carcinogenic product from being spread among people. A culture that cares for the members of the community or a culture that privileges individuality to the detriment of the people in the community.

In this way, it is possible to say that there is an objective within a culture, a rational objective, linked to thirdness, to logic, in the field of Normative Sciences. However, above what is built by individuals, above culture, there is an ultimate goal that is still instinctive, still very much tied to the animal, or at least cannot be explained rationally, it is in the field of firstness and falls, among the Normative Sciences, in the field of esthetics.

It can be concluded, then, that man's conduct in the world, assessed from the point of view of the *Normative Sciences*, always has in mind a logical objective, an esthetic objective and an ethical objective (based on the quote from Peirce above), which can be classified as follows: *mediate cultural objective, linked to Logic*, as a general orientation with long-term goals; *instinctive objective, linked to Esthetics*, an ultimate, instinctive objective; *immediate cultural objective, linked to Ethics*, for the orientation of everyday conduct. It can be seen that everyday conduct is guided by immediate goals (such as whether or not to accept a job, whether or not to earn a certain amount of money, for example), but tends to be compatible with long-term goals, goals which can be assessed more carefully in the field of Logic (becoming rich or having a more peaceful life even without much money, for example); and this everyday conduct, as well as being guided by long-term goals, is also guided by an instinctive goal (preserving the species, perhaps).

This reading of conduct within a culture, based on Peirce's Ethics, tends to demystify ideological confrontations and place the real world as a reference for debate, a real world that exposes, through logical evaluation, whether the ends shown by the action are valid or not and whether the means used are legitimate or not. It is a method that allows us to explain the reasons for conduct and not just a limited drawing of a subject observing an object, leaving ample room for subjective judgments. Why was citizenship in Athens charged with civic virtue? This article answers (Peirce answers): search the goals of that community and you will find the answer.

41 There is a current of scholars who treat republicanism as non-domination. Among these theorists is Quentin Skinner, who offers good explanations of domination in the field of politics. Skinner (1999, p. 46 and 49) speaks of public servitude as the mode of domination of a community, which directly affects people's freedom. Just as the individual can be a slave, says the author, so a community can fall into slavery "a state or nation can be deprived of its freedom if it is simply subject or prone to having its actions determined by the will of someone other than the representatives of the body politic as a whole"; such a society will be considered to be living in slavery, regardless of laws that may exist to guide it, "if its capacity for action is in any way dependent on the will of someone other than the body of its own citizens". A mode of public servitude emerges "when the internal constitution of a state permits the exercise of any discretionary or privileged powers on the part of those who govern it".

4 C. S. Peirce's realism and the laws governing politics: liberalism and republicanism

What are the laws that govern society? What are the laws that define the conduct of individuals, indicating the possible action for the various circumstances of life? In contemporary society, the State establishes such laws, which must be observed by all. However, for Charles Sanders Peirce, a scholar of logic, the world is governed by laws. The universe, the planet, social life, everything is guided by laws that bring harmony to the world. These laws, for him, are real and indeed exist even in social life.

4.1 The laws that govern the cosmos: the continuum in Peirce

Cosmos has a certain order. In Charles Peirce's logical constructions, the real world is undergoing an evolutionary process according to laws that govern it, but which are also evolving. This can be understood by the origin of the cosmos. According to Jorge Pires's synthesis (1999, p. 25), Peirce proposed a way of understanding reality that is also based on the theory of evolution: "The laws of the universe would be the result of an evolution originating from a distant moment with no law regulating it until the present moment, where the laws are partially responsible for the ways of being in the world"; however, the author continues, "if the law itself is the result of evolution, it suffers permanent corrections and deviations: 'it follows that no law is absolute'". So, if laws are constantly being improved in the evolutionary process, this improvement is not due to the determinism of the law; laws know chance, which allows for corrections and redirections according to the reality that presents itself.

Ivo Assad Ibri (2000, p. 101) explains that "Peirce is led to adopt an evolutionist hypothesis for the laws of nature, claiming that they were formed from a state of affairs in which there were no ways of ordering individuals: a world governed by blind Chance". This idea is not new, but the consequences that Peirce obtains are:

Admitting that the universe is evolving and that the laws are formed as a *natural* tendency towards order from chance, leads to the conclusion that those laws are not found at any definite end point. In fact, we observe a world that is only partially ordered, where diversity grows by chance. Chance and law therefore coexist in the constitution of existence (Ibri, 2000, p. 101, author's emphasis)

Thus, both the objects of the world and the signs that represent them are evolving, "in a *continuum* that does not allow the pretension of absolute certainty and final truths" (IBRI, 2000, p. 102). It is possible to say that nature and society undergo a process of evolution, and, with this, the laws are not ready, they always need to be perfected. The events that escape the regularity of the law allow reevaluation whether the regularity, whether the law should remain or whether it should be altered. Regularity, as thirdness, is constantly called into question by an existent that breaks the regularity, as secondness, arisen from chance, as firstness.

The laws that bring order to the world. As analyzed in the first section of this study, Peirce (CP 5.93 ff.) uses the example of a stone falling from the hand when released to explain the reality of thirdness and how it is operative in nature. Similar objects behave in a similar way, says the author, releasing a stone from my hand, provided there is no obstacle, it falls to the ground, which repeats itself whenever I do this with other stones. This law is part of the world and there is no use denying it, it will repeat itself always; whenever the experiment is repeated, the law will be observed. It is a general proposition, a general idea with predictive powers; predictive power that does not stem from arguments, but from the experience through which we all pass. This general proposition is a general idea, it is essentially *predicative*, since I can know beforehand what will happen if someone says they will release a stone from their hand. The generality lies in the behavior of a certain object, which is related to the behavior of other similar objects, which allows us to say that that object behaves in the same way as these other objects; and all

these objects continue and will continue to behave in the same way in the future, exposing a rule that produces that fact. Also, as already stated in Part I of this study, the law, as a regularity that repeats itself in time, implies that the reals are (in the present) behaving as they have (in the past) been behaving and will continue (in the future) to behave; this generality has a predictive character and, as a phenomenon of thirdness, is permanently tensioned toward the course of future experience. Then, if there are laws proper to social life that regulate the coexistence of people with a certain independence from the laws established by the State, where can these laws be found?

