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May 8, 2014

## Your Complaint against Prof. Markus Gabriel

Dear Dr. Vacariu,

In consideration of your detailed complaint of January 13, 2014, and based on an extensive review of your writings and the writings of Prof. Markus Gabriel, I conclude that—

there are no plausible grounds to believe that Prof. Gabriel violated the standards of good scientific practice by making improper use of the ideas expressed in your published texts.

The investigation pursuant to the “Rules of Bonn University for the procedure in cases of suspicion of scientific misconduct” is hereby closed.

This determination is final.

### Reasons

#### I. The Charges

Dr. Gabriel Vacariu [hereinafter: Vacariu] alleges that Prof. Dr. Markus Gabriel [hereinafter: Gabriel] had plagiarized his previously published ideas and substantiates this charge in detail in an 11-page document also available online (<http://filosofie.unibuc.ro/gvacariu/Did%20Markus%20Gabriel%20plagiarized%20my%20ideas.pdf>, also <https://www.youtube.com/watch?v=WLPzaaSE8L8>) and included as appendix in his latest (2014) book (<http://filosofie.unibuc.ro/wp-content/uploads/vacariu-EDWs-CNS-Einstein.pdf>). This document has been transmitted to the Ombudsperson of Bonn University on 13 January 2014 and is included by reference here.

#### II. The Law

Pursuant to the “Grundsätze zur Sicherung guter wissenschaftlicher Praxis an der Rheinischen Friedrich-Wilhelms-Universität Bonn” (Rules for the Maintenance of Good Scientific Practice at Bonn University) of 5 June 2002, § 7(1)(b), it constitutes scientific misconduct to violate the intellectual property of another in respect to legally protected works or substantial scientific insights, results, hypotheses, or teachings, in particular to exploit research approaches or ideas of another without permission (theft of ideas).

According to § 2 cl. 2 of the “Grundsätze für das Verfahren bei Verdacht auf wissenschaftliches Fehlverhalten” of Bonn University (Rules for the procedure in cases of suspicion of scientific misconduct) of 10 November 1998, as amended 14 November 2002, it is the Ombudsperson’s task to examine the plausibility of charges of misconduct with special regard to significance and accuracy.

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### III. The Findings

#### 1.

In an article entitled “Mind, Brain, and Epistemologically Different Worlds”, published in *Synthese* (2005) 147: 515–548, Vacariu claimed that the mind-body problem is a pseudo-problem and proposed the “principle of epistemologically different worlds” as a solution. He considers it a major error to assume that only one ontological world exists where all objects are placed, here termed “universe” or the “unicorn world” in order “to emphasize its mythological-religious roots” (id., at 516). Instead, different properties of (internal or external) tools of observation lead to epistemologically different worlds or EDWs. Since human attention is a serial process, a human subject cannot simultaneously observe more than one EDW. All EDWs observed simultaneously would constitute the “hyper-world” or “hyperverses” which is beyond our cognition and cannot exist because of the “hyperontological contradiction” that it would need to be observed by two or more minds and thus be two or more beings at once (*Being and the hyperverses*, 2011, at 124, and more often later). E.g., mind and brain belong to epistemologically different worlds of the same world (thing)-in-itself. Entities from each EDW are deemed to exist insofar they interact with the class of entities in that particular EDW. At best, phenomena from different EDWs may “correspond”.

This view has been elaborated in a series of subsequent publications (in particular in these books: *Epistemologically Different Worlds*, 2008; [jointly with Mihai Vacariu:] *Mind, Life and Matter in the Hyperverses*, 2010; *Being and the hyperverses*, 2011; *Cognitive neuroscience and versus epistemologically different worlds*, 2012; *More troubles with cognitive neuroscience. Einstein’s theory of relativity and the hyperverses*, 2014; all University of Bucharest Press and available at [http://filosofie.unibuc.ro/cv\\_gabriel\\_vacariu/](http://filosofie.unibuc.ro/cv_gabriel_vacariu/), as well as several articles which are listed and mostly available on the same website). The latest version of this position is presented in Vacariu 2014, at 15–36. The main objects of Vacariu’s theorizing are philosophical issues of cognitive neuroscience, which he considers a pseudoscience, and science in general.

