

Edoardo Fittipaldi*

*Conceptualizing Religion (and Quasi-Religions):
An elaboration on Freud in the “Light” of Kelsen.*

Abstract: Sigmund Freud was one of the first thinkers to claim that some forms of Marxism have religious traits. This notwithstanding, in his *Secular Religion* Hans Kelsen discusses neither Freud’s treatment of Marxism nor his concept of religion. In Section 1, Fittipaldi briefly examines Freud’s treatment of the religious aspects of Marxism. Section 2 is dedicated to the reconstruction of Freud’s notion of religion as a *polythetic* conceptualization comprised of an *ontogonical*, a *mellontological*, a *technological*, a *theistic*, and a *goneological* component – a *prototypical religion* being comprised of all of them. Next, in Section 3, Fittipaldi discusses whether such a Freudian conceptualization involves the characterization of *Buddhism*, *Marxism*, and *medicine* as forms of quasi-religions – a characterization strongly rejected by Kelsen with regard to Buddhism and Marxism. Section 4 is dedicated to listing the differences between Freud’s and Kelsen’s notions of religion and – whenever possible – exploring their philosophical roots. Finally, Fittipaldi summarizes the results of this inquiry.

Keywords: Freud; Kelsen; Secular Religion; Freud’s Conceptualization of Religion

Indice: 1. Introduction – 2. A Freudian Conceptualization of Religion – 3. Buddhism, Marxism, and medicine as possibile forms of quasi religion – 4. On some differences between Freud’s and Kelsen’s takes on religion, and their possible philosophical roots – 4.1. On the theistic component – 4.2. On the genetic fallacy – 4.3. On the possibility for a religion to be a scientific theory – 4.4. On omnipotence and supernatural powers – 4.5. On transcendence – 4.6. On quasi-religions, or less-than-prototypical religions – 5. Conclusion

1. Introduction

As is known, Sigmund Freud was one of the first thinkers to detect in Marxism, and notably in Bolshevism, some similarities with religions; and so even if without using the exact phrase *secular religion*.

Here is the relevant quotation:

Though originally a portion of science and built up, in its implementation, upon science

* Full professor of Sociology of Law at the State University of Milan, edoardo.fittipaldi@unimi.it., I wish to thank Paolo Di Lucia, Dragan Jakovljević, Claudio Luzzati, Lorenzo Passerini Glazel, and Sergei Talanker (in alphabetical order), who read previous versions of this article. Errors are my own.

and technology, [Marxism] has created a *prohibition of thinking* [*Denkverbot*] which is just as ruthless as was that of religion in the past. Any critical examination of Marxist theory is forbidden, doubts of its correctness are punished in the same way as *heresy* was once punished by the Catholic Church. The writings of Marx have taken the place of the Bible and the Koran as a source of *revelation*, though they would seem to be no more free from contradictions and obscurities than those older sacred books.

And although practical Marxism has mercilessly cleared away all idealistic systems and illusions, it has itself developed illusions which are no less questionable and unprovable than the earlier ones. It hopes in the course of a few generations so to alter human nature that people will live together almost without friction in the new order of society, and that they will undertake the duties of work without any compulsion. Meanwhile it shifts elsewhere the instinctual restrictions which are essential in society; it diverts the aggressive tendencies which threaten all human communities to the outside and finds support in the hostility of the poor against the rich and of the hitherto powerless against the former rulers. But a transformation of human nature such as this is highly improbable. The enthusiasm with which the mass of the people follow the Bolshevik instigation at present, so long as the new order is incomplete and is threatened from outside, gives no certainty for a future in which it would be fully built up and in no danger. In just the same way as religion, Bolshevism too must compensate its believers for the sufferings and deprivations of their present life by promises of a better future in which there will no longer be any unsatisfied need. This *Paradise*, however, is to be in this life, instituted on earth and thrown open within a foreseeable time. But we must remember that the Jews as well, whose religion knows nothing of an afterlife, expected the arrival of a *Messiah* on earth, and that the Christian Middle Ages at many times believed that the Kingdom of God was at hand.¹ (1981 [1933]: 180, emphases added)

1 The German original: "Ursprünglich selbst ein Stück Wissenschaft, in seiner Durchführung auf Wissenschaft und Technik aufgebaut, hat [d]er [Marxismus] doch ein *Denkverbot* geschaffen, das ebenso unerbittlich ist wie seinerzeit das der Religion. Eine kritische Untersuchung der marxistischen Theorie ist untersagt, Zweifel an ihrer Richtigkeit werden so geahndet wie einst die *Ketzerei* von der katholischen Kirche. Die Werke von Marx haben als Quelle einer *Offenbarung* die Stelle der Bibel und des Korans eingenommen, obwohl sie nicht freier von Widersprüchen und Dunkelheiten sein sollen als diese älteren heiligen Bücher. [/] Und obwohl der praktische Marxismus mit allen idealistischen Systemen und Illusionen erbarmungslos aufgeräumt hat, hat er doch selbst Illusionen entwickelt, die nicht weniger fragwürdig und unabweisbar sind als die früheren. Er hofft, im Laufe weniger Generationen die menschliche Natur so zu verändern, daß sich ein fast reibungsloses Zusammenleben der Menschen in der neuen Gesellschaftsordnung ergibt und daß sie die Aufgaben der Arbeit zwangsfrei auf sich nehmen. Unterdes verlegt er die in der Gesellschaft unerläßlichen Triebeinschränkungen an andere Stellen und lenkt die aggressiven Neigungen, die jede menschliche Gemeinschaft bedrohen, nach außen ab, stürzt sich auf die Feindseligkeit der Armen gegen die Reichen, der bisher Ohnmächtigen gegen die früheren Machthaber. Aber eine solche Umwandlung der menschlichen Natur ist sehr unwahrscheinlich. Der Enthusiasmus, mit dem die Menge gegenwärtig der bolschewistischen Anregung folgt, solange die neue Ordnung unfertig und von außen bedroht ist, gibt keine Sicherheit für eine Zukunft, in der sie ausgebaut und ungefährdet wäre. Ganz ähnlich wie die Religion muß auch der Bolschewismus seine Gläubigen für die Leiden und Entbehrungen des gegenwärtigen Lebens durch das Versprechen eines besseren Jenseits entschädigen, in dem es kein unbefriedigtes Bedürfnis mehr geben wird. Dies *Paradies* soll allerdings ein diesseitiges sein, auf Erden eingerichtet und in absehbarer Zeit eröffnet werden. Aber erinnern wir uns, auch die Juden, deren Religion nichts von einem jenseitigen Leben weiß, haben die Ankunft

This notwithstanding, in his *Secular Religion* Hans Kelsen discusses neither Sigmund Freud's notion of religion nor his treatment of Marxism and Bolshevism.

This is quite strange, for at least three reasons:

- (1) Kelsen's *Secular Religion* (2012) is an incredibly well-researched book;
- (2) During his Viennese years and the immediately subsequent ones, Kelsen often quoted Freud's works;
- (3) Kelsen even had the opportunity to become personally acquainted with Freud.