The quarrel of universals. The debate on the existence or non-existence of laws that govern the world is fundamental for the understanding of politics and is also a factor of separation between the Worlds, the Ancient and the Modern/Contemporary. On one side, a political debate grounded in facts observed through experience and also grounded in the regularities (or laws) that direct these facts – for example, observing the fact of having an army with few weapons facing a well-armed enemy leads to important decisions about whether to enter a war or not. On the other side, the assertion of the non-existence of laws that rule the world allows argumentative constructions without relation to reality, like those of anarchist theory and the assertion that power is not necessary; argumentative constructions that foster the multiplication of ideologies according to man's creative capacity to play God. This debate was raised in the Middle Ages and became known as the quarrel of universals. It is a debate about realism and nominalism, in contemporary philosophy.

In the explanations of Michel Villey (2009, p. 227), realism is the ancient path and admits universals: the external world (to my mind) contains within itself an order, with classes into which singular beings and nature are seen to be included and a whole system of relations between individuals – all this exists in objective terms, independently of the intellect that discovers it in things. In Charles S. Peirce's realism, there exists a real world that does not depend on what any person thinks of it and, should the person not agree with it, it imposes itself upon that person,⁴²⁻⁴³ this real world is composed of individuals and also of laws that govern these individuals (the continuum, in the author's terminology); these laws allow the organization of the world, of the cosmos – which is in constant evolution – but can be apprehended by the human mind, provided they are carefully observed. If there were no laws governing the real world, the objects of the world would live in constant collisions; if there were no laws governing social life, it would make no sense to be educated (or not), to respect others (or not); we could live like animals, who observe a very defined law, the law of the strongest.

Nominalism, still in the explanations of Michel Villey (2009, p. 229), the modern path, is founded by William of Ockham who scorns the general in favor of the singular; thus, only individuals exist: only Peter, Paul, that tree, that block of stone are real; as for man, vegetable, mineral, as general classes that encompass these beings, that does not exist; general notions do not exist. It can be said that, for the nominalist orientation, the relations between individuals are constructed by arguments:⁴⁴ Pedro and Paulo exist as individuals, but the human, as a general class of human beings, is not real, it is a construction of man's mind, an argumentative construction.

For the nominalists, that which exists in the world constitutes itself as foundation for the construction of arguments; for the realists, that which exists in the world is also perceived by the mind as individuals,

42 "The real is that which is not whatever we happen to think it, but is unaffected by what we may think of it" (CP 8.12 apud Ibri, 2027, p. 22).

43 Ivo Assad Ibri (2017, p. 26) presents two characteristic features of reality: otherness and the insistence against consciousness. "The insistence of reality upon consciousness is characterized as a regularity that, phenomenologically, places it under the third category (...) Such an acknowledgment of the insistence of an experience requires a comparing intellect that mediates the immediateness of each occurrence of this experience, that is, an intellect that no longer takes it as an immediate experience, but as a generalized representation that recognizes the relation between its occurrences. Thus, as experience, existence loses its individual character when generalized in a relation that is the context itself of a general representation." "(...) the permanence of a reaction transforms it into thirdness by becoming a regularity in time." The insistence of reality that causes it to be forced against consciousness for its cognition suggests that "exterior generality is grounded by the generality of thought as mediating representation."

44 "The possibility of knowledge and representation depends on the *continuum* of the laws. This is one of the crucial points for the necessity of realism. A world without laws, i.e., without a system of relations that allows individuals to be represented, is not recognizable." (Ibri, 2022, p. 29).

but the mind also grasps the relations of these individuals with that which surrounds them – although there is “a residuum of error in every individual’s opinions.” (CP 8.12) It is real, for example, that the diversion of public funds to satisfy interests of the governing group implies damage to the people, for the resources are limited and that which is taken from the people is not restored by arguments.

An important assessment for the present study is the possible formation of the foundations of nominalism long before William of Ockham. It seems possible to find them in the Athens of the Ancient World, with the Sophists.⁴⁵ The 5th century BC saw the peak of Athenian democracy and the 4th century BC saw its decline. Interestingly, the sophists emerged in the middle of the 5th century BC and proliferated in the 4th century BC.⁴⁶ If this is correct, then democracy has been sustained by realism;⁴⁷ nominalism did not manage to sustain democracy, which seems indeed impossible, for, if each one constructs the world in their own way, the solution valid for all is not found and the agreement between men withers.

Still, it is important to highlight, from this quarrel of universals, that it is from the nominalist school that *individualism* proceeds⁴⁸ (Villey, 2009, p. 180) and it is also its foundation for modern and contemporary rationality, human reason explaining the world, which is propelled by René Descartes – who affirms that truth is found in the self⁴⁹ – and shaped by Kant, who delimits the capacity of knowledge of contemporary man by explaining the synthetic *a priori* judgment, also showing the impossibility of knowing the origin of the formation of this judgment⁵⁰. This truth, which is in the subject and is not social in its origin, gives argumentative authority to various ideologies articulated without any relation to the

45 Francis Wolff (1999, p. 85) presents this sophist orientation as follows: “Hobbes’ conception of the state as a contract to safeguard the interests of each individual is inseparable from his ‘nominalism’. In antiquity, there were undoubtedly similar theories about which we have too little information”. To give an example, the author likens the “nominalist” conception to Antisthenes, according to whom horses exist, but “horsery” does not.

