

Perceptual Normativity and Human Freedom

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Last Modified: December 2, 2005

1. Introduction

Perception is usually understood on a descriptive model: in perceiving, it is said, we picture the world. I would like to introduce, by contrast, a notion of perceptual *normativity*, a notion that, I believe, characterizes perception in its most fundamental form. To understand perception as essentially normative, we will see, requires an unusual understanding both of ourselves and of the world. This understanding emphasizes our receptive capacities over our spontaneous ones, and locates a fundamental kind of human freedom in our capacity to resist the world's authority over us, rather than in our capacity to act as independent and self-legislating agents in it. Though unusual, this understanding is not unprecedented. It finds echoes in the phenomenological accounts of Martin Heidegger and Maurice Merleau-Ponty, for example, at least if these are understood in a certain way. The main goal of this paper, however, is not to defend such an exegetical claim. Rather, I would like to develop and defend the notion of perceptual normativity itself, occasionally referring to the work of these philosophers and others to do so, and to highlight some of the unusual aspects of ourselves and the world that this notion of perceptual normativity encourages us to accept.

On the surface, perhaps, the idea of perceptual normativity is simple enough: we know what perception is, more or less, and we know what norms are, more or less, so how could we not know what perceptual normativity is? It must be a kind of norm that applies to perception. But in introducing the notion of perceptual normativity I will be using neither the term “perception” nor the term “normativity” in its usual sense.

In contemporary philosophical usage the term “perception” refers to a perceptual *experience*. When understood in this way a perception is identified, at least to a first approximation, by its qualitative feel - by *what it's like*, in Thomas Nagel's phrase, to be a perceiver undergoing the experience in question. Canonical examples of perception on this view are the experience of redness, or the experience of pain. Their is a pure qualitative aspect to these experiences, it is said, that identifies them as experiences of the sort they are. Now, not all contemporary philosophers believe that in the end it is right to say that perceptions actually have this purely qualitative aspect to them; some believe, for example, that the putative “raw feel” of an experience can be explained in representational terms.¹ But the going understanding of a perception is nevertheless as something that *seems to have* a pure qualitative aspect to it, even if this can be explained away.

By contrast, I will understand by the term “perception” something much broader than an essentially inner and qualitative experience. As I understand it, perceiving is a

¹ See Harman, Tye, Byrne, and other “representationalists.”

subject's general way of taking account of the world, especially in the context of his skillful activity within it. On this view perception is closer to what Heidegger calls *Umsicht*, or circumspection; literally a kind of "looking around." (???) The phrase "looking around" is misleading, though, since it could indicate that a subject is *looking around for* something, and that in doing so he has a series of qualitative experiences that either match or fail to match the thing he hopes to find; as, for example, when one looks around for one's keys. This is certainly a kind of perception, but it is not what Heidegger has in mind for the phenomenon of *Umsicht*, nor what I will take as the most basic case of perception. A better example is the way one takes account of the environment when one avoids people and other obstacles in walking along a sidewalk or down a path. One can do this while *looking around for* the obstacles, the way one *looks around for* one's keys. But in the most basic cases one takes the environment into account in a much less deliberate and attentive way. Far from involving an infallibly present qualitative feel, therefore, perception as I understand it occurs primarily when one doesn't even notice it at all.

My use of the term "normativity" will be similarly unusual. As traditionally understood norms are external rules against which one measures one's behavior. They are like the Roman builder's square (in Latin *norma*) or his straight edge (in Latin *regula*), the terms from which our words "normativity" and "rule" are derived. A norm or a rule, on this traditional conception, exists prior to and independently of one's activity, the way a square or a straight edge exists independently of the line or angle one draws with it. When one performs a normatively regulated activity, then, one constantly

compares the norm and the activity against which it is measured to ensure that the one conforms to the other. A good example of this kind of normativity occurs when a new law is passed. When airports outlawed the possession of nail clippers on planes, for instance, I experienced the new law as a norm of this external type. I constantly had to remind myself of the law as I was preparing for a trip, continually placing it before me and paying attention to it, in order to ensure that my activity conformed to it. I experienced the law as something independent of my activity and against which to measure its success.