Be that as it may, the aim of this article is *not* to try to explain why Freud is never quoted in *Secular Religion*.² Its aim is rather, among other things:

- to better understand Freud's understanding of religion (and of science) through a comparison between Freud's and Kelsen's treatment of religion and related subjects;³
- to clarify whether Freud's conceptualization of religion is compatible with the notion used by Kelsen in his *Secular Religion*; and,
- should they turn out as incompatible, to try to formulate epistemological conjectures to explain those incompatibilities.

Despite the aim of this article *not* being to explain Freud's absence in *Secular Religion*, it cannot be ruled out that its contents may prove as a useful contribution to a theory concerning Freud's absence in that book. As I said, though, this subject lies outside the scope of this article.

Further, due to space limitations I will confine myself to discussing Kelsen's view of religion as expounded in his *Secular Religion*.

2. A Freudian Conceptualization of Religion

As pointed out by Hans Albert, in his *Neue Folge der Vorlesungen zur Einführung in die Psychoanalyse* Freud appears to understand religion as a set of beliefs (in my terminology: *theory*⁴) that performs three functions:

des *Messias* auf Erden erwartet, und das christliche Mittelalter hat wiederholt geglaubt, daß das Reich Gottes nahe bevorsteht, 1961 [1933]: 195, emphases added.

2 The only exception is Kelsen's cursory mention of "the Freudian concept of a psyche [...] and an unconscious" (2012: 168).

3 Unlike Freud, Kelsen, in lieu of proposing a conceptualization of *religion*, relies on what he regards as the "proper sense of th[is] word" (e.g., 2012: 171). Kelsen avails himself of the (scientific?) hypothesis that words have a proper sense several times in *Secular Religion* (e.g., 21 and 36). It can be hypothesized that by "proper sense of a word" he understand its lexical meaning in a given historical period. It is difficult, though, to understand why scientists should be bound to lexical meanings when investigating connections between seemingly unrelated phenomena, like apples and tomatoes – the former being lexically categorized as *fruits* while the latter as *vegetables* (rather than fruits as well). On this issue, see also below, fn. 18.

4 By *theory* I understand a set of *hypotheses* formulated by the same person or multiple people with regard to a coherent set of phenomena by taking into account all the hypotheses that

- (1) “gives [...] information about the origin and coming into existence of the Universe” (1981 [1933]: 161);⁵
- (2) “secures [...] protection and ultimate happiness in the ups and downs of life” (Ibid, translation modified);⁶
- (3) “directs [...] convictions and actions by precepts which it lays down with its whole authority” (Ibid, translation modified)⁷

Based on Hans Albert’s discussion of Freud’s conceptualization (Albert 1994: 227), I believe that it could be reformulated by giving a name to each of these three components and by characterizing them in a more precise way. My provisional proposal is therefore to reformulate Freud’s conceptualization of religion as a theory that has three components:

- (1) an *ontogonical component*, in that it provides information about the origin of all of reality or some aspects of it⁸;
- (2) a *mellontological component*, in that it provides information about what will occur to (2.1) currently living human beings and/or

theory is comprised of, such that, if somebody is to add hypothesis_{n+1}, she also takes into account hypothesis₁, hypothesis₂, ... , hypothesis_n. (Unless otherwise specified, *she*, *her*, and *hers* are used in a gender-neutral way – without any theoretical implications.)

5 The German original: “[Sie] gibt [...] Aufschluß über Herkunft und Entstehung der Welt”, (1961 [1933]: 174).

6 The German original: “[Sie] versichert [...] Schutz und endliches Glück in den Wechselfällen des Lebens” (Ibid.).

7 The German original: “[Sie] lenkt [...] Gesinnungen und Handlungen durch Vorschriften, die sie mit ihrer ganzen Autorität vertritt” (Ibid.). Dragan Jakovljević called my attention to the fact that in his late writings Hans Albert (e.g., 2011: 32) added a fourth function to those mentioned by Freud. In those writings, Albert maintains that religion also plays the role of legitimizing (and sometimes of delegitimizing) human authorities and social orders as wholes. In my opinion, this further function deserves the utmost consideration. While the first three functions to some extent explain and predict the success of monotheisms especially in the context of non-statal independent social groups (in Petrażycki’s sense), by considering the individual psychical needs monotheisms satisfy, the fourth one – at least *prima facie* – focuses on a sociological function that monotheisms can play; a function that *may not* amount to the satisfaction of a pre-existent individual psychical need. However, if one considers that Albert’s fourth’s function amounts to enabling the individual to subject herself to social expectations and authorities (including her kins⁴), and thus to cope with the repression of longings incompatible with social life (Freud’s *Kultur*), this fourth function, too, could be regarded as a component of a prototypical notion of religion (see below). Due to the complexity of this issue, I can’t deal with it here. Further, as Jakovljević wrote to me in a personal communication (10 December 2023), there are no logical barriers that prevent from extending the validity of Freud’s own three definitional components to (smaller or larger) groups of people – in the final analysis, for example, to those in a state who adhere to a monotheistic religion. Thus, also here we would have a socio-psychological dimension. Not even in this case, can I address this issue here, which involves the conceptualization of *the social*, as well as the issue of the possibility of having a religion *privatim*. I confine myself to expressing my belief that there may be multiple conceptualizations of *the social*, which are all *scientifically legitimate* (“wissenschaftlich legitim”, to use a Petrażyckian term). Further, also the notion of *legitimation* involves plenty of problems that can’t be addressed here.

8 This is why I prefer *ontogonical* to the narrower *cosmogonical*.

- (2.2) their offspring and/or
- (2.3) the entire mankind and/or
- (2.4) the entire reality,
- (α) during their lifetime and/or (β) after their death and/or (γ) at the end of times – in this last case the mellontological component degenerating⁹ into an *eschatological* one.
- (3) a *technological*¹⁰ (or, more narrowly, *soteriological/phylaxological*) component, in that it provides technological information about what means (i.e., causes) human beings can use (produce) to attempt to influence the events predicted based on (2), which attempt – when successful – can be referred to as “result” (effects).

To avoid misunderstandings, two remarks are in order here.

Firstly, in no way must the mellontological and technological component necessarily concern “transcendent” events (on the meaning of this term, see below, Section 4.5).

Secondly, the technological component often concerns such procedures as “rites”, reciting prayers, complying with prohibitions (“taboos”).¹¹

At first glance, this conceptualization has *nothing in common* with Kelsen’s. While in Kelsen’s notion of religion the role of God is paramount, in the Freudian conceptualization I have just presented and reformulated a god/God¹² is not even mentioned. But this would be a *wrong impression*, as Freud expressly explains the “remarkable combination” (1981 [1933]: 162, “merkwürdiges Zusammensein”, 1961 [1933]: 175) of those components through the hypothesis that *in some cultures*¹³ some people combined them as to exploit

- the way the child conceives of her caregiver – that is, as a (i) omnipotent, (ii) omniscient, (iii) eternal, (iv) ubiquitous, (v) benevolent, and (vi) authoritative being¹⁴ – and
- the strong and long-lasting relics that this emotionally-laden conception leaves during adolescence and adulthood

into a unified theory and selected a *single animate being* who created reality/realities (component [1]), can terminate it/them (component [2]), and whose will can be manipulated by performing certain procedures (component [3]).¹⁵ This would

9 I’m using this term in a non-derogatory (mathematical) sense.

10 I owe this terminological choice to Albert 1994 (215).

11 In some religions the performance of such procedures (including abstentions) is not understood as a means to obtain a result but as something to be done for its own sake or to become a better person. A technological (or teleological) attitude may even be regarded as sinful. However, just below it will become apparent that these phenomena can be traced back to the child’s need to *please* her caregiver. In further cases, such procedures are complied with to the goal of experiencing a sense of belonging or for purely aesthetic reasons.