46 On the collapse of Athenian democracy, Moses Finley (1988, p. 57-59) explains that, in Thucydides’ view, after the death of Pericles, Athens fell into the hands of demagogues, who ruined it; democracy was successful until Pericles (who died in 429 BC), then the leaders, each in an effort to become the first, even ruled according to the whims of the people. The author also cites Aristotle, for whom the passion for demagoguery began when Ephialtes took power away from the Council of the Areopagus in 462 BC, but he also considered that Pericles, despite leading with demagogic practices (an expression used by M. Finley), knew how to make good and appropriate use of power. For Aristotle, says the author (Finley, 1988, p. 77), “Pericles represented a critical point in the social history of Athenian leadership”, after whom a new class of leaders emerged. What can be understood from Aristotle’s assessment is that Pericles also used sophistic rationality, but he used power appropriately, in other words, for the good of the state, of the polis. In another passage, Moses Finley (1988, p. 80-81) considers and reaffirms that from 508 BC, when Clistines established democracy in its primitive form, until the last years of Pericles’ rule, the appeal of the discourse was usually national and not factional. So, even if the Sophists were influenced before, they only began to deviate from the interests of the polis after Pericles’ death.

It can therefore be considered that the sophists had an influence on the power of the city from 462 BC, with Ephialtes and Pericles (429 BC); after them, the influence of the sophists was harmful, “each in the effort to become the first, even went so far as to rule according to the whims of the people”. The leaders abandoned the good of the polis and sought their own personal good, marking the beginning of manifestations of the individual’s interest in the politics of the polis.

47 “In order to be apprehended by the individual, the world does not need to undergo that transmutation which would make it a fact of consciousness. Representing the world does not consist of making it present within our thought. It is our thought that is of the world and present in the world. The individual belongs to the world with which he is related and which he knows through resonance or coexistence. A person’s being is originally a being-in-the-world (...) for the Greek, the world is not this external, objectified universe, separated from the individual by the insurmountable barrier that separates matter from spirit, the physical from the psychic. Individuals find themselves in a relationship of intimate community with the animate universe to which everything connects them” (Vernant, 2002, p. 179). The Greek person lived an intramundane asceticism: “For success to crown his endeavors, both in peace and in war, (...) the individual must strive; it is he who must take the initiative and carry out the work without sparing himself. In all fields of human endeavor, it is the responsibility of each individual to undertake and persevere in order to achieve success” (Vernant, 2002, p. 176).

48 See footnote 56 above.

49 “In essence, the Cartesian tradition has intuition as the springboard of truth, which must be found in the ‘I’, in the subject who seeks truth, which is attacked by Peirce. It is from intuition, therefore, that the premises arise, which allow the conclusion and the formation of concepts. Although the conclusion is correct, the premise can be questioned, since it does not allow explanations of its origin” (Striquer Soares, 2017, p. 354). For Waldomiro José Silva Filho (2002, p. 398), “when Peirce explicitly criticizes the ‘spirit of Cartesianism’, rather than dealing with the historical Descartes, he is actually referring to a precise set of problems: intuition, intuitive-introspective self-consciousness and subjective epistemological certainty.”

50 According to Hannah Arendt (1994, p. 80-81), in Kant’s theory of knowledge, intuition (sensibility) and concepts (understanding) are aggregated by a synthesis, which presents itself as a blind function of which we are rarely aware. Synthesis, as Hannah Arendt explains, quoting Kant, is a blind function that aggregates the elements for knowledge and unifies them into a certain content; “a blind function (...), without which we would in no way have knowledge, but of which we are rarely aware”; synthesis aggregates the multiplicity of elements, providing knowledge (this applies to synthetic judgment, both *a priori* and *a posteriori*), but it is not explained. According to Joachim Lege (1992, p. 65), the premises are not presented by logical conclusions, but by elementary judgments derived from social experience and value judgments. This model, still according to Joachim Lege (1992, p. 71), can be summarized as intuition plus deduction, and the intuitions that form the premises tend to be considered unassailable, becoming, in the end, a method in which the solution is unilateral, coming from authority.

real, making truths about the world proliferate through the use of the method of authority,⁵¹ transforming the world into a chaos in which each group wants to impose its truth upon others.

In the explanations of Michel Villey (2019, p. 133-134), modern science was structured under nominalism, constituting itself based on experience obtained from singular facts; the scientist is asked to construct *theories* (or general laws), which no longer have the ambition to state the *real* structure of the world, nor do they pretend to be anything more than a means of *calculation* about isolated facts. One can conclude, with this, that ethics as a theoretical construction of nominalist basis, whether as pure abstraction or as argument for conduct, is not capable of reaching the real world, which is much richer and presents many more variables than reason or human genius can reach.

The philosophical discourse of modernity is tied to subjectivity,⁵² to individualism. It is a monological discourse imprisoned in a trap, which is modernity: the individual in their world explaining the exterior world, but cohabiting with several people who can do the same. Truth is bound to subjectivity, to individualism, and cannot establish itself as intersubjective. *Modern society has taken to the extreme the arguments developed by the sophists in the first half of Athenian democracy and we live in a dystopia* – the 20th century is there to demonstrate this (with real socialism, the anarchists, Hitler, and even in more banal things, but very efficient ones, such as, in a certain sense, the American Way of Life).

The lessons of Peirce for detecting the laws that govern man's conduct in society. As examined in part II of this study, Peirce's theories contain a method for reading and understanding man's conduct in society. The field of study of conduct, in these theories, is that of the Normative Sciences, divided into Esthetics, Ethics and Logic. It falls to the Normative Sciences to investigate the laws of conformity of things with their ends (PEIRCE, CP 5.129). Ethics is responsible for studying "right action which is in conformity with ends which we are prepared deliberately to adopt" (CP 5.130). So, the intended ends determine the means, the ends modulate the means. Understanding the action presupposes understanding the objective that shaped it.

But what are the possible ends of action? As we examined in part II of this study, there is a *mediate cultural goal, linked to Logic; an instinctive goal, linked to Esthetics*; and an *immediate cultural goal, linked to Ethics*. "[...] *esthetics* considers those *things whose ends are to embody qualities of feeling, ethics* those things whose ends lie in action, and *logic* those things whose end is to represent something" (CP 5.129) (our emphasis). The esthetic purpose belongs to the field of firstness, pursued from information stored in a non-conscious manner, yet driving conscious actions; the ethical purpose belongs to the field of secondness, with immediate objectives to satisfy daily demands; the logical purpose belongs to the field of thirdness and is rationally constructed, to satisfy long-term interests.