#### 2.

Gabriel, who is a member of Bonn University since July 2009 and hence subject to the “Rules for the Maintenance of Good Scientific Practice at Bonn University” for activities past that date, advocates an epistemological stance called “new realism” which is directed against constructivism as well as nominalism, materialism, physicalism, nihilism etc. and in particular against the predominance of scientific explanations of the world. An ingredient of this view is what he calls “Sinnfeldontologie” which sails under the flag of “transcendental ontology”: “existence” is conceived as some sort of a localization: any object exists only insofar it appears in a “Sinnfeld” (literally: field of meaning, i.e. context), a term similar to Frege’s “Gegenstandsbereich” (lit.: area of objects; see *Warum es die Welt nicht*

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*gibt*, 2013, at 89) and Carnap's "Gegenstandssphäre" (*Die Erkenntnis der Welt – Eine Einführung in die Erkenntnistheorie*, 2012, at 378), according to the intrinsic rules of that particular Sinnfeld, e.g. the Sinnfeld of sets or the Sinnfeld of legality where legal and illegal objects appear (*Erkenntnis der Welt*, at 236). Unicorns exist in fairy tales and aliens in movies but not in the vicinity (id., at 342; *Warum es die Welt nicht gibt*, at 23). There are no unknowable things-in-themselves only the appearances of which are knowable, but reality consists of things-in-themselves and appearances which also are things-in-themselves (*Warum es die Welt nicht gibt*, 2013, at 155).

A Gegenstandsbereich or Sinnfeld, in which an object is localized, is also called its (respective) "world" although the expression "Sinnfelder" is preferred to the plural use of "worlds". This view is said (*Erkenntnis der Welt*, at 374 note 37) to resemble Alain Badiou's ontology which distinguishes one (non-existing) universe from a plurality of worlds (*Logique des mondes*, 2006; for a brief discussion see *Transcendental Ontology: Essays in German Idealism*, 2011, Introduction, at xxii–xxviii).

A consequence of this view is that "the world does not exist", which is also the sensational title of an inaugural speech ("Warum es die Welt nicht gibt", 19.10.2009, Chronik der Universität Bonn 2008/2009, at 29–36), a book addressed at a general audience (*Warum es die Welt nicht gibt*, 2013) and a TEDx talk ([https://www.youtube.com/watch?v=hzvesGB\\_TIO](https://www.youtube.com/watch?v=hzvesGB_TIO)). The "world" is defined as the all-encompassing Sinnfeld; since "existence" is defined as "appearance in a Sinnfeld", for the world to exist it would have to appear in a Sinnfeld as well but this is not possible because then it would not be all-encompassing (*Erkenntnis der Welt*, at 226, 236–237, 375–382; *Warum es die Welt nicht gibt*, at 96–106; see also *Transcendental Ontology: Essays in German Idealism*, 2011, Introduction, at xxvii: the "domain of all domains" cannot exist); this argument seems to restate Russell's paradox that a universal = all-encompassing set cannot exist. In contrast, Gabriel insists that the "universe" exists as the object domain/Sinnfeld of physics (id. and *Warum es die Welt nicht gibt*, at 62–67). Hence there is no "total object" neither totality of knowledge (id., at 237). The fact that objects exist in the world is itself not an object of the world (*Erkenntnis der Welt*, at 231). Gabriel deduces far-reaching epistemological and even practical consequences from this insight, concerning religion, art as well as the meaning of life.

This position is said to be the result of an analysis of the writings of Schelling and Hegel (in: *Transcendental Ontology: Essays in German Idealism*, 2011; see *Erkenntnis der Welt*, at 226 note 2). The existence of the world has been addressed early on in Gabriel's writings (*Das Absolute und die Welt in Schellings Freiheitsschrift*, 2006, at 15 *et seq.*, 21 *et seq.*; "Die Wiederkehr des Nichtwissens – Perspektiven einer zeitgenössischen Skeptizismus-Debatte", in: *Philosophische Rundschau* 54 (2007), 148 and *passim*, e.g. 155 *et seq.*) and the ancient Pyrrhonic skepticism regarding the existence of an exterior world ("Außenweltskeptizismus") was part of the topic of Gabriel's dissertation (*Skeptizismus und Idealismus in der Antike*, 2005, e.g. at 29–129); all these skeptical stances resurface throughout the later works (e.g. *An den Grenzen der Erkenntnistheorie*, 2008, at 11 *et seq.*, 15), including the 2012 and 2013 books.

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### 3.

Although the alleged similarities – non-existence of one single world but existence of several worlds – exist at first glance, they prove to be merely superficial upon closer examination which reveals fundamental differences: The most critical divergence lies in the fact that “Sinnfelder” are not “epistemologically different”, they are just distinguishable contexts of shared meaning since, for Gabriel, objects depend on meaning (Sinn). This ontological pluralism does not depend on and has nothing to do with different properties of tools of observation. The single spatio-temporal world which Vacariu calls a myth (“unicorn world”) because it does not exist rather appears to be equivalent with Gabriel’s “universe” as the Sinnfeld of physics which Gabriel clearly deems to exist. Here, both positions are incompatible. Conversely, Vacariu’s “hyperverses” as the sum of all EDWs seems to resemble Gabriel’s “world” as the totality of contexts or domain of domains; both are said to be non-existent but for quite different reasons (hyperontological contradiction here and Russell’s paradox there). All further aspects of the respective writings are obviously and substantially different.

Employing the term “unicorn” is not indicative of anything here because its use is markedly different: Vacariu uses it as a derogatory characterization of the – in his view – erroneous concept of “one world” whereas Gabriel believes that unicorns exist (in some context). Moreover, unicorns serve as standard examples in 20th century philosophy in ontological contexts, e.g. Bertrand Russell (*Introduction to Mathematical Philosophy*, 1919) and Quine (*Designation and Existence*, 1939, and frequently later) used unicorns, pegasi, sea-serpents, Sherlock Holmes etc. as examples for problematic singular existence statements and many other authors did and do likewise. Insofar, Gabriel merely uses a common traditional example when he discusses the existence of unicorns, witches etc.

Neither is skepticism about the existence of the world a philosophical novelty nor is the claim that there are many worlds (perspectives etc.) instead of one – both are known since antiquity. Nor are positions involving epistemological or conceptual relativity (both authors refer to Carnap and Putnam) unheard-of novelties so that the positions of both authors operate within known parameters of pre-existing philosophical thought. Hence, it is far from implausible that Gabriel developed his position independently from Vacariu.

Moreover, it is not the case that Gabriel had worked mainly only on ancient philosophy and Schelling so that the “the world does not exist”-thesis represents a totally new topic for him. Skepticism about the existence of the outer world and transcendental ontology is something like the leitmotif or central theme of most of his writings. The foundations of his position indeed rest on an analysis of Hegel, Schelling and Fichte which is expounded e.g. in Gabriel & Zizek, *Mythology, Madness, and Laughter*, 2009, and Gabriel, *Transcendental Ontology: Essays in German Idealism*, 2011.

### 4.

Gabriel denies that he knew Vacarius’s writings at all before the latter’s dissemination of the plagiarism charge in the internet. In light of the above, there is no evidence which refutes his statement.

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No outside experts were heard because the Ombudsperson's task is only to assess the *plausibility* of a charge of scientific conduct so that his own expertise – having studied philosophy at Bonn University in addition to law and being accorded the *venia legendi* for philosophy of law – was deemed sufficient for this inquiry.

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#### IV. Disposition

In consideration of the substantial differences between Vacariu's and Gabriel's philosophical positions and arguments, the existing terminological similarities are too tenuous, i.e. too superficial and too incidental, to support the charge of academic misconduct by making improper use of another's published ideas. This charge must therefore be deemed manifestly unfounded.



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Ombudsperson for Good Scientific Practice

Chair in German and International Criminal Law  
and Criminal Procedure, Comparative Criminal Law,  
and Criminal Law History