12 Throughout, I uppercase *god* when used in reference to monotheisms.

13 Freud does not regard religion as a human universal (cf. 1961 [1933]: 179; 1981 [1933]: 166).

14 See Freud 1981 [1933]: 163; 1981 [1933]: 175-176. On the fact that the child conceives of her caregiver in those terms, see also Piaget 1948 [1932]: 1932, and Bovet 1928 [1925]: 1925.

15 In my opinion, this may have occurred in a purely accidental way or through the unconscious insight of some *religiöser Genius* – to use a Weberian expression – like Abraham; provided that he historically existed.

be a form of *psychoanalytic transference*, in that god/God is an animate being to whom human beings ascribe the features they used to ascribe to their parents during their childhood.¹⁶

This means that the notion of a god/God plays a crucial role also in Freud's conceptualization of religion, even though I believe that its role is neither that of a sufficient nor that of necessary condition for characterizing a theory as a form of religion. This is why, below I reconstruct Freud's conceptualization of religion as *polythetic* and I regard the presence of a god/God hypothesis as necessary only for the conceptualization of a *prototypical* religion. It follows that, to the three components mentioned above we are to add a fourth one:

(4) a *theistic component*, that amounts to the hypothesis of the existence of a (i) omnipotent, (ii) omniscient,¹⁷ (iii) eternal, (iv) ubiquitous, (v) benevolent, and (vi) authoritative being.

To this component a fifth one should be added, namely,

(5) a *goneological component*, that is, that (1), (2), (3), and (4) are believed in due to the unconscious and long-lasting cognitive-emotional relics of the features that characterize the caregiver-child relation, among which the child's need of receiving protection is prominent.

As I said, Freud's concept of religion can be ascribed a polythetic nature. For a theory to be a form of religion it must at least have some of the following components:

- (1) an *ontogonical* component;
- (2) a *mellontological* (possibly degenerating into an *eschatological*) component;
- (3) a *technological* component;
- (4) a *theistic* component, and
- (5) a *goneological* component.

A prototypical religion has all of these five features. A quasi-, or less-than-prototypical one could be regarded as any theory that has four, three, two, or even only one of them, *depending on the viewpoint of the researcher*. From a Freudian viewpoint, though, I believe that the *goneological component* is somewhat different from the other ones and thus, unlike the former ones, which are neither sufficient nor necessary conditions for some theory to be regarded as a religion or quasi-religion, this last component should be regarded as a *necessary component* for character-

16 The issue whether this being truly exists or not is completely irrelevant in this context.

17 Omnipotence is required for prototypical God. In the case of non-prototypical gods, supernatural powers may suffice, where by *omnipotence* and *supernatural powers* I mean powers that are ruled out by our provisional current scientific knowledge (in cultures where there is such a social phenomenon called *science*) or else powers that most (or all) human beings are believed not to have (in cultures where there is no science). The same goes for *omniscience*. In most cases "above-than-average-knowledge" may suffice.

izing a theory as a *prototypical religion* or as a *quasi-religion* (or, more precisely, for ascribing a religious attitude to a supporter of it).

Due to the different role played by the geneological component relative to the other ones, from now on, the components of religion will be listed as follows:

- (1.1) ontogonical component;
- (1.2) mellontological/eschatological component;
- (1.3) technological component;
- (1.4) theistic component;
- (2) geneological component.

Based on the above, Freud's and Kelsen's notions of religion turn out to be:

- *compatible* as to an aspect that Kelsen doesn't consider – that is, the notion of a *prototypical religion* –, while
- *incompatible* as to an aspect that is at the very core of his *Secular Religion*, namely, the possibility of tracing religious aspects in theories that purportedly are agnostic or atheistic, and which could therefore be regarded as forms as quasi-religions (at least as far as certain supporters of them are concerned).

3. Buddhism, Marxism, and medicine as possible forms of quasi religion

In this section, I examine three cases – two of which were expressly addressed by Kelsen – to clarify the implications and highlight the relevance today of a Freudian conceptualization of religion such as the one I have proposed in Section 2. I briefly discuss Buddhism, Marxism, and certain forms of medicine.

As for *Buddhism* a good starting point is a quotation from Kelsen:

a definition of religion which – following the uncritical usage of language¹⁸ – tries to comprehend in one conception all the essentially [?] different objects that are called “religion[,]” such as Judaism, Christianity, Mohammedanism and in addition Buddhism, is worthless. Besides, such a definition is misleading, because it obliterates the fundamental difference between the belief in God and a philosophy which includes no such belief or which even denies the existence of supernatural powers. [...] Buddhism is not an atheist religion [...], but an atheistic philosophy of being. [2012: 24, fn. 98]

18 Here Kelsen seems to hold that words are capable of having *correct* meanings *other than* their *lexical* meaning (cf. above, fn. 3), as he acknowledges that lexicographically (or, to be precise, sigmatically) “religion” can also be used to refer to Buddhism. Thus, according to Kelsen, lexicography has not the last say when it comes to the correct usage of words. I believe that Kelsen's claim that it is possible to establish a correct meaning of a word in a manner other than mere lexicographic inquiries is *not* nonsensical. However, one would have expected of such a thinker a clarification of what such a claim amounts to (especially, if one considers when *Secular Religion* was written). As for myself, I will address this challenge in a distinct essay. At any rate, Kelsen cannot be blamed for this omission since – as is known – he withdrew *Secular Religion* from printing.

Instead, based on the Freudian conceptualization offered above, Buddhism can be conceptualized as close to a prototypical religion as:

- (1.1) It contains an *ontogonical* component – if in an cyclical version, in that it explains the origin of beings through an endless *cycle* of rebirths;
- (1.2) It contains both a *mellontological* component (also in this case cyclical) and, for the Buddhas, even an *eschatological* one (ultimate death);
- (1.3) It contains a *technological* component (procedures to be followed to ultimately die);
- (1.4) It contains a mild *theistic* component, as long as Buddha (or the Buddhas) are experienced and/or conceived of – at least to some extent – in an emotional and/or cognitive manner that is akin to the one that characterizes children’s attitude towards their caregivers;
- (2) Depending on the individual under scrutiny, it may contain, a *goneological* component.

Based on the conceptualization offered above (end of Section 2), as long as component (2) is present, I believe that there is no reason to deny that Buddhism is very close to being a prototypical religion.^{19 20}

Two remarks are in order here.

As for (1.4), in my opinion a Freudian conceptualization of religion does not require that we conceive of deities in the terms in which “modern” monotheisms conceive of God. Psychoanalytically, for A to be a god for B it suffices that, by virtue of a transference mechanism, A for B have some features that B used to ascribe to her caregiver. In this sense, as long as some form of “cult of personality” can be traced (a phenomenon I will return to shortly), we can state that in Buddhism there also is a mild theistic component (1.4).²¹

As for (2), this is undeniably a very idiosyncratic component that depends on the personality of the individual(s) under scrutiny. I can but confine myself to conjecturing that it may be present in several cases.