Still as already examined in part II of this study, the logical purpose considers, more specifically, those things whose end is to represent something. Thus, the question becomes the following: what is the representation that arises in the subject's mind, regarding possible purposes for action, when they evaluate the possibility of performing an action? The representation must be a habit or a change of habit. If the action under self-control belongs to the field of thirdness, this representation must be compatible with existing habits or with some rationally possible change of habit for the evaluated situation. The observable habits in society form part of what may be called culture, the way of life of a people, which arises as a consequence of reason, of what is constructed by man. The representation that arises in the mind when deciding about conduct, which is always directed toward the future, involves a generality (a law, a continuum) observed in the social group and this generality, being thirdness, lies within the very culture of that society. Therefore, the logical purpose will be part of a habit, of a continuum within a

51 On the method of authority, see CP 5.378-5.380).

52 Jürgen Habermas (2000) describes subjectivity as the philosophical problem of modernity. According to him, this problem raised by Hegel has gone on for more than a century without a satisfactory answer. To resolve the issue, Habermas presents a discursive structure, which allows for debate and a rational response to the issues faced, going beyond the limits of subjectivity.

culture. Therefore, the decision made by the individual and maintained by the social group allows reading the existing continua in that society, allows understanding the moral conduct and ethical orientation of that society, independently of the law posited by the State.

4.2 The laws that govern politics: liberal and republican conducts

But how to detect these laws in social life? If there are laws that guide social life, how to identify them? What are the laws that guide man's conduct in the everyday of politics?

Politics, freedom, and the real world. Conflict and decision are inherent to politics. It can be said that politics involves the plurality of ideas in a democracy, but requires the imposition of a single decision, valid for everyone. Politics takes place in the confrontation between people, it takes place between free people:

We must always keep in mind, when speaking of the problem of freedom, the problem of politics and the fact that man is endowed with the gift of action; for action and politics among all the capacities and potentialities of human life, are the only things we could not even conceive without at least admitting the existence of freedom, and it is difficult to touch upon a particular political problem without, implicitly or explicitly, touching upon a problem of human freedom. (Arendt, 2009, p. 191-192).

The field of debate about the confrontation between the space of freedom and the ideas of each individual with other individuals is politics. There is no politics without freedom. If politics, the field where decisions are made and human coexistence is possible, presupposes freedom, it is there that we must find the possible understanding of ethics, of a set of values that enables human coexistence.

Commenting on Hannah Arendt's understanding of politics, Celso Lafer (2003, p. 59) explains that, for the author, the field of politics is neither that of pure reason nor that of practical reason, since in both cases the ways of asserting knowledge have a monological discursive structure, and concern the individual in their singularity; the field of politics is that of thought in the plural. So then, although human reason is capable of presenting rational answers and indicating paths for action, it is still tied to subjectivity (of the individual), which is insufficient to offer answers that involve a conflict of values. This debate will only be sincere and legitimate if the debaters look to the real world to support their decisions.

The values that unite us: the values between the ancients and the among moderns. If politics is the real-world field where conflict tends to find a single decision, and if politics presupposes freedom and must evoke the real, perhaps a clue to understanding the problem can be found in Benjamin Constant, who deals with freedom by comparing the political structures of the ancients with those of the moderns. In the author's explanations (Constant, 1985, p. 15-16), *freedom for the ancients* was the sharing of social power among all the citizens of the same homeland; and for the moderns, it is the guarantees granted by institutions to private privileges, it is the security given to private privileges. Freedom for the ancients, says the author (Constant, 1985, p. 10-11), consisted of collectively but directly exercising various parts of the entire sovereignty, deliberating in the public square, voting on laws, but although almost always sovereign in public matters, the citizen is a slave in almost all private matters; among the moderns, the individual has the right to submit to nothing but the laws, not to submit to the arbitrary will of one or more individuals.

In his studies on the subject, César Augusto Ramos synthesizes important elements for understanding the references for conduct between the ancients and the moderns/contemporary: modern politics ceased to constitute the ethical unity of the public space and began to have as its reference the protection and promotion of individual interests (Ramos, 2011, p. 43-49); "morality and virtues are particularized [...]". [...] The public dimension, in which the political community promoted the constitution of a substantial

conception of the good, aimed at the improvement of individuals through the achievement of political and moral ends, is no longer the ultimate and supreme goal of individuals” (Ramos, 2007, p. 302). Within our individualist societal model, multiple lifestyles and competing conceptions of the good necessitate a neutral State; the sole good capable of being universally shared is law itself. (Ramos, 2005, p. 237-238).

Thus, politics in the Ancient World had as reference a substantial conception of the good, which is only possible when there is agreement about values, about what is the good of the community, remembering that there were no individual fundamental rights in that world and the conception of good was rearranged according to the reality that presented itself. This ethical unity no longer exists and politics, in contemporaneity, has as reference the promotion and protection of each individual’s interests, so that each one may pursue their personal good, which means that individuals may have, as foundation for conduct, very different values for each one, values not shared by all, provided they respect the law posited by the State. The Contemporary State is constituted by a structure that allows each individual to pursue their personal good. In short, far beyond freedom, the fundamental difference between ancients and moderns/contemporary seems to lie in the understanding of the values that should be promoted by man. Ancient man had his life dedicated to promoting the communal good; in contemporaneity, each man has his own conception of good and promotes a bundle of values that motivate him.

The ethical unity of the Ancient World effectively existed because the ancients shared the same conception of the good, the “good life”. According to Moses I. Finley, wealth was indispensable for a good life (Finley, 1980, p. 44); but this was only possible in the polis, where correct political judgments had to be determined according to the alternative that best helped to promote the good life (Finley, 1985, p. 150). In a text on individuals and war among the ancient Greeks, Yvon Garlan (1994, p. 51-52) contrasts periods of peace (with abundance and good life) with periods of war (of abstinence and sadness) and looks for the causes of war, developing arguments from Plato and Aristotle:

the cause of war would have been the desire to ‘possess more’, to acquire, according to the first, riches and eventually slaves, for the second, especially slaves, and for both, to procure food in the animal world and in the pre-civic stage of humanity [...] for them, war was, essentially, the art of acquiring by force supplementary means of existence, in the form of sustenance, of money or of productive agents, and peace was the art of enjoying all this.