By contrast with this traditional view of norms, I will understand a norm as that from which one immediately feels oneself to be deviating – to a greater or lesser extent – in performing the activity regulated by it. The norm is not experienced as an independent measure against which to compare the activity, on this view. Rather, an essential aspect of the activity is that one immediately feels compelled to perform it in a way that, in Merleau-Ponty's words, lessens a certain tension. When in having a conversation with someone, for example, the person stands too close, one immediately finds oneself backing away in order to make the situation less uncomfortable. There is no pre-existing sense of an appropriate distance at which to stand, as there was a pre-existing existing sense of the new law about nail clippers. Rather, part of what constitutes this as an act of having a conversation of a certain type just is that I immediately feel motivated to respond to the situation by stepping back.

When I say that perception, in its most fundamental form, is characterized by a kind of normativity, then, I mean that perception as a kind of skillful taking account of the environment is characterized by an immediate motivation to lessen tensions that the situation presents. When a subject is motivated immediately by environmental norms in this way, as happens in our most basic kinds of skillful coping activities, she has a peculiarly intimate relation with the world. I am tempted to say that these kinds of basic perceptually guided activities *bind us to or give us direct contact with* the world. This terminology reflects that of disjunctive theorists about perception like John McDowell and Michael Martin. But the metaphor here is phenomenologically misleading. For the binding metaphor indicates that perceiver and world are independent entities that need to be glued together, the way Russell thought subject and predicate need to be glued together in creating a unified proposition. As Russell discovered, though, the problem how two independent entities can be glued together to create a single, unified whole is apparently unsolvable, and in any case it does not account for the phenomenology of perceptual normativity. Another metaphor for the relation between perception and world comes from Merleau-Ponty. In his late work Merleau-Ponty says that there is an *intertwining* of perceiver and world. But this metaphor suffers from the same kind of problem, as if perceiver and world were each independent strands of a rope that somehow get wrapped around one another. The phenomenological facts demand a stronger image than this. The best that I can think of is that in fundamental perception perceiver and world exist *in solution with* one another, the way salt can exist in solution with water. We dissolve into the world in fundamental perception, manifesting its norms immediately in our activity, and in so doing affecting the very norms of which the world is made. But

we are not always in this intimate state. Our particular human freedom, I will argue, consists in our ability to come out of this kind of solution, crystallizing, as it were, both self and world. In what follows I will try to highlight some of the phenomenological features of our normative directedness by the world and the freedom we have to break the world's hold on us.

2. Freely choosing to be bound by the world

In fundamental perception, our taking account of the world in skillfully and absorbedly coping in it, we are, to use Heidegger's phrase from Fundamental Concepts of Metaphysics, *bound* by the world. As I understand it, being bound by the world is a matter of being immediately motivated to respond to its solicitations. The worldly environment, in other words, is a *normative* environment – I immediately experience it in terms of how *well* it allows me to engage in my activities. Take the case of perceiving colors, one of my favorite examples. We never see a color without already seeing it in some lighting context or other, and I have to take account of the lighting context in order to see the color as any color at all. In what way, though, does our perception take account of lighting? As Merleau-Ponty says, we experience the lighting context *normatively* – the lighting leads my gaze to the place where it is best for seeing the color. I take the lighting into account, in other words, by finding myself immediately motivated to move my eyes over *here* to see the color well. If this account is right, then there is a kind of normative self-referentiality to perceptual experience. In seeing a color my

perception involves not only an experience of what color it is, but also an experience of how this very perception of the color could be improved. Even in the simple act of seeing colors, therefore, perception is bound by the normative structure of the environment. I have talked about this kind of normativity elsewhere (in “Seeing Things in Merleau-Ponty”), so I will not say more about it here.