Let us now turn to Marxism:

- (1.1) It does *not* contain an *ontogonical* component;
- (1.2) As clearly stated by Freud,²² it contains an *eschatological* – and therefore a *mellontological* – component;
- (1.3) It contains the *technological* hypothesis that revolution, rather than piecemeal reforms,²³ is *the* means to achieve the communist paradise;
- (1.4) Marxism may contain a mild *theistic* component, as long as – for example – in certain communist countries statues of Marx & Engels used to be virtually everywhere and/or it is even possible to trace forms of *cult of personality* (in Russian: *kult ličnosti*)

19 An aspect that can hardly be overstated is that the supporters of prototypical religions often regard Buddhism as a competitor. See, e.g., <https://americananglican.org/can-one-be-christian-and-buddhist-at-the-same-time/> (accessed 4 March 2023).

20 Psychoanalytically, one might be tempted to explain the fact that Buddhism, rather than offer the hope and the technology to achieve a better life after death, offers the hope and the technology to irreversibly die as a gigantic reactive formation against the fear of death.

21 Just think of the multitude of Buddha statues around the world.

22 See the first quotation in Section 1.

23 I am availing myself of Popper’s terminology (1994 [1945]).

of the Secretary of the Communist party or the like;
 (2) Depending on the individual under scrutiny, it may contain a *goneological* component.

Undoubtedly, the lack of an ontogonical component makes Marxism farer to being a prototypical religion than, for example, Buddhism is. However, the presence of the other components suffices to regard it as a form of quasi-religion.

We can now examine an example that was not examined by Kelsen: “official” medicine.²⁴

(1.1) It contains an *ontogonical* component, as it explains how each of us comes into existence;²⁵

(1.2) It contains a *mellontological* and *eschatological* component – as far as the individual lives of human beings are concerned;

(1.3) It has an overwhelming *technological component*, since, qua applied human biology, basically medicine is a set of means for achieving such desired goals as health, pain reduction, prolongment of life, and – depending on the adopted evaluative components²⁶ – its painless termination;

(1.4) It may contain a mild *theistic* component, as long as the doctor or the surgeon is experienced much as the centurion experienced Jesus in Luke 7:6-7;

(2) Depending on the individual under scrutiny, it may contain, a *goneological* component.

Needless to say, in this case it becomes even more apparent how subjective is the issue whether medicine should be regarded as a set of scientific theories and/or as a quasi-religion. In other words, the religious nature of a theory, including a scientific theory, can be hypothesized only at an individual level.

This appears to me to be an inevitable corollary of a consistent development of Freud’s conceptualization of religion.

In the next Section, I examine some crucial details on which the Freudian conceptualization of religion proposed here and the notion used by Kelsen diverge and – whenever possible, I also attempt to clarify some possible philosophical roots of those divergences.

24 I am using this extreme example intentionally. What I am saying on official medicine can be also applied to other medicines.

25 Here *medicine* is understood broadly as to include *theoretical* human biology (rather than merely *applied* human biology). If medicine is taken to also include *general biology*, it involves, too, a phylogonical component.

26 The difference between a science and a technology is that sciences do not contain subjective components (except for the choice of the subject of investigation), while technologies turn the scientific cause-effect knowledge into means-end knowledge, where the ends are subjectively decided by the technologist under scrutiny. It should be borne in mind that the fact that nowadays the ends to be pursued by applied human biology are to some extent uncontroversial does not mean that they always were. For example, throughout the human history knowledge in human biology has also been used to prolong and increase the pain produced by torture.

4. On some differences between Freud's and Kelsen's takes on religion, and their possible philosophical roots

4.1. On the theistic component

As we have seen above (Section 2), Freud's original *trifunctional* conceptualization of religion makes no mention of deities. However, I believe that the protection he mentions is mostly offered – though not necessarily – by an animate entity whose will is to me manipulated by following certain procedures. Thus, the *conscious* hypothesization of some form of deity (or deities) is a *possible component* in a Freudian polythetic conceptualization of religion.

Further, I also argued that, due to Freud's psychological explanation of his trifunctional conceptualization of religion, a necessary component in a Freudian conceptualization of religion must also be the *unconscious* presence of needs and beliefs that originate from the stage when each of us (understood as a *human* animal) experienced and realized her helplessness and absolute dependence on her caregiver.²⁷

However, if we reconstruct Freud's notion of religion as a polythetic concept that strictly requires a “theistic” component only at an *unconscious* level – which component is here referred to as *goneological component* –, there remains an unbridgeable abyss between Freud's concept of religion (as well as a Freudian conceptualization of it) and Kelsen's one, as only this latter strictly require a conscious god/God hypothesis.

4.2. On the genetic fallacy

As we have seen, Freud's conceptualization of religion involves the hypothesis that religions are theories whose “invention” replaced other theories (notably, animistic ones). By elaborating on Freud's ideas it is easy to hypothesize that these cultural inventions owe their success to the exploitation of the emotional strength of several relics of the child/caregiver relation.

According to Freud, religion is an illusion. By *illusion* Freud understands a theory that is believed to be true due to the wish that it be true; a wish that motivates believers to disregard experiences that *could* falsify it.^{28 29}

27 I italicized *human* in this sentence, as I believe that non-human animals, including great apes, are *incapable* of becoming *cognitively* aware of their helplessness and dependence on their caregiver, and therefore are incapable of ascribing to her the features that monotheisms ascribe to the One God.

28 “[W]e call a belief an illusion when a wish-fulfilment is a prominent factor in its motivation, and in doing so we disregard its relations to reality” (1981 [1927]: 31, translation modified, “Wir heißen [...] einen Glauben eine Illusion, wenn sich in seiner Motivierung die Wunscherfüllung vordrängt, und sehen dabei von seinem Verhältnis zur Wirklichkeit ab”, 1948 [1927]: 354).

29 Freud's definition of *illusion* is overly narrow, as it does not cover optical illusions, cognitive illusions, etc. There is no need to discuss this issue here.

However, there is reason to think that Freud did not commit the genetic fallacy since he maintained that (1) the fact that that a person *subjectively* believes in a theory due to her wish that that theory be true and (2) the fact that this wish may motivate her to *disregard* falsifying experiences *do not entail* the *objective* falsehood of that theory. For example, Freud wrote as follows:

Psycho-analysis can also indicate the subjective and individual motives behind philosophical theories [*philosophisch[e] Lehren*] which have ostensibly sprung from impartial logical work, and can draw a critic's attention to the weak spots in [a] system. It is not the business of psycho-analysis, [however], to undertake such criticism itself, for, as may be imagined, the fact that a theory is psychologically determined does not in any way invalidate its scientific correctness.³⁰ (1981 [1913]: 179, translation modified)

There is no need to believe that Freud would have made an exception for religious theories (*religiöse Lehren*).

On the other hand, nowhere does Kelsen in *Secular Religion* mention the genetic fallacy (as far as I can recall).

