

Varieties of the Transcendental

Transcendental Arguments and Transcendental Description



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Abstract

Transcendental claims offer necessary, universal, and a priori conditions for the possibility of various phenomena (cognition, perception, language etc.). The current discussion in epistemology takes transcendental arguments, specifically, to serve as refutations of skepticism. However, despite the critical intentions with which they are deployed, transcendental arguments run into problems centering on undeclared metaphysical presuppositions. The aim of this thesis is to challenge these dogmatic presuppositions and to liberate the transcendental from its narrow and problem-ridden focus in epistemology by turning to transcendental themes in the descriptive philosophies of Merleau-Ponty and Wittgenstein. While anti-skeptical transcendental accounts in epistemology are forced to posit strong and metaphysically charged conditions in order to refute the skeptic decisively, this thesis argues that Merleau-Ponty and Wittgenstein, by transforming the notions operative in transcendental claims – necessity, universality, and apriority – offer a non-metaphysical orientation for transcendental claims. In order to restore the critical impulse Kant once sought in transcendental considerations, this thesis details the basic elements of a pluralist and non-dogmatic transcendental perspective.

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Abbreviations

- BT** Heidegger, Martin. 1962. *Being And Time*. Translated by John Macquarrie and Edward Robinson. Oxford: Blackwell.
- CPR** Kant, Immanuel. 1999. *Critique of Pure Reason*. Translated and edited by Paul Guyer and Allen W. Wood. Cambridge: Cambridge University Press.
- PP** Merleau-Ponty, Maurice. 2012. *Phenomenology of Perception*. Translated by Donald Landes. London: Routledge.
- PrP** Merleau-Ponty, Maurice. 1964. "The Primacy of Perception and its Philosophical Consequences." In *The Primacy of Perception: And Other Essays on Phenomenological Psychology, the Philosophy of Art, History and Politics*, translated and edited by James M. Edie, 12-42. Evanston, IL: Northwestern University Press.
- PSM** Merleau-Ponty, Maurice. 1964. "Phenomenology and the Sciences of Man." In *The Primacy of Perception: And Other Essays on Phenomenological Psychology, the Philosophy of Art, History and Politics*, translated by John Wild, edited by James M. Edie, 43-95. Evanston, IL: Northwestern University Press.
- MS** Wittgenstein, Ludwig. 2000. *Wittgenstein's Nachlass: The Bergen Electronic Edition*. Edited by The Wittgenstein Archives at the University of Bergen. Oxford: Oxford University Press.

- OC** Wittgenstein, Ludwig. 1975. *On Certainty / Über Gewissheit*. Edited by G. E. M. Anscombe and Georg Henrik von Wright. Translated by Denis Paul and G. E. M. Anscombe. London: Blackwell
- PI** Wittgenstein, Ludwig. 2009. *Philosophical Investigations / Philosophische Untersuchungen*. Edited by P. M. S. Hacker and Joachim Schulte. Translated by G. E. M. Anscombe, P. M. S. Hacker and Joachim Schulte. London: Blackwell.
- RPP** Wittgenstein, Ludwig. 1980. *Remarks on the Philosophy of Psychology / Bemerkungen über die Philosophie der Psychologie*. Volume One. Translated by G. E. M. Anscombe. Edited by G. E. M. Anscombe and Georg Henrik von Wright. London: Blackwell.
- RFM** Wittgenstein, Ludwig. 1981. *Remarks on the Foundations of Mathematics / Bemerkungen über die Grundlagen der Mathematik*. Translated by G. E. M. Anscombe. Edited by G. E. M. Anscombe and Georg Henrik von Wright. London: Blackwell.

Introduction

“There is room for words on subjects other than last words.”

(Nozick 1999, xii)

Transcendental considerations aim to reveal the background of what we uncritically take at face value. It is thus often observed that the transcendental and the critical are inseparable (e.g., Apel 1980; Mohanty 1985; Sacks 2000). Kant famously contended that the transcendental is opposed to dogmatism due to its convergence with the critical.¹ While dogmatic positions refrain from questioning their basic principles, critical reflection flags overambitious reasoning and unjustified items of belief. In Kant’s hands, criticizing overambitious reasoning, for instance, means to point to the limits of objective thought, that is, to set constraints on possible knowledge. In recent interpretations, the transcendental has gained prominence as an argument that is anti-skeptical. Transcendental arguments reveal to the skeptic her own uncritical attitude by demonstrating that what she denies or doubts is a condition for the possibility of what she accepts. As such, the transcendental is an important philosophical tool, one of the available methods of critical self-reflection. Ironically, however, recent discussions

1 The transcendental and the critical arguably precede Kant’s critical philosophy. Descartes’ ontological proof and Aristotle’s law of non-contradiction are, according to some, examples of transcendental argumentation (Bardon 2005). Scholasticism disputed the different question whether transcendentals like “true,” “good,” or “one” were necessary umbrella terms to put ontology on a sound footing. Similarly, it is fair to say that from very early on, philosophy is wedded to the process of considered opinion-formation, that is, to the activity of judging and distinguishing which Plato’s Socrates calls “*krinein*” and which is opposed to blindly accepted views, to *doxa* (Plato 1992). While the latter approach may be considered critical without being specifically transcendental, the Scholastic concern with transcendentals is not specifically critical.

have accused the transcendental, especially in its epistemological use as a transcendental argument, of collapsing into various forms of dogmatism (Kuusela 2008b; Westerlund 2014). One unexpected outcome of this discussion is that the transcendental and the critical can come apart after all.

The aim of this thesis is to recover the connection between the transcendental and the critical. I will begin with a diagnosis of the problems that plague transcendental arguments by examining the characteristic terms that are operative in a transcendental claim – necessity, universality, and apriority² – and offer an alternative transcendental approach that follows insights from the descriptive philosophies of Merleau-Ponty and Wittgenstein. What I call descriptive philosophy is committed to an approach that does justice to our everyday experience instead of retreating to metaphysical constructions. On the one hand, my characterization of the descriptive follows Strawson’s usage in *Individuals* in that Merleau-Ponty’s and Wittgenstein’s perspectives are not revisionist (1959, 9). On the other hand, by calling their approaches “descriptive,” I want to highlight that their approaches are not argumentative in the classical philosophical sense. Merleau-Ponty and Wittgenstein, each in their own way, try to do justice to the diversity and plurality of our everyday experiences and practices instead of presenting non-revisionist metaphysical arguments as Strawson does. Of particular importance to my thesis is the alternative (and critical) perspective on the central notions of necessity, universality, and apriority that these descriptive approaches open up.

I will begin on a critical note and argue that as things stand in the prevailing epistemological discussion, the problems of dogmatism that beset transcendental

2 The validity of each of these philosophical notions and their combination has been questioned, especially, the relation between necessity and a priority (Kripke 1980). Presenting an account of these terms independently of the transcendental is beyond the scope of this thesis. Therefore criticisms and responses with respect to these terms will be raised only within the context of the transcendental claims. I will not offer a separate defense or critique of these terms.

arguments can be traced to a metaphysical understanding of the operative concepts of necessity, universality, and apriority. After examining various criticisms leveled against these notions, and demonstrating that standard responses have failed to provide workable alternatives, I will turn to Merleau-Ponty and Wittgenstein. As will emerge, the criticisms advanced against transcendental arguments, especially the charge of dogmatism, can be met by Merleau-Ponty and Wittgenstein's descriptive treatment of the transcendental. This treatment restores the critical impulse to transcendental claims that drops out of view in the epistemological debate.

Although it is a common assumption that transcendental arguments originate in Kant's *Critique of Pure Reason*, it is important to note that Kant himself never referred to any of his arguments as "transcendental arguments." Rather, the notion of transcendental arguments first came to prominence in the analytic tradition, in particular the work of Strawson (1966). Strawson held that the real merit of Kant's *Critique* was not its comprehensive metaphysical aspiration but its so-called analytic facet: those arguments that give us conditions for the possibility of thought and experience. The ensuing discussion associated transcendental arguments and their prospects firmly with their anti-skeptical use in epistemology (Stroud 1968; Strawson 1985; Stern 1999, 2000; Sacks 2000). Thus, the notion of transcendental arguments is the product of a selective reading of Kant, which rejects dogmatic aspects of his metaphysics like his transcendental idealism and his reliance on 18th century faculty psychology yet retains central motives of his philosophical strategy (Strawson 1966).

If this selective reading of Kant is followed through, at least in intention, transcendental arguments are putatively metaphysically parsimonious. They are deductive arguments that begin with an uncontroversial premise to which the skeptic agrees (e.g., the fact of self-consciousness)³ and argue that what the skeptic doubts (e.g.,

3 Subjects are conscious of the experiences they undergo as their own experiences, or they

the existence of external world objects) is a necessary condition for the possibility of the uncontroversial premise. What distinguishes these arguments from just any argument that supplies necessary conditions is the second, modalized or transcendental, premise. The second premise that carries anti-skeptical force is a priori, necessary, and universal, and serves the role of constituting or enabling the first premise.⁴

Even in the more recent literature, transcendental arguments have been predominantly characterized as anti-skeptical arguments of modus ponens form (Stern 1999, 27). This anti-skeptical framework places various constraints on transcendental arguments. As anti-skeptical, they must be advanced as presuppositionless arguments that rely exclusively on the strength of their deductive force. An argument that rests on a set of background commitments in order to succeed will not refute the skeptic, because the skeptic is free to reject any particular background commitment on which such an argument might depend.⁵ For this reason, an anti-skeptical transcendental argument must begin with a slender premise, such as the mere fact of self-consciousness, without assuming philosophical commitments the skeptic could deny. The prevalent description of transcendental arguments as a modus ponens structure reflects their putative simplicity; transcendental arguments are supposed to be “error-

are conscious of the beliefs they hold as their own beliefs.

- 4 For Kant, necessity and universality are two criteria that any judgment must fulfill if it is to be considered a priori. Throughout the *Critique* Kant draws our attention to the intimate connection between necessity, universality, and apriority, contrasting these features with contingent, comparative/relative, and a posteriori designations (e.g., CPR B4-B5, B25; See Chapter 2, Section 1).
- 5 For instance, to take an example from Kant (the Refutation of Idealism), proving the reality of physical objects to a Cartesian (external world) skeptic by appealing to objects in empirical reality, as constituted by pure forms of intuition and the categories, will not be sufficient to meet the skeptic’s challenge. The concepts governing such an account, and thus constituting its framework, would presuppose the truth of transcendental idealism, so that it would be a metaphysical position, which the skeptic is free to dispute, that would do the anti-skeptical work.

proof” arguments that “force” the skeptic to accept an anti-skeptical conclusion.⁶ If the skeptic accepts the first premise, but denies the conclusion, the skeptic can be charged with self-incoherence, since the conclusion is a necessary condition for the possibility of what the skeptic accepts.

If they succeed, it is clear why transcendental arguments might be a powerful resource against skepticism. As they begin with what the skeptic accepts, they do not bring any philosophical baggage with them. Thus one could characterize such arguments as undogmatic and non-authoritarian. Dogmatism can be defined as the attempt to “impose on someone a philosophical dogma to which this person is not committed by anything she says or thinks, and so on” (Kuusela 2008, 62).⁷ Because transcendental arguments begin with what the skeptic accepts, its proponents could be thought to be sensitive to the problem of dogmatism and implicit coercion by offering a *common* starting point.

If we take another look, however, the argumentative strategy that transcendental arguments embody seems at odds with their non-dogmatic and non-authoritarian intent.

6 “If the transcendental argument can be made to work [...] it has the advantage of being a deductive strategy, and thus error-proof – where it can be taken for granted that a skeptic who questions our reliance on the laws of logic has taken a step too far, even for a skeptic” (Stern 2007, 149). Transcendental arguments are supposed to be error proof due to their logical form; if the premises are true, it is logically impossible that the conclusion is false.

7 It is interesting that Kuusela's conception of dogmatism echoes Nozick's observations about the rational coercion philosophical arguments exert: “A philosophical argument is an attempt to get someone to believe something, whether he wants to believe it or not” and its coercive features are characterized strikingly in terms of “power,” and “force,” as well as the terms “knockdown” and “carrying punch” (1981, 4). While it is common to refer to those who reject rational arguments as dogmatic, it is worth questioning whether reasons or deductive proofs are, indeed, non-dogmatic and can be coercive in their own way. By tying truth to reason alone, an emphasis on rationality dogmatically denigrates other sources of conviction or motivation.

They claim to “*force*” the skeptic to accept the desired anti-skeptical conclusion by showing her something necessary about her own position. We may think that their impact on the skeptic can be reconciled with the non-dogmatic or non-authoritarian requirement by the Habermasian idea of the “forceless force of the better argument” (1975, 108). Better arguments convince hearers because they make sense of a proposed course of reasoning without resorting to indirect techniques of persuasion or implicit pressures that ask for a non-literal understanding of the argument. Habermas argues, however, that for the latter to prevail, further conditions must be met. For example, each participant in the argument must be equal insofar as each has “the capacity to raise and challenge validity claims” (Dryzek 2000, 70; Habermas 1990, 87). In order to have this capacity, participants are required to make the premises and presuppositions of their contributions transparent. If an argument brings in latent presuppositions, or a string of hidden premises, then it cannot retain its claim to being non-dogmatic, because it impairs the capacity of participants to raise and challenge validity claims.

Transcendental arguments, however, despite their non-dogmatic appearance, carry implicit and undeclared commitments that have long been a source of criticism (e.g., Stroud 1968, Körner 1967, Kuusela 2008, Westerlund 2014). These commitments are not fully available to the skeptic, because the notions that are distinctive of transcendental arguments – necessity, universality and apriority – are taken for granted. It is, of course, not always necessary to justify our basic philosophical notions. In the context of transcendental arguments and their putative non-dogmatism, however, it is not enough to claim that transcendental arguments begin with a starting point that is shared by the skeptic, which critics contend they do not supply anyway (Kuusela 2008). It is essential that the philosophically substantive concepts involved in the modalized premise – necessity, universality and apriority – on which the argument turns, are acceptable to the skeptic. The transcendental becomes uncritical and dogmatic, because

it fails to reflect on precisely these presuppositions. These presuppositions are all the more problematic given that metaphysics itself is a form of dogmatism. The principal target of Kant's critical philosophy was traditional metaphysics, which attempted to derive knowledge from pure a priori principles through reason, but fell into dogmatism because it lacked "an antecedent critique of its own capacity" (CPR Bxxxv). However, Kant's own attempt was to *secure* metaphysics by laying out the subjective principles of knowledge and cognition, which give us constraints on cognition and knowledge. There is, however, a type of dogmatism in asserting one final truth, as metaphysics – in general -- aims to, and closing off the possibility of plural ways of understanding experience or seeing phenomena. Metaphysics is dogmatic because it claims authority over what is true and what must be the case, and thus invalidates any alternative position on a given subject matter. Both these forms of dogmatism, first the dogmatism of tacit presuppositions and second the dogmatism of metaphysics, come together in transcendental arguments.

Therefore, it is especially hard for anti-skeptical transcendental arguments to shake off dogmatism. As I will argue in the first part of this thesis, their inherent dogmatism can be traced to their assigned epistemological purpose of undermining or refuting skepticism once and for all. In order to do so, they are forced to give strong metaphysically charged conditions. Barry Stroud's (1968) seminal criticism of what came to be known as *ambitious transcendental arguments*, which attempt to refute skepticism about the external world, highlights that they are flawed due to their unwarranted reliance on an inference from facts about us to metaphysical reality. This unwarranted inference is all the more problematic, because, as we will see in detail, it is backed by an unexplained notion of necessity that the skeptic may reject.

This criticism prompted reformulations of transcendental arguments that came to be known as *modest transcendental arguments*, which target types of skepticism that

raise doubts about whether we are licensed to extend existing epistemic norms (inference, perception, etc.) to particular *beliefs* (that there are mind-independent objects or that there are other minds) (Stern 1999, 2000). In order to accommodate Stroud's criticism, such arguments only make inferences between facts about us. However, despite the wide variety of uses to which transcendental claims are put, little work has been devoted to examining the concepts distinctive of a transcendental claim – an appeal to necessity, universality, and a priority – in light of the problems and prospects of transcendental arguments. It is assumed that while ambitious transcendental arguments need to refute skepticism by making metaphysical claims concerning the existence of, for instance, external world objects, modest arguments only need to point out that certain beliefs are licensed by our epistemic norms. A modest transcendental argument does not need to prove what we believe exists, because the skepticism it targets concerns whether our beliefs are justified or aligned with epistemic norms. If it can be shown that they are, the skeptic has been refuted. In other words, ambitious transcendental arguments are world-directed, since they attempt to prove what exists. Modest transcendental arguments, on the other hand, are self-directed, as they attempt to prove how we must believe. As I will argue, however, the metaphysics involved in transcendental arguments and claims renders the transcendental dogmatic even in the modest case, because it holds that truths about us or how we must believe can be established once and for all. Such a claim is dogmatic, because it rules out alternative ways of understanding our experiences and ourselves and is, in that sense, opposed to a critical philosophical spirit. The future of the transcendental lies, as I will argue, in a post-metaphysical direction that takes contingency as well as plurality seriously instead of favoring static metaphysics over our dynamic and lived situation.

The thesis is divided into two parts. The first part aims at diagnosing the problems associated with transcendental arguments and the second attempts to provide a

reformulation of transcendental claims. In Chapter 1, I will argue that anti-skeptical renditions of transcendental arguments, which claim to carry no implicit background commitments that the skeptic can find problematic, make, in both the ambitious and modest case, a substantive and ultimately indefensible claim to necessity. I will argue that once we examine the operative notions of the modalized premise, it turns out that because of their strength, modest transcendental arguments are as metaphysically charged as ambitious transcendental argument. Because the necessity of transcendental claims remains unrevised in its modest construal, it retains its original metaphysical strength. It is, as I hope to show, a faulty assumption to hold that truths about us are less metaphysical than truths about reality, as the distinction between world-directed and self-directed transcendental arguments attempts to assert. Kant's idealistic metaphysics, for example, can be understood as self-directed since it gives us the necessary *subjective* framework of experience, but it is still a form of metaphysics and has dogmatic problems of its own for that reason (Strawson 1966). The arguments of Chapter 1 will lead to the conclusion that transcendental arguments do not in fact stand on the strength of their deductive force and that a broader examination of their necessity, universality, and apriority is unavoidable.

Chapter 2 will take up this point and begin by analyzing Kant's own definition of the transcendental, which provides us with a detailed account of the transcendental and the inseparable relation of necessity, universality, apriority as well as the notion of "conditions of possibility," i.e., the enabling role of transcendental conditions. I will then examine a seminal criticism of transcendental universality, which is scarcely discussed in the literature, Stephan Körner's uniqueness argument. Körner argues that universality (as well as necessity and apriority) implies that a set of conditions *uniquely* organizes experience, such that the possibility of all experience of that kind depends on one encompassing conceptual scheme. As Körner shows, however, this claim to

uniqueness is impossible to justify. Transcendental arguments need to supply unique conditions in order to retain anti-skeptical force; if it is conceded that other conditions can render skeptical doubts possible, then the skeptic can reject the condition carrying anti-skeptical force in favor of alternatives. The anti-skeptical context, thus, rules out reformulations of the notion of necessity and universality. I will conclude the chapter by introducing the notion of *descriptive* philosophy, which, as I will argue in Chapters 3-5, can revise the meaning of the transcendental more liberally since it is not committed to the anti-skeptical task, common to both ambitious and modest transcendental arguments, of legitimizing or validating knowledge claims.

The second part of the thesis – Chapters 3, 4, and 5 – will turn to prospects for the transcendental outside the standard epistemological focus on skeptical issues. I will argue that the descriptive philosophies of Merleau-Ponty and Wittgenstein can give renewed impetus to the transcendental. The transcendental, in this new sense supplies conditions of possibility that aim to remain faithful to the openness and dynamism of lived experience. Once the dogmatism of metaphysical commitments alongside illicit claims to uniqueness is expunged, the transcendental, I will argue, can be made critical.

Chapter 3 will take up the connection between the transcendental a priori and transcendental idealism. If the a priori is interpreted according to Kant's original definition, according to which the a priori is absolutely independent of experience and has its genesis in the subject, the transcendental is inexorably tied to some form of transcendental idealism.⁸ In other words, the usual perception is that because transcendental claims usually invoke subject-involving experiences or conceptual capacities, they express commitments to a form of idealism. The relation between transcendental arguments and transcendental idealism is significant, because the

8 The view that we constitute and organize experience unilaterally, and thus, we do not experience the world as it is in itself, but only through our own epistemic conditions.

possibility of a non-metaphysical interpretation of the transcendental turns on our ability to dissociate the transcendental from transcendental idealism, which, after all, is a metaphysical doctrine. I will address this issue through a critique of two opposed readings of Merleau-Ponty's phenomenology, one that argues there is ultimately no room for the a priori in his account of embodied experience (Smith 2005; Inkipin 2017; Reynolds 2017) and another that connects Merleau-Ponty's conception of the a priori with transcendental idealism (Zahavi 2008; Baldwin 2013; Gardner 2015). We will see that both readings miss a crucial aspect of Merleau-Ponty's take on transcendental themes. Contrary to them, I defend the view that Merleau-Ponty, while relying on a priori insights, holds that the world is *co-constitutive* for embodied experience. That is, he does not place its origin in the subject alone and therefore does not endorse transcendental idealism. Because this move indexes constitution to the situation of the body-subject in the world, that is, to facticity, it opens the transcendental to a special kind of contingency that Heidegger described as the fact that we are "always already" there. This perspective, however, does not entail that there is no room for necessity in Merleau-Ponty's transcendental account. Rather, necessity is grounded on contingency, so that the dynamism and openness to change of this new conception of the transcendental is at no loss to its function as a condition of possibility.

Similar motives which suggest a transformed transcendental can be made out in Wittgenstein's late work. Hence Chapter 4 will develop a Wittgensteinian account of the transcendental. In his last work *On Certainty*, Wittgenstein takes issue with the usual epistemic understanding of certainties as indubitable knowledge claims which serve as the foundation of other, contingent, knowledge claims. He challenges this usual understanding by interpreting certainties as non-epistemic statements, which are exempt from questions of truth or justification. As I will argue, Wittgenstein conceives of certainties at the same time as a background for knowledge so that certainties can be

interpreted as non-epistemic conditions for the possibility of knowledge claims. Significantly, Wittgenstein offers further avenues to understanding the transcendental in a non-dogmatic way by indexing the transcendental to a mode of representation (one way among others of seeing or representing the object of our inquiry) in order to clarify philosophical confusions. If we follow this methodological insight through, the transcendental can be understood as the feature of a philosophical model. As a result, the necessity, universality, and apriority of transcendental conditions is not an ontological or metaphysical feature of the phenomenon we are describing, but belongs a philosophical model which aims to clarify the dispute between the skeptic and her interlocutor by providing an alternative way of understanding the nature and relation of certainty and knowledge.