Note that the cause of war, for Plato and Aristotle, was the acquisition of wealth, slaves, and food provisions. Everything indicates that obtaining food has always been a reason for war or at least for disputes among men; but the need for slave labor seems linked to the new way of life that emerged in cities, due to their economy and democracy, which demanded this labor. Thus, obtaining food and avoiding slavery (or avoiding hunger and obtaining freedom) are demands common to all members of that society and which involved the communion of all, since, once the war was won, food would be guaranteed for all and no one would fall into slavery.⁵³ The ethical unity of the public space has two important reasons for its existence.

On the other hand, *modern and contemporaneity* people have lost that ethical unity and gained a plurality of values: various conceptions of the good compete and the right becomes the only good that can be shared by all. The Church was the reference for stating the meaning of law for conduct in the Middle Ages; natural law and the social contract, of bourgeois orientation, founded the unity for the emergence of Modernity, being later replaced by the law posited by the State and consolidated by the Napoleonic French Civil Code. There is a long trajectory until the affirmation of the State as the author

53 According to Moses I. Finley (1989, p. 118), “a considerable part of the population of the Greek world was made up of slaves or other types of servile labor [...]; that from the condition of servitude no individual, woman or child, regardless of position or wealth, could be certain of escape in the event of war or other unpredictable and uncontrollable emergency”.

of the law to be observed by all. It is the trajectory of the affirmation of individuality. According to Max Weber (1999, p. 100-104), the society constructed by Western man demanded a formal justice, valid for all men; from this one can conclude that the result was a formal prison. Modern society constructed a law that offers formal justice and removes ethical imperatives of material justice (Weber, 1999, p. 13), in order to make viable security and freedom for individuals. In the author's words (Weber, 1999, p. 101),

specific legal formalism, by making the legal apparatus function as a technically rational machine, grants the individual interested in the law the maximum relative margin for his freedom of action and, in particular, for the rational calculation of the consequences and legal possibilities of his action with regard to ends.

However, in doing so, the individual ended up as if in a formal prison as far as he expanded individual freedom, permitting a pluralism of ideas, but removing the possibility of a material justice guided by ethical imperatives. The ethical question (the axiological reference for conduct) became reduced to the law posited by the State.

The coexistence among modern and contemporary men is, therefore, made possible by the law posited by the State. It should be noted, moreover, that this law is a synthesis of values⁵⁴ that enables social coexistence, since it delimits the choice between alternatives for conduct. It always originates from an expression of power (Reale, 1981, p. 139-141). As long as he respects the law, the subject may do as he pleases in his private life. The law contains the axiological options for conduct. The unity among men is founded on the law, the law is what unites us. Once these values are delimited, other ethical and moral questions (which is not encompassed by the law) cannot legally be required of the individual.

The decline of politics in the Ancient World and the emergence of the modern model. In the period of the decline of Athenian democracy, with the growing importance of the sophists, one already observes some elements that would mark the modern political-theoretical model: the construction of arguments disconnected from reality; the use of argument restricted to a vision of personal interest of the world; the interest of the individual becoming disconnected from the interest of the community.

Conduct aimed at the personal good. The final chapter of the book *The Ancient City* by Fustel de Coulanges (2009, p. 402-409) brings important considerations about the end of Greek predominance. According to the author, the work of philosophers, the progress of thought, among other things, had shaken the old principles of human association. Politics was definitively freed from the strict rules that the ancient religion had traced for it, yet no other authority beyond moral law disturbed it. Christianity permitted the freedom of the soul, which no longer had a homeland; it distinguished private virtues from public virtues and, while lowering the latter, exalted the former; it placed God, the family, the human person above the homeland, the neighbor above the fellow citizen. As for law, Christianity was the first religion to affirm that it did not depend on it and that this was a purely earthly matter; law could follow the progress of morality and transform according to the interests and social needs of each region. Christianity separates ancient politics from modern politics.

Coulanges's classic work provides sufficient explanations about the epilogue of that historical period and the emergence of elements that determined the contemporary world. The distancing from the real world in favor of a reality constructed by argument was reinforced, after the sophists, with Christianity's affirmation: man's salvation only occurs after death, which leads him to *flee the world* in favor of eternal life. Later, *nominalism was asserted* by William of Ockham, as commented above, who also demonstrated the existence of subjective rights (Villey, 2009, p. 250 ff.) of the individual. Finally, René Descartes, also mentioned above, presented a method that would enable the individual to find truth independently of any authority or theory and independent, even, of reality.

54 According to Miguel Reale (1981, p. 34), "every norm states something that ought to be, by virtue of a value having been recognized as the determining reason for a behavior declared obligatory. There exists, therefore, in every rule a value judgment."

Law, for its part, underwent transformations to ensure protections for the individual, which allowed the affirmation of this individual before other individuals and before authority.⁵⁵ Law came to ensure formal justice in favor of the individual's legal security, as already mentioned above. In the field of political theory proper, modernity has as its essence the *independence of the individual in relation to their community*, a model formatted by the contractarians who theorized the possibilities of coexistence of independent individuals. Hobbes's vision of man as man's wolf expresses the problem humanity faced at that moment preceding Locke and Montesquieu, who showed the importance of fundamental rights and the tripartition of power to ensure harmony in an individualistic world. Hence, then, man's life without submission to the power of an authority still depended on a radical transformation of the exercise of power, which came with the French Revolution at the end of the 18th century, disseminating the practice to the rest of the world and definitively consolidating contemporary society.