4.3. On the possibility for a religion to be a scientific theory

If the hypothesis that a person believes in the truth of a theory (α) because she wishes it to be true rather than (β) because it makes it possible to explain and predict intraconscious phenomena³¹ better than other theories – if any – does

30 The German original: “[D]ie Psychoanalyse [kann] auch die subjektive und individuelle Motivierung von philosophischen Lehren aufzeigen, welche vorgeblich unparteiischer logischer Arbeit entsprungen sind, und der Kritik selbst die schwachen Punkte [eines] Systems anzeigen. Diese Kritik selbst zu besorgen, ist nicht Sache der Psychoanalyse, denn, wie begreiflich, schließt die psychologische Determinierung einer Lehre ihre wissenschaftliche Korrektheit keineswegs aus”, 1955 [1913]: 407. On this issue, see also Grünbaum 1987.

31 As will be clarified below, an *empiricist* perspective requires to regard (1) extraconscious realities as inaccessible to the solipsistic Subject and (2) the hypotheses/theories that concern them as tools to explain/predict intraconscious experiences. Among intraconscious experiences, a *crucial role* is played by *sensory experiences*, which are hypothesized to be caused by those extraconscious realities. This notwithstanding, empiricism – at least as I understand it – can't rule out *aprioristically* religious experiences, nor can it *aprioristically* characterize such experiences as illusions. To avoid misunderstandings, it should be stressed that by *empiricism* or *classical empiricism* I understand British empiricism, with special emphasis on Berkeley's and Hume's contributions. It could be objected that by *empiricism* Kelsen often means *logical positivism* or even 19th century *positivism*. It is not clear to me to what extent Kelsen was aware that *classical empiricism* and *positivisms* have hardly anything in common – and so with the notable exception of Mach's positivism. At any rate, in *Secular Religion* the noun *empiricism* is used only with reference to David Hume (while the adjective *empirical* is used in the most diverse connections), therefore, I regard as perfectly legitimate to show that many ideas propounded by Kelsen in *Secular Religion* reveal a poor acquaintance with the main tenets of this approach. Incidentally, the absence of even a single mention of the bishop George Berkeley in *Secular Religion* is quite telling.

not entail its falsehood, it could be asked whether a religious theory could be regarded as a scientific theory.

The problem of the demarcation of scientific theories from other theories has a long story. Here I confine myself to discussing the way this problem is addressed by Kelsen in his *Secular Religion* and by Freud in his corpus. Due to the shortcomings of either's approach, I will also present my own approach to the problem, which elaborates on Karl Popper and Hans Albert's proposals and incorporates the bans of all sort of *Denk-* and *Frageverbote*, bans which were steadfastly rejected by both Kelsen and Freud. Based on my approach, I will criticize both Freud's and Kelsen's approaches, both of which, among other things, seem to imply the impossibility of regarding some forms of religion as scientific theories.

Let's start with Kelsen. According to Kelsen, "science [...] is an objective cognition of reality, free from metaphysical presuppositions" (2012: 255). Unfortunately, I was not able to trace in *Secular Religion* an express definition of the adjective *metaphysical*. My impression is that Kelsen would characterize as *metaphysical* all hypotheses/theories that are based on considerations *other than* empirical experiences – which considerations he derogatorily refers to as "speculations".

As is known, Karl Popper held a completely different view, namely, that "the scientific method presupposes *the immutability of natural processes*"³² (Popper 2005 [1935]: 250, emphasis in the original) and that this method involves "the *metaphysical faith* in the existence of regularities in our world (a faith which [Popper] share[d], and without which[, according to him,] practical action is hardly conceivable)"³³ (Ibid., emphases added).

The obvious reason why science needs this metaphysical presupposition, or faith³⁴, is that David Hume compellingly demonstrated that *in no way* can we:

1. derive from the observation of regularity_x up to a certain moment t_x that it will keep occurring in $t > t_x$ and
2. derive from the observation of regularity₁, regularity₂, ..., regularity_n, the existence of further as-yet unknown regularities_{m > n}.

The hypotheses (1) and (2) are metaphysical, in that they cannot be based on any empirical observation. At the most, their (possible) truth could be explained through the hypotheses of a benign God who either (α_1) created or (α_2) keeps creating predictable extraconscious realities or (β) keeps producing for the solipsistic subject predictable intraconscious experiences.

32 The German original: "[d]ie wissenschaftliche Methode setzt eine *Konstanz der Naturvorgänge* voraus", 1935: 186, emphasis in the original.

33 The German original: "der *metaphysische Glaube* an das Bestehen von Gesetzmäßigkeiten in unserer Welt (den ich [Popper] auch teile, und ohne den praktisches Handeln wohl undenkbar ist)", 1935: 186, emphasis added.

34 It should be pointed out that the German noun *Glaube* can be translated with "opinion" or "faith", depending on the author's communicative intention. However, it is difficult to believe that the choice of *faith* cannot be directly traced to Popper, who directly translated his *Logik der Forschung*, if with the help of Julius Freed and Lan Freed (cf. Popper 2005 [1935]: xii).

Of course, it could be objected that I am criticizing Kelsen's concept of science – a concept based on Kelsen's own concept of metaphysics – by availing myself of a distinct thinker's concept of metaphysics and that in no way can it be taken for granted that Kelsen would have accepted Popper's concept.

To address this objection, let's consider how Kelsen conceived of metaphysics. In his *Secular Religion* he distinguishes between a *critical* and a *dogmatic metaphysics*, “the latter term designating a *philosophy transcending empirical reality*, the former a philosophy strictly abstaining from such intellectual excess” (2012: 230-231, emphasis added)³⁵. Based on this distinction, it could be argued that Kelsen would have charitably understood Popper's “metaphysical faith” as a form of *critical metaphysics* – and so despite his using the term “faith”. In other words, my conjecture is that Kelsen would have regarded Popper's expression “metaphysical faith” as an ill-chosen term for what Imre Lakatos understood by *research program[me]*.

However, I believe that the problem lies at a much deeper level. Kelsen did not realize that according to classical empiricism *all of reality is Subject-inaccessible, that is, transcendent*^{36 37}, and so – still according to classical empiricism – with the exception of such realities as representations, sensory or other experiences (e.g., pain, religious experiences), *as long as these latter are present within the consciousness of the solipsistic Subject*. The simple hypothesis of the existence of an “empirical” (or, more precisely, Subject-inaccessible, that is, non-empirical at all!) reality which causes our sensory experiences is a form of metaphysics that *transcends* the only *empirical* reality we – qua fallible human beings are inexorably sentenced to –, that is, what is currently present within the consciousness of each of us, that is, of the solipsistic Subject.³⁸

35 A special thank to Paolo Di Lucia and Lorenzo Passerini Glazel, who called my attention to Kelsen's distinction between *critical* and *dogmatic* metaphysics. Errors are my own.

36 My usage of *transcendent* is only to some extent similar to Husserl's (see, e.g., 1973 [1947/1907]; 1999 [1947/1907]), as by that adjective I mean any object, or reality, that is inaccessible to the solipsistic Subject. Subject-inaccessible realities are susceptible only to *fallible* hypotheses/theories. To avoid misunderstandings, it should be stressed that to some extent this holds also for Subject-accessible (or “immanent”) realities. For instance, I may deceive myself as to the kind of feelings I have towards a certain person.