Bringing together insights of the previous chapters, Chapter 5 will return to the problems facing transcendental arguments in order to assess whether Merleau-Ponty and Wittgenstein's accounts can circumvent the challenges laid out in Chapter 1 and 2. I will argue that because neither Merleau-Ponty nor Wittgenstein attempt to make inferences from facts about us to facts about reality, whether of the world or the self, in different ways, and because the necessity operative in their account is indexed in Merleau-Ponty's case to the phenomenal field and in Wittgenstein's case to philosophical problems, they do not ontologize transcendental conditions. Further, since neither upholds the scheme/content distinction, they do not succumb to a view of universality that claims to uniquely organize the contents of experience. Instead, they both hold that various ways of understanding phenomena are possible, though some ways lead to difficulties or have shortcomings. Finally, because for Merleau-Ponty and Wittgenstein the a priori does not have a subjective genesis, their transcendental account is not committed to a form of transcendental idealism. The chapter will conclude with an account of the new transcendental, namely, transcendental description, while

attempting to resolve tensions between the transcendental and the descriptive. According to Westerlund (2014), for instance, transcendental conditions are essentialist in such a way that they cannot be made compatible with description, for it is not clear how descriptions of particular cases can yield general conclusions. Furthermore, the subjectivist (or idealist) tendencies of transcendental thought entail, according to Westerlund, a dogmatic privileging of subjective acts of constitution over objective experience. As I will argue the multiple indexing examined in Chapter 3 and 4, show us that the generality of transcendental claims is not absolute and therefore not essentialist. According to Kuusela (2008), transcendental claims turn on a particular way of understanding what unifies concepts, by holding that Y is necessary to all instances of X. As Kuusela argues, this position is not defensible, because there are many other ways that the unity of concepts can be understood. As I will contend in return, the indexing of transcendental conditions in the work of Merleau-Ponty and Wittgenstein successfully meets this objection, by remaining open to the plurality of understanding phenomena. Understanding the transcendental in this non-metaphysical way opens up new critical possibilities for the transcendental that recent literature has neglected. As I hope this thesis will show, the transcendental, once modified, is a critical tool worth retaining in the philosopher's toolkit.

Part I

Transcendental Arguments

Chapter 1

Transcendental Arguments in Epistemology: Ambitious and Modest

Introduction

The aim of this chapter is to examine influential instances of transcendental arguments, to understand some of their underlying motivations, and to provide an account of one of the most persistent criticisms directed against them. In the first section, I will examine an *ambitious transcendental argument*, Strawson's reading of Kant's Transcendental Deduction. Ambitious transcendental arguments attempt to refute strong forms of skepticism, such as skepticism about the external world and other minds by establishing the truth of external reality or other minds. In the second section, I will turn to a critical assessment of ambitious transcendental arguments. Critics like Stroud (1968), in his seminal paper "Transcendental Arguments," contend that ambitious transcendental arguments, including Strawson's interpretation of Kant's Transcendental Deduction, are defective because of three interrelated reasons. They involve: a) *unwarranted inferences to reality*, b) *a problematic notion of necessity*, and c) *inevitably become redundant once a resolution to these problems is attempted*.⁹ In the third section of the chapter, I

9 I will add an additional criticism to the existing ones in future chapters: (d) transcendental arguments work with an unexplained notion of apriority. This point is generally overlooked due to the proximity of necessity and apriority. It will become obvious as the argument unfolds why distinguishing points (b) and (d) is relevant.

will evaluate *modest transcendental arguments* that aim to overcome these criticisms by targeting a different form of skepticism, one that contends our methods for justifying certain beliefs are incorrect or do not align with accepted epistemic norms (induction, perception etc.). The resultant modest argument only needs to show that our methods of justification are correct or aligned with our epistemic norms, and, thus, does not need to establish the truth of what we believe. As I will show, however, Stroud's criticism cannot be overcome by modest approaches, because they leave unrevised the notion of necessity that implicitly carries an inference to reality, this time the reality of our own constitution. Ultimately, both ambitious and modest transcendental arguments depend on an unwarranted inference from facts about us to facts about the metaphysical reality of the world and the self respectively.

1. Ambitious Transcendental Arguments

Let us first begin with a paradigmatic example of transcendental arguments, Strawson's reading of Kant's Transcendental Deduction. Strawson presents Kant's position in the Transcendental Deduction (CPR B129-169) as an argument to the effect that self-consciousness presupposes the existence of external objects, a proof that he takes to be independent of and salvageable from Kant's broader philosophical program.

Kant's Transcendental Deduction belongs to the Transcendental Analytic where Kant gives an account of the concepts of the understanding, such as causality, substance, possibility etc. Kant distinguishes between two questions that can be raised with regards to concepts. The first is concerned with the *fact* (*quid facti*) of our use of concepts, the second with their *justification* (*quid juris*) (CPR B116). The former takes for granted that we employ certain concepts in experience and merely elucidates how we come to have them. Locke's theory of ideas, as Kant points out, exemplifies the attempt to answer the question of fact, showing how beginning with individual

perceptions we come to have general concepts (CPR B119).

The question of fact is distinguished from the question as to whether these concepts are *legitimate*. Giving a justification of our possession of empirical concepts amounts to conducting an empirical deduction: showing how concepts are acquired from perceptions (CPR B117). For instance, we have concepts such as “fate” or “fortune;” an empirical deduction would ask whether such a concept is factually justified, whether we are factually *entitled* to it (CPR B116). Raising this question of justification, we come to realize that the concept of fate is suspect, because it does not have the grounds we expect justified concepts to possess, namely a sound basis in experience.

While the Metaphysical Deduction in Kant’s *Transcendental Analytic* establishes the fact of our use of concepts, the *Transcendental Deduction* is an attempt to answer the question of their *legitimacy*. The concepts of the understanding are a priori, that is to say their source is the understanding of the subject and not empirical or sensory experience (CPR B93; Strawson 1966, 88). For this reason, an empirical deduction cannot tell us anything about their justification.¹⁰ Since these concepts are not derived from experience or abstracted from experience, it might seem “contradictory and impossible” that these concepts nonetheless relate to objects of experience (CPR A95). Kant puts this problem in the following way: how can subjective conditions of thought (a priori concepts of the understanding) have objective validity (apply to objects of experience) (CPR B112)? Kant endeavors to legitimate concepts of the understanding as having objective validity, i.e., applying to objects of experience, by laying out our necessary, universal, and a priori entitlement for the use of these concepts.¹¹

10 “To seek an empirical deduction of them would be entirely futile work, for what is distinctive in their nature is precisely that they are related to their objects without having borrowed anything from experience for their representation” (CPR B118).

11 As Kant explains, an additional reason that we cannot appeal to empirical regularities in

There are two ways to read the Transcendental Deduction, *progressive* and *regressive*.¹² The transcendental argument that Strawson extracts from Kant is a progressive (and potentially anti-skeptical argument), because it rests on a thin premise about our experience (that it is self-consciousness), from which the possibility of objective knowledge (the existence of mind-independent objects) is deduced. A regressive argument, by contrast, moves from the fact of such knowledge to its preconditions in the mind (Ameriks 2003). According to regressive readings, if we accept the possibility of empirical knowledge, we must also accept what is necessary for it, i.e., the categories of understanding.

Strawson interprets the Metaphysical Deduction as stipulating the concepts that are employed in any thought about the world. On his view, the Transcendental Deduction effectively reaches the same conclusion. So as not to be redundant, Strawson argues, the Transcendental Deduction must give us different premises for the same conclusion (1966, 85-86). In other words, on Strawson's reading, Kant must demonstrate that the concepts of the Metaphysical Deduction are necessary for the possibility of experience. More will be involved in advancing this thesis, crucially, the notion of self-consciousness and the existence of objects to which concepts correspond. On the whole, however, Strawson takes Kant's conclusion to be that *knowledge of objects is a necessary condition for the possibility of self-consciousness*. As Strawson puts it, "A major part of the role of the Deduction will be to establish that experience necessarily involves knowledge of objects, in the weighty sense" (Strawson 1966, 88). What Strawson might mean by the remark "knowledge of objects, in the weighty sense"

order to abstract concepts is because such an attempt will only give us contingent rules or concepts and never necessary and universal ones (CPR B123-125).

12 Strawson, along with Jonathan Bennett (1966), and Robert Paul Wolff (1963) are considered to be the key proponents of a progressive reading of the Transcendental Deduction. Karl Ameriks (2003) is a proponent of the regressive reading.

will be discussed in what follows.

In order to analyze Strawson's argument, let us begin with the requirement that our sensible representations, to which Kant refers as the "manifold of intuition," have to be combined to give us experience. This is what Strawson calls "the fundamental premise" of the Transcendental Deduction, namely that "the diverse elements (intuitions) must somehow be united" (Strawson 1966, 87). In other words, empirical knowledge requires the subject to combine sense input into a unified experience, and the Transcendental Deduction will demonstrate that concepts figure among the necessary conditions for this unity. This combination is not given by the manifold of intuition itself, but "can only be executed by the subject" (CPR B130). Kant contends that a special kind of unity, higher than the categories, is required for this combination. He calls this unity the unity of apperception.

The unity of apperception, or *I think*, which for Kant is synonymous with self-consciousness, unites the manifold of intuition by bringing them under a rule or a concept, and, as Strawson explains, also lays the ground for what can count as possible experience. That the unity of apperception draws limits for possible experience can be clarified, as highlighted by Strawson, by reference to its tautological character: "The I think must be able to accompany all my representations; for otherwise something would be represented in me that could not be thought at all, which is as much as to say that the representation would either be impossible or else at least would be nothing for me" (CPR B131-132). In other words, *my representations must be my representations* if they are to be anything to me; representations that belong to me must be *ascribable* to me. The tautology above (*my representations must be mine*) effectively sets a limit for possible experience:¹³ *for an experience to be an experience for me, I must be able to*

13 Kant attributes various features to the unity of apperception. Apperception is "original" which is to say that there is only one "I think," a presentation that is "one and the same in

reflect on my experience as my experience.

In order to represent my experiences as mine, Strawson's argument goes, I must be able to distinguish between *how things appear to me* (subjectively valid judgments) and *how things are* (objectively valid judgments). An objectively valid judgment, according to Strawson, gives us "experiences or awareness of objects" (1966, 98). Objects are to be understood as distinct from our awareness of them, and thus, as mind-independent.¹⁴ To clarify how mind-independence and objectivity in judgments are related, Strawson says: "The possibility of objectively valid judgments implies that rule-governed connectedness of perceptions which is reflected in our employment of empirical concepts of objects conceived of as possessing an order and arrangement of their own, distinct from the order and arrangement of the subject's experiences of awareness of them" (1966, 98). This is to say, that the order and arrangement of objects, which is depicted in our use of judgments such as "the book is on the table" is distinct from the *awareness* itself. In other words, in an objectively valid judgment, I am making an objective claim about the world that is independent of my particular experiences of it. When I say, "Bodies are heavy" I am referring to the object "regardless of any difference in the condition of the subject" (CPR B142). The two representations that come together in the judgment "Bodies are heavy", an extended body and heaviness, have no necessary connection (bodies are not always heavy, for

all consciousness" (CPR B131-132). "Original" indicates the fact that the *I think* is precedes all other representations and is not accompanied by a further representation (CPR B132). It is *transcendental*, and not empirical, because it enables empirical apperception (determinate instances). The *I think*, additionally, belongs to spontaneity; as a priori it is not given to us in sensible experience, but is, as the source of combination which Kant sought at the outset of the Transcendental Deduction, an act of the understanding (CPR B132).

14 Since Strawson's reading of Kant does not involve any background commitments to transcendental idealism, mind-independence here does not suggest empirical reality, which is constituted by us, i.e., the pure forms of intuition and the categories. More below.

example in outer space). Granted this contingency, their unity is nonetheless necessary in another sense. The unity of apperception synthesizes the representations according to fixed rules or the concepts of the understanding. A subjectively valid judgment, by contrast, is directed to my particular awareness, to a subjective seeming. When I say, to use Kant's example "If I carry a body, I feel a pressure of weight," I do not attribute weight to the object, but to an awareness in me (CPR B142). Therefore, the two types of judgments enable a distinction between *how things appear to me* and *how things are*. But subjectively valid judgments are only possible because objectively valid judgments are possible. That is, in order to conceptualize an experience as my own, I must be able to distinguish my own experience from what is not my own experience. According to Strawson, it is the existence of mind-independent objects that allows me to make that distinction.

We can summarize the argument in the following way:¹⁵

- (1) Being self-conscious is the ability of ascribing experiences to myself consciously.
- (2) In order to ascribe experiences to myself, I must be able to conceptualize my experiences as my own (in subjectively valid judgments).
- (3) To be able to conceptualize my experiences as my own, I must be able to distinguish between what is my experience (how things appear to me) and what is not my experience (how things are).
- (4) Only experiences of objects independent from me (mind-independent) can allow for this distinction (objectively valid judgments).

15 I take this proof from Stern's summary of Strawson's reading of the Transcendental Deduction, modifying some of the premises (2000, 139).

Therefore,

(5) Mind-independent objects exist.

Now, according to Strawson, since it is necessary for self-consciousness that I experience my experiences as mine, and since the latter is only possible if I can distinguish my experiences from what is not exhausted by my experiences, experience of objects is a necessary condition for self-consciousness.¹⁶ Strawson argues that if we conceive of experience as consisting exclusively of mental representations, then we cannot make room for the distinction between *this is how things seem to me* and *this is how things are*. In Strawson's view, when Kant attempts to demonstrate that concepts are objectively valid, he is not arguing for a *weak objectivity requirement* that we must merely *believe* that self-consciousness relies on the employment of certain objectivity concepts, independently of whether these concepts correspond to anything in reality.¹⁷ Rather, according to Strawson, Kant argues for a *strong objectivity requirement*, according to which these concepts actually correspond to objects in mind-independent reality. Strawson's notion of objects in the weighty sense, for this reason, can be

16 Strawson counters various objections to the effect that self-consciousness or ascribing experiences to myself does not require experience of objects. Such experiences, which we can call "seemings" do not fulfill the mind-independence condition of objectivity, but are still experiences I ascribe to myself, suggesting that experiencing an experience as mine does not necessarily require an experience of objects. Strawson's response, in summary, is that all experiences presuppose a conceptual background, according to which seemings are distinguished from what is objectively the case, or in other words, this is how things seem to me is distinguished from this is how things are. Eventually Strawson argues that subjectively valid judgments are parasitical on objectively valid ones (1966, 108). However, these further considerations would take us too far afield.

17 An even weaker objectivity condition would be that "for experience to be self-reflexive [self-conscious] one must at least *understand* the hypothesis of experience of objects capable of existing unperceived, even if one does not believe that one's experience is of such objects" (Cassam 1995, 164). This condition would concern the intelligibility conditions for objective thought.

understood as the actual existence, independently of my awareness, of objects.

What does the mind-independence of objects or what Strawson calls objects in the “weighty sense” amount to? If we consider the argument above from the perspective of transcendental idealism, Kant’s general project, the mind-independent existence of *empirical* objects means nothing more than their existence in empirical reality, that is, reality as constituted by a priori forms of intuition and the categories (CPR B34). However, crucially, Strawson views Kant’s critique as having two distinct and detachable facets. On the one hand there is the “analytic Kant,” who advances transcendental arguments in order to render the general structure of thought and experience intelligible. The *Critique’s* analytic side is concerned, as the title of Strawson’s book suggests, with the “limiting framework” of our thought about and experience of the world. According to Strawson, the Transcendental Deduction, properly understood, gives us just such a framework. On the other hand, is the traditional conception of Kant who advances transcendental idealism, the doctrine that distinguishes appearances, which constitute empirical reality, from things-in-themselves, which belong to supersensible reality.¹⁸ Strawson believes that the doctrine of transcendental idealism is plagued with intractable difficulties and should be abandoned. According to Strawson, among other motives for abandoning transcendental

18 There is, as with most of Kant’s *Critique*, controversy on how this distinction should be read; the so-called “two-standpoint” reading advanced most prominently by Henry Allison (2004), sees the distinction as *epistemological*, namely, the sensible (phenomenal) and the super-sensible (noumenal) give us two perspectives on the same class of numerically identical objects. That is, we can think of objects as constituted by certain epistemic conditions (pure forms of intuition and the categories) and we can think of “objects” in the absence of such epistemic conditions, that is, in abstraction from our constituting. The “two-world” reading takes Kant to be making a *metaphysical* claim regarding two classes of numerically distinct objects, objects in empirical reality and objects in supersensible reality. Proponents of variations on the two-standpoint view Allison (2004), Bird (2006), Langton (1999); and of the two-world view, Strawson (1966), Guyer (1987), Van Cleve (1999).

idealism is its proximity to Berkeleian idealism (very broadly, the view that the external world does not exist, but as a mental representation), which Kant is unwilling to acknowledge. Despite arguing for a mind-independent empirical reality in order to distance himself from full-blown idealism, Kant, as Strawson's argument goes, does not adequately distinguish between mental states and physical objects. The notion that "material and mental constituents of the natural world are alike only appearances" seems to place more weight on the mental than the material (Strawson 1966, 21-22).¹⁹ What Strawson sees as the real merit of Kant's *Critique* is the former, analytic side, which gives us conditions for the possibility of thought and experience and can be, as he sees it, disentangled from Kant's problematic metaphysical commitments. The argument of the Transcendental Deduction, seen from the analytic angle, gives us a proof for the existence of mind-independent objects, unlike the empirical objects, constituted by the mind, which Kant's transcendental idealism gives us.

2. A Critique of Transcendental Modality

Although, Strawson himself does not refer to his rendering of the Transcendental Deduction as serving anti-skeptical ends, it should be clear why the argument above might be deemed ideal for such purposes. Because Strawson's interpretation of Kant's Transcendental Deduction begins with the uncontroversial fact of self-consciousness, from which the *existence* of objects is deduced, his reading of Kant's transcendental

¹⁹ Strawson is a proponent of the two-world reading. Accordingly, in his view, things-in-themselves in supersensible reality cause appearances in empirical reality through "a certain complex relation (or a class of cases of this relation), which we can speak of, on the model of a causal relation, in terms of 'affection' and 'being affected by'" (Strawson 1966, 236). However, because things-in-themselves are not conditioned by the categories, the latter applying only to appearances, it is not clear how Kant can describe the relation between things in themselves and appearances in terms of affectivity understood along causal lines.

argument has come to be conceived as progressively anti-skeptical. This makes it an ambitious transcendental argument.

More generally, ambitious transcendental arguments are designed to refute external world skeptics. Usually, the skeptic presents “an argument from error”—one that points to a lack of certainty or the mere possibility of error—to show that our evidence for the existence of a mind-independent world of material objects is insufficient for knowledge. An ambitious transcendental argument attempts a refutation of the skeptic by demonstrating that something the skeptic denies is premised on an uncontroversial fact of experience the skeptic accepts. The ambitious transcendental argument then proceeds to show that accepting the uncontroversial fact in question does not allow the skeptic to maintain her position, but forces her to concede the anti-skeptical conclusion. To bring this about, however, an ambitious transcendental argument cannot simply argue that we *need* certain concepts or beliefs to represent the world. It has to argue that there is a world to which such concepts and beliefs correspond. Accordingly, Strawson’s ambitious interpretation of Kant’s Transcendental Deduction holds that a necessary condition for self-consciousness is that concepts of the understanding apply or correspond to mind-independent objects.

Despite their claim to being self-standing and presuppositionless, what transcendental arguments purport to do goes far beyond the simple structure of the argument. At closer inspection, these arguments are very peculiar. First of all, they involve an inference from facts about our mental life to facts about reality, in the case of the example above, from self-consciousness to external reality. Secondly, the modalized premise connects these facts by necessity: it is necessary that mind-independent objects exist if self-consciousness is possible. Yet it is not clear how such an inference from facts about us to facts about reality is maintained. What allows us to bridge the gap between two very different kinds of facts? Appealing to necessity as bridging this gap is

not any less problematic. What is the nature of this necessity that purports to serve as a bridge between our experiences to what exceeds these experiences?

Barry Stroud has raised compelling criticisms against transcendental arguments along these lines, which have set a standard for transcendental arguments in epistemology (Stroud 1968). Stroud's critique has dialectical force, because it confronts ambitious transcendental arguments with an irresolvable dilemma. According to Stroud, *first*, the inference from facts about us to facts about reality is unwarranted. *Second*, a satisfactory account of the source of necessity crucial to transcendental arguments is lacking. *Third*, ambitious transcendental arguments, in order to resolve their inherent tensions, must rely on verificationism or idealism. Once this implicit reliance has been exhibited, transcendental arguments become redundant, as it is a commitment to verificationism or idealism that does the anti-skeptical work. The dilemma can be put in the following way: either transcendental arguments depend on broader philosophical commitments for their force, or, given the problems associated with transcendental necessity, the most that these arguments can accomplish is that they can tell us merely how we must *think* or *believe*.²⁰ The former renders these arguments superfluous, because it is the broader philosophical commitments that do the anti-skeptical work; and the latter fails to accomplish the goal of ambitious transcendental arguments in falling short of establishing that the thoughts and beliefs in question are true (Strawson 1985, 10). In what follows, I will address each criticism in turn.

Let me begin with the first criticism. As we have seen, Strawson claims that self-conscious experience requires the fulfillment of a strong objectivity condition, namely, that our objectivity-concepts *correspond* to objects in mind-independent reality. Such a claim moves from psychological facts about us to non-psychological facts about

20 In *Skepticism and Naturalism*, Strawson accepts that Stroud's dilemma cannot be circumvented unless we modify that goal of ambitious transcendental arguments (1985, 10).

reality. It does so by suggesting that the actual existence of objects places constraints on what can count as self-conscious experience. For Stroud, as we have seen, this constitutes an unwarranted inference from facts about us to facts about reality. We can see why this inference is troubled if we imagine a weaker objectivity requirement than the one envisaged by Strawson. If consciousness were in a position to generate objectivity on its own,²¹ all necessary conditions would remain within the ambit of our experience and thus could be justified without involving extra-mental points of reference. In other words, this account of objectivity would not require us to take the problematic step from psychological facts about us to non-psychological ones about the world. At the same time, however, objectivity would be a phenomenon without the desired relation to a mind-independent domain that anti-skeptical transcendental arguments attempt to establish.

If Strawson's reading advanced a weaker objectivity condition, positing necessary conditions that remained within the ambit of our experience or beliefs, no such leap would have been made. It is the further step of basing the exigencies of what we must believe on reality that turns out to be unwarranted. That we believe certain things about ourselves, and must believe in certain others about the world for their possibility, does not take us outside the scope of what beliefs or structures are necessary for experience, that is to say, it does not take us all the way to features of mind-

21 As for example Husserlian phenomenology may be said to claim. Husserl states that unlike Kant, who posits the existence of things in themselves, his own transcendental idealism "is nothing more than a consequentially executed self-explication in the form of a systematic science, an explication of my ego as a subject of every possible cognition, and indeed with respect of every sense of what exists" (Husserl 1999, 86) and elsewhere states "If transcendental subjectivity is the universe of possible sense, then an outside is precisely – nonsense" (Husserl 1999, 84). Connecting the first remark with the second, Husserl's phenomenology brackets the existence of objects in order to study the structure of consciousness; consciousness, as Husserl sees it, can be studied without positing objects that are mind-independent.

independent reality. As Stroud puts it, after all, the undeterred skeptic “can always very plausibly insist that it is enough we *believe* that *S* is true, or it looks for all the world as if it is, but that *S* needn’t be true” (1968, 255). For this reason, self-conscious experience can be made possible with a lot less than what Strawson deems necessary; the requirement that we apply objectivity-concepts could be met without it being necessary that these concepts correspond to anything in reality.²² If we can provide something weaker to explain the possibility of self-conscious experience (the application of objectivity-concepts), it is not clear why we should appeal to anything further (the actuality of such objects).

We can express this concern with an unwarranted inference from facts about us to facts about reality by looking at the modality of transcendental arguments. Transcendental arguments claim that a certain condition is necessary for the possibility of a trivial, generally accepted, fact about our mental life, that, in the case above, experience of objects is necessary for the possibility of self-consciousness. From the necessity of the experience of objects for our mental life, ambitious transcendental arguments argue that such objects must exist. However, while it may be a priori true that self-consciousness requires the existence of objects, this argument does not show a priori that such objects exist. In Stroud's words: “It would seem that we must find, and cross, a bridge of necessity from the one to the other. That would be a truly remarkable feat, and some convincing explanation would surely be needed of how the whole thing is possible” (1994, 234; quoted by Stern 2000, 61 fn23). While arguing that certain features are necessary for the intelligibility of our experience may be acceptable, the

22 Stroud gives the example of Strawson’s argument that objects continue to exist unperceived. As Stroud argues, our representational system may give us the ability to identify and reidentify objects; but this does not allow us to conclude that objects really continue unperceived (1968, 245-7). This objection extends to transcendental arguments of different kinds that aim to establish the existence or reality of X.

inferential leap that such features necessarily exist in mind-independent reality remains problematic. We, in other words, seem to make a claim from the necessity of our beliefs to a stronger necessity concerning the existence of what we believe – a move, one could say, from the doxastic to the metaphysical. Kant is able to circumvent this challenge, thanks to transcendental idealism, which remains within the ambit of “facts about us,” given that reality is constituted by us.

This leaves us with the question of the *kind* of necessity that transcendental arguments involve. We will see that pinpointing and characterizing this necessity it is not entirely straightforward. The necessary conditions of transcendental arguments are not causal or natural.²³ Instead of causal conditions, we refer to *enabling* conditions, which are a priori, and not, as in the case of causal and natural conditions derived from empirical observation, a posteriori. At the same time, rejecting necessary conditions posited by transcendental arguments does not result in logical contradiction, so the necessity involved in transcendental arguments is not logical either. Commonly, the necessity of transcendental arguments is conceived as metaphysical. A metaphysical necessity would be one which attempts to say something about the real nature of a given phenomenon or entity. It gives us necessary truths, for instance, “nothing can be red and green all over,” “nothing can be in two different places at once.”²⁴

23 “Of course we are familiar with the unremarkable fact that certain non-psychological things must be so in order for us to think and experience things as we do. We know that our brains and sense-organs must function appropriately, and that the things around us must have certain characteristics and must affect us in certain ways, if we are going to enjoy anything like human thought and experience as it is. But in those thoughts the ‘must’ is a causal ‘must’, and it is known to hold, if it does, by empirical investigation. What is striking about the Kantian enterprise is that discoveries of apparently non-psychological conditions of thought are to be made purely a priori, independently of all experience” (Stroud 1994, 232).

24 Examples from Stern 2000, 59. A further distinction between *de re* and *de dicto* modality can be made, the former giving us modality that is language-independent and attaches to

How are metaphysical necessities established? Here the anti-skeptical framework of transcendental arguments poses a difficulty. If we claim to have modal intuitions that are metaphysically charged, that is to say, intuitions about the real nature of the world or external objects, we would stand accused of begging the question against the skeptic. In order for our transcendental argument to be satisfying it must rest on grounds that are less “epistemologically problematic” than what the skeptic doubts (Stern 2000, 59). For if the skeptic doubts our knowledge of the external world, the skeptic is just as likely to doubt strong modal intuitions that tell us something about reality by attempting to bridge the gap between experience and reality.

Another option is to view the necessity operative in the inference as conceptual. Conceptual necessity does not concern the nature of reality; it gives us necessities by virtue of the meaning of the terms involved. Analytic truths such as “all bachelors are unmarried men” and “the moon is a satellite” involve conceptual necessity insofar as the term “bachelor” and “moon” are conceptually bounded up with “unmarried men” and “satellite” respectively. Denying that bachelors are unmarried men or the moon is a satellite would contradict the concept of bachelor and moon respectively. But, as Gardner puts it, the necessity involved in the transcendental arguments is not conceptual (1999, 122). A transcendental argument, which involves conceptual necessity, would tell us, for instance, that the concept of self-consciousness necessarily involves the concept of external world objects, such that a denial of external world objects would consist of a contradiction in the concept of self-consciousness. Strawson, additionally, would deny such a move given that, as we have seen, he is aiming to fulfill the strong

objects and the latter giving us modality that concerns our *statements* about objects. The anti-skeptical position of ambitious transcendental arguments, however, suggests that we are concerned not with statements about the external world, but the nature and existence of the external world as such, and therefore not with *de dicto* necessity but with *de re* necessity.

objectivity requirement: it is not only that we need to conceptually distinguish between “my experience” and “not my experience” to have self-consciousness, it is that the objects that belong under “not my experience” must actually be real, i.e., ontologically/metaphysically. In their ambitious formulation, transcendental arguments are not about conceptual necessity, but about proving the ontological point that external objects exist.²⁵

The notion of transcendental necessity does not suggest that the denial of necessary conditions implies logical or conceptual contradiction (analytic contradiction, because the subject concept should be contained in the predicate but is not contained in it), but that a denial is in some sense *inconceivable*. Appealing to inconceivability, to take our example, would suggest that self-consciousness is inconceivable without the existence of external objects. However, the notion of inconceivability fails to supply the strong necessity transcendental arguments must rest on in order to refute skepticism. After all, if we take inconceivability as a guide to necessity, what we take to be necessary could simply point to the limits of our understanding or of our ability to make our experience intelligible to ourselves (Stern 2000). Therefore, taking our “conceptual, representational, or experiential limitations” as a guide to necessity would be too weak to satisfy the Cartesian skeptic who argues that appealing to our conceptual limitations as requiring that external objects exist does not actually prove that such objects exist, merely that we must believe or assume that such objects exist (Stern 2000, 8). Additionally, if we did take inconceivability as a guide to necessity, arguing that external objects exist, because we cannot conceive of their inexistence, we would collapse once again into an unwarranted inference to reality: a leap, as seen above, from facts about us – in this case, the limits of our imagination – to facts about reality.

25 Modest transcendental arguments that arguably remain within the conceptual ambit also end up making ontological leaps as we will see in what follows.

Given the uncertain account of necessity that transcendental arguments seem to supply, the gap between facts about us and facts about reality cannot be spanned in a way that is acceptable to the skeptic. As I have mentioned above, Stroud points out that we need further background commitments, either to verificationism or idealism, to allow us to bridge the gap (1968, 251). Verificationism is a theory according to which a statement is meaningful only if it can be confirmed or disconfirmed through certain procedures (e.g., sensory evidence). The verificationist principle prevents a gap between how things appear to us and how things are from arising, because so long as how things appear to us can be *confirmed* by certain procedures, we have no grounds to doubt that they are not as they appear. If the verificationist principle is true, then skepticism is false, because what the skeptic denies, for example the existence of the external world, can be confirmed through, for example, sensory evidence (Stroud 1968, 247). Given their claim of being independent of philosophical background commitments, transcendental arguments aim to provide self-standing refutations of skepticism. However, if the success of transcendental arguments depends on the verificationist principle, the latter is enough to dissolve skepticism, making a transcendental argument to the same ends unnecessary. Similarly, according to transcendental idealism, in making claims about empirical reality, which is constituted by us, we are not making any unwarranted inferences from facts about us to facts about reality that is *completely* independent of us. Thus, if transcendental idealism is assumed, the problematic inference addressed above can be circumvented. However, as Stroud urges, such philosophical commitments would render transcendental arguments superfluous (1968, 247, 256). Transcendental arguments would no longer be stand-alone arguments that can refute skepticism on the strength of their deductive force. They would require a commitment to idealism in order to hold up, in which case it would be this commitment that would do the real anti-skeptical work. Advancing a transcendental argument to the

same ends would, therefore, be redundant.

Let us consider idealism in more detail because of its immediate relation with the transcendental. If idealist commitments are sufficient in their own right to dissolve skepticism, it is unclear why we should be required to give an additional argument based on questionable modal intuitions. Moreover, transcendental idealism itself has been characterized as skeptical in various ways, dissolving the gap between appearance and reality, treating talk of mind-independent reality as “elaborate appearance-talk” (Williams 1991, 20; quoted also in Stern 2000, 49 fn10). As has been pointed out by Gardner, Kant’s transcendental idealism “acknowledges and incorporates the truth of skepticism, namely that things in themselves are inaccessible to us” (Gardner 1999, 195). More broadly, Kant certainly does not attempt a refutation of skepticism by accepting the skeptic’s conception of mind and world, and proving that there are objects in just such a world (presumably a transcendental realist conception). Instead, Kant’s metaphysics, which exceeds stand-alone transcendental arguments, modifies what is meant by appearance and reality, and any response he offers against skepticism turns on his modification of these notions.²⁶ If a skeptic accepts the modification of these concepts, a transcendental argument to the same ends becomes unnecessary.²⁷

3. Kant and Ambitious Transcendental Arguments

We have seen that ambitious transcendental arguments run aground for a number of

26 Strawson’s reading of Kant can be conceived as an argument against Berkeleyian idealism. Whether Kant’s transcendental deduction interpreted progressively succeeds or fails in light of Berkeleyian idealism is not entirely clear. Perhaps even under the framework of transcendental idealism, Kant cannot justifiably deduce features of empirical reality, that external objects exist; all he may be able to show is that we must believe, for our notion of self-consciousness to be intelligible, that such objects exist.

27 I will return to the question as to whether transcendental arguments in general are committed to transcendental idealism in Chapter 3 and 4.

reasons. As transcendental arguments originate in an interpretation of Kant, it is worth asking whether Kant actually advocates the anti-skeptical strategy embodied by them. Of course, there is no immediate reason to remain loyal to the Kantian program. However, because of their Kantian background, it makes sense to examine whether anti-skeptical arguments in modus ponens form can actually be attributed to Kant. If not, as I want to show in this section, this would compound the difficulties for ambitious transcendental arguments from an exegetical point of view.

Stroud's influential criticism of transcendental arguments is uncritically directed at Strawson's reading of Kant. Therefore, Stroud takes Kant himself to account for the objective validity of his concepts by attempting to show that the categories relate to objects in external reality (Stroud 1968, 241-2). The latter is a strong objectivity requirement, like the one Cassam and Stroud attribute to Strawson's ambitious transcendental arguments. As Stroud puts it: "I have taken this [objective validity] to mean that the concept 'x' has objective validity only if there are x's and that demonstrating the objective validity of the concept is tantamount to demonstrating that x's actually exist" (1968, 256). In this way, Stroud sees Kant as giving "a complete answer to the skeptic about the existence of things outside us" (1968, 242). For Stroud, then, in answering the question of the legitimacy of the use of our concepts, Kant is essentially justifying our knowledge of the external world, an argument, if we follow Strawson's analytic Kant, that can be advanced without modifying the sense of the crucial terms (objective validity, external world) under a transcendental idealist framework. Stroud criticizes Kant for these bold claims as if these terms still had the dogmatic metaphysical meaning that Kant militated against in the first *Critique*.

But this analytic interpretation, advanced by Strawson first and taken up by Stroud afterwards, has not gone uncontested (Allison 2004, Glock 2003). For example, Strawson objects that Kant reduces both the mental and the material to appearance and

is, therefore, unable to differentiate his transcendental idealism from Berkeleian idealism (Strawson 1966). On a more sympathetic, textually well-founded, reading, Kant's Aesthetic is largely a response to Berkeley. Among other arguments, for Kant, Berkeley's treatment of space as an empirical representation – an appearance – is problematic, precisely because it undermines the reality of our experiences. Contrary to Berkeley's position that space is an empirical representation, Kant argues that space is an a priori form of intuition; that is, instead of an appearance, space is the very form in which anything can appear. By maintaining a distinction between the a priori forms of intuition and appearances, Kant is able to introduce a qualified conception of mind-independence (Allison 2004). Kant's empirical realism does not extend to things as they are in themselves, but things as they are constituted by us. Thus Kant attempts to negotiate the traditional dichotomy between empirical idealism and metaphysical realism by a third route: objects depend on universal subjective constitution – the forms of sensibility and the categories. They are independent of us precisely in this sense, namely, through their dependence on fixed conditions, which do not depend on a subject's *particular* states of awareness. Furthermore since Kant advocates the view that “appearances are *grounded* in thing in themselves,” he maintains an idealism with regards to how objects are constituted, but not with regards to the existence of objects (Gardner 1999, 177). In this sense, Kant does not renounce transcendental realism by arguing that there are no objects independent of our experience per se, but that transcendental realism is mistaken in taking our forms of sensibility and our conceptual framework to give us unconditioned features of reality. As Ameriks points out, in this way, Kant “undercuts not the reality of our experience itself but only the extravagant claim of a certain kind of interpretive inference beyond it” (2003, 39).

Interpreting the Transcendental Deduction as proving the existence of objects, Strawson and Stroud turn the latter claim on its head. At the core of these readings is a

separation of Kant's argument from his philosophical program. Examining Kant's Transcendental Deduction within the transcendental idealist framework, however, yields a different picture. As we saw, it is not enough to consider that we factually use certain concepts, those are *quid facti* questions. What Kant wanted to show us is that concepts of the understanding are legitimately applied to intuitions, by arguing that they are necessary in any experience of the world; this is a regressive reading of the Transcendental Deduction, but it is also more aligned with Kant's Copernican Turn, namely, the view that we cannot have a priori knowledge of things in themselves, but only of how *we* constitute reality. In fact, as Glock has pointed out, insofar as the *Critique* as a whole is concerned, Kant's principal target is neither Humean nor Cartesian skepticism, but "the more sensible skeptic who challenges the possibility of metaphysical knowledge, of a priori insights into the essence of reality," a response to whom rests on more than anti-skeptical arguments (Glock 2003, 22). Glock holds Stroud responsible for the anti-skeptical fixation of the discussion around transcendental arguments. He attributes this fixation to a single-mindedly epistemological reception even of Strawson's interpretation, an interpretation which Glock contests (Glock 2003, 22). However, Strawson's generally epistemological reading of the *Critique*, and his claim that transcendental arguments can supply proof of mind-independent reality, obviously invites an anti-skeptical reading. This reading simply follows out the consequences of Strawson's selective interpretation of Kant according to which transcendental arguments can be excised from what Strawson and others after him take to be Kant's dubious philosophical commitments, specifically transcendental psychology and transcendental idealism.²⁸ Without the scaffolding of transcendental idealism, we get a remarkably different picture of Kant's Transcendental Deduction and

28 Strawson views Kant's transcendental psychology as "imaginary," since in his view it is impossible to verify (1966, 57).

the systematic concerns it reflects. Most important of all, instead of mind-independence in Kant's qualified sense of empirical realism, we are led to misunderstand Kant's transcendental project as an attempt to deduce objects in a full-blown, unconditioned, ontological sense from the slender premise of self-conscious experience.

4. Prospects for Modest Transcendental Arguments

The anti-skeptical ambitions of transcendental arguments ultimately fail for three fundamental reasons. First, ambitious transcendental arguments uphold unwarranted inferences from facts about us to facts about reality. Second, they are unable to account for the kind of necessity that connects the premises of transcendental arguments. Metaphysical necessity turns out to be too strong to convince the skeptic and weaker necessity, understood in terms of inconceivability, proves to be too weak. Third, it may seem that the unwarranted inference to reality combined with a problematic notion of necessity can be resolved if transcendental arguments are advanced under an idealist framework; yet, if the skeptic accepts idealism, the transcendental argument becomes superfluous. Beyond this, we have seen some indications that Kant's transcendental philosophy has systematic commitments that make it unlikely that Kant ever intended it as a straight refutation of Cartesian skepticism by means of transcendental arguments. A reassessment of transcendental arguments would have to respond to these difficulties.

We can fundamentally think of two kinds of response. One option would be to abandon transcendental arguments in the sense of *modus ponens* refutations of skepticism altogether. Another option would be to keep the notion of a *modus ponens* argument and change the kind of skepticism against which transcendental arguments are directed (Stern 1999; Stroud 1994, 1999). Proponents of *modest* transcendental arguments go for the second option, contending that such arguments can give us necessary conditions for the possibility of experience, which do not exceed the domain

of experience or belief because they do not involve an inference to reality. Such an argument would not reach far enough to defeat a Cartesian skeptic, but could, for instance, “refute a radical conventionalism” along Humean lines, which holds that the necessity of our concepts is not grounded in reality, but in habit or custom, that is, on social convention (Stroud 1968, 256). Thus it makes sense to reevaluate transcendental arguments in accordance with their *directedness*.

According to Cassam, ambitious transcendental arguments present a deductive argument that is *world-directed*: “They start with the assumption that there is thought or experience of some particular kind, and argue for thought or experience of this kind to be possible, the world in which these thoughts or experiences occur must be a certain way” (1999, 83). As we saw in some detail, these arguments take as their uncontroversial premise an aspect of our experience in order to deduce certain features of reality. So as to circumvent the tripartite Stroudian criticism against them, we have to exchange *world-directed* ambitious transcendental arguments for *self-directed* modest transcendental arguments (Stern 2000, 10-11). Self-directed transcendental arguments take as their uncontroversial premise a feature of our experience in order to deduce the necessary conditions “in the thinking or knowing self” (Cassam 1999, 85). In other words, they show that certain concepts or doxastic commitments must be in place for the possibility of, for instance, experience or self-consciousness. They do not, thereby, involve commitments to the truth of these conditions in metaphysical reality. The assumption is that they bypass the charge of inference to reality and the problem of necessity by dropping precisely these commitments.²⁹

29 A modest reading of the Transcendental Deduction would see it as a regressive argument. We have already examined the progressive, or ambitious, reading of the transcendental deduction, which starts with self-consciousness or the categories to make claims about the external world. The regressive interpretation, by contrast, would begin with the fact of our knowledge of the external world from which we infer certain necessary features of the

How do modest variations of transcendental arguments circumvent the challenges outlined above? In what follows, I will contend that merely changing the direction of such arguments does not render them immune to Stroud's initial criticisms. However, before I advance my challenge, let us examine one anti-skeptical use of a modest transcendental argument that has been suggested in the recent literature: Stern's argument against local justificatory skepticism.³⁰ To begin with, Stern holds that no argument, including transcendental arguments, can furnish a satisfactory response to Cartesian skepticism. Such skepticism targets knowledge by making certainty necessary for our knowledge claims. That is, alongside justified and true, a belief must also be error-proof in order to count as knowledge. This is virtually impossible to achieve for any kind of knowledge. However, the impossible demand that appears to be the strength of this skeptical position is, according to Stern, its weakness. Conceding this victory to the Cartesian skeptic who, by taking certainty as a condition for knowledge, does not permit the mere possibility of doubt, leaves us "with little sense of loss," because we can retain the conception of knowledge even if we cannot guarantee certainty (Stern 2000, 16). Stern argues "that there is a weaker sense of 'knowledge' for us to fall back on, involving less than certainty" (2000, 17). In other words, we can claim that we do not have certainty, so our beliefs are not infallible, but we still have justified beliefs. Stern thinks in light of this that it is a *local* skeptic about justification who can be a reasonable target for transcendental arguments. A local skeptic about justification would

mind, namely, the categories. In this way, Kant "[traces] synthetic a priori knowledge back to its "original germs" or "sources" in the human mind (CPR A97, A786, Ameriks 2003, 53).

30 Sacks rightly points out that Stern's contrast between justificatory skepticism and epistemic skepticism is confusing. "Instead of contrasting justificatory and epistemic skepticism, it might have been more perspicuous to present the contrast as between *doxastic* and *epistemic* skepticism. It is the skeptic about the justification *specifically* of beliefs, i.e., the doxastic skeptic, who is the proper target here, as distinct from the skeptic about the justification of knowledge claims, the epistemic skeptic" (Sacks 1999, 72).

argue, for instance, that certain beliefs (concerning the external world or other minds, for instance) are not licensed by the ordinary doxastic norms we employ to justify beliefs (induction, perception, memory etc.). In response, Stern offers a transcendental argument that takes a notion of perception, which gives us direct non-inferential grounds for belief, as its trivial starting point and concludes that we would not have the sort of experiences the skeptic must grant if we did not have the sorts of experiences the skeptic denies. Such an argument does not need to prove the *existence* of anything; it only has to show us that we can extend our doxastic norms to a set of beliefs the skeptic thinks are not licensed by such norms.

The question is whether Stern's modest transcendental argument can bypass the criticisms advanced against ambitious transcendental arguments. We saw that ambitious transcendental arguments run aground because they make unwarranted inferences to reality, involving a notion of necessity, which is unworkable given the anti-skeptical context. Strawson's view that the existence of external objects is required for the possibility of self-consciousness involves strong necessity as it posits something exterior to the mind as placing a constraint on belief or experience. Strong, that is, metaphysical necessity was crucial to the ambitious anti-skeptical argument, and ultimately its downfall, because it was thought to allow us to draw an inference from the fact of self-consciousness to objects outside us. Additionally, once the tacit notion of necessity is made explicit, the skeptic is free to reject, as we saw, those conceptions of necessity that would make the argument anti-skeptical. In the different context of modest transcendental arguments, no inference is made from facts about us to facts about reality. As these arguments are self-directed, or in the case of Stern, belief-directed, they do not exceed the scope of our mental life. Stern's attempt at refuting the skeptic sees justification not as a matter of external, but of internal fit.³¹ In other words,

31 I am using Sacks' phrasing (Sacks 1999, 71).

we could get the world wrong by thinking that perception gives us warrant for belief in other minds; yet what we want to protect by means of our modest transcendental argument, justification, is not about whether other minds exist, but about whether we are applying our standards of justification correctly (Sacks 1999, 71).

The question is whether such arguments operate on a more palatable conception of necessity. The only alternative conception of necessity that Stern advances, subsequent to his evaluation of the problematic conceptions of necessity at work in ambitious transcendental argument, is what he terms “indispensability.”³² Although Stern does not explain why he chooses to refer to necessity as indispensability, such a shift in terminology can be understood as an attempt to distance the modest account from problematic conceptions of necessity. We saw above that transcendental necessity is neither logical nor conceptual, but perhaps best characterized as metaphysical, even if such a characterization is problematic. That is, the necessity invoked by transcendental arguments seems to appeal to the nature of phenomena, not just to the concept of phenomena, for instance. We also saw that metaphysical necessity poses problems given the anti-skeptical framework of transcendental arguments, since the skeptic could deny that we could have modal intuitions about the essence of reality. If Stern’s conception of indispensability is to succeed, it must present us with an account of necessity that is more suitable, i.e., builds on modal intuitions the skeptic finds easier to accept, than the types of necessity we have seen above.

Indispensability, according to Stern, is conceptual, absolute and universal (2000, 81). It is *conceptual* and not psychological, that is, indispensability involves a priori conceptual investigation and is not the result of empirical investigation. On Stern’s

32 Apart from Stern, Charles Taylor refers to the necessity operative in transcendental arguments as “indispensability” – according to his understanding, transcendental arguments consist of chains of indispensability claims, where he defines indispensability as apodictic, certain, and self-evident (Taylor 1979, 159).

understanding, conceptual necessity is not distinguished from metaphysical necessity, as on his view concepts pick out features of reality. As Stern points out, statements such as “nothing can be red and green all over” may be said to exhibit necessity on both metaphysical and conceptual grounds (2000, 9). This theoretical choice has implications for his understanding of indispensability. He treats indispensability as *absolute* instead of merely methodological. Our methods are contingent: they could be a certain way, but they could also be otherwise. As to Stern our concepts are metaphysically charged, indispensability is not the result of a pragmatic decision, or a consequence of practical exigencies to do with how we carry on, but rather a “*constraint* on belief or thought as such.”³³ That is, even though our concern is with self-directed transcendental arguments, absolute indispensability is not contextual or indexed in any way. Relatedly, Stern’s indispensability is *universal*, applying to all believers or thinkers. Universality comes out of the fact that such indispensability goes to what is at the core of having a thought or belief at all, beyond merely psychological or methodological constraints. Given these features – a priori, conceptual, absolute, and universal – indispensability gives us strong constraints. These constraints, it is safe to say, are fixed and non-contingent since as a priori and absolute, they are beyond mutability of the kind that might be possible with regards to conditions which are psychological, natural, or methodological/practical.

If indispensability is the notion of necessity that emerges in modest transcendental accounts, it is not entirely clear why it should be considered any less problematic. Perhaps the assumption is that modal claims about “reality” or “world” paradigmatic of ambitious transcendental accounts are more problematic than modal claims about “mind” or “belief” that modest transcendental arguments advance. However, such a position is worth contesting: why are modal claims about ourselves

33 Aristotle’s principle of non-contradiction would be an absolute indispensability “for anyone who wishes to say or think something meaningful” (Stern 2000, 82).

more tenable than modal claims about reality? Stern himself questions Stroud's position, which suggests that modal intuitions about the self are less problematic than modal intuitions about the world (Stern 2000). The assumption guiding Stroud's picture, according to Stern, turns on the notion that self-knowledge is somehow privileged, immediate, self-evident, or infallible (traditional criteria for epistemological certainty) in a way that knowledge of the world is not. Even if this is granted, however, transcendental arguments that are self-directed establish *modal connections* between, say, mental states or between beliefs. If self-knowledge is conceived as immediate, self-evident, and thus as certain, the same need not be the case with the *modal* claims of self-directed transcendental arguments. That is to say, establishing the necessary dependency between features of our experience involves a modal claim beyond immediate first-person experience. And this calls into question the notion that introspection does the fundamental work in self-directed transcendental arguments. Instead of introspection, it seems when advancing modest transcendental arguments we still primarily rely on the force of our modal intuitions. Without addressing what these modal intuitions are and whether they are justified, we cannot rest assured that self-directed transcendental arguments are any less problematic than world-directed transcendental arguments. For a modest transcendental argument to offer a genuine alternative to ambitious transcendental arguments it must advance a conception of modality that is metaphysically neutral; especially since such arguments are conceived as anti-skeptical, they cannot, as we saw, posit necessary conditions that are metaphysically charged without first convincing the skeptic of the metaphysical position they imply. The local skeptic about justification, in this case, has to first accept the notion of necessity on which transcendental arguments turn; otherwise, transcendental arguments illicitly bring in concepts the skeptic might reject whilst claiming to be sensitive to a common starting point.

So there is good reason to question what Stern's conception of indispensability boils down to. It is principally a *constraint* on thought or belief. This constraint is not external to thought or belief, given the modest reformulation of transcendental arguments, which places these constraints within the domain of facts about us in order to jettison the criticism that such constraints involve unwarranted inferences to reality. If Stern is offering constraints on thought or belief that are fixed in the manner in which he suggests, that is, qua transcendental they are not psychological, methodological, or relative, he must give an account of the source of these constraints. What gives them the resilience they possess? If they are indeed genuine alternatives to the metaphysically charged constraints we saw in the previous section, then they cannot, for instance, involve modal intuitions about reality. We could say that these constraints are grounded *empirically*; however, on Stern's understanding, indispensability is a priori, a result of conceptual investigation in which any appeal to empirical or psychological facts or practices is excluded (Stern 2000, 83). Another option is to argue that these constraints are grounded in something *transcendental*. Yet, as Mark Sacks points out, "grounding transcendental constraints by appeal to further transcendental constraints only defers the question back a stage," opening up a regress problem (2000, 203). Furthermore, for Stern, indispensability belongs to the "metaphysics of belief" and extends universally to any entity that can believe or think, "not just for those sufficiently like us" (Stern 2000, 83). The beliefs or thoughts that are taken to be indispensable, then, have to do with the *nature* of belief or thought. As we have seen above, other candidates for the sources of indispensability are conceptual or logical. However, since Stern takes conceptual necessity as tantamount to metaphysical necessity, this only leaves logical necessity as a contender. But the transcendental conditions operative in modest transcendental arguments, like in any transcendental argument, do not embody logical necessity

because their negation does not imply contradiction.³⁴

Once these other possibilities are ruled out, and given that Stern's constraints involve fixed and non-contingent constraints, it is difficult not to see these constraints as grounded in something problematically metaphysical. As Sacks puts it, modest transcendental constraints "cannot avoid claims to something that exists independently of merely contingent structuring, and which determines the limits of our empirical experience" (2000, 203). In raising indispensability claims that impose constraints on experiences or beliefs, modest transcendental arguments are minimally committed to the view that there is a unique way the self must be so that it generates the constraints it does. The reason metaphysical commitments are problematic in this context is because transcendental arguments claim to be presuppositionless, relying on nothing more than a slender premise, whether it is the fact of experience or self-consciousness. However, despite this claim, transcendental arguments seem to trade in metaphysically charged notions of necessity and end up making an inference from facts about us to the metaphysical nature of belief. Such arguments ultimately fail to satisfy the skeptic who questions whether we are indeed entitled to make strong modal claims given that these claims involve what the skeptic doubts, ultimately that there is a way the world/self (including doxastic structures) is. With regards to the local justificatory skeptic, it would be open for her to argue that this necessity is nothing more than methodological or natural, and Stern rules out that transcendental necessity (or indispensability) can embody either of these. Yet if weaker kinds of necessity can do precisely the same work, why should we opt for a stronger notion of necessity, which Stern seems to think

34 In his Introduction Stern asks that we leave the question of necessity open. Unfortunately, apart from stipulating the problems with the use of necessity in ambitious transcendental arguments, and his own gesturing at a notion of indispensability, nowhere does Stern give a detailed explanation of what we are to understand by modest necessity especially with regards to conventional distinctions (natural/causal, logical, metaphysical).

is central to any transcendental claim? Why can we not say that the necessity that Stern describes can be adequately accounted for by our *practices* of justification so that nothing absolute or universal is in play? Modifying the directedness of transcendental arguments from world to self, for these reasons, does not get rid of metaphysical problems inherent in the modality of the second premise of transcendental arguments.

Conclusion

Transcendental arguments depend on several elements for their success. They are metaphysically charged in that they appeal to *universal* and *unchanging* features either of the world or of the self. It is these crucial features that are brought in with the second modalized premise and which stand in need of a philosophical explanation. Without such an explanation, transcendental arguments merely have the guise of starting with an uncontroversial premise in order to deduce a necessary condition. As we will see in future chapters, among other things, transcendental claims are bound up with a certain model of understanding concepts (the simple model of conceptual unity; Kuusela 2008), underhandedly assuming that the skeptic should share this way of understanding concepts; transcendental claims have a commitment to apriority which may entail transcendental idealism; and transcendental claims are committed to a form of universality that stands in need of defense. All of these, including the metaphysical commitments we have seen both with respect to ambitious and modest transcendental arguments, are full-blown philosophical commitments in their own right and so the view that transcendental arguments stand on their own, with no presuppositions, should be rightly rejected.

In this chapter, I have presented two varieties of transcendental arguments, modest and ambitious. I have argued that both accounts fail to pay adequate attention to what transcendental claims actually provide, namely, claims couched in necessity, a

priority, and universality. In this chapter, I have focused on necessity. Overall, necessity turned out to be a major stumbling block for both, ambitious and modest transcendental arguments. Modest transcendental arguments latently rely on the view that modal claims regarding facts about us should be more metaphysically parsimonious than modal claims regarding facts about reality. This latent reliance could be shown to be ungrounded, for modest transcendental arguments face the same problems with modality, moving from beliefs to unchanging, metaphysical structures of the self, that ambitious transcendental arguments face, moving from facts about us to facts about external reality. If, in both cases, however, transcendental arguments tacitly owe their modal strength to an underlying metaphysical realism that is indefensible, we have to find ways to dissociate necessity, apriority, and universality from underlying metaphysical commitments. These problems, however, should not spell the end of transcendental arguments or claims altogether, but open the route to new conceptions of the transcendental, which do not fall into the same traps. It seems inescapable that transcendental arguments are bound up with complex commitments and thereby need more comprehensive background explanations than those contained in the logical form of deductive argument. Once it is acknowledged that the thorny and obscure notion of transcendental claims cannot be conceived narrowly or selectively, but requires more discussion of the broader philosophical program in which they are couched, the discussion unavoidably moves beyond refutations of skepticism that stand-alone, “presuppositionless,” transcendental arguments claim to embody.

Chapter 2

Transcendental Universality and Apriority

Introduction

In the previous chapter, we have seen that recent discussions have largely restricted the scope of transcendental arguments to anti-skepticism. Both ambitious and modest transcendental arguments comprise an inference between psychological facts about us and non-psychological facts about reality and mind respectively. Further, the modality governing these problematic inferences stands in need of justification. In order for a transcendental account to serve anti-skeptical purposes, it must appeal to a notion of necessity that is acceptable to the skeptic. Given the dialectic of the skeptic and her interlocutor, the skeptic is free to reject a picture of necessity that “forces” her to an anti-skeptical conclusion. Attempts, as we saw, to justify a particular conception of necessity require that we step *outside* the stand-alone transcendental argument in order to offer a broader explanation, one that attempts to negotiate the notion of necessity with the skeptic. If, however, the transcendental argument depends on the skeptic's agreement with respect to broader philosophical commitments, the danger that Stroud points out emerges again: transcendental arguments become superfluous. Further, any anti-skeptical argument that appeals to a *fixed* and *non-contingent* reality (whether of mind or of world) is ultimately wedded to metaphysical realism (Sacks 2000), which undermines the status of transcendental arguments as self-standing and independent from background philosophical commitments.

The current chapter will examine the challenges that confront the notion of universality (and to some degree apriority) of transcendental arguments. Examining universality and apriority is all the more relevant because the contemporary

epistemological discussion focuses nearly exclusively on issues around necessity and largely neglects the universality to which these arguments lay claim. I will argue that in order to rescue transcendental claims from objections against universality the anti-skeptical focus of transcendental arguments must be abandoned. Freed from their anti-skeptical focus, the philosophical significance and potential of transcendental claims can be fully examined as can their utility for philosophical enterprises beyond epistemology.

To understand the full force of challenges directed at the notion of universality requires that we understand the tight relation between apriority, necessity and universality as well as how they furnish conditions of possibility. Therefore, in the first part of this chapter, I will recount the original formulation of the transcendental in Kant's *Critique of Pure Reason*, where the relation between necessity, universality and apriority comes into view. In the second part of this chapter, I will examine the most influential recent objection to Kant's universality, an argument advanced by Stephan Körner (1967). Körner argues that it is impossible to establish the singularity or uniqueness of a conceptual scheme as universally supplying the conditions for the possibility of experience. According to Körner, Kantian transcendental claims rest on the assumption that there is a unique conceptual scheme for knowledge; and he shows that, in the final analysis, this assumption cannot be defended. It cannot, in Körner's view, be ruled out that other conceptual schemes might take radically different conditions to be transcendental for experience than those envisaged by Kant, so that Kant's transcendental claims cannot maintain their aspirations to exceptionless validity. In the final section, and by way of introducing the second part of this thesis, I will argue that the notion of universality and apriority operative in transcendental claims can be modified in such a way that meets this objection once they lose their anti-skeptical and metaphysical focus.

1. Kant's Conception of the Transcendental

Kant takes the transcendental to refer to what enables or furnishes the necessary conditions for the possibility of, variously, “experience,” “possible experience,” “cognition,” “objects of experience,” and “appearances” (Gardner 1999, 45). A transcendental condition is first and foremost a priori. A judgment that is a priori “establish[es] something about objects before they are given us” (CPR Bxvi) and is opposed to the a posteriori, a judgment “merely borrowed from experience” (CPR A2). However, not just any a priori judgment can count as transcendental:

I call a cognition transcendental that is occupied not so much with objects but rather with our mode of cognition of objects insofar as this is to be possible a priori (CPR A11/B25).

And here I make a remark the import of which extends to all of the following considerations, and that we must keep well in view, namely that not every a priori cognition must be called transcendental, but that by means of which we cognize that and how certain representations (intuitions and concepts) are applied entirely a priori, or are possible (i.e., the possibility of cognition or its use a priori). Hence neither space nor any geometrical determination of it a priori is a transcendental representation, but only the cognition that these representations are not of empirical origin at all and the possibility that they can nevertheless be related a priori to objects of experience can be called transcendental (CPR A56/B80-81).

In the above, Kant makes the claim that a transcendental condition neither involves a posteriori knowledge (of objects) nor merely a priori knowledge, but the *manner* in which a priori cognition relates to objects of experience. In other words, transcendental conditions do not comprise a mere enumeration of a priori claims in general, but only those that have a particular relation to objects of experience. In the longer quote, Kant disambiguates between notion of spatial representation as a priori, from the notion of spatial representation as a priori *and* transcendental. Spatial representations conceived as a priori are not transcendental; rather it is the non-empirical origin of such representations alongside their *relation* to objects of experience that grants them the status of transcendental. The foregoing gives us two defining features of a transcendental condition:

- 1) c is a transcendental condition if and only if c has a *non-empirical* (a priori) *origin*.
- 2) c is a transcendental condition if and only if c gives us the *mode* of our relation to objects of experience

Let us turn to 1), the non-empirical genesis of transcendental conditions. For Kant, a priori judgments that are transcendental are not merely those “that occur independently of this or that experience, but rather those that occur *absolutely* independently of all experience” (CPR B2). This rules out not only any a posteriori judgment, but also judgments in which empirical experience is intermixed. Consequently, any consideration that we might carry out independently of experience, but which is nonetheless derived from empirical sources, does not count as *pure* a priori. For instance, the rule “bodies are heavy and hence fall if their support is taken

away” is derived from experiences by inductive generalization (CPR B2). A judgment involving the application of this rule will not count as a priori in the *pure* sense, due to its source in empirical experience. Therefore, since only the pure a priori can count as transcendental, any such generalization is ruled out from the domain of the transcendental.

The genesis of the a priori is crucial to Kant’s broader transcendental idealist project. Kant takes the a priori to comprise not only that which is independent of empirical experience, but also that which has its genesis “in us”. He treats the notion of the a priori as belonging wholly to our subjective constitution so that his position advocates a qualified kind of idealism (Strawson 1966). In the preceding paragraph we saw that Kant excludes the possibility of rule-like generalizations from the pure a priori. He thereby suggests that since experiential content cannot be allowed, even as a general rule, a priority must be furnished entirely by us. If we factor in the a priori as belonging to our own subjective constitution, transcendental claims are always in some sense committed to a qualified kind of idealism.

Let us now turn to 2). Despite the genesis of apriority in us, Kant argues that the a priori is nonetheless related to objects of experience, that is, the a priori furnishes the *mode* of our relation to objects. This makes clear that the a priori, while independent in from experience in its *origin*, is nonetheless only given to us in experience. As Kant famously states, all cognition commences from experience, even though it does not *originate*, or have its source, in experience (CPR B1). For Kant, cognition is something composite, consisting of what we receive through impressions and what the understanding “provides out of itself,” i.e., concepts/unity of apperception (CPR B2). Since the a priori is free of any empirical content, it concerns only the *form* of our experience, that is, the a priori intuitions of space and time and the categories of the understanding. This formal relation of the transcendental a priori to objects of

experience is to be distinguished from a *causal* relation – often understood as natural or empirical – or a *definitional* relation. The a priori intuition of space, for instance, does not *cause* appearances to show themselves to us, but is the form in which appearances are given to us; it *constitutes* appearances. Further, space is not included in the definition of, say, a triangle, but is the form that allows us to construct a figure. The mode in which space relates to objects of experience is that it furnishes the *condition for the possibility* of objects of experience; it enables objects of experiences by furnishing their form.³⁵

What allows us to differentiate pure a priori judgments, which count as transcendental, from the rule-like a priori generalizations described above or from empirical experience more generally? Kant points to at least two ways in which we can determine that a judgment counts as pure a priori. The first is a method of abstraction, which takes off from experience. In order to show that space is an a priori form of intuition, we must abstract anything that is given to us by empirical experience, i.e., sensations, as well as anything supplied by the understanding, i.e., the categories. Consequently, if we abstract everything that the understanding supplies – substance, force, divisibility – or what is given in sensation – color, hardness etc. – we are left with the form of sensibility, extension (or space), which cannot be abstracted from experience of objects (CPR A20-21/B35).

That an a priori condition is necessary can be shown by abstractions of the kind just seen. These abstractions reveal structures, which are *indispensable* to experience in a particular way, namely, insofar as they make experience possible. The second way of

35 It is important to point out that Kant distinguishes transcendental logic from general logic; whereas the former considers specifically “how thought about objects is possible,” formal logic considers “only the relations of thoughts to one another” (CPR A55/B79, Gardner 1999, 125). According to Kant “Whatever agrees with the formal conditions of experience (in accordance with intuition and concepts) is possible” – that is to say, conditions of possibility give us the range of what is possible.

determining whether a judgment counts as a priori is to assess whether it is necessary and universal, given that a priori judgments are not accidental or contingent and are valid without exception. Necessity and universality, then, are criteria any judgment must possess if it is to count as a priori (CPR B4, Allison 2004, 94).

- 3) c is a transcendental condition if and only if it is necessary that c
- 4) c is a transcendental condition if and only if it is universal that c

Beginning with 3), Kant gives the following characterization of necessity:

Experience teaches us, to be sure, that something is constituted thus and so, but not that it could not be otherwise. First, then, if a proposition is thought along with its necessity, it is an a priori judgment; if it is, moreover, also not derived from any proposition except one that in turn is valid as a necessary proposition, then it is absolutely a priori (CPR B3-4).

This passage is a useful starting point for an examination of necessity in a priori judgements and, ultimately, transcendental conditions. In the above, Kant makes the familiar claim that experience, at best, can give us an inductive generalization in the form of a rule as seen above, with respect to the example “bodies are heavy and hence fall if their support is taken away.” However, inductive generalizations are too weak to provide us with necessity, because necessity gives us what *must* be the case, that is, what “could not be otherwise.”³⁶ Basing our claims on inductive generalizations, we

36 As we will see in Chapter 3, there is a connection between actuality or, phenomenologically, facticity – what is the case – and transcendental necessity, which is

could still imagine cases where, for whatever contingent reasons, a body did not fall once its foundation was undermined. Take, by contrast, the following example from arithmetic: “ $5 + 7 = 12$.” That the sum should result in 12 is not explicable in terms of generality, i.e., that $5 + 7$ is generally 12, though it is conceivable that it is another number at particular instances; in the decimal system, the sum of $5 + 7$ must of necessity be 12. With regards to the necessity of transcendental claims, Kant makes a comparable move. In the Transcendental Aesthetic, he argues that space is not taken to be a condition of experience as a generalization of experiences we have had so far; rather, space as the necessary form of experience belongs to experience essentially (CPR B4). For this reason, Kant takes space as an absolute, that is to say pure, a priori condition, not originating in experience, but in the way subjects constitute experience. The assumption here is, of course, that experience can never give us the strictness or absoluteness that certain judgments possess. This, for Kant, gives us reason to uphold a distinction between pure a priori and empirical judgments.

Turning to 4), the universality criterion for transcendental conditions, Kant explains:

Experience never gives its judgments true or strict but only assumed and comparative universality (through induction), so properly it must be said: as far as we have yet perceived, there is no exception to this or that rule. Thus if a judgment is thought in strict universality, i.e., in a way that no exception at all is allowed to be possible, then it is not derived from experience, but is rather valid absolutely a priori (CPR B4).

seldom recognized. As Mohanty remarks “If transcendental necessity means being presupposed by our experience’s *being what it is in its most general features*, one then recognizes that the transcendental is grounded in *what is the case*” (Mohanty 1985, 210).

In the above, Kant argues that universality, as a criterion for apriority, is not relativized to a set of observed cases. As *exceptionless*, it applies to any act of human cognition. A generalization like “bodies are heavy and hence fall if their support is taken away” boils down to the inductive claim that, insofar as we have observed, bodies fall if their foundations are undermined. Once again, the status of such a generalization stands in stark contrast to the universality of the mathematical statement: $5 + 7 = 12$. We do not say that generally the sum results in 12, but that in every case of addition $5 + 7$ must result in 12. However, we cannot universalize the statement $5 + 7 = 12$ if we consider only a posteriori experience, since, as Kant sees it, the latter could never guarantee that something *must* hold in *every* case. Kant, therefore, places the source of universal cognition in us, as pure a priori.

We can sum up the significant features of a transcendental condition once more:

- 1) c is a transcendental condition if and only if c has a *non-empirical origin* (pure a priori)
- 2) c is a transcendental condition if and only if c gives us the *mode* of our relation to objects of experience (condition of possibility)
- 3) c is a transcendental condition (a priori) if and only if c is necessary.
- 4) c is a transcendental condition (a priori) if and only if c is universal.

These considerations allow us to conclude that, as Kant sees it, any claim is transcendental if it is an a priori, necessary, and universal condition of possibility. Because these features are interdependent, successful objections to any of these features will yield a failure of the transcendental claim as a whole. If it can be shown that transcendental conditions are not universal, for instance, then transcendental conditions

will not be able to make claims to necessity or apriority either. The most central claim here is that a transcendental condition is pure a priori; necessity and universality are markers of the fixedness of the a priori conditions of experience, a changelessness that is tied to their non-empirical origin.

In order to highlight the strength of Kant's claim, let us examine some of his remarks:

For no cognition can contradict it [the principles of the Transcendental Analytic] without at the same time losing all content, i.e., all relation to any object, hence all truth (CPR A62-63/B87).

The understanding gives a priori to experience in general only the rule, in accordance with the subjective and formal conditions of sensibility as well as of apperception, which alone make it possible. Even were they possible, we could still not conceive of and make comprehensible other forms of intuition (than space and time) or other forms of understanding (than the discursive form of thinking, or that of cognition through concepts); and even if we could, they would still not belong to experience, as the sole cognition in which objects are given to us (CPR B283).

In both passages Kant contends that contradicting or introducing alternatives to the pure forms of intuition and the categories would render our experience unintelligible. While intelligibility is central, Kant's claim is not merely that we must *understand* experience in this way, rather, it is necessary and universal that experience, *in fact*, is governed by

space and time as well as the categories (for any being that is a discursive and not a divine intellect). This is to say that any claim about experience must appeal to these same conditions, because these conditions actually enable possible experience. Kant advances this claim from the perspective of transcendental idealism, according to which we furnish the conditions of experience such that “[t]he a priori conditions of a possible experience in general are at the same time conditions of possibility of the objects of experience” (CPR A111). This suggests that, for Kant, transcendental conditions are not just one way in which we can make experience intelligible to ourselves. Transcendental conditions, instead, exhibit *the actual and the only way* in which we experience the world.

At this point, we can draw out further consequences of this picture. From Kant’s point of view, all experiences are shaped by the same conditions, because these conditions are necessary and universal. Apriority grants them security from change. Yet a precondition of such a picture is that the conceptual scheme in question be established as *unique* – as specifying conditions, which cannot be dispensed with because they cannot allow for *alternatives*. Because, as Kant remarks in the above, these conditions *alone* make experience comprehensible, universality and necessity rule out that there are alternatives to the conceptual scheme in question. In what follows, I will critically explore the uniqueness claim to which transcendental arguments are tacitly committed.

2. The Universality Condition

Is it possible to show that a certain condition must hold universally in the Kantian sense, in other words, that a set of conditions exceptionlessly reflects the true structure of experience? It could be argued that we just cannot imagine experience that does not involve, for example, the categories. Yet inconceivability does not entitle us to the claim that a certain condition extends to any possible experience. In other words,

inconceivability may entitle us to the claim that a certain concept is necessary and universal given where we stand, that is locally, but it does not entitle us to extend what is inconceivable for us to any act of experience or cognition globally. As we saw in the previous chapter, inconceivability might tell us about the limits of our imagination, instead of giving us *metaphysical* constraints. Deeming inconceivability to give us constraints of this kind would count as an unwarranted inferential leap from facts about our imagination and its limits to metaphysical reality, i.e., how the mind actually constitutes experience. According to Kant, the conditions of experience are facets of our mind; that is, as a priori, they belong “to the subjective, transcendental, object-enabling constitution of our mind” (Gardner 1999, 93). The conceptual scheme Kant advances, then, is necessary as a feature of the kind of intellect we are – and any transcendental condition, qua a priori, must originate in our own cognition, as its essential feature, without having an empirical genesis. One conceptual scheme, that is to say, is taken to reflect the structures involved in any possible experience. I will henceforth refer to the claim that a single conceptual scheme reflects experience necessarily and universally as a “uniqueness claim.”

Stephan Körner (1967) raises objections to precisely this claim to the uniqueness of one conceptual scheme as consisting of concepts that are *irreplaceable* conditions of experience, or uniquely give the conditions of experience. As Körner explains, Kant's conception of our experience of the external world is based on the idea that we should be able to “constitute” and “individuate” (by means of the categories and the pure intuitions of space and time, respectively) what we classify as objects of our experience. From this fact, Kant attempts to show that any *possible experience* must use this scheme. In his Transcendental Deduction, Kant supplies a “demonstration of the reasons why a particular conceptual scheme is not only in fact, but also necessarily, employed in differentiating a region of experience” (i.e., cognition) (Körner 1967, 318-319). While

showing that we employ a particular scheme might be uncontroversial, provided we describe the scheme accurately, it is the stronger claim that the scheme we describe is the scheme for any possible experience that raises questions. How can it be shown that a certain conceptual scheme uniquely identifies the structures of experience so that alternative schemes are ruled out? Three options are available: we can compare the scheme with raw experience, other schemes, and the principles the statements of the scheme embody (Körner 1967, 320-321).³⁷ I will address each option in turn.

Let us begin with the *first* option. We could try to establish the uniqueness of our scheme by comparing undifferentiated experience to our conceptual scheme, demonstrating that our scheme captures the true constitutive and individuating principles operative in undifferentiated experience. However, the criteria we employ to determine whether our conceptual scheme is “correct” with regards to undifferentiated experience would already presuppose precisely those principles on which our conceptual scheme is based, rendering the attempt circular. More importantly, the very notion of experience that is undifferentiated, if by the latter we mean pure empirical content that is not contaminated by concepts, but to which our concepts can be compared, is incoherent. In fact, this is a message that more recent literature on conceptual and non-conceptual content takes from Kant, (e.g., McDowell 1994). At the very least, the possibility of comparing our scheme to undifferentiated experience would require that we mount an argument in favour of undifferentiated experience first. Direct comparisons between undifferentiated, unschematized, experience, whatever that might be, and our conceptual scheme turn out to be a dead end.

Second, we could try to establish the uniqueness of our scheme by demonstrating that a particular conceptual scheme is uniquely necessary and universal in relation to other conceptual schemes. According to Körner, however, this approach would be self-

³⁷ I expand on the options Körner examines more briefly.

defeating, since we would already grant that our conceptual scheme is not in fact unique, affirming that there are competitors to which it can be compared. For Kant, any such comparison is ruled out, because competitors are unintelligible; what they attempt to describe is incomprehensible and fails to exhibit any feature of experience. *To begin with*, in order to carry out a neutral comparison, we would need criteria that would specify what any scheme must satisfy to be a genuine scheme (Malpas, 1990, 237). Such criteria, however, would rest on our conceptual scheme, thus rendering our effort question-begging (Malpas 1990, 237). If we take the criteria of another scheme, then we admit competitors and therefore lose our claim to uniqueness. *Further*, putting these objections aside, an argument that is not considered by the discussion is that even if we could compare our scheme to others and prove that they are not genuinely unique, we could not rule out the possibility of still other conceptual schemes. For example, I may compare my scheme A, to your scheme B, and establish the superiority of my scheme, proving yours to be defective or parasitic. But I cannot from this comparison rule out the existence of other schemes C, D, E..., upon which, it might turn out, my scheme A is parasitic, leading to an infinite regress. The possibility of our scheme turning out to be defective or parasitic when confronted with still other schemes cannot be a priori foreclosed.

Eva Schaper (1972) has argued that Körner is misguided in assuming that any comparison counts as an acceptance of competitors. According to Schaper, we could compare alternative schemes with ours, without ceding uniqueness, by arguing that other conceptual schemes masquerade as genuine alternatives when, in fact, they are defective or parasitic on our conceptual scheme. Now, Körner's argument fundamentally depends on the very possibility of making the notion of alternative conceptual schemes intelligible. One can object to Körner that alternative schemes will not really be schemes at all if they fail to share what Schaper calls certain "general

principles of significance” – certain saliences or points of convergence – with our standard conceptual scheme (Schaper 1972, 109). Drawing on the notion of translation, Schaper argues against Körner that languages must share certain principles of significance in order to count as languages at all. Taking this analogy to conceptual schemes, if a conceptual scheme shares nothing in common with ours, it would not count as a conceptual scheme. We simply would not recognize it as one. Uniqueness as Schaper argues can be demonstrated if we keep this insight in mind, namely, that conceptual schemes, in order to count as conceptual schemes at all, must depend on certain principles of significance. It is these principles of significance that can bring conceptual schemes under a common framework from which comparisons can be carried out. Such comparisons can determine which concepts are unique and fundamental between schemes. Such a move would involve showing, for instance, that the concepts of one conceptual scheme are parasitic on more fundamental conceptual schemes. Schaper’s criticisms, however, are inconclusive, because her line of argument falls prey to the circularity problem we have encountered above, with respect to undifferentiated experience (Malpas 1990, 242). For what grants us the authority to determine the general principles of significance are? Certain conceptual schemes might seem fundamental and others parasitic, *given* certain general principles which act as a kind of criteria for establishing what a conceptual scheme is. What these general principles are, however, has to be settled from a neutral perspective, a perspective which is uncontaminated by our own scheme. How we are to settle this question of general principles of significance remains open to the same problems we have seen above.

Third, the remaining option Körner entertains that might allow us to justify uniqueness would be an assessment of the statements that belong to a conceptual scheme, in order to show that these statements are necessarily differentiated in the way suggested by our conceptual scheme. However, such a strategy would be circular as

well. We would not be demonstrating that our conceptual scheme is unique, only that it functions in particular ways or possesses certain features. These three reasons – we cannot establish that our scheme is unique by comparisons with respect to raw data, competing schemes, or our own concepts – prompt Körner to conclude that transcendental arguments, which attempt to guarantee the uniqueness of a conceptual scheme, are impossible.

Let me add some further comments on the issue of uniqueness and Körner's treatment of it. It has been argued that Körner's challenge rests on the idea that we can make the notion of alternative conceptual schemes intelligible (Malpas 1990). According to Körner, there cannot be, as we saw in his second objection, independent criteria for determining the genuine uniqueness of a conceptual scheme; any criteria would be reflective, and therefore restricted to, our own scheme. If everything we might say about alternatives could turn out to be reflective of our own case, then it is not entirely clear how it is possible to establish that there are any schemes *outside* of ours at all. In other words, not only do we encounter problems with establishing that our scheme is unique; similar problems arise if we want to say that our scheme coexists with other schemes and for this reason is non-unique. When we attempt to demonstrate uniqueness or non-uniqueness, we are caught up with the question of whether we are projecting our own scheme on what we deem to be alternatives. We simply cannot give any sense to the notion of a conceptual scheme that is completely independent of ours (i.e., that shares nothing with ours), for how would we ever understand it as a scheme. On the other hand, to oscillate back to the attempt of proving uniqueness is also futile; there is no way of getting outside one's own conceptual scheme, to a transcendent perspective, from which one could demonstrate that our scheme is unique or, indeed, non-unique. That is to say, any attempt to demonstrate either the uniqueness or the non-uniqueness of conceptual schemes faces insurmountable difficulties. Both attempts are

dilemmatic and circular as Malpas argues (1990, 243). Ultimately, Malpas follows Davidson's contention that we cannot give any sense to the notion of conceptual schemes (ours or alternatives to ours), because the scheme/content distinction on which the notion of a conceptual scheme rests is indefensible (Davidson, 1973). Both Körner and Schaper implicitly adhere to the scheme/content distinction when they agree that comparing our conceptual scheme to undifferentiated experience is untenable, because we cannot attach any sense to the notion of undifferentiated experience, i.e., pure content. What both Körner and Schaper overlook is that precisely such a distinction must be upheld for us to speak of conceptual schemes intelligibly, since the notion of conceptual scheme rests on the scheme/content distinction. If we share Malpas' Davidsonian reservations, there is, then, a deeper problematic: not only is it impossible to demonstrate the uniqueness or non-uniqueness of a conceptual scheme, it is also problematic to talk about the world in terms of conceptual schemes. These general concerns with conceptual schemes aside, Körner's strategy to criticize universality claims through uniqueness needs further comment.

As we saw in the previous section, universality necessity and apriority, imply each other since for Kant transcendental necessity is co-extensive with a priority. Therefore, if we can show that universality fails, the others fail too. Further, since for Kant conditions of possibility supply pure apriority, once a demonstration of the universality of transcendental conditions is shown to be impossible, their role as enabling conditions also collapses. What is underlying Körner's critique of Kantian universality is the notion that in addition to universality, necessity, and apriority, universality and uniqueness imply each other. This notion seems plausible, because if by uniqueness we mean that phenomena X can only be rendered intelligible by Y, this covers all possible instances of X, such that X is impossible without Y.

In the final analysis, Körner thinks that there is a solution to the uniqueness

problem that saves contextual schemes but denies a genuine role to transcendental deductions or transcendental arguments. Our claim to universality, according to Körner, can be contextualised. By so contextualizing transcendental conditions, we are able to allow, for instance, different ways in which external objects in the world are individuated (the Newtonian way *and* the Einsteinian way) (Körner 1967, 328). Körner contends that by arguing for non-unique a prioris, we do not illicitly universalize one way of rendering the world intelligible, against “the historical truth that the schemata of external and practical [referring to moral thought] can change and become obsolete” (Körner 1967, 328). In this way, he suggests that transcendental claims can be saved from making unbounded universal claims that rest on the uniqueness of one way of rendering phenomena intelligible. As we will see in the next section, however, epistemological transcendental arguments must remain committed to uniqueness in order to refute skepticism. In light of Körner’s critique, as uniqueness is indefensible, anti-skeptical transcendental arguments cannot maintain claims to universality and therefore also necessity and apriority. As we lose the transcendental altogether if we give up on the combination of universality, necessity, and apriority, the task for the next section is to find a way to maintain universality that does not involve uniqueness.

3. Validation and Description

Transcendental arguments are beset by persistent problems. We are repeatedly thrown back to the anti-skeptical orientation of these arguments. To make headway, we have to take into account that anti-skeptical transcendental arguments serve the distinct purpose of *validating* knowledge claims, to demonstrate that we do not merely as a matter of fact advance certain judgments, but that these judgments are justified (either by virtue of being ontologically true or by virtue of being necessary for our doxastic/cognitive structure, e.g., Kant’s immanent metaphysics) (Cassam 1999, 86). The validatory

arguments against the skeptic that we have encountered in the previous chapter rest on being able to prove the uniqueness of a conceptual scheme.

Let us consider the case of modest transcendental arguments and look at an example from Kant. One of the central contenders Kant wishes to challenge in this manner is Hume who questions the legitimacy of our use of concepts -- most crucially the synthetic a priori proposition that every effect has a cause. Hume famously argues that our concept of a necessary causal connection is based on psychological principles of custom or habitual association. Therefore, causal necessity is merely a projection of regularity onto a reality that could depart from this regularity at any moment (e.g., Hume 1978, 88-9). Kant rejects the Humean picture, arguing that instead of psychological principles of custom or habit, certain concepts, including causal concepts, are necessary for the very possibility of experience (CPR B127, B233). In order to safeguard these central concepts from the threat of Humean scepticism, which renders our concepts unstable and arbitrary, Kant argues that our basic concepts are transcendental that is, a priori, necessary, and universal. Instead of originating from experience, concepts of the understanding like causality originate from human reason itself. This structural fact about these concepts has an important implication for the judgments we make on the basis of these concepts. They are synthetic, not because they originate in experience, but because they give us ampliative knowledge, i.e., they are informative, of our own a priori contribution to experience.

Let us now turn to the role that uniqueness considerations play for Kant's response to Humean skepticism. If Kant had argued that transcendental conditions are necessary and universal, insofar as we organize experience in particular ways, such that alternative conceptual schemes, however inconceivable from where we stand, cannot be ruled out, his position would be proximate to Hume's. He would be granting a necessity that, in his terminology, is merely an empirical and not a transcendental necessity, and

therefore a necessity that could not render certain concepts secure once and for all. Necessity, however, has to secure our categories once and for all given Kant's systematic aim of furnishing the conditions for discursive intellects universally, without exception. For this reason, Kant could not resort to a notion of non-unique a priori either. Resorting to this notion would be analogous to a response to a Cartesian skeptic according to which external world objects exist only as far as *this* conceptual scheme is concerned, which is not a refutation at all. We would rather want to contend that what the skeptic doubts is true for *any* conceptual scheme, and in the case of ambitious transcendental arguments true because the concepts we employ correspond to a mind-independent reality. In the same way, a response to Humean skepticism would hold that any experience necessarily relies on the concepts Hume's skepticism targets; since Hume would grant we have experience, he must grant the *validity* of concepts such as causation, where validity of such concepts is understood as their necessary and universal application to the objects of experience.

In answering the skeptic, therefore, we must hold that the concepts we take to be necessary in our transcendental argument belong to a unique conceptual scheme. The anti-skeptical force of a transcendental argument rests on the claim that experience can only be rendered intelligible by what the skeptic doubts. If experience can be rendered intelligible with alternative concepts, we can no longer force the skeptic to our desired conclusion, because the skeptic can argue that our concept is non-unique. This makes anti-skeptical transcendental arguments difficult to defend. As we saw in Chapter 1, the necessity operative in transcendental arguments is problematic because it depends on covert metaphysical commitments. Similarly, the notion of apriority, and now, as we can see in the current chapter, the claim to universality ultimately run into difficulties. This should not come as a surprise. As we saw in the first section, since universality, necessity, and apriority are inextricably linked, a challenge against one notion

undermines the others.

This pessimistic conclusion about the anti-skeptical utility of transcendental arguments should not dissuade us from cognates of the transcendental. For this conclusion only affects a certain way of employing these considerations, the way I have described as *validatory*. Therefore, we have reasons to look at how transcendental claims operate in enterprises different from validation and whether these enterprises can interpret the subcomponent terms of transcendental claims – necessity, universality, and apriority – differently. An alternative to *validatory* uses of transcendental claims is their *descriptive* use (Taylor 1979). Such approaches do not claim to validate knowledge, but merely to describe transcendentially different facets of our experience. *Descriptive* approaches helpfully contrast with *validatory* ones insofar as they can index the subcomponent terms of transcendental claims in a way *validatory* accounts cannot. It is open for *descriptive* approaches to hold that there are non-unique *a priori*s as Körner suggests, because unlike a *validatory* program that might aim to refute skepticism, a *descriptive* account need not argue for the uniqueness of a proposed set of conditions. As we have seen, if we have in mind a skeptic about causation, a transcendental argument would hold that the skeptic must accept causation if she accepts the fact of experience, because the former is necessary for the latter. Now, if experience can be understood by alternative conditions that do not involve causation, the transcendental argument makes no progress. *Descriptive* approaches, on the contrary, do not contradict their ambitions by allowing that we can understand experience in multiple ways. For this reason, *descriptive* approaches, as I hope to show, may allow us to revise our conception of transcendental conditions. There are various reasons why *descriptive* approaches are more congenial to transformations of the transcendental than *validatory*, *anti-skeptical*, ones. I want to conclude this chapter by sketching some of these reasons.

It is important to point out that abandoning a *validatory* programme in favor of

description does not immediately entail that transcendental claims are immune from the problems we have seen so far; there are multiple ways in which descriptive approaches can be understood. Strawson's descriptive metaphysics, for instance, aims to present an account of the fundamental conceptual scheme that governs experience (1959). The contrast for Strawson, for example, is one between descriptive metaphysics, geared at describing “the actual structure of our thought about the world” and revisionary metaphysics which challenges our existing conceptual scheme in favour of new conceptual schemes that are putatively “better” than ours (1959, 9). In light of his remarks, Strawson's descriptive metaphysics is not partial or limited; it is supposed to give us the most general concepts operative in our experience about the world (1959, 9). At the same time, Strawson recognizes that concepts change. He acknowledges that metaphysics is “essentially an instrument of conceptual change, a means of furthering or registering new directions or styles of thought” (Strawson 1959, 10). However, he argues against what he characterises as historicism that it is a “great blunder” to think of metaphysics in terms of change exclusively (Strawson 1959, 10). “For” he continues “there is a massive core of human thinking which has no history – or none recorded in histories of thought; there are categories and concepts which, in their most fundamental character, change not at all” (Strawson 1959, 10). That is, some aspects of our conceptual scheme are, so to speak, eternal and unchanging. Even if his primary concerns are not validatory but descriptive, the success of Strawson's account will, ultimately, depend on the uniqueness of the scheme he describes, for if he does not supply the most general concepts that govern human experience universally as he claims to, he would fail by his own standards of description. This encapsulates a view, which will be committed to the “strong” notions of necessity, universality and a priority that we have seen so far. Therefore, a commitment to description by itself does not guarantee that our account does not fall under the criticisms we have seen in the

previous and current chapter. Whether description makes strong claims is connected to its relation with metaphysics; since metaphysical accounts claim to provide the general conditions for all thought and experience, they rest on strong notions of necessity and universality. What Strawson's account and validity accounts share, one could say, is a commitment to the metaphysics, in the first case, of what exists and in the second case, of the unchanging nature of our conceptual scheme.

To get a truly alternative perspective on the transcendental, then, we have to envisage descriptive accounts *without* these metaphysical commitments. Disentangling the transcendental from metaphysical ideas about the structure of all thoughts or sempiternal conceptual frameworks will provide room for manoeuvre to look at necessity, universality, and apriority differently. In the next two chapters, I will interpret Merleau-Ponty's and Wittgenstein's descriptive approaches as two paradigms for a transcendental that does not run into the difficulties we have seen so far. To put it boldly, Merleau-Ponty's and Wittgenstein's commitment to description is more radical than any of their forerunners and contemporaries. Their respective take on description reflects, among other things, the attitude that how we live, speak and act should not be obscured by our philosophizing. Therefore, both Wittgenstein and Merleau-Ponty do not just reject traditional revisionary metaphysics but also reject traditional transcendental accounts, which claim to give absolute, unsituated and decontextualised conditions for experience. What emerges from a transcendental reading of their descriptive accounts are novel applications for transcendental claims beyond the narrow and problem-ridden domain of epistemology. In Chapter 3, we will see that conditions for the possibility for experience, while universal and necessary, are, on Merleau-Ponty's phenomenological account, based on a fundamental contingency. This contingency reflects the embodied and situated character of experience; due to this character, conditions of experience are open-ended. In Chapter 4, we will see that

Wittgenstein account of certainties, which he understands as indubitable statements that serve an enabling role for our epistemic practices, pushes for a context-sensitive understanding of necessity and universality. These, among other, multifarious ways of indexing and contextualising otherwise strong claims to necessity and universality have, in part, to do with the specific descriptive approach of these accounts.

What changes under the descriptive account of Merleau-Ponty and Wittgenstein is, *first*, that there is no need for a stand-alone knockdown refutation of the skeptic from putatively thin or uncontroversial premises (e.g., the fact of perception or self-consciousness). Rather, the descriptive approach turns to examples and gradually builds the case for a particular way of understanding phenomena and the relations between them. *Second*, validatory transcendental arguments ultimately need to provide an account of the modality that is at stake. They cannot just assume that the skeptic shares their views on modality. Necessity can be conventional, natural or metaphysical; and the skeptic is free to argue that necessity is merely conventional, for example, in order to undercut the modality of the transcendental argument, which is very likely to depend on a stronger conception of necessity than conventionalism accords. Descriptive transcendental claims do not need to provide an account of the ultimate nature of necessity and can, indeed, take it as a primitive. This gives them the space to explicate only the way our experiences fit together without having to worry about metaphysical depth structures. *Third*, and in relation to the first point, a claim to apriority cannot go undefended in the validatory setting; the skeptic is free to argue that apriority is a philosophical thesis that she rejects so that the claim that transcendental arguments proceed democratically with what the skeptic accepts is undercut. If the transcendental argument, furthermore, depends on a traditional account of apriority, i.e., makes independence from experience a criterion for apriority, it must be clarified whether or not it entails some form of idealism. As we saw in the last chapter, Stroud's famous

argument holds that a reliance on idealism makes transcendental arguments superfluous, since if the skeptic accepts our idealist position, we do not need to present a further argument to convince her to our “anti-skeptical” position (idealism, in any case, can be understood as a form of skepticism about the possibility of unmediated access to reality). Descriptive accounts can, by contrast, provide multifarious ways of understanding apriority. They can, as in Merleau-Ponty's case, present a prioris that are both necessary *and* contingent in *different* senses (necessary with respect to how things appear; contingent because how things appear is based on facticity). In Wittgenstein's and Merleau-Ponty's case, the non-empirical can be ambiguous, that is, can be difficult to dissociate from the empirical sometimes. Descriptive transcendental accounts do not superimpose clear distinctions on ambiguous phenomena, and therefore, do justice to how things appear. They are not, in other words, pigeonholed into making absolute distinctions on pains of being defeated by the skeptic. *Finally*, descriptive accounts do not make claims to uniqueness. Neither account claims to furnish the only way of understanding phenomena for multiple reasons having to do with their contextualisation of transcendental conditions. For Merleau-Ponty, the *transcendence* of the world as a transcendental condition suggests that we, as subjects, are not in exclusive ownership of the nature and boundaries of our experience, a view that undercuts transcendental idealism. The possibility that things might be different cannot be ruled out especially once the a priori does not just belong to the subject, in a secure and unchanging realm, but the world comes to have its own a priori status. This move evidently results in an account that does not guarantee uniqueness. The schema of one's experiences, as it were, is also shaped by the way in which it is situated in the world, and there are multiple ways to be situated. Wittgenstein, similarly, does not take the non-empirical to describe a subjective or inner metaphysical structure, by taking his philosophical account to be a model or mode of representation, instead of taking it to be a

metaphysical account of reality. Neither holds transcendental conditions to be fixed and uniform. Ultimately, as I hope to show following Merleau-Ponty and Wittgenstein, once freed from concerns with skepticism and validation, transcendental accounts are in reach that overcome some of the most persistent difficulties associated with transcendental claims.

Conclusion

In the foregoing, I have discussed universality issues with transcendental arguments. The discussion shows that uniqueness claims with respect to one's conceptual scheme are untenable. Yet the canonical usage of transcendental arguments, their anti-skeptical usage, depends on a successful defense of uniqueness. To defend the transcendental approach against uniqueness-based objections, I have argued for a modification of the notions centrally involved in transcendental claims, that is, claims concerning necessary conditions for the possibility of experience or empirical knowledge. The modification envisaged only in outline in this chapter concerns the strong notions of apriority, universality, and necessity involved in validatory uses of transcendental arguments. I have suggested that we look to various contextualizations of these notions in descriptive accounts of the transcendental. We might have to give up those aspects of transcendental arguments that make them interesting for epistemology. But in this way we can gain an unencumbered perspective on the transcendental. As I will argue in Chapter 3 and 4 respectively, the transcendental aspects of Merleau-Ponty's phenomenology of the body-subject and a transcendental reading of Wittgenstein's account of certainties can provide us with a framework of using transcendental claims that do not run into persistent difficulties.

Part II

Transcendental Description

Chapter 3

Merleau-Ponty and the Transcendental

Introduction

Let me begin with a few programmatic remarks about the descriptive approach to transcendental claims. The rest of this chapter will then examine how this program is instantiated in Merleau-Ponty's phenomenology. Descriptive approaches, as I suggested in the previous chapter, can be more liberal with respect to how they interpret the subcomponent terms of transcendental claims. In Merleau-Ponty's case, for instance, necessity and universality can be indexed to the embodied subject and the field in which it is situated. As we saw in the previous chapter, apriority is one of the crucial features of a transcendental claim and is inseparable from the kind of necessity and universality transcendental claims possess. Anti-skeptical transcendental claims aim to furnish unchanging conditions of possibility to refute skepticism; consequently, as they are committed to a unique conceptual scheme, their conception of apriority cannot be interpreted as contextualised and open-ended. By contrast, a descriptive account that is non-metaphysical insofar as it eschews the realism of background structures can provide us with a novel interpretation of apriority that is characteristic of transcendental claims. In this chapter, we will encounter Merleau-Ponty's conception of the a priori which can be considered transcendental although it is not grounded on the unchanging intellect but

on the *facticity* of the embodied subject and of the field in which it is situated. The term facticity captures the characteristic feature that Merleau-Ponty's a priori is necessary, in the sense that it structures our intentional experience or provides conditions that allow phenomena to appear, but these a priori and necessary structures are indexed to actuality – actuality is how things are, and nothing can prevent how things are from changing, so our a priori and necessary structures are indexed to the (non-empirical) contingency of facticity. Another striking characteristic of his phenomenology is that the transcendental is not just a feature of *subjects*, but Merleau-Ponty holds the *world*, too, to be transcendental.

Because these notions depart radically from traditional transcendental accounts, questions have been raised about whether Merleau-Ponty's account is transcendental at all (e.g., Gallagher 2010; Inkipin 2017; Reynolds 2017). To bring out the difficulties with classifying Merleau-Ponty as a transcendental phenomenologist, I will discuss two opposed tendencies in the literature: the first tendency attempts to deflate or neutralize a priori aspects of Merleau-Ponty's phenomenology (*no a priori account*), arguing that he rejects the distinction between a priori and a posteriori crucial to transcendental claims; and the second tendency inflates a priori aspects by taking the subject as unilaterally constituting the world (*subjective a priori account*), i.e., apriority is strictly subjective. This interpretation results in the view that Merleau-Ponty offers a species of transcendental idealism, a Kantian doctrine according to which the conditions of experience and thought are strictly subjective (Zahavi 2008; Baldwin 2013; Gardner 2015). I will reject both positions, because they fail to do justice to Merleau-Ponty's transcendentalism. Against the first position, I will argue that Merleau-Ponty endorses a distinction between the a priori and the a posteriori, and indeed, many of Merleau-Ponty's insights rely on this distinction.³⁸ Against the second position, I will argue that

³⁸ According to Merleau-Ponty, the phenomenal field, which is the object of his investigation,

Merleau-Ponty's conception of the a priori should not be conflated with the issue of subjective genesis, the Kantian view that the transcendental has its source in the cognitive structure of subject. What will emerge is a new conception of the transcendental, one that does not see the subject as unilaterally constituting the world, but sees the world as having a constituting role as well.

In the first section of this chapter, I will critically explore Joel Smith's (2005) no a priori account. In the second section and, based on my criticisms of Smith, I will then take a closer look at Merleau-Ponty's conception of the a priori, which differs in important respects from the usual notion that we have discussed so far. I will defend his conception of apriority against recent objections by Andrew Inkpin (2017) who denies that Merleau-Ponty's modifications to the a priori leave us with genuine apriority. In the third section, I will examine Sebastian Gardner's (2015) subjective a priori account, which, I will argue, misses the relevance of co-constitution for Merleau-Ponty's conception of apriority.

1. The No A Priori Account

Although few single secondary texts deal exclusively with Merleau-Ponty's conception of the transcendental in detail, one way of approaching his putative transcendentalism is by route of his views on the a priori (Landes 2013; Morris 2012; Priest 1998; Dillon 1988). Given that one of the most crucial aspects of a transcendental claim is its apriority, Merleau-Ponty's transcendentalism, it would appear, stands or falls with his commitment to some distinction between a priori and a posteriori claims. Some believe Merleau-Ponty's account lacks any such distinction. According to Joel Smith, for example, Merleau-Ponty's phenomenology cannot be considered aprioristic for the

is a transcendental field; "a space," as Carman puts it, "of abiding perceptual possibilities, impossibilities, and necessities" (2008, 105).

following reason: first, Merleau-Ponty neither sides with the Husserlian “eidetic” method, which is a priori, nor with the inductive method, which depends on a posteriori insight, but dissolves the distinction between the two. This line of thought makes sense in light of Merleau-Ponty's endorsement of “joining effort” between empirical domains, such as anthropology/psychology and phenomenology (Smith 2005, 567; PSM 91). This joining effort, according Smith, involves a blurring of the eidetic and inductive method, which ultimately results in a rejection of the a priori and a posteriori distinction (Smith 2005, 568). Smith's contention is, ultimately, that Merleau-Ponty's methodology leaves no room for apriority. If this is right, Merleau-Ponty cannot be interpreted as a transcendental phenomenologist.

To prepare for the discussion of Smith's claim, let us briefly describe what is meant by the eidetic method. Husserl uses the term *Wesensschau*, “eidetic insight,” “essence viewing,” “eidetic seeing” to describe an insight that is founded on perception, but is geared at what is necessary, universal, and “apprehends the a priori essences of things” (Moran & Cohen 2013, 91; Drummond 2007, 64). According to Husserl, through the special method of eidetic variation, we can shift our attention from the empirical aspects of our experience to its essential structures, that is, to the structures that allow us to experience a given phenomenon exactly in the way we experience it (Husserl 1983, 156-160). These structures are not derived, like Kant's categories, but are seen or *viewed* in both real and imaginary cases. If, for example, I want to determine the essence of a melody, I will go through different variations of sound. If I vary the experience of a melody to a sound that is merely sustained or a sound that is merely repeated, for example, I will no longer be describing the experience of a melody. Through such variations, I come to see that what is essential to a melody is, among other things, that a melody unfolds as a unity in differing tones over a temporal duration. Through this imaginative method, I can intuit what properties are

indispensable for the integrity of the phenomenon in question qua the type of phenomenon that it is, and if varied, would destroy its identity (Romdenh-Romluc 2011, 8). This method is circular, because it assumes that I have a prior sense of what destroys the identity of a given phenomenon; that is to say, eidetic variation *presupposes* assumed limits to varying an experience. Varying my melody-experience to a sustained tone or a repetition of a single tone can only destroy the identity of a melody qua melody if I already have some intuitions about what makes a melody a melody. This circularity, however, is not problematic. Eidetic variation is not intended to establish or generate the essence of a phenomenon, but to make explicit a priori characteristics of experience that are already latent in our experiences. This a priori aspect is perhaps the most significant feature of the eidetic method.

According to Smith, anything having to do with the eidetic or the essential just described is absent from Merleau-Ponty's phenomenology. Before I detail Smith's view, I want to draw attention to a crucial remark Smith cites from Merleau-Ponty's *Phenomenology and the Sciences of Man*, an early work where Merleau-Ponty discusses the relation between scientific and phenomenological methodology. In the following remark, Merleau-Ponty gives us an example of how physicists might arrive at inductive judgments:

[T]he method actually used by physicists ... is rather a reading of the essence. Through certain impure and imperfect phenomena, such as the fall of a body on an inclined plane, I read off the free fall of the body, which is theoretically conceived, or forged, by the intellect. That which gives its probable value to the induction and which finally shows that it is truly founded on things is not the number of facts invoked to justify it. No! It is rather the

intrinsic clarity which these ideas shed on the phenomena we seek to understand (PSM 69, quoted in Smith 2005, 566).

Merleau-Ponty holds that physicists rely on *Wesensschau* (“reading of the essence”) when they make inductive generalizations. Typically, we view induction as an empirical generalization that carries predictive force. Merleau-Ponty, by contrast, holds that the inductive method gets its value not from “the number of facts invoked to justify it,” that is to say precisely not from empirical generalizations, but from the “intrinsic clarity” an idea has with respect to the phenomenon under investigation. The generalization is valuable, not because it is supported by repeated experiments or an overwhelming number of facts, but because it chimes with the phenomena under investigation. By contrast to what an empiricist or indeed Kant would say about inductive generalization, Merleau-Ponty makes a purely aprioristic case for what backs up inductive thinking – inductive generalizations strike us because they capture the essence of the phenomenon; their empirical aspects – frequency considerations or predictive inferences – become salient only due to this fundamental phenomenological property of inductive generalization. As Merleau-Ponty puts it elsewhere, induction is “not founded on the collection of a vast number of cases [but] rather, a process of intellectual analysis whose verification consists in the total, or at least sufficient, clarity which the group of concepts worked out in this way [inductively] to the given phenomenon” (PSM 78). Summarily, then, induction gets its force, not from empirical facts, but from whether the concepts we arrive at can a priori clarify the phenomena in question.

Merleau-Ponty describes the relation between induction and the eidetic method more directly in the following paragraph, which is not quoted by Smith:

If eidetic psychology is a reading of the invariable structure of our

experience based on examples, the empirical psychology which uses induction is also a reading of the essential structure of a multiplicity of cases. But the cases here are real and not imaginary. After closer examination, the only difference which we find between the inductive procedure – so far as it is justifiable and moves towards what is truly essential – and the procedure of eidetic psychology is that the later implies imaginary variation to its examples, while the former refers to effective variations in considering the different cases that are actually realized (PSM 70).

In other words, while the eidetic method relies on variation in the *imagination*, the sciences deal with *actual* or *real* variations. What this reveals, however, is that Merleau-Ponty's idiosyncratic conception of induction has something in common with eidetic variation, namely a commitment to the *essential*. Both eidetic method and inductive method aim to discover what makes a given phenomenon what it is. The target of Merleau-Ponty's critique does not seem to be the eidetic method, but an empiricist conception of induction which he finds ultimately misguided, because it does not recognize its indebtedness to non-empirical or a priori features of induction. As he puts it “any knowledge of fact always involves an a priori understanding of essence” (PSM 72). His phenomenological criticism of traditional accounts of induction is even more transparent in remarks such as this: “The empiricist theory of induction is one of these points of view (in the pejorative sense of this phrase), a vague opinion without rigor, which prevents us from seeing ourselves when we practice the *Wesensschau*, especially in making inductions” (PSM 72).³⁹ Given these remarks, it is safe to say that Merleau-

39 If the new, eidetic sense of the inductive is disregarded or left unqualified, Merleau-Ponty's

Ponty is contending that despite their claim to being completely empirical, some of the sciences latently rely on the a priori method of *Wesensschau*.

Smith takes the quote above from *Phenomenology and the Sciences of Man* (PSM 69) to suggest that Merleau-Ponty endorses a *blurring* of the eidetic and inductive method or the phenomenological and the psychological method (2005, 566). The general point is, indeed, correct. If the inductive method and the eidetic method both rely on an a priori understanding of essence, as Merleau-Ponty puts it, then both methods are brought closer together. In light of his remarks it seems, moreover, that the blurring of the distinction between the eidetic and the inductive amounts to treating the inductive method as a species of the eidetic method. In combination with Merleau-Ponty's remarks above, the view that both inductive and eidetic method include, as Smith puts it, a grasping of the essence, suggests that Merleau-Ponty is *critical* of the lack of recognition of a priori and eidetic considerations that go into inductive science.

Smith's conclusions, however, are surprisingly different. Smith acknowledges that Merleau-Ponty's conception of induction is "idiosyncratic" and that both the eidetic method and the inductive method are linked since they consist of "a certain grasping of the essence of a type of phenomenon," but he stops short of explicating just what this grasping of essence involves (2005, 566). Clarifying the latter, would have made clear that "grasping of essence" describes *Wesensschau*, an a priori method, and that Merleau-Ponty explicitly upholds the importance of apriority throughout the text. Smith, rather, concludes that by "blurring of the distinction" between the eidetic and inductive, Merleau-Ponty is *rejecting* the "traditional distinction" between the a priori

calls to view induction and eidetic variation as similar is wrongly understood as Merleau-Ponty's attempt at championing of the sciences. In a recent paper, Reynolds disregards Merleau-Ponty's commitment to *Wesensschau*, which results in the view that Merleau-Ponty takes the notion of induction given by the sciences without qualification and appends it to the eidetic method (Reynolds 2017, 89).

and the a posteriori as well as the distinction between necessity and contingency (2005, 568). Smith's conclusion can only follow if Merleau-Ponty takes an a posteriori or empirical view of induction in which case Merleau-Ponty's blurring of the inductive and eidetic method would, indeed, result in a rejection of the distinction between the a priori and the a posteriori. Since Merleau-Ponty, as we have seen, takes the inductive method to be a priori in the sense that it rests on eidetic variation or a reading of essences from actual experiments, he resolves the relation between induction and phenomenological method in the opposite direction to the one suggested by Smith: Merleau-Ponty infuses induction with the a priori and in this way makes a case for the importance of the a priori in distinction to the a posteriori, instead of diluting it with the a posteriori.⁴⁰ Despite stating that Merleau-Ponty discards "sharp" distinctions, suggesting that there is still *some* distinction in place, Smith largely underplays the role of the a priori and transcendental methodology at the heart of Merleau-Ponty's phenomenology.

In order to see how, let us turn to Smith's claim that Merleau-Ponty calls for a union of empirical fields such as anthropology and psychology with phenomenology (PSM 91) which should, again, point to the fact that he is blurring the empirical – psychology – with the a priori – phenomenology. Here again, it is evident that Smith underplays the role of the a priori. Smith holds that Merleau-Ponty's employment of psychological or empirical studies in describing the structures of experience is evidence for his departure from a priori pursuits and encouragement for a naturalistic interpretation of his phenomenology. This interpretation makes Merleau-Ponty's phenomenology compatible with the a posteriori methodology of the empirical sciences

40 As Wittgenstein remarks in *On Certainty*, that distinctions are blurred does not entail the *absence* or the *rejection* of distinctions (OC 97).

and undercuts any prospects for a transcendental understanding of his phenomenology.⁴¹ According to Smith, the surface of Merleau-Ponty's phenomenology invites the contention that he is critical with respect to the sciences. Smith characterizes Merleau-Ponty's critique as "an attempt to undermine widely held objectivist, empiricist, and intellectualist⁴² dogmas concerning perception" (Smith 2005, 566). In Smith's view, however, not *all* of the psychological studies Merleau-Ponty employs are subject to criticism. Smith cites Merleau-Ponty's example of color acquisition, which is taken directly from psychological studies: infants first globally distinguish between colored and colorless and then between warm and cold shades, and finally they are able to distinguish between the shades of the whole color spectrum (PP 34). In Smith's view, Merleau-Ponty is employing "empirical psychology to help found general truths about the nature of perception," and therefore, his relation to the empirical methods is not critical or negative (2005, 567). If, indeed, Merleau-Ponty is not critical of this psychological study and believes that its empirical methods result in the correct conclusions, then Smith's interpretation that Merleau-Ponty blends the phenomenological with the empirical method and consequently rejects a distinction between the a priori and the a posteriori would find some support.

However, the passage Smith cites in support of the claim that Merleau-Ponty is

41 A rejection of the a priori is a common to various kinds of naturalism e.g., Quine 1951, 1960, 1969; Fodor & Lepore 1992.

42 Empiricism, to put it roughly, consists of views typical (but not limited to) the sciences according to which world and entities within it (including the subject) are understood along mechanistic and causal lines. On this view, the world and entities within it is governed by objective laws and external relations (Romdenh-Romluc 2011, 49). Intellectualism, on the other hand, holds that while the world and entities within stand in external causal relations, it does not hold that consciousness stands in the same causal relation to objects. Rather, consciousness is spontaneous and not causally determined (Romdenh-Romluc 2011, 54). Merleau-Ponty places Descartes, Kant, and at times, Husserl under the intellectualist rubric.

congenial to empirical methods demonstrates, in fact, Merleau-Ponty's critical attitude towards psychology:

But psychologists assumed that what prevents the child from distinguishing colors is merely an ignorance of or a confusion over color names. Where there *is* green, the child must surely have seen green; he just failed to pay attention to it and to apprehend his own phenomena. On the contrary, psychologists themselves were simply not yet able to imagine a world in which colors are indeterminate, or a color that is not a precise quality. The critique of these prejudices, however, allows us to perceive the world of colors as a second-order formation, established upon a series of "physiognomic" distinctions, such as between "warm" shades and "cool" shades, or between the "colored" and the "non-colored." We cannot compare these phenomena occupying the place of color for the child to any determinate quality [...] Attention, then, must be conceived on the model of these originary acts, since a second-order attention that limited itself to recalling an already acquired knowledge would refer us back to the acquisition itself. To pay attention is not merely to further clarify some preexisting givens (PP 32).

Merleau-Ponty contends in the above that the psychologists *failed* to give an accurate account, which he says is due to certain "prejudices". Psychologists, he argues, believe that the child is receiving the same sense data as an adult, but is incapable of naming the color. Merleau-Ponty is arguing that the psychologists' implicit empiricist and

objectivist prejudices give them the view that the color green is, so to speak, “there” in the child's reality, but the child fails to attend to it. The world is not considered from the point of view of the child, “a world in which colors are indeterminate, or [do not have] a precise quality.” What the child experiences, Merleau-Ponty holds, cannot be treated as an impoverished version of what the adult experiences. The psychologists do not see color acquisition as “an originary act” – because they look at it from a retrospective point of view, reading what the adult sees back into what the child sees, and therefore leave untouched the question of how the child *acquired* a new dimension of experience (“refer us back to the acquisition itself”). Furthermore, Merleau-Ponty adds, “To pay attention is not merely to further clarify some preexisting givens.” The psychologists he criticizes start from an empiricist picture according to which all perceivers are given determinate sense data, but in some cases simply lapse in their attention to them. Instead of appreciating infant perception as a mode of perception to which indeterminacy is essential, the psychological picture presents its indeterminacy as a defect. It should be clear from the passage above that Merleau-Ponty rejects this psychological picture.⁴³

If Merleau-Ponty departs from the findings of the psychological account, what are his own conclusions? Merleau-Ponty provides the following alternative: “The first perception of colors, properly so called, is thus a change in the structure of consciousness, the institution of a new dimension of experience, and the deployment of an *a priori*” (PP 34). In other words, when we acquire the ability to perceive colors – the full range of the spectrum – it is not that we now finally attend to the colors that were always there, but we merely failed to “see.” Rather, the ability to see colors is “a

43 It can be argued that Merleau-Ponty's *reliance* on empirical studies, as a starting point is itself a suggestive of an endorsement of empirical methods. Merleau-Ponty, in the example above, does not endorse the case study and the psychologists' position in his own voice. Especially with *The Phenomenology of Perception*'s dialectical structure -- which does not aim to give full-blown refutations, but to point out to shortcomings -- mere reliance does not constitute unqualified acceptance.

change in the structure of consciousness,” such that, once this change occurs, our consciousness develops a new a priori, i.e., the ability to see colors becomes a priori and structural. Despite Merleau-Ponty’s explicit use of the term “a priori,” which Smith cites without explanation, Smith refers to Merleau-Ponty’s conclusion as “generalizations about perception” that are founded on psychological studies (2005, 567). This view clashes directly and explicitly with Merleau-Ponty’s commitment to the a priori in the same example, for a generalization is typically empirical; Smith, at least, does not give any further qualification. It could be that Smith is referring to the new phenomenological sense of the inductive, which takes generalizations to be tied to apriority, but Smith never makes that suggestion and, indeed, simply drops the a priori aspect.

At the same time it would be a mistake to think that Merleau-Ponty wishes to merely reiterate the Husserlian conception of the eidetic. To understand this last point, we can return to Merleau-Ponty’s joining effort between empirical science (including psychology and anthropology). For Merleau-Ponty, anthropology gives us a “mere inventory of actual facts” and traditional phenomenology amounts to nothing more than “a mere thinking of possibilities” (PSM 91). What he wants is that “abstract phenomenology should come into contact with facts” by “animating” and “organizing” these facts (PSM 91). This emphasis on fact, as we will see, is tied to the interrelated notions of facticity, world, and actuality. Ultimately, the transcendental that Merleau-Ponty advocates is one that distances itself from talk of the sheer possibility of a phenomenon, and focuses on how we actually experience the world. In other words, any investigation into “essential structures [...] must begin by understanding lived experience” (PSM 92). Possibility comes to be grounded, in this way, on actuality (more on this in the next section). None of this, however, is apt to suggest a non-aprioristic approach in phenomenology.

In summary, Smith holds that Merleau-Ponty rejects a priori/a posteriori distinctions because, *first*, he blurs the eidetic and inductive method, and *second*, he is not always critical of psychological studies. In the first case, we have seen that Merleau-Ponty incorporates induction into his a priori methodology by changing the meaning of induction from its empiricist original to a phenomenological concept that serves as a technique of clarifying essential features of experience. In the second case, we have seen that Merleau-Ponty starts off from psychological studies; however, he is critical of the studies he examines, and his own position, as is obvious in the case above, involves a claim about apriority. While we have seen that the view that Merleau-Ponty discards the a priori is questionable, what remains to be seen is the kind of apriority his account recommends. In what follows, I will examine some key features of the a priori (and, to some degree, necessity and universality) in Merleau-Ponty's account, before turning to further crucial objections that will allow us to bring Merleau-Ponty's conception of the (transcendental) a priori into sharp relief.

2. Merleau-Ponty's Transformation of the Transcendental

The question we turn to now is whether Merleau-Ponty's revision of the a priori and associated notions of necessity and contingency can be considered transcendental. Merleau-Ponty, throughout the *Phenomenology of Perception*, endorses apriority when speaking in his own voice. In fact, he distinguishes various kinds of a priori according to different domains or modalities of experience: the a priori of the species (PP 80), the a priori of color perception (PP 32), which we encountered above, and the a priori of history (PP 90). Let me begin with perhaps the least explored of the examples, the historical a priori, in order to clarify just what the a priori and its contingency, which we touched upon above, might mean.

[W]ithin the cultural world, the historical *a priori* is only consistent for a given phase and provided that the equilibrium of *forces* allows the same *forms* to remain. History, then, is neither a perpetual novelty nor a perpetual repetition, but rather the *unique* movement that both creates stable forms and shatters them.

(PP 90)

According to this passage, the historical *a priori* or the structure of a historical phase, can be subject to change. So long as certain forces remain in play, certain forms are retained; if these forces lapse, the *a priori* structures change. The *a priori*, in this sense, is *indexed*. It is not necessary as such, but necessary *given* the existence of certain historical forces (“the equilibrium of forces”). That is, the *a priori* is necessary but also contingent in a special sense: it is necessary in the context of existing circumstances; if these circumstances change, the *a priori* loses its structural force. This, however, does not mean that the *a priori* is tantamount to the *a posteriori*. Rather, it means that the *a priori* is indexed to whatever exists around it. This kind of indexing is present in Kant, too, who argues that the necessity of transcendental condition is indexed to discursive intellects. Beings of a different kind (i.e., a divine intellect) would have a different “experience” (CPR B135, B138-139). While Kant indexes *a priori* to a fixed model of discursive cognition, however, which enshrines faculty subdivisions of the mind in terms of sensibility, imagination, and understanding, Merleau-Ponty indexes *a priori* to *facticity*, that is “[o]ur concrete and embodied experience as being-in-the-world” (Landes 2013, 80).

Merleau-Ponty clearly indicates to what extent his understanding of the *a priori* is indebted to Kant, and to what extent it diverges from Kantian *a priori*. He states:

Kant already showed that the *a priori* is not knowable prior to experience, that is, outside of our horizon of facticity, and that it cannot be a matter of distinguishing two real elements of knowledge, one of which would be *a priori* and the other *a posteriori*. If the *a priori* maintains its character in Kant's philosophy of *that which ought to be the case*, in opposition to what exists in fact and as an anthropological determination, this is merely to the extent that he has not followed his own program to its logical conclusion, for he set out to define our powers of knowledge through our factual condition and that should have obliged him to place every conceivable being against the background of this factual world (PP 229).

Merleau-Ponty explains that Kant recognized that all knowledge begins with experience, or, in other words, is situated in a world of experience, which Merleau-Ponty calls our *horizon of facticity*; but despite having started with facticity, Kant did not follow through the ramifications of his starting point. In order to understand this latter point, let us first examine the notion of facticity. To start on a cautionary remark, fact and facticity should not be understood as empirical terms, because in the phenomenological context, facticity has to do with more than what is observable. Heidegger, for whom the notion of facticity plays a significant role, took the latter to be *a priori* and transcendental, standing for the irreducible situatedness of human beings (BT 174). In turning to experience, we do not find ourselves confronted "by our own existence in some detached or abstracted form" nor do we find "a field of sensory 'evidence,'" (Malpas 2006, 52). We find, rather, that we are always already "enmeshed in a world" in such a way that does not allow us to distinguish strictly the subject and

the world (Malpas 2006, 52). It is this facet of our experience that, according to Merleau-Ponty, Kant does not adequately appreciate, because he takes the subject alone to furnish the conditions for the possibility of the world, discarding the facticity of the subject, that is, the subject as always already embedded in the world. Our facticity is, to conclude, not a particular fact about us, but our whole situation and this situation is not completely explicit, that is, not entirely reflectively tractable (Crowell 2003).

To return to the passage above, in Merleau-Ponty's view, Kant is wrong to speak of "what ought to be the case [*qui doit être*]" in abstraction from our factual situation. Merleau-Ponty suggests that instead of keeping our factual situation in view, Kant attempted to *construct* what should be the case given, for instance, certain *ideas* of knowledge.⁴⁴ This reading can be substantiated by reference to Merleau-Ponty's critical remarks about classical transcendental philosophy: "They are satisfied with the necessity of this possibility, and they thereby judge what is by what ought to be [*qui doit être*], or by what the idea of knowledge requires" (PP 62). To apply this remark to the current example, Kant fails to recognize the inherence of the subject in facticity, and turns, instead, to what must be the case, "given what the idea of knowledge requires;" that is, Kant discards facticity in favor of conceptual systems and the moves they prescribe. The translation of "doit" as "ought" comes to signify the prescriptive element: Kant ends up with his picture of cognition as the cooperation of sense data and a priori concepts because he starts from the recognition that the philosophical systems of empiricism and of rationalism fail to provide satisfactory accounts of knowledge. Therefore, combining and recombining elements of empiricism (sense data) with elements of rationalism (a priori concepts) provides us with a solution to these

44 Merleau-Ponty's complaint with respect to Kant is that he fails to consider the facticity, our concrete being in the world, at each step and as Husserl puts in the *Crisis*, retreats into "mythical construction" (Husserl 1970, 114-116). This critique, as we saw in Chapter 1, is one that Strawson shares with the phenomenologists.

problems. So the source of his account of knowledge is purely theoretical. What is completely overlooked is the lived character of experience. Consequently, the a priori will turn out to be what ought to be the case given a particular conception or (theoretical) *idea* of knowledge. This is incompatible with Merleau-Ponty's descriptive commitments, according to which we cannot lose sight of facticity, our concrete being in the world. In this sense, Merleau-Ponty's eidetic method, his pursuit of essences, anchors the transcendental a priori in the factual and does not base it on purely systematic considerations. As he puts it in the passage above, if we want to do justice to facticity, we are “obliged to place every conceivable being against the background of this factual world.”

What are the consequences of this notion of facticity on the distinction between a priori and a posteriori? Merleau-Ponty says in the passage above that the a priori in its new sense tells us what *must* be, *given* what *is* – the “horizon of facticity,” or “background of this factual world”. Bearing this in mind, let us now return to Merleau-Ponty's text. He continues the passage above:

From the moment in which experience – that is, the opening onto our factual world – is recognized as the beginning of knowledge, there is no longer any means of distinguishing a level of *a priori* truths and a level of factual ones, or between what the world ought to be and what the world actually is. The unity of the senses, which was taken as an *a priori* truth, is no longer anything but the formal expression of a fundamental contingency: the fact that we are in the world. The diversity of the senses, which was taken as an *a posteriori* given, including the concrete form that it takes in the human subject, appears as necessary to that world,

that is, to the only world that we could think of with any importance; the diversity of the senses thus becomes an *a priori* truth (PP 229).

While Merleau-Ponty states that “there is no longer any means to distinguish a level of a priori truths and a level of factual ones,” this should not be confused with the claim that there is *no* distinction between apriority and the a posteriori. Rather, they cannot be distinguished as existing on different *levels*, a priority in the immanent domain of the transcendental ego and the a posteriori in the empirical domain. Once again it is facticity, our concrete being in the world, which is the level at which both a priori and a posteriori truths can be postulated. Apriority, then is not “in the final analysis” as we saw above, immutable. It is based on a fundamental contingency, namely the fact that we are in the world. But within the world we inhabit there are certain necessities. As Merleau-Ponty explains above, Kant held that “the unity of the senses” was a priori (the a priori forms of time and space) and viewed the diversity of the senses (touching, hearing, etc.) as contingent. From the perspective of facticity, from the point of view, that is, “of the concrete form the human subject takes,” we can see, however, that Kant's a priori is contingent. It is contingent in the sense that it rests on the contingent fact that “we are in the world”, which is bound up inseparably with concrete modalities of experience or concrete ways of inhabiting the world. What Kant took to be a posteriori and contingent, in abstraction from facticity, becomes a priori and necessary in light of facticity: given the kind of beings that we are, the diversity of our senses is necessary and a priori in that it makes our experiencing the world possible. When Merleau-Ponty introduces the passages above, he says that he aims to furnish “a new definition of the a priori” (PP 229). This new definition keeps facticity in view.

To summarize this section, Merleau-Ponty's position, as expressed in the above

passage, complicates the traditional distinction between the a priori and the a posteriori. First, it places both at the level of facticity, our being in the world, rejecting the traditional notion that a priori truths belong to the inner domain of consciousness and a posteriori truths to the outer domain of sensible experience. Second, Merleau-Ponty holds that the a priori is necessary and contingent in different senses, as we saw in the case of the historical a priori with which I began. Since the a priori is not grounded in an inner realm but in facticity, it is not cut-off from contingency. This displacement of the a priori from the inner realm of subjectivity to the world is one of Merleau-Ponty's major transformations of the Kantian and the Husserlian program (Dillon 1987).

3. Objections to the Transcendental Interpretation

From an exegetical point of view, it is evident that Merleau-Ponty does not dispense with apriority and necessity. Systematic problems, however, remain. It has been argued that Merleau-Ponty's revised conceptions of apriority and necessity, when scrutinized, are largely unintelligible and ultimately collapse into the empirical (Inkpin 2017, Reynolds 2017). This collapse, so the contention goes, proceeds from the contingency of facticity on which apriority and necessity are grounded. According to this view, because necessity is indexed to facticity, which is contingent, and contingency is empirical, Merleau-Ponty's philosophical account is ultimately empirical. Further, it is argued that Merleau-Ponty gives up on the question of *possibility* that is essential to the modality of transcendental claims. That is, while transcendental claims purport to supply "*conditions of possibility*," given that he bases apriority and necessity on facticity (our *actual* embodied being in the world), Merleau-Ponty replaces the latter with "*conditions of actuality*," thereby rejecting one crucial feature of transcendental claims. In the final analysis, Merleau-Ponty's revision of ideas that seem vital to transcendental accounts renders his account non-transcendental. If this critique is

accurate, it has wide-ranging implications. Not only is Merleau-Ponty's transcendental approach undermined, but so is, at least in part, the future of transcendental thought, given that Merleau-Ponty's modification of apriority and his appeal to contingency in this context can be interpreted as attempts to revise the problematic aspects of traditional transcendental accounts we have seen in Chapter 1 and 2.

Let us begin with the first criticism. Andrew Inkpin argues that Merleau-Ponty fails to meet the “transcendentalist challenge” because he ultimately fails to supply an intelligible account of the distinction between the *a priori* and the *a posteriori* (2017, 41-45). To this end, Inkpin cites Merleau-Ponty's following remark: “The *a priori* is the fact as understood, made explicit, and followed through into all of the consequences of its tacit logic; the *a posteriori* is the isolated and implicit fact” (PP 230). According to Inkpin, Merleau-Ponty's explanation is not sufficiently clear and even if liberally interpreted still fails to supply an adequate distinction between the *a priori* and the *a posteriori*. First, it is hard to make sense of “an isolated fact,” especially in the context of Merleau-Ponty's phenomenology of perception. As Inkpin puts it, “any fact we are aware of presupposes either the use of concepts that inferentially/rationally integrate it into our understanding of the world or—perhaps more immediately for Merleau-Ponty—a holistic background of practical engagement with the world” (2017, 42). Inkpin suggests that isolated facts are always integrated in a wider rational/practical context. But here, inadvertently, Inkpin presents us precisely with the distinction on which Merleau-Ponty's account turns. Transcendental thought precisely brings into view, that is, makes explicit the background of what might appear to us as isolated facts. In this sense, the *a posteriori* is the presentation of an isolated fact and the *a priori* is what the fact “presupposes,” namely an “understanding of the world [...] a holistic background of practical engagement with the world,” that is a structure in which subjects are always already practically engaged with the world. The *a priori* as Merleau-

Ponty formulates it, puts us in a position to comprehend the fact and allows us to trace out “the consequences of its tacit logic” – how the fact connects up with others in the structured horizon of facticity. The a priori, in other words, takes the *relation* between facts into account and the a posteriori considers isolated facts.

In the same passage that Inkipin cites, Merleau-Ponty explains that considered from the a priori perspective, “sensation, such as it is presented to us by experience, is no longer an indifferent matter and an abstract moment, but rather one of our surfaces of contact with being, or a structure of consciousness” (PP 230). In other words, a posteriori, sensation is an empirical abstraction from lived experience, but, a priori, it is a structure of embodied consciousness, or a structural component of our being in the world. Inkipin disregards the larger context of the passage, which clarifies Merleau-Ponty’s ideas about the relation between apriority and facticity. It is for this reason that Inkipin concludes that the distinction Merleau-Ponty presents is empirical throughout and therefore has little to do with the distinction between the a priori and the a posteriori. It is clear, however, that the function of the a priori in Merleau-Ponty’s account is to present *structural relations* between facts, namely, necessary connections that are not furnished by a consideration of individual cases.

Second, according to Inkipin, Merleau-Ponty's view that embodied subjectivity and the phenomenal field “are conditioned or determined by contingent facts” suggests “Merleau-Ponty has effectively given up the idea of necessity” (2016, 42). If this is true, a great deal of Merleau-Ponty's phenomenology, which rests on, for instance, the necessity of bodily orientation in space and time, the figure/ground distinction for perception (PP 4), the body schema (PP 102), and the intentional arc (PP 137), which Merleau-Ponty holds to be necessary features of being in the world are rendered unintelligible. Thankfully, however, this fatal consequence for Merleau-Ponty’s phenomenology can be averted. Inkipin contends that contingency contradicts necessity,

because he assumes they are operative at the same level. However, he is misguided in his contention. For Merleau-Ponty all necessity is grounded on facticity; this does not mean that necessity is tantamount to contingency; rather, necessity is indexed to the world, which we inhabit as embodied subjects. Given that we are in the world, in the way that we are (qua embodied subjectivities) certain necessities emerge. The contingent fact is that the world and our embodiment could be otherwise. Why this counts as giving up on necessity altogether, as Inkipin alleges, is not entirely clear. The Kantian account, for instance, treats cognition as indexed to discursive intellects; if these intellects did not exist, there would be no cognition so that in this sense, cognition is based on the contingent fact that there are discursive intellects. The distinction between this Kantian account and Merleau-Ponty's account is that while the latter works with a *fixed* conception of the discursive intellect, Merleau-Ponty takes facticity, our embodied being in the world, as an open horizon that cannot be made static. Therefore, any account of necessity is provisional, open to what shows itself. This openness to change and revision does not remove necessity from the picture altogether. Given the world we are situated in contingently as embodied subjects, various structures have to be in place for it to be possible for us to perceive, act, or have knowledge. Inkipin attempts to trace Merleau-Ponty's transformation of the transcendental, but perhaps because he takes traditional transcendental accounts as a litmus test for any transcendental account, he fails to see how necessity and contingency can, in two different senses, apply to a given condition. He fails to see that necessity and contingency can relate in two ways to each other – first, that contingent experiences presuppose necessary structures, and second that these necessary conditions are grounded in contingency, in our facticity, or our lived situation.

Third, Inkipin holds that Merleau-Ponty's “wants to make constitutive claims—say about the constitution of intentional structures—these must be understood as

descriptive statements of (empirically) conditioned facts” (2017, 42).⁴⁵ It is not clear why Inkpin thinks that because constitutive features are in some sense contingent (they are tied to facticity), they are conditioned by something *empirical*. It appears that he takes contingency always to belong to the empirical. As should be obvious by now, contingency and the empirical are two separate moments; and a proper understanding of Merleau-Ponty’s remarks about facticity depends on keeping them separate, so that we do not conflate facticity with the empirical. The example of the historical a priori we have encountered above can be helpful at this juncture. As we have seen above, Merleau-Ponty says that so long as the “equilibrium of forces,” or the dynamic of the status quo, remains intact, certain a prioris will be operative (PP 90). If this dynamic changes, the a priori changes, too. Now, this shows that a priori and necessity are contingent, insofar as they are grounded on facticity. But it would be a mistake to hold that the a priori is conditioned by *empirical facts*. First, the status quo, if understood as a dimension of facticity, surpasses the empirical; it is a context of meaning and intelligibility that cannot be reduced to a set of discrete empirical facts. That is, the “equilibrium of forces” does not consist of punctual, atomistic facts, but amounts to a comprehensive situation. So, it remains unclear why Inkpin holds that the only way we can understand the conditioning of the a priori by facticity and the resulting contingency

45 Inkpin takes Merleau-Ponty's views on conditions to be the same as Rorty's conception of naturalism: “anything might have been otherwise, that there can be no conditionless conditions [...] and that there is no such thing as a noncausal condition of possibility” (Inkpin 2017, 42; Rorty 1991, 55). But this proposal is rather difficult to understand. Merleau-Ponty nowhere supports causal conditions of possibility and indeed much of the *Phenomenology of Perception* is dedicated to criticizing mechanistic and causal explanations in science (e.g., PP 75-91). Inkpin would have to show that Merleau-Ponty’s conception of constitutive features such as the body-schema and the intentional arc are causal conditions of possibility. The view that anything can be otherwise, too, does not describe Merleau-Ponty's position, especially, as we will in the next section where Merleau-Ponty describes the body's permanent perspective as metaphysically necessary.

of the a priori, is to treat the a priori as *empirically governed by facts*. Even if one were to hold that Merleau-Ponty's conception of the a priori is in some sense empirically governed, there would be no reason to discount it as a priori, given the role it plays within his account, unless one takes Kant's pure a priori which had its genesis in the subject or the intellect to be exhaustive of apriority. But even Kant permits that there can be an impure a priori, which is based on experience (the a priori involved in inductive generalizations; see Chapter 2).

Finally, Inkpin argues that while transcendental conditions supply *conditions of possibility*, Merleau-Ponty aims to supply *conditions of actuality* (2017, 42-43). In Inkpin's view, transcendental conditions aim not for actuality, how things are, but conditions of possibility concern how things must be if they are to be possible at all; i.e., the possibility of knowledge, the possibility of perception etc. Inkpin believes that there is no room for conditions of possibility in Merleau-Ponty's account, given especially that Merleau-Ponty attempts to describe, rather than explain phenomena. First, let us address the contention that Merleau-Ponty dispenses with conditions of possibility altogether. It is true that Merleau-Ponty repeatedly criticizes traditional transcendental thought for its emphasis on conditions of possibility, because, in his view, conditions of possibility do not take into account how the world actually is (PP 464, 468, lxxiii). A rational reconstruction of experience, which gives us conditions for the possibility of various concepts, neglects the actual situations where these concepts have their life. Given his descriptive intentions, Merleau-Ponty is not concerned with "what the *idea* of knowledge requires," (PP 62, emphasis mine) as we saw above, but what knowledge as it is actually lived requires. It is clear, however, that despite his criticism of the conditions of possibility advanced by traditional transcendental accounts, Merleau-Ponty does employ the notion. Here is an example: "Our body, insofar as it moves itself, that is, insofar as it is inseparable from a perspective and is this very perspective

brought into existence, is the condition of possibility not merely of the geometrical synthesis, but also of all of the expressive operations and all of the acquisitions that constitute the cultural world” (PP 412). For Merleau-Ponty any condition of possibility should be based on actuality – our embodiment and our inherence in the world. But this by no means indicates that Merleau-Ponty rejects the conception of a condition of possibility as such. He merely insists against the prevalent understanding of transcendental conditions as the last ground that the modality of possibility is grounded on actuality just in the way in which necessity is based on facticity. Inkipin opposes the transcendental interpretation of Merleau-Ponty because he fails to recognize the modal structure Merleau-Ponty has in mind – a structure where actuality grounds and qualifies possibility rather than replacing it.

Let me expand on this interpretation. According to M. C. Dillon, Merleau-Ponty's philosophy is *not* just “another version of post-Kantian transcendental philosophy,” but it “still aims at preserving the truths of transcendental thought” (1997, 174). Merleau-Ponty disagrees with post-Kantian philosophy for its naive forgetfulness of lived experience, which becomes tangible wherever the subjective is taken “as founding, when it is founded in actuality” (Dillon 1997, 175), wherever, that is, subjective conditions of possibility are taken to enable actuality. As Dillon puts it, “transcendental thought [...] takes its departure from the phenomenal world of perceptual faith, and it also takes its measure from that world; that is to the extent that transcendental philosophy succeeds in revealing the structure of meaning constitutive of the phenomenal world, that success is measured against the standard of actual experience” (1997, 174-175.) Dillon's remark is an echo of Merleau-Ponty's outline of phenomenology in the Preface of the *Phenomenology of Perception* where he says that phenomenology is a transcendental philosophy, but for phenomenology “the world is always ‘already there’ there prior to reflection – like an inalienable presence” (PP lxx).

Therefore, it is fair to say that Merleau-Ponty's problem with *subjective* conditions of possibility is that they are taken as foundational, thereby failing to recognize that our being in the world is more primary than reflection, such that transcendental philosophy itself depends on our being in the world. As we have seen in the previous paragraph, Inkipin makes a similar mistake. He fails to recognize that, in arguing that conditions of possibility are problematic, Merleau-Ponty's *positive* proposal is to ground possibility on actuality, or facticity, and *not* to reject conditions of possibility altogether. This is textually evident in various remarks: “human existence will lead us to revise our usual notion of necessity and contingency” (PP 174); “the only way to understand man and the world is by beginning from their 'facticity'” (PP lxx); “the eidetic method [...] ground[s] the possible upon the real” (PP lxxx). The overarching point Merleau-Ponty is making in these remarks is that philosophy should keep in view what is actual and should not, one can add, escape into possibility that takes leave of facticity, our situation in the world. Conditions of possibility have to be grounded on actuality so that they do not destroy the *primacy* of the world for embodied experience (more of this in the next section). One of Merleau-Ponty's central criticisms against Kant is concerned with what he calls the naivety of taking consciousness to be foundational without asking what makes consciousness possible. For Merleau-Ponty, the possibility of consciousness itself rests on the world. As he puts it, the world is not the result of syntheses generated by the intellect, but rather, “the world is there prior to every analysis I could give of it” (PP lxxiii).

Crucial to understanding Merleau-Ponty's proposal is the idea that the world (alongside other embodied subjects) is also a transcendental condition. Numerous authors have referred to this as “co-constitution” or “complicity” (e.g., Zahavi 2001; Behnke 2002) The latter notion, in particular, is developed in Merleau-Ponty's later work, where he suggests that “perception,” is not just structured by the subject, but rests

on “an active attunement *to the directives of things*” (emphasis mine, Wheeler 2008, 60). Because, further, for Merleau-Ponty, the body is what perceives, not an atemporal and amorphous mind, the inner domain of traditional transcendental philosophy is cracked open. Merleau-Ponty transports the discussion of the transcendental from a transcendental idealist perspective, which endorses the unilateral constitution of experience by the subject, to the complicity and co-constitution of subject and world. As the significance of this shift is rarely taken seriously, the impression could take hold in the literature that Merleau-Ponty rejects transcendental thought altogether. With this disregard, perhaps one of the most fundamental and fruitful developments in transcendental philosophy goes neglected. It cannot be stressed enough that the distinction between embodied subjectivity and facticity or world should not be read along classical lines, as a distinction between the a priori and the empirical, so that, as in the previous cases, Merleau-Ponty's emphasis on the world, facticity or actuality is taken as his championing the empirical against the a priori or a blurring of the two such that they become identical.

4. The Subjective A Priori Account

As we have seen, one tendency in the literature is to reject that apriority has a place in Merleau-Ponty's phenomenology. From both an exegetical and a systematic point of view, such readings have serious shortcomings. The opposite tendency, which I have introduced briefly at the beginning of this chapter, is to take Merleau-Ponty to be furnishing a wholesale endorsement of the traditional Kantian conception of apriority, which ultimately leads to the view that Merleau-Ponty is a transcendental idealist. One example of an interpretation that portrays Merleau-Ponty as a Kantian transcendental philosopher is Sebastian Gardner's (2015) account, which in my view fails to dissociate the transcendental aspects of Merleau-Ponty's phenomenology from the doctrine of

transcendental idealism (Gardner 2015).

Before I proceed to the critical assessment, I want to acknowledge my agreements with Gardner's reading of Merleau-Ponty. For example, he rejects the no a priori position that the interpretations discussed above endorse. He contends that any such position would “plainly make nonsense of much else that he [Merleau-Ponty] says” (Gardner 2015, 319). As I have also argued above, Gardner contends that Merleau-Ponty wished to “free the transcendental a priori from its Intellectualist misconception” (2015, 319). However, as we will see, Gardner does not adequately free Merleau-Ponty from one of the central intellectualist misconceptions attributed to him, namely transcendental idealism (e.g., Baldwin 2013). Gardner overstates Merleau-Ponty's commitment to Kantian apriority, especially to the thesis of subjective genesis, instead of staking out the far-reaching consequences of Merleau-Ponty's transformed conception of the transcendental, which we will come to recognize is incompatible with transcendental idealism

The main move of Gardner's transcendental idealist interpretation of Merleau-Ponty's phenomenology is to establish a connection between Merleau-Ponty's views on the necessity of embodiment and Kant's Copernican turn. He states:

Kant's Copernican form of explanation is affirmed in the argument that Merleau-Ponty gives for this thesis, which corresponds closely to Kant's argument regarding space and time in the metaphysical expositions of the Transcendental Aesthetic: the body's permanence cannot be a 'necessity of fact, since such necessity presupposes' it, and 'factual situations can only impact upon me if my nature is already such that there are factual situations for me' (PP 91). Merleau-Ponty affirms, therefore, the

distinction of the transcendental from empirical necessity, and that the subject's mode of cognition has Kantian explanatory priority over the objects of cognition (Gardner 2015, 301).

Gardner argues, in the above, that Kant's Copernican strategy is upheld by Merleau-Ponty, because Merleau-Ponty takes the "metaphysical" necessity of the fixed nature of the body's perspective on the world as a condition for the possibility of factual situations in which we encounter objects. Gardner holds that there is an analogy between Kant's Transcendental Aesthetic and Merleau-Ponty's account. According to Gardner's contention, this analogy between Kant and Merleau-Ponty ultimately shows us that "the subject's mode of cognition" is prior to the objects of cognition; it is their transcendental condition. Kant's Copernican Revolution intended to show that the subject's a priori modes of cognition have priority over, and in this sense shape, objects of cognition. The subject's modes of cognition, sensibility and understanding, consist of those transcendental, a priori conditions, space and time and the categories, that make experience possible. The subject, thanks to these a priori structures, *unilaterally* constitutes the world. The world is, in other words, passive; the subject is spontaneous and active.

First let us turn to the detail of the analogy Gardner draws between Kant and Merleau-Ponty. While Kant offers several arguments for the transcendental ideality of space, I will consider the most relevant one for the current discussion. Kant holds that space is a necessary condition for the experience of external objects, because I can conceive of a space without objects (an empty space), but I cannot conceive of objects without space (CPR A24/B38-39). In Kant's words: "One can never represent that there is no space, though one can very well think that there are no objects to be encountered

in it” (CPR A24/B38). Space is thus an a priori form of intuition.⁴⁶ Henry Allison presents Kant's argument structure in the following way: if X can be (represented) without A, B, C and their mutual relations, but A, B, C cannot be (represented) without X, then X is a necessary condition for the possibility of A, B, C (paraphrased from Allison 2004, 104). Once again, if I can represent space without objects and their relations, but I cannot represent objects without space, then space is a necessary condition for the possibility of objects. For Kant, then, there is an *asymmetry* between the objects of my experience and space; “the thought experiment indicates, although the latter remains when one abstracts from the former, the converse does not hold” (Allison 2004, 107). They are, as Allison puts it, not “equal partners,” because space is “epistemically prior in the sense that it is the a priori condition of the representation of” objects of experience (2004, 107). I will call this the thesis of *unilateral subjective constitution*. It is unilateral because the a priori subjective form of intuition constitutes objects, but not the other way around (CPR A28/B44). It constitutes objects in space unilaterally, because there are no other transcendental conditions outside the subject that enable space. This is essentially Kant’s transcendental argument for the ideality of space.

Before I offer an appraisal of Gardner's position, namely, that Merleau-Ponty is committed to something along the lines of a thesis of unilateral constitution and for this reason to transcendental idealism, I will offer a few broad remarks on the place of embodiment in Merleau-Ponty’s phenomenology. According to Merleau-Ponty,

46 A similar argument for the ideality of space is the following: In order to argue for the apriority (subjective genesis) of space, Kant states that space is not “an empirical concept drawn from outer experiences,” because in order to have outer experiences, that is experiences of non-identical objects in different places, space must already be presupposed (CPR B38) I could not, according to Kant, get my idea of space from my perception of objects, because my very perception of objects presupposes space (CPR B38). This, according to Kant, establishes the apriority of space.

embodiment is our way of being in the world: “One’s own body is in the world just as the heart is in the organism: it continuously breathes life into the visible spectacle, animates it and nourishes it from within, and forms a system with it” (PP 209). The body, here, is presented by Merleau-Ponty as “one’s own,” suggesting that embodiment is not experienced as an object among other objects but ineluctably as part of my own subjectivity. It is not something I possess, but something I am. My own body plays “a constitutive role in experience precisely by grounding, making possible [...]” (Carman 1999, 208). Unlike classical transcendental views, which would take the body to be “an object of judgment, inference, or even conscious awareness,” Merleau-Ponty does not take the body to be an “I think,” but an “I can” anchored in our precognitive engagement with the world (Carman 1999, 218).⁴⁷

To return to Gardner's subjective a priori account, in the passage cited above he points to certain features of embodiment which he takes to play a role in Merleau-Ponty that is analogous to the Kantian view that the subjective features of cognition have explanatory priority over objects. That is to say, we can understand or explain objective cognition only through the subjective framework of cognition. According to Gardner, then, Merleau-Ponty shows along similar lines that the necessity of embodied perception is transcendently prior to the objects of perception; the objects of perception are merely empirically necessary, but the embodiment of the subject is transcendently necessary. Perceivable objects could not exist without the body-subject.

The two necessary features of embodiment, which motivate Gardner's view are, as we saw above, the “permanence” and the “fixed perspective of the body” (2015, 301). Let us therefore examine Merleau-Ponty's position on the necessary permanence

47 Carman’s reading, however, suggests foundationalism with respect to Merleau-Ponty *if* we understand the body subject’s grounding of experience unilaterally.

of embodiment. Merleau-Ponty holds that psychology characterizes the permanence of the body in a partially correct, but ultimately misguided manner: according to psychology, unlike other objects, my body is “constantly perceived” (PP 92). In other words, unlike the objects laid out before me – the lamp, the cup of coffee, the windowsill, and the view of the church – which can vanish from my visual field if, say, I turn around or leave the room, my body is always present, always “with me” (PP 92). The objects before me can be “moved away” and “ultimately disappear,” but my body cannot be taken away from me.⁴⁸ However, the psychologists *fail* to characterize this permanence accurately: “The permanence of my body,” as Merleau-Ponty says, “is of an entirely different type [than the permanence of objects]” (PP 93). That is to say, the psychologists are correct in understanding the body as a constant, but incorrect in conflating it with something perceived on par with other objects. The permanence of the body is an empirical fact for the psychologists, just a perception among others, while it is *transcendental* for Merleau-Ponty, that is to say, it is necessary and constitutive. This necessary and constitutive feature of embodiment becomes clear when we consider the fact that the permanence of one’s own body is characterized by a fixed perspective: “my own body always appears to me from the same angle” and, therefore, “defies exploration” (PP 93). The objects I perceive do not defy exploration; I can turn this book around, I can view it sides and back, that is, I can take several perspectives on it. Now, one’s own body is, like objects, perspectival; but *unlike* physical objects which, as they appear in perspective, can be seen or touched from various angles, one’s own body’s perspective is *fixed*. In this sense, one is, to use Merleau-Ponty’s metaphor, “imprisoned” in one’s perspective on one’s own body, in an entirely different way than if one were actually imprisoned and could only see the steeple of a church from the

48 This is not to imply that I am always explicitly aware of my body. For instance, being a bad dancer, an awkward presenter, or being in pain can make my body explicit to me in various. Ordinarily, however, one is not explicitly aware of one’s body.

window of one's cell (PP 93). In the latter case, I would know that in principle I can see the church from various perspectives. By contrast, I, as a living embodied subject, cannot see my own body from various perspectives. I can see my back in the mirror, but I cannot change the "original structure of my own body"; for instance, I cannot see my body directly from the back of my head (PP 93). I know, as in the case of the church, that others can see my body from various angles; but I cannot alter my original perspective on my body.

Now the necessity of permanence and fixed perspective is stronger than the merely factual necessity that Merleau-Ponty has ascribed to physical objects. It is true that physical objects cannot be seen from all sides at once; but why is it true? It is true, because my own body imposes a fixed perspective on the world. The contrast between physical objects and one's own body is that the former involves *factual* necessities, while the latter is *metaphysically* necessary (PP 93). Particular factual necessities – that from my window I can only see particular perspectives, say, the façade of the church before me – presuppose a metaphysical necessity: that my body, given what it is, imposes on me a perspective on the world. For the window to constrain my view – I can only see part of the façade, not the entrance, from this window – my body must first impose on me a perspective on the world. This imposition is not of the same order as the window framing my view. The *metaphysical necessity* Merleau-Ponty takes the body to exhibit can be clarified with reference to the following remark: "Factual situations can only affect me if I am first of such a *nature* that there can be factual situation for me [my emphasis]" (PP 93). In other words, our nature, the kind of beings that we are is of such a type – necessarily embodied – that we are open to factual situations and the specific necessities they impose on us in turn. The window in front of me can frame the façade of the church only because I am first and foremost embodied. "*Metaphysical*" here means nothing more than that, given the kind of beings we are,

embodiment is a constraint on our experience of the world. Of course, I can picture myself as a soul flying above Amsterdam but, even if I do, I cannot but think of perceiving as I do while I am embodied. I cannot, for instance, conceive of perceiving every nook and cranny of Amsterdam – the interiors, exteriors – at once. My original embodied perspective on the world is necessary in a strong sense, because I am unable to conceive of disembodied perception or experience.⁴⁹

We are now in the position to examine the analogy Gardner draws between Kant and Merleau-Ponty. Let us recall the structure of the argument from the *Transcendental Aesthetic*: X can be (represented) without A, B, C and their mutual relations, but A, B, C cannot be (represented) without X. On this model, Merleau-Ponty would be saying: embodiment and its features of permanence and fixed perspective can be (represented) without factual situations and their mutual relations, but factual situations and their mutual relations cannot be (represented) without embodiment and its features. However, does Merleau-Ponty effectively put forward claims of this sort? We have seen that crucial for Merleau-Ponty's own argument are two claims: factual necessity (objects appear from a particular angle) presupposes the necessity of the body (the body appears in a permanent and fixed perspective) and, relatedly, for there to be factual necessities for me, I must be "of such a nature that there can be factual situations for me." The body has primacy over factual situations, because factual situations presuppose the body. However, does Merleau-Ponty claim, as Gardner's analogy requires, that we can conceive of the body *without* factual situations? There is no textual evidence for that. Nowhere in the passage above and the other relevant passages of *Phenomenology of Perception* does Merleau-Ponty make the Kantian claim that we can envision

49 A similar point can be found in Strawson's *Individuals*. He argues that whatever consciousness we ascribe to souls is derivative of embodied consciousness. As he puts it "in order to retain his idea of himself as an individual, he must always think of himself as disembodied, as a former person" (1959, 116)

embodiment *without* factual situations. Beyond textual evidence, there are systematic reasons for which Merleau-Ponty keeps his distance from this Kantian claim. The reason Merleau-Ponty does not make the claim that the body can be conceived without factual situations is, as we will see, that he rejects subjective unilateral constitution. This is why Gardner's analogy falls apart.

Gardner's own conclusion, in the spirit of the analogy with Kant, is that Merleau-Ponty executes a Copernican Revolution and is, therefore, committed to a form of transcendental idealism: the subjective structure of embodiment makes the experience of objects in the world possible; we cannot have experiences of the world without being embodied. It is, of course, true that remarks such as "my body is that by which there are objects" (PP 94) suggest the primacy of embodiment in Merleau-Ponty's account of constitution. But this suggestion is misleading because it relies on the tacit assumption that the relation of constitution is *unilateral* and subjective. In order for the Copernican thesis to go through, the body would have to be a priori and constitutive, as a sole generator and guarantor of the world and its factual situations. In order to establish whether or not this is the case for Merleau-Ponty, we have to return to the question of the a priori: is Merleau-Ponty's a priori subjective and unilateral?

Even a cursory overview of *Phenomenology of Perception* reveals that Merleau-Ponty, far from establishing the subject's body and its structure as unilaterally a priori, repeatedly holds the subject and the world to be in "complicity" with each other so that perception can be seen as the yield of what is best described as co-constitution. Consider, in this light, the following passage:

[...] I understand the world because I am situated in the world and because the world understands me. We are not saying that the *notion* of the world is inseparable from the notion of the subject,

nor that the subject thinks himself to be inseparable from the idea of the body and the idea of the world, for if it were merely a relation in thought, this very fact would preserve the absolute independence of a subject as a thinker and the subject would not be situated. *If the subject is in a situation, or even if the subject is nothing other than a possibility of situations, this is because he only achieves his ipseity by actually being a body and by entering into the world through this body* (PP 431, my emphasis).

In the above, Merleau-Ponty expresses a different understanding of the relation between the body and situations, one that contrasts with Gardner's reading and allows us to make sense of Merleau-Ponty's remark concerning the putative priority of the body. We saw that Gardner held the body to be primary in the same way that Kant could be said to hold space to be primary. Here, Merleau-Ponty presents the *situatedness* of the subject in a way that suggests the subject is *not* the fundamental ground (as for Cartesian foundationalism and its offshoots). Merleau-Ponty holds that the body is situated, *owing to its inherence in the world*, and *therefore* is open to factual situations. Contrary to Gardner's view, the subject as a condition for the possibility of factual situations *is itself enabled, in its role as a condition for the possibility of experience, by its situatedness in the world*. In other words, the Copernican claim "X (space) without A, B, C (objects), but no A, B, C without X" does not hold for the body-subject. It is true that the world would not appear without the subject, yet the subject cannot be embodied and situated without the world. So, with respect to the world, the body-subject does not satisfy the "X without A, B, C" branch of the Copernican claim.

It might be argued in response that as Merleau-Ponty's conception of the body-subject does not comply with the Copernican picture, we cannot legitimately talk of

constitution in this context any longer. However, what is crucial for Merleau-Ponty's move to a co-constitutive picture is that he does not place the inseparability of the subject from the world at the level of thought or reflection. As Elizabeth Behnke points out, it is crucial for Merleau-Ponty that the thinking subject is replaced with a living subject and that perception should not be replaced with "intellection [...] movement with the thought of movement" and so on (2002, 38). If, by contrast, the subject's relation with the world were "merely a relation in thought" the subject would not be situated in the world at all. So the level of inseparability between subject and world is not at the level of "*notions*," but at an existential level – in the subject's lived engagements with the world. The subject, Merleau-Ponty holds, is only a body-subject *because* of its inherence in the world. This already shows us that the subject does not generate the world through the synthetic activity of consciousness as the Kantian view would prescribe. According to this Kantian view, the "constituted [exists] only for the constituting agent [...] and the constituted consciousness is [...] 'co-extensive' with being" so that ultimately, all of empirical reality is absorbed by the knowing subject without remainder (Behnke 2002, 39). For Merleau-Ponty, the subject's essence ("ipseity") as embodied rests on "actually," and not notionally, being embodied.

As we can see, Merleau-Ponty takes the world to make an indispensable contribution to embodied subjectivity. The body-subject "achieves his ipseity," or her essence, from her inherence in the world. The world, the subject, and the body are "identical," *insofar* as the embodied subject is embedded in the world. Merleau-Ponty remarks that the "the world is inseparable from the subject" and "the subject is nothing but a project of the world" (PP 454). At the same time, "the subject is [also] inseparable from the world [...] from a world that it itself projects" (PP 454). In other words, neither world nor subject can be understood without the other. Their inseparability presents a serious challenge for Gardner's view that the subject has ultimate explanatory

priority.

To deepen the challenge, it is worth noting that Merleau-Ponty clarifies that the world is not constituted by subjects. He writes: “The world is not an object whose law of constitution I have in my possession; it is the natural milieu and the field of all my thoughts and of all my explicit perceptions” (PP lxxiv). Finally, when talking about the uninterrupted structure of our sensory modalities, the view that our modes of experience are on a synesthetic continuum, that is without strict separation between them, Merleau-Ponty makes abundantly clear that the world is inseparable from the subject in the specific sense that the world is a transcendental condition for the subject: “Our possession of the world is of the same genre, except that one can conceive of a subject without an auditory field, but not of a subject without a world” (PP 343). This is an almost direct inversion of the Kantian thesis of the ideality of space that Gardner cites. Here, rather than demonstrating the absolute priority of the subject, as Merleau-Ponty must if he is to be considered a transcendental idealist, Merleau-Ponty seems to hold that the world is prior to the subject. This tells us that, as a transcendental phenomenologist, Merleau-Ponty is not committed to transcendental idealism. But this is not Merleau-Ponty’s final word on constitution. For Merleau-Ponty does not view the world as belonging to the bottom of a constitutive chain, where constitutive relations are unilateral so that the world would be the enabling condition of subjects and situations, mirroring the role of the Kantian subject. From Merleau-Ponty’s perspective, the subject, the world, and the other are inextricably linked: “We are mixed up with the world and with others in an inextricable confusion” (PP 481). This statement compounds what has been adumbrated before, in Merleau-Ponty’s remarks about the “complicity” between subject and world: the world does not just have a transcendental role in Merleau-Ponty’s phenomenology, but fulfills this role jointly with the subject. This suggests a conception of transcendental constitution that differs from the Kantian

unilateral conception underlying Gardner's interpretation.

To understand this different conception, it is important first of all to note that "world" is a phenomenological concept so that "world" is not tantamount to the totality of discrete objects. As Stephen Priest comments: "It [the world] is not, so to speak, one thing amongst others" (Priest 2003, 32). Instead it is "a context, or the context, for all the thoughts and actions of the subject" (Priest 2003, 32). This sense of the world, which is not an explicit or determinate totality of facts, but the setting or milieu of the subject, is furthermore not only chronologically before the subject, but "prior...in the transcendental sense [such that] the existence of the world is a necessary condition for knowledge of it" (Priest 2003, 33). Merleau-Ponty takes his notion of world from Heidegger when he remarks: "This facticity [that there is the world] of the world is what establishes the *Weltlichkeit der Welt* [worldliness of the world], which makes it such that the world is a world [...]" (e.g., PP lxxxix). For Heidegger, world possess several designations, including *ontic* or *existentiell* ones, that is, it addresses *particular* facts about our situation (e.g., our domestic environment) (BT 93). But the concept of world also possesses an *ontological* or *existential* designation. It gives us the necessary preconditions for the possibility of the ontic world. The notion of world, understood in its ontological sense, is referred to by Heidegger as *worldhood*, which gives us the "a priori character" of the world in general (BT 93). Merleau-Ponty connects facticity with the notion of the world along similar Heideggerian lines by suggesting that facticity makes it possible that there is a world for us.

If the world is a transcendental condition, it actively structures our relation to experience and perception and carries its own a priori. The complicity or co-constitution of subject and world gives us a subject that is polarized "by its tasks," because the subject "*exists toward* them" – this allows that certain things shine with significance like "privileged figures against indifferent backgrounds" (PP 103). This privileging or

polarizing is not just the result of the subject gearing itself toward the world, but the subject *responding* to the solicitations of the world. Two transcendental features that bring this complicity or co-constitution into sharper relief are the *body schema* and the *intentional arc*. The *body schema* consists of the subject's "non-thetic" bodily awareness and orientation. The *intentional arc* "projects around us our past, our future, our human milieu, our physical situation, our ideological situation, and our moral situation, or rather, that ensures that we are situated within all of these relationships" (PP 137). Neither the body schema nor the intentional arc are immanent features that create or construct reality unilaterally. They are already tied to the world, which as a recent commentary puts it, "'proposes' things to my body as things to be touched, taken up, traversed" (Behnke 2002, 43), that is, which gives us situations such that the body schema and intentional arc can be directed and polarized. The subject's relation with respect to the world is neither one of unilateral constitution nor creation. Rather, the world "[constitutes] itself [...] and solicits from me the bodily attitude in which it will come into focus" (Behnke 2