If we use Peirce's theories to understand conduct, it is possible to perceive that the *changes occurring throughout modernity*, up to our days, have not significantly altered the model, except for the fact that individuality has gained greater expression. It is a *political structure that ensures the individual the conditions so that he may pursue his personal objectives*, so that he may seek his own good. Although the debate about capitalism has raised the debate about equality among all, it did not do so to enable solidarity among men, but only to ensure dignified living conditions for all. For what? So that *each one, each individual, may pursue their own good*. We remain with individualism.

Two theoretical-political models (two laws) that guide political actions. Applied or practical sciences, says Ivo Assad Ibri (2022, p. 126), involve research into theoretical models, without forgetting that action requires an end that is something like a general description.⁵⁶ It does not fall to politics to state what the future objective should be, but it can work with theoretical models based on a set of general objectives for conduct, which should enable evaluations of data coming from experience. Having the theoretical model as reference, the data from experience allow a retroanalysis of this data,⁵⁷ that is to say, political acts may be evaluated according to the model, which allows the comprehension of the data from the model and, by correcting the model with the collected data, also permits verification of the adequacy of the acts performed with the end delimited in the theoretical model.

However, Peirce speaks of real laws that govern the world, which cannot be different in social life. He does not speak of theoretical models. Here, an academic rigor is required: the aforementioned theoretical models are valid for debating what these laws might be. Thus, they are suggested as theoretical models, but academic debate may show that these models reveal laws that define political decisions in the real world.

Given this, from where to extract these theoretical models? In Peirce's theories, they can only be obtained from experience, from the long path already traversed by humankind. Well then, if politics is the space within which conduct is established for society, if politics presupposes freedom, and if decisions (conduct/action) are modulated by the objective the subject intends to achieve, it is possible to say there are two theoretical-political models adopted by humans (following Benjamin Constant's references),

55 Explanations on many of the transformations that have taken place in law from its foundations in Roman law to contemporary society can be found in Max Weber (1999, p. 1-153).

56 Dealing with theoretical models, Ivo Assad Ibri (2022, p. 126) explains ends as general ideas and quotes Peirce (CP 5.3), transcribed hereafter: "Action wants an end, and that end must be something of general description, then the spirit of the maxim itself, which is that we must look t the upshot of our concepts in order rightly to apprehend them, would direct us towards something different from practical facts, namely, to general ideas, as the true interpreters of our own thought."

57 "As applied sciences, such as engineering, particularly, aim at producing objects for human purpose, ns since such objects once built are submitted, not to the experience imposed by those who conceived it, but by those who will use them, we may say that the experimental field of these sciences is constituted by the performance of the objects it creates. The verification of the truth of its theories not constituted by experimental results only, but by performance. The objects will speak for themselves, when inquired by a technological activity to monitor their performance. However, not only so: those who utilize them will tell whether they do or do not serve their purpose. It is worth mentioning that this objectual field is, due to its very nature, public. Nevertheless, it must be highlighted that it will not be of testimony, refer solely to variables that effectively concern market sciences. This retro-analysis, of an exclusively epistemological nature, aims at proposing new theoretical-practical models – or reparameterizing old ones – thus endowing technology with new efficient procedures." (IBRI, 2022, p. 127-128)

presented here as standard-types: (1) conduct (and political decision) oriented to satisfy objectives of interest to all community members; and (2) conduct oriented to satisfy objectives of individual interest (or of a group of individuals within a society), with the State as the organization ensuring this possibility. The first is guided by the good life, by communal good, with a well-defined axiological reference; the second is guided by a personal conception of good, personal good, with a plurality of values. These are two theoretical models that may be used, not to impose an “ethical” discourse about the right or wrong of conduct, but to evaluate whether real-world actions are compatible with one or the other model, enabling the reading of a society’s political life – whether more oriented toward community interest or more permissive of individual interest. These are objectives of thirdness, logical, long-term, inherent to a culture, as already addressed in Part II of this study.

However, the most difficult question remains. As expounded above, obtaining food and avoiding slavery are demands that have the potential to unite men, demarcating a set of values for their conduct. They are not, however, general objectives, and furthermore are not valid for Modernity, when man must seek his food alone or in small groups and slavery is already condemned by all. We know that the objective is the good of the community, but what is the objective of interest to all community members? The objective cannot be absolute and, dealing with a realist theory, it is not appropriate to establish purely ideal objectives. How, then, to construct this path that goes from the past to the future, if it is not possible to establish this future objective in an ideal manner nor in an absolute one? What could be the objective of the community in contemporary society, capable of uniting all around a set of values?

4.3 The republican alternative for contemporary society: a reference from the ancient world that is valid for contemporary society

Conduct aimed at the community good. The need for food and for avoiding slavery are important factors for human cooperation, as seen above. But the objective of the men of that world appears more comprehensive. In a certain passage of his writings, Moses I. Finley (1988, p. 41) reaches the conclusion that the *sense of community*, strengthened by the religion of the State, by its myths and its traditions, was an essential element in the pragmatic success of Athenian democracy. The sense of community presented by him involved not only proximity and a common form of life, but also the consciousness of *having a common destiny, a same faith*; for the author, a representative portion of the citizen body possessed self-control, which allowed maintaining the city’s behaviors within limits that made chaos unviable, in the sovereign Assembly, and tyranny. In another passage, the author (Finley, 1988, p. 105) points out:

When Aristotle declared [...] that the *polis* (city-state) has priority over the individual, he meant, according to the teleological structure of his thought: man is, by nature, a being destined to live in the *polis*, the highest form of *koinonia*, community. This is the end or goal of the individual, if he can fully realize the potentiality of his nature.