37 On this issue, the following remarks by Karl Popper should be also borne in mind: “The statement, ‘Here is a glass of water’ cannot be verified by any observational experience. The reason is that the *universals* which appear in it cannot be correlated with any specific sense-experience. (An ‘immediate experience’ is *only once* ‘immediately given’; it is unique.)” (2005 [1935]: 76; “Der Satz: ‘Hier steht ein Glas Wasser’ kann durch keine Erlebnisse verifiziert werden, weil die auftretenden Universalien nicht bestimmten Erlebnissen zugeordnet werden können [die ‘unmittelbaren Erlebnisse’ sind nur *einmal* ‘unmittelbar gegeben’, sie sind einmalig]”, 1935: 53).

38 Needless to say, this is the stance of classical, as I understand it (cf.,). Quite probably, Sigmund Freud was acquainted with these ideas (cf. Cohen 2002 and Molnar 2002). On the other hand, it is not clear to me to what extent Kelsen was aware of the epistemological challenges raised, notably, by Berkeley and Hume. It is difficult to do away with the impression that, unlike Freud, Kelsen always remained trapped in the *niaiserie* – to hint at a famous Nietzschean quote – that has characterized most of German philosophy starting from Kant (and because of him).

Let us now turn to Freud and see whether he offers a criterion for demarcating science from non-science. Here is a passage where he seems to offer one.

For instance, the earth is shaped like a sphere; the proofs adduced for this are Foucault's pendulum experiment, the behavior of the horizon, and the possibility of circumnavigating the earth. Since it is impracticable [...] to send every schoolchild on a voyage round the world, we are satisfied with letting the theories taught at school be taken on trust; but we know that the path to acquiring a personal conviction is open.³⁹ (1981 [1927]: 26, translation modified)

According to Freud, if there is a – I daresay “solipsistic” – path to acquiring a personal conviction concerning a hypothesis/theory,⁴⁰ that hypothesis/theory is scientific. If there is no such path, it is non-scientific (or not yet scientific).

Indeed, Freud's is a very ingenious criterion. However Freud was aware that there exist people who claim to have *religious experiences*, which experiences God enables only few people to have. In such case the path to acquiring religious knowledge is barred to the solipsistic Subject, if God capriciously excludes her from such experiences.

Why should religious experiences of this type be treated in a different way from sensory ones? From an empirical viewpoint, science is an endeavor aimed at explaining and predicting our intraconscious experiences. This requires to take seriously all experiences, including religious experiences and those who claim they have them – provided that we hypothesize that these people extra-consciously exist.⁴¹

Let us read what Freud writes in this regard:

If the truth of religious theories [*Lehren*] is dependent on an inner experience [*ein inneres Erleben*] which bears witness to that truth, what is one to do about the many people who do not have this rare experience? One may require every man to use the gift of reason which he possesses, but one cannot erect, on the basis of a motive that exists only for a very few, an obligation that shall apply to everyone.⁴² (1981 [1927]: 28)

39 The German original: “Zum Beispiel die Erde hat die Gestalt einer Kugel; als Beweise dafür werden angeführt der Foucaultsche Pendelversuch, das Verhalten des Horizonts, die Möglichkeit, die Erde zu umschiffen. Da es [...] untunlich ist, alle Schulkinder auf Erdumsegelungen zu schicken, bescheidet man sich damit, die Lehren der Schule auf ‘Treu und Glauben’ annehmen zu lassen, aber man weiß, der Weg zur persönlichen Überzeugung bleibt offen.” 1948 [1927]: 348. Interestingly, Freud uses here a juristic phrase: *Treu und Glauben*.

40 For the sake of completeness also *theorems* should be mentioned.

41 To be sure, Kelsen does discuss the *feeling of the sacred* (2012: 35-38), but he ignores altogether the fact that an empiricist approach (at least, a classical one) involves the corollary that we should take seriously those who claim to have this form of *ἐμπειρία*.

42 The German original: “Wenn die Wahrheit der religiösen Lehren abhängig ist von einem inneren Erlebnis, das diese Wahrheit bezeugt, was macht man mit den vielen Menschen, die solch ein seltenes Erlebnis nicht haben? Man kann von allen Menschen verlangen, daß sie die Gabe der Vernunft anwenden, die sie besitzen, aber man kann nicht eine für alle gültige Verpflichtung auf ein Motiv aufbauen, das nur bei ganz wenigen existiert” (1948 [1927]: 350).

Personally, I do not regard this argument as convincing. At the most, it suggests that it is politically dangerous to force non-believers to do what believers regard as necessary to obtain, say, the salvation of their entire community. But this holds only as long as non-believers are numerous enough to discourage such a “theocratic” (or “technocratic”⁴³) approach. Per se, this argument is not able to discard the theory that there exists a God who provides only few people with such an *Erlebnisprivileg* (also referred to as *Erkenntnisprivileg*).⁴⁴

A different way to react against the *Erlebnisprivileg* thesis would be to object that it is a *conversation ender*. But such an objection would be a blunt weapon as the issue of the truth of the hypothesis that reality has a certain nature (e.g., that it is God-created) is *completely unrelated* to the issue of who – if any – has experiences that require for their explanation the hypothesization that reality has such a nature.

Since neither Kelsen nor Freud provides sound arguments for distinguishing between science and religion or – more generally – between science and non-science, I can now introduce a different criterion, which elaborates on Karl Popper and Hans Albert’s teachings (see Fittipaldi 2019) and – as I have already said – has the advantage of accommodating the ban of all *Denk-* and *Frageverbote*, which were opposed by Freud and Kelsen alike.⁴⁵

My proposal is to regard *falsifiability* as the criterion for demarcating a scientific from a non-scientific *theory/hypothesis* and to regard the former as the consequence of an *subjective attitude* towards a theory/hypothesis rather than as *objective* feature of it. Based on my version of critical rationalism, the scientific nature of a theory amounts to

(C_R) a given individual’s readiness to state under what condition(s) she would repudiate a given theory/hypothesis as false (or incorrect, in the case of axiomatic sciences),⁴⁶ along with

(R_C). that individual’s readiness to explain why that condition is relevant as to the – inevitably provisional – repudiation of that theory/hypothesis.⁴⁷

43 In a theocratic state, those who have the technique through which the will of gods/God can be manipulated are technocrats in a strict sense.

44 Freud’s stress on the possibility of a *path to acquiring a personal conviction* (*ein Weg zur persönlichen Überzeugung*) would prove powerless should the majority simply not be able or not even interested in going it. In the final analysis, the majority accepts what scientists – understood as an enlightened aristocracy – prescribes. This occurs due to trust and indoctrination. Science is part of any liberal democracy and the reliance in science must be safeguarded by strongly enforcing liberal-democratic procedures also in science, lest new versions of no-vaxxers or flat-earthers should in some future prevail on some crucial issue for mankind.

45 Kelsen understands the *Frageverbot* as “the prohibition of the question about the transcendent source of being” (2012: 51). It goes without saying that a *Denkverbot* includes and any sort of *Frageverbot*.