So far, this kind of normativity looks to be something we share with animals. After all, animals must see constant colors in the environment also, and they must do so by taking account of the lighting context. But Heidegger emphasizes an essential difference between us and animals, and I think he’s got something importantly right in his discussion of this. In particular, Heidegger claims that whereas animals are simply bound by the environment, we “freely hold ourselves open to be bound.” There is an important question what this free choice amounts to. Let me try to give an account.

The main difference between us and animals is that we can *resist* our motivation to respond to the environment in a way that animals cannot. Our freedom, then, consists always in *letting ourselves be* bound, simply because whenever we *are* bound by the environment it is a result of our *not having resisted it*. By contrast with Kant, then, Heidegger’s is a kind of negative freedom – a freedom to resist what we are drawn to do. Our spontaneity acts for Heidegger as a check on our immediately motivated response to the environment, instead of creating from whole cloth, as with Kant, an act in the environment, though an act that is subject to the constraints of the moral law. The key thing about us, then, the most basic, and magic act of the free and spontaneous will of

which we are capable, is our capacity to resist the world's hold upon us. To take an example, I can, in the midst of being immediately motivated to walk to the kitchen and make a cup of tea, nevertheless resist this motivation and decide instead to keep working at the computer. This capacity to resist what the world solicits us to do seems to me an essential feature of the way we experience perceptual norms.

Now, there are two interesting facts about the phenomenology of resistance. The first is that in order to *resist* the motivation to act in a certain way one must *notice that* one is so motivated. After all, how is one to resist a solicitation to act that one doesn't even recognize? To resist something, in other words, it must be something that one can *identify*, for otherwise it is nothing that one can stand against. To return to our example, I cannot resist the immediate motivation to walk into the kitchen to make a cup of tea, unless I first notice that I am motivated to do just that. Or to take an example from childhood, to resist the immediate motivation to run across the street without looking, one first needs to notice that *that* is what one is motivated to do. Indeed, learning to act properly in all kinds of social situations requires not merely that one be drawn by the environment to act – a requirement that is satisfied even by animals – but also that one *notice* in what ways one is being so drawn.

But now, there is a second interesting fact. For having *noticed* the solicitation to act, something else immediately follows. Namely, noticing the solicitation is itself sufficient to break its motive force. That's because when you are being solicited by the environment to act, there is no *thing* that you experience as the source of the solicitation.

I am drawn-immediately-to-go-through, in Heidegger's example from the Logic lectures, but it is wrong to say that I experience *the door* as the thing that is drawing me. Once there is a *door* in my experience, I am lost. For to experience some *thing* as the source of a solicitation is no longer immediately to be motivated to act. In short, because noticing a solicitation reifies it, noticing therefore breaks its motive force. In a slogan: a solicitation and its source cannot be experienced simultaneously. The situation is similar to that of Frege's unsaturated concepts: once we turn the solicitation into some *thing* that solicits, it's no longer what it was when it joined environment and absorbed agent in a unified whole. (Also similar to MP's example of one hand touching the other: either the hand is experienced as an object or as a body-subject, but not both.)

With this, then, we have the sketch of a pretty big story on the table. It begins with the Heideggerean claim that our freedom consists in our ability to resist the immediate solicitation to act in the environment. From here it focuses on the phenomenology of resisting immediate solicitations to act. Resisting the solicitation to act requires noticing that one is being so solicited. Noticing this is noticing either the solicitation (which reifies it as a source) or the motivation (which reifies it as a willful desire). Either of these reifying moves – or crystallizing acts, in the terminology of the introduction – has the consequence of breaking the immediate hold of the environment on the absorbed agent. So noticing a solicitation is both a *requirement for* resistance and *constitutive of* it.