From this is extracted the necessity that the *objective be valid for all members of those societies* and meet the interest of all community members, by reason of a common destiny and a same faith. The idea of “*a same faith*” indicates a *unity of values*, in that ancient world, which permits unity of command. However, for man to fully realize the potentiality of his nature, his objective is to live in the *polis*, the highest form of community. In another text, Moses Finley (1989, p. 5) states:

For Aristotle, as for Plato before him, the *polis* came into being because of the inability of the two previous forms of human association, the family and the larger kinship grouping, to satisfy all the legitimate needs of their members. Self-sufficiency, *autarky*, was the goal, and a properly structured and constituted *polis* had to be able to achieve this. (author’s emphasis)

Max Weber (2008, p. 39) also points out that “Aristotle’s ideal, the ‘autarky’ (self-sufficiency) of the city, was characteristic of most Greek cities”. This seems to sum it all up. The polis was born out of the need to organize social groups to allow the full potential of human nature to be realized; this was because the polis allowed individuals to be *self-sufficient* (as a community), summed up in the word *autarky*. The goal is self-sufficiency, *autarky*. The goal is self-sufficiency, *autarky*. This goal is nothing other than what we contemporarily call the public interest⁵⁸, the interest of all members of the community, but with a broader meaning: the interest of all members of the community is self-sufficiency.

Aristotle and the goal for the community and for the individual. The purpose and goal of the city is the happy and good life, which is achieved through autonomous, self-sufficient existence, says Aristotle (1948, p. 139, see p. 5-6 and 343). Men did not associate merely to live but above all for the good life (Aristotle, 1948, p. 136-137); “A state is not a mere casual group. It is a group which, as we have said, must be self-sufficient for the purposes of life” (Aristotle, 1948, p. 351)

Self-sufficiency is the objective of the city, but also of the individual, says Aristotle (1948, p. 331 and 339): “the happiness of the individual and that of the city are the same”; “the preferable life will necessarily be the same both for each individual in particular, as for cities and men taken in common” (see also p. 207 and 485). He recognizes individuality, then, and recognizes that each individual may “live as you like” (Aristotle, 1948, p. 302) but considers that the self-sufficiency of the individual is only possible in the city, in a self-sufficient community. Thus, therefore, Aristotle presents both the objective to be pursued by the polis and the objective to be pursued by each individual: self-sufficiency.

The self-sufficiency of the individual presupposes, then, the self-sufficiency of the polis; man is a political animal, which presupposes living in a community; he who has no city will be either a degraded being or above humanity; and he who does not need the city by being self-sufficient will be “either a beast or a god” (Aristotle, 1948, p. 5-8). Francis Wolff (1999, p. 86) explains that man, for Aristotle, is a needy being in a double sense, “need of something that leads him to desire, and need of someone that leads him to associate”. Outside the city, the individual cannot have a happy life, will be a needy and incomplete subject.

that ‘man is an animal impelled by his nature to live in a polis’. A natural impulse is thus one reason why men desire to live a social life even when they stand in no need of mutual succour; but they are also drawn together by a common interest, in proportion as each attains a share in good life [through the union of all in a form of political association] (Aristotle, 1948, p. 128).

Aristotle (1948, p. 139) further explains that the political community, where the political animal lives, does not exist simply due to common life; a city is not a community of residences whose end is merely to avoid mutual injustice and facilitate commercial exchanges. “What constitutes a polis is an association of households and clans in a good life, for the sake of attaining a perfect and self-sufficing existence.” Thus, man is a political being because he unites with others through common utility, as each contributes a share of well-being; this is the principal end both of the individual and of the community. Being so, “everyone should receive their share of the benefits” (Aristotle, 1948, p. 131). What is observed, then, is that man alone in the world can hardly be self-sufficient, and if he can, he is either a degraded being or above humanity; he “would not live in the city” (Wolff, 1999, p. 86). If the individual lives in the city by necessity, he derives the benefits of common life, but gives back to the community, through his actions, a portion of what the city needs.

Denying that the individual lives in the city out of necessity is just an argument to justify that the individual can take all the advantages of his actions without having to collaborate with the people in their

58 “When we think of the public interest, we usually think of a category opposed to private, individual interest, that is, the personal interest of each individual. It is right to say that it constitutes the interest of all, that is, of the social whole itself, just as it is also right to emphasize that it is not to be confused with the sum of individual interests, peculiar to each one” (Bandeira de Melo, 2001, p. 57).

community. This argument no longer holds up in today's world, where taxes are required to support the needs of the community, a way of redistributing the advantages gained in society. Taxes, however, present themselves as a formal mechanism for redistributing advantages, which is not enough to characterize a community, in Aristotle's explanations. The law (which, in this case, obliges the payment of taxes) is a simple agreement, but incapable of making citizens good and just (Aristotle, 1948, p. 138). More than that is needed. What is needed is a set of values to which the individual adheres and uses to guide his life, a set of values that stand above the law and guide the creation of the law and political decisions in general⁵⁹.

A self-sufficient community, which serves the interests of all its members, cannot have relative justice, that which serves the interests of the poor or the rich (in Aristotle's problem) or the interests of libertarians or egalitarians (in contemporary society); it is necessary to find absolute justice, which serves the interests of all members of the political community (Aristotle, 1948, p. 136). This absolute justice is only possible when there is a communion of values that should prevail in the social group. Among living beings, individuals have their own peculiarities: they alone feel good and evil, just and unjust; it is the community of these feelings that produces the family and the city (Aristotle, 1948, p. 7). It is perceived that the community is marked by the communion of perceptions of good and evil, of just and unjust, marked by the communion of values, in a word.

Granting legal supremacy to one of the contenders, to one of the groups with their ideologies, would make no difference (Aristotle, 1948, p. 142). The law, by itself, is not sufficient to ensure absolute justice (material justice, which involves everyone). What is verified, through Aristotle's explanations, is that above the law there must be a set of values that guide man's actions in the city.⁶⁰ What is this set of values? Peirce's answer is: it lies in the objectives that guide the community's actions. What is the objective? The self-sufficiency of the city, answers Aristotle.

The self-sufficiency of the individual, without the self-sufficiency of the city, generates conflicts and not collaboration or communion. The self-sufficiency of the individual is only good when the city is self-sufficient. Otherwise, the self-sufficiency of the individual will be quite precarious and conflictive and will always be relying on someone, to guarantee its advantages.⁶¹ Individuals are political beings and abandoning this idea leads to a war of all against all and makes cooperation between men impossible.