46 C_R stands for (sufficient) “Condition of Repudiation”.

47 R_C stands for “Relevance of the stated Condition” for repudiation. For example, it would be hard to argue that the general relativity would be falsified in the event one were to get constantly tails, should she flip a coin 1,000 times in a row, whereas it would be less difficult to

If a religion is able to make risky predictions or – to put it in my subjective manner – if one is able to state (C_R) and (R_C) , that religion is a scientific theory. Here is the example of a former rabbi who became atheist as consequence of the Shoah:

I believe the greatest single challenge to modern Judaism arises out of the question of God and the death camps. [...] How can Jews believe in an omnipotent, *beneficent* God after Auschwitz? Traditional Jewish theology maintains that *God is the ultimate, omnipotent actor in the historical drama*. It has interpreted every major catastrophe in Jewish history as God's punishment of a sinful Israel. *I fail to see how this position can be maintained without regarding Hitler and the SS as instruments of God's will. The agony of European Jewry cannot be likened to the testing of Job. To see any purpose in the death camps, the traditional believer is forced to regard the most demonic, antibuman explosion in all history as a meaningful expression of God's purposes. The idea is simply too obscene for me to accept.* (Rubenstein 1966: 153, also quoted in Lassley 2015, emphases added)

My conclusion is twofold. On the one hand, a religion may or may not be a scientific theory depending on whether a believer is able to meet conditions (C_R) and (R_C) . On the other, neither Freud nor Kelsen were able to provide a satisfactory demarcation criterion for:

- distinguishing between science and non-science, and
- showing that all forms of religion are necessarily non-scientific.

If we combine both Kelsen's and Freud's inability to provide a demarcation criterion for distinguishing between science and non-science, along with Freud's express rejection of the genetic fallacy, we are forced to conclude that a Freudian approach – unlike the Kelsenian one – paves the way for regarding at least certain forms of religion as scientific theories – though, let me add, as low-performing ones⁴⁸ –, whereas this appears to be completely ruled out by Kelsen's approach⁴⁹.

4.4. On omnipotence and supernatural powers

If my reconstruction of Freud's conceptualization of religion is accepted, the hypothesis that there exist(s) animate being(s) characterized by supernatural powers or even omnipotence is a necessary (though not sufficient) component of any god hypothesis⁵⁰.

argue that that theory would be provisionally falsified should Mercury's orbit be shown not to have ever had any sort of precession.

48 By "performance of a theory" I understand the amount and degree of detail of the predictions (of intraconscious experiences) that can be derived from it. Needless to say, all theories that have some degree of predictive performance are scientific – at least according to the notion of *science* adopted here. In this sense, hypotheses (α_1) , (α_2) , and (β) (see above, Section 4.3) are scientific, if low-performing, theories.

49 It should be added that the subjectivity of my criterion for demarcating science from non-science seems to me to be more compatible with Freud's *solipsistic-path* criterion than with Kelsen's criterion of *metaphysical presuppositionlessness*.

50 As for the difference between a god (or deity) and other supernatural beings, what

To this extent, Freud and Kelsen seem to be on the same page. But there is a difference. To my knowledge, nowhere does Freud regard the ascription to some animate being of supernatural powers as necessarily unscientific. For Freud, what is unscientific is the preclusion or inexistence of a path to acquire a personal conviction. Of course, if we understand *supernaturalness* as the property of being *incompatible* with one or more scientific hypotheses/theories *provisionally* regarded as true by that “aristocracy” usually referred to as “scientists”, such an ascription may raise problems for a person committed to science. This is so because the history of science is often the history of *incompatible* theories that either have been changed in order to make them compatible with one another or have undergone a process of selection (in that, one of them was eventually rejected and replaced with a new one)⁵¹.

A simple example of co-existing scientific incompatibilities (or contradictions) is quantum entanglement that, due to its incompatibility with the theory of relativity, was referred to by Albert Einstein as *spukhafte Fernwirkung* (“spooky action at a distance”, Einstein & Born 1972: 162); and this is quite close to regarding quantum entanglement as a supernatural phenomenon (at least in the sense in which *supernatural* is used by Hans Kelsen).

In my opinion, Freud was much more aware than Kelsen of the provisional nature scientific truths (cfr., e.g., 1981 [1927]: 53; 1948 [1927]: 376). Had Kelsen been aware enough of this aspect of scientific enterprise, he would have treated supernaturalness much more cautiously. The conjecture of the existence of an animate being endowed with powers that are ruled out by our provisional scientific knowledge can become a full-blown scientific hypothesis, provided that the conditions (C_R) and (R_C) are met (above, Section 4.3)⁵².

4.5. On transcendence

To my knowledge, nowhere does Freud mention or treat transcendence as a feature of gods/God. On the other hand, Kelsen regards transcendence as a fundamental feature of gods/God, who in turn is/are a fundamental component of his notion of religion.

Kelsen’s notion of transcendence is very curious. He understands it as the quality of being “beyond any possible human experience”⁵³. Such a definition reveals

appears to be crucial is the ascription to the former of some form of authority (Szymaniec 2022: 234).

51 Incidentally, such a criterion absurdly requires to regard such things as phlogiston or lumiferous aether as supernatural! From a Freudian (and Bovetian/Piagetian) perspective, instead, Kelsen’s supernaturalness and its connection to sacredness should be explained by tracing it back to the child’s conception of her caregiver.

52 On the notion of supernaturalness in cultures without the social phenomenon of science, see above fn. 17.

53 To avoid misunderstandings it should be stressed that by stating that for an animate being to be a deity it must be transcendent (whatever this term is taken to mean), Kelsen does not deny that deities can also act in human history. See Kelsen 2012 (179).

that *Kelsen did not realize that the whole of reality is transcendent in his own sense*⁵⁴, as, for example, nobody can experience the Golden Gate (at least, I cannot). What we can have are coherent and consistent visual and possibly haptic experiences that we hypothesize to be caused by some transcendent, that is, Subject-inaccessible object that we refer to as the Golden Gate. Needless to say, the same goes, say, for the keyboard with which I have been writing this article, the chair on which I was seated while writing it, and even my own body. Kelsen's understanding of transcendence shows that he was either unfamiliar with empiricism (see above, n. 31) or that he intentionally ignored it. The same cannot in any way be stated of Freud, whose psychoanalysis is simply unconceivable without an in-depth acquaintance with classical empiricism and the role that the solipsistic Subject's *Innenwelt* (to use a Freudian term) plays in it.

A further problem is that Kelsen's emphasis on *transcendence* leads him to shape a notion – that of *transmundaneness* – which he assumes is traceable in cultures to which it appears to be completely extraneous:

Not only the God of traditional Western religions, but the God of all religions is a “transmundane” – that is, a supernatural – being, *even the fetish worshipped by a primitive tribe as its God*. For what they worship is the supernatural power they believe to be represented by the fetish. (Kelsen 2012: 179, emphasis added, further, according my usage, in its second occurrence the word ‘God’ should be lowercased)

Leaving aside Kelsen's disputable conflation of supernaturalness with transcendence/transmundaneness, it seems to me that Kelsen completely neglects the hypothesis that the idea of God's transcendence/transmundaneness has been simply a tool to come to terms with God's *absconditas*; an *absconditas* that troubles many non-classical or pseudo-empiricists; whereas classical ones are well aware that the whole of reality is transcendent, or Subject-inaccessible.