Furthermore, this account of our freedom to resist being bound by the world also explains how perception opens the possibility for thought. For once the environmental solicitation is reified as a source or the motivation as a willful desire, these no longer normative powers but entities about which one can think. So learning to resist solicitations to act – which is after all what is required for indoctrination into a social realm – itself enables thought about entities as the source of solicitations and about willful desires as the source of motivations. Both of these kinds of thoughts essentially miss the phenomenon of absorbed agency because of a kind of cover-up. For the very thing that is required for *thinking about* ourselves and the world – namely, resisting the motivation to act by noticing it – that very act of noticing transforms what is noticed into something other than the normative power it was when it was immediately motivating us to act. So by starting with a kind of minimal and negative account of our freedom as the capacity to resist the world, one can generate a whole story not only about the difference between us and animals but also about the relation between perception and thought. I don't take myself to have told this story in any kind of detail here, of course, but hopefully its contours will at least be recognizable.

3. Kant vs. Heidegger on Freedom and Norms

I have talked about the distinction between a solicitation and its source; and we have seen briefly also that there is an analogous distinction between a motivation and a willful desire. In short, environmental solicitations and agential motivations cannot, even

in principle, be noticed. For to notice a solicitation or a motivation is to turn it into an *entity that* solicits or motivates, and to do this is *ipso facto* to strip its motive force. Here is a way, then, in which the phenomenological story differs from Kant's story about the norms of the moral law. For Kant, one would not even count as a self-legislating agent unless one *actively chose* to act in relation to the moral law. Only because the agent spontaneously wills his activity does he have a chance of counting as a self-*legislated* agent. An animal who as a matter of fact performs all and only those actions that accord with the moral law would not count as a *moral* agent unless he in addition performed them *because* they accorded with the moral law. But one cannot choose to perform an action because it accords with the moral law unless one first knows what the action is, then knows what the moral law requires, and finally can judge that the first and the second stand in accord. Kant's view of normativity, in other words, squarely recalls the Roman model. So the phenomenological and the Kantian view have sharply contrasting accounts of the normativity of agency. On the phenomenological account an action is normatively motivated only when the agent *fails* to notice that it is; for Kant, by contrast, one *must* pay attention to one's actions in order for them to count as legislated actions at all.

How sharp, really, is this divide? Perhaps one reason for thinking it is not quite as sharp as I have suggested is this: Kant seems not to be interested in the broad question whether an action is *motivated* but rather in the narrower question whether it is self-*legislated*. So although it is true that Kant and the phenomenologist each has a different role for noticing, this is because they are interested in different phenomena: motivation

and legislation are not the same thing. This observation is accurate but fails to put the issue in its proper context. For at a more general level Heidegger and Kant are interested in the very same phenomena: they are both interested in questions about autonomy and human freedom. And here, although there is a broad similarity, in detail they do have sharply different things to say.

To begin with the broad similarity: both Heidegger and Kant believe we are condemned to be free. For Heidegger the case in which I am genuinely motivated to act, although in a certain sense a case in which I cede authority to the environment, is nevertheless a case of real human freedom. This is not because I *fail* to pay attention to what I'm doing in such a case, but because I am the type of animal that *could have* paid attention had I chosen to. (Or at any rate am the type of animal to whom it could have been given that I pay attention, since noticing is not something that *I* can do.) For Heidegger, then, my action is always free in the sense that it is always properly understood as one that, though perhaps solicited by *the environment*, *I* nevertheless *allowed* to occur. Kant has a version of this as well. On his view, whether I choose to act in accord with the moral law or in abrogation of it my act is free; and free for the very reason that I am the type of animal that has the choice. For Kant, therefore, my action is free in the sense that it is always properly understood as one that flows from or contravenes the moral law.

Despite this broad similarity, however, the choices an agent makes are different in the phenomenological and the Kantian case. For Kant I can choose either to break or

accede to the moral law. In both of these cases I am making a spontaneous, willful choice, one that I need to *notice* in order to choose. It is true that either of these spontaneous choices is properly understood as the act of a self-legislating agent. For I am an autonomous, self-legislating agent not in the sense that I choose only lawful actions, but rather in the sense that I always understand my actions in terms of their lawfulness or lack thereof. But for Kant the essential point here is that both of these are actions that I know myself to make. On the phenomenological account, by contrast, my choice is different. According to the phenomenologist, either I choose to resist a solicitation or I *fail to choose* to resist it. The second of these is not a spontaneous, willful choice of the sort Kant was interested in, but rather the *absence* of such a choice. Once again, the Kantian move is made: for whether I choose or fail to choose the path of resistance, I will properly be understood as an agent whose act is free. But for the phenomenologist the essential point is that knowing myself as the agent of the act is not required.