The aim of the city, to be self-sufficient, must encompass all members of the community; a regime that benefits a single individual, a few or many is a perverse regime; in an upright regime, whether it is the government of one, a few or the majority, everyone must share in the advantages (Aristotle, 1948, 131-133); "do not let someone else do the work for you". 211-213); "a city that looks only at a certain part of itself and not at all its citizens should not be considered happy" (Aristotle, 1948, p. 355);⁶² "the true end of the political community is not individual interest, but the *happiness of all*" (author's emphasis) (Wolff, 1999, p. 127).

The feeling of the just produces the city and this feeling must apply to all members of the community. This is perhaps the central element of that political model: unlike the modern and contemporary ones, which have the law and formal justice as a reference for human coexistence, what united that community in the Ancient World were the values with which the community shared. Today, the law serves as the

59 This solution of the insufficiency of the law, which needs a reference for its understanding, is also supported by Michel Villey's explanations of law based on Aristotle (see Villey, 2019, p. 51-75).

60 John Gillissen (1995, p. 75) confirms this solution: "The law of Greek cities does not seem to have been formulated either in the form of legislative texts or in the form of commentaries by jurists; the law would derive more from a more or less vague notion of justice that would be diffused in the collective consciousness."

61 This analysis is found in Isaiah Berlin (Berlin, 2002, p. 232), the classic author of liberalism: "If my freedom or that of my class or nation depends on the misfortune of other human beings, the system that promotes such a thing is unjust and immoral. [...] it remains true that the freedom of some must sometimes be restricted in order to secure the freedom of others. On what principle should this be done? If freedom is a sacred, untouchable value, there could be no such principle. One or other of such conflicting principles or rules must give way, at least in practice [...] a practical compromise must be found."

62 On page 357, Aristotle goes as far as to say that "none of the citizens should go in need of subsistence".

unifying force in our society, where individuals hold diverse conceptions of the good and adhere to their own personal values and principles (a liberal society), hence self-sufficiency is highly valued. In contrast, in the Ancient World, people were united by shared fundamental values that underpinned communal life (a republican society). In such a society, certain values, rather than the law alone, guide conduct.

5 Conclusion

The first part of this study was dedicated to understanding the decision-making process in the individual's mind, which reflects as a decision-making process of a community where individuals live: from an explanatory hypothesis for a set of facts, solutions are deduced for the faced problem; these solutions suggested in the deduction, however, need to be checked by an inductive process, guided by an objective to be achieved – thus, the action to be followed, among the solutions suggested in the decision-making process, will be that which satisfies the chosen objective. In the second part of this study, investigating Peirce's Ethics, it was found that action is determined by the objective to be achieved and this connection can be read by logical criteria, based on Peirce's theories.

The objective is always a general one and, as such, allows alternatives for directing what is desired; on the other hand, being an objective of man – an animal that can choose between good and evil, between just and unjust – and an objective of a society, such objective necessarily involves values that can be chosen at the moment of action. In this third part of the study, it fell to confront realism (of the ancients) with nominalism (of the moderns and contemporary), it fell to search for the laws that guide political society, presented here as theoretical models, concluding that there are two such laws: either actions are produced with the objective of benefiting persons and groups or with the objective of benefiting all members of the community. Thus, then, in contemporary society, the objective always remains at the discretion of the individual (in pursuit of his self-sufficiency) and the State sustains a structure that ensures individuality; for ancient society, the objective was the self-sufficiency of political society.

Contemporary political society faces the challenge of structuring itself as republican while simultaneously guaranteeing pluralism of ideas and free expression of individuality. It must be emphasized that each individual should have their personal objective, be self-sufficient, and privilege the values they choose, while respecting and collaborating with that communal objective valid for all. Regarding the community's long-term objective, it may opt for values privileging equality, as in the Ancient World, or values privileging freedom, as modern liberal societies advocate. However, in a republican society, equality and freedom presuppose equilibrium between both, so that no one is suffocated – unlike modern society divided between libertarians and egalitarians, who claim justice for their ideology to benefit their adherents against opponents of the opposing banner. Self-sufficiency must emerge as this general objective of the community, valid for all its members, which synthesizes values appropriate for communion among men and should serve as reference for induction and interpretation of political actions. Most crucial for forming and maintaining a republican society is pursuing this objective of self-sufficiency, considering everyone's interest and refining values deemed relevant for the society in which one lives.

Finally, in order to examine a political decision based on the *method proposed by Peirce*, it is not enough to have a hypothesis, deduce the consequences, and induce a well-argued response. The entire process must be based on the real world, that is, the elements that suggest the hypothesis, in the abductive process, must be extracted from experience. And more important than the abductive process, inductive reasoning must be guided by ethics. Evaluation in the field of ethics cannot be the evaluation of some possible objectives for the case, as if it were a game of dice in the hands of the judge. No. It is the continuum that offers alternative responses; and the continuum, in the field of human sciences, must be sought in culture, in the long-term objectives that each social group ends up exposing in its practices.

Each possible objective, evaluated in the field of Ethics, must offer a spectrum of values that allows those who must perform the act to choose. The objective is always a general one. Recognizing the continuum, the community must choose between continuing with the existing behaviors and practices in the social group or changing those practices. Thus, Ethics, much more than offering possible objectives for the practice of an action in a random way, manages to show the community the continuum in which each decision is inserted and the alternatives of continuum for that decision to be made (a liberal orientation, as in the case of buying and selling a house; or republican, as in the acts that must be practiced by government officials). In addition to showing how the community lives, ethics also has a pedagogical role, as it is capable of showing alternatives for the community to abandon undesirable practices.

Far from telling the authority what decision should be made (which would be a nominalist solution and is insignificant in a corrupt society), the alternative that this study offers is the possibility of examining the axiological choices of the authority, exposing this decision to public debate on whether or not the chosen decision is the best decision for the community.

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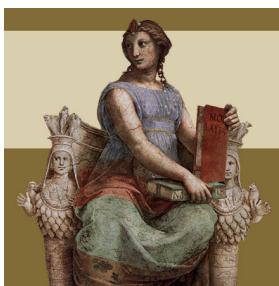
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