4.6. On quasi-religions, or less-than-prototypical religions

At any rate, by far the most important difference between Freud's conceptualization of religion (as reconstructed here) and Kelsen's is that Freud's conceptualization enables us to trace religious phenomena also where deities are absent, whereas the chief purpose of Kelsen's *Secular Religion* is precisely to deny the existence of such phenomena.

5. Conclusion

For all the differences between Freud and Kelsen as to the concept of religion, they are on the same page when it comes to the rejection of all forms of *Denk*-and

⁵⁴ With the exception of what is currently present within the consciousness of the solipsistic Subject.

Frageverbote. Further, both Freud and Kelsen agree that such prohibitions almost always accompany religious theories. However, it does not seem to me that either of them regards such *Verbote* as constitutive components of the concept of religion. From a Freudian perspective, it could be added that, since religion is a theory that is transferally ascribed a *prestige* akin to that ascribed by a child to her caregiver's teachings, the psychological origin of religion explains why most religions are accompanied by such prohibitions: The sacredness of religious teachings stems from the "sacredness" of the caregivers' teachings (for the child).

Be that as it may, let me reiterate that the truth of this theory is completely unrelated to the truth of religious theories; which is to be evaluated with purely scientific methods (including the evaluation of their epistemic performances).

To conclude, I hope I have been able to achieve the following three results.

Firstly, I hope I have been able to highlight the importance of Freud's conceptualization of religion; a conceptualization overlooked by several 20th and 21st scientists – not only by Hans Kelsen.

Secondly, I hope I have been able to show that in the final analysis Freud proposes a polythetic concept that makes it possible to regard as quasi-religions also some of the theories that according to Kelsen have nothing in common with religious thinking (e.g., Marxism and Buddhism); and so despite the fact both Freud and Kelsen ascribe great importance to gods/God in their notions.

Thirdly, I hope I have been able to show that both Freud and Kelsen have misconceptions as to the nature of the scientific endeavor and that – pace Kelsen – a Freudian perspective, if consistently developed, is no obstacle to regarding some forms of religion as scientific theories.

References

- Albert, H., 1994, *Kritik der reinen Hermeneutik*, Tübingen, J.C.B. Mohr (Paul Siebeck).
- Albert, H., 2011. *Zum Konflikt zwischen Wissenschaft und Religion. Religiöse Metaphysik und wissenschaftliche Weltauffassung als Alternativen*. In Björn Frank (ed.), *Glaube und Rationalität in der Krise Symposium zu Ehren von Hans G. Nutzinger*. Marburg: Metropolis.
- Bovet, P., 1925, *Le sentiment religieux et la psychologie de l'enfant*, Neuchâtel & Paris, Delachaux et Niestlé.
- Bovet, P., 1928 [1925], *Le sentiment religieux et la psychologie de l'enfant*, English translation *The Child's Religion*. Dent & Sons, London and Toronto.
- Cohen, Aviva, 2002. *Franz Brentano, Freud's Philosophical Mentor*. In Gertrudis Van de Vijver & Filip Geerardyn, *The Pre-Psychoanalytic Writings of Sigmund Freud*. London: Karnac.
- Einstein, A., and M. Born (M. Born ed.), 1972. *Briefwechsel 1916-1955*, Hamburg: Rowohlt.
- Fittipaldi, E., 2019, *Hans Albert's Critical Rationalism Radicalized: The Perspective of a Sociologist of Law*. In Giuseppe Franco (ed.), *Begegnungen mit Hans Albert*, Wiesbaden, Springer.
- Freud, S., 1948 [1927], *Die Zukunft einer Illusion*. In Sigmund Freud (Anna Freud et al. eds.), *Gesammelte Werke*. XIV, London, Imago Publishing.

- Freud, S., 1955 [1913], *Das Interesse an der Psychoanalyse*. In Sigmund Freud (Anna Freud et al. eds.), *Gesammelte Werke*. VII, London, Imago Publishing.
- Freud, S., 1961 [1933], *Neue Folge der Vorlesungen zur Einführung in die Psychoanalyse*. In Sigmund Freud (Anna Freud et al. eds.), *Gesammelte Werke*. XV, Hamburg, S. Fischer Verlag.
- Freud, S., 1981 [1913], *Das Interesse an der Psychoanalyse*. In Sigmund Freud (James Strachey ed.) *Totem and Taboo and Other Works*, London, The Hogarth Press and the Institute of Psychoanalysis.
- Freud, S., 1981 [1927], *Die Zukunft einer Illusion*. English translation *The Future of an Illusion* in Sigmund Freud (James Strachey ed.), *The Future of an Illusion, Civilization and its Discontents and Other Works*, London, The Hogarth Press and the Institute of Psychoanalysis.
- Freud, S., 1981 [1933], *Neue Folge der Vorlesungen zur Einführung in die Psychoanalyse*. English translation *New Introductory Lectures on Psycho-Analysis* in Sigmund Freud (James Strachey ed.), *New Introductory Lectures on Psycho-Analysis and Other Works*. London, The Hogarth Press and the Institute of Psycho-Analysis.
- Grünbaum, A., 1987, *Psychoanalysis and Theism*. *The Monist*, 70(2): 152-192.
- Husserl, E. (W. Biemel ed.), 1973 [1947/1907], *Die Idee der Phänomenologie. Fünf Vorlesungen*. Dordrecht, Springer.
- Husserl, E. (L. Hardy ed.), 1999 [1947/1907], *Die Idee der Phänomenologie. Fünf Vorlesungen*, English translation *The Idea of Phenomenology*. Dordrecht, etc., Kluwer.
- Kelsen, H. s., 2012, *Secular Religion. A Polemic against the Misinterpretation of Modern Social Philosophy, Science and Politics as "New Religions"*, Vienna & New York, Springer.
- Lassley, J., 2015, "A Defective Covenant: Abandonment of Faith among Jewish Survivors of the Holocaust". *International Social Science Review*, 90(2): 1-17.
- Molnar, Michael, 2002. *John Stuart Mill Translated by Sigmund Freud*. In Gertrudis Van de Vijver & Filip Geerardyn, *The Pre-Psychoanalytic Writings of Sigmund Freud*. London: Karnac.
- Piaget, J., 1932, *Le jugement moral chez l'enfant*, Paris, Presses universitaires de France.
- Piaget, J., 1948 [1932], *Le jugement moral chez l'enfant*. English translation *The Moral Judgement of the Child*, London, Routledge & Kegan Paul.
- Popper, K.R., 1935, *Logik der Forschung. Zur Erkenntnistheorie der modernen Naturwissenschaft*, Vienna, Springer.
- Popper, K.R., 1994 [1945], *The Open Society and Its Enemies*, Princeton & Oxford, Princeton University Press.
- Popper, K.R., 2005 [1935], *Logik der Forschung*. English translation *The Logic of Scientific Discovery*, London & New York, Routledge.
- Rubenstein, R.L., 1966, *After Auschwitz: Radical Theology and Contemporary Judaism*, Indianapolis, etc., The Bobbs-Merrill Company.
- Szymaniec, P., 2022, *Leon Petrażycki's Views on Religion*. In E. Fittipaldi & A.J. Treviño, *Leon Petrażycki: Law, Emotions, Society*. New York & London: Routledge.