Notice that there is a funny reversal of positions here. Kant, in trying to show that the moral agent is a *self-legislator*, emphasizes how much the *moral law itself* is the cause of his actions. I would not count as a moral, self-legislating agent for Kant, unless I performed my actions *because they were demanded by* the moral law. Heidegger, by contrast, is trying to establish the world as a basic motive force. In doing so, however, he emphasizes that it is only because *I freely allow it to effect me* that there is anything like a genuine world at all. For after all animals are world-poor, as Heidegger says, and that is precisely because they lack the freedom to allow the environment to effect them in the first place. So Kant, who is trying to establish the authority of the self, ends up ceding it

to the moral law, whereas Heidegger, who is trying to establish the authority of the world, ends up grounding it ultimately in the agent's autonomy. Not exactly the way you'd have expected it. The story gets even funnier when we realize that for Heidegger the agent's autonomy is really not his own anyway. I'll conclude with this difficult point.

4. Human Freedom versus Worldly Breakdown

The phenomenological story I've sketched so far involves moving from the kind of sensitivity to environmental norms that is involved in skillful absorbed coping to the kind of detached experience of an independent world that one can have when one is paying attention to it. In the metaphor from the introduction, it involves the crystallization of self and world. This movement, of course, is one that is familiar already from Being and Time. But it is worth pointing out that the way of making the movement that I've proposed here is not the familiar one. For the Heidegger of Being and Time it is the world that normally acts to push me out of absorbedly coping with it. The movement from readiness-to-hand to unready-to-hand, for example, always occurs as a result of breakdowns that occur in the environment. The hammer is too heavy for the task, the pen no longer writes, the keys aren't available, and so on. Now, it is certainly true that when the world fails to cooperate I can no longer cope with it absorbedly. But the source of the movement in the story as I have told it not the world but the coping agent himself. That is why this is a story about human freedom, rather than a story about worldly breakdown. The movement from absorbed coping to attentive observation is the same, but the source of the movement is us rather than the world.

Still, it is not quite right to say that *I* am the source in any traditional sense. For the examples we have in mind are all examples in which we move from immediately being motivated to act by environmental solicitations to *noticing that* we are being so motivated. And this kind of noticing is not, strictly speaking, something that *I* can do. That is because in motivated agency there is no *I* to do the noticing. What we are considering is something like the birth of the self, and the self can't be implicated in its own conception. To see this point more clearly, think of the phenomenology of movement. Thinking about the phenomenology of these kinds of transitions one can only say that *one notices*, not that one *decides to* or *chooses to* notice; indeed, perhaps all that one can say is that all of a sudden *I find myself* noticing my activity and the environment towards which it is directed. It is as if the noticing is given to one from nowhere, created *ex nihilo*, just as the breakdown in the environment was. There is no experienced *source* of a breakdown – the pen just stops working. So too there is nobody who *decides to notice*, just noticing being given to one. Only after the movement has been made out of motivated agency is there any sense in talking about someone who decides to act.

Heidegger does talk about our freely choosing to be bound by the environment, but again I think he means something merely negative here. My experience of environmental norms is always such that resistance could occur, and this differentiates me from the animals. And to the extent that the norms continue to hold me, there is a sense in which I have allowed them to do so. But this is an extremely attenuated account of free choice. The freedom I have in choosing to be bound by the environment is merely

the freedom involved in being the kind of being to whom it could be given that I find myself no longer being bound. The picture one ends up with, then, is one in which our spontaneity, our freedom, is in the most basic case completely outside our control. But because we are the kinds of beings to whom this freedom is sometimes given, we are not only responsive to the world's demands, but also capable of seeing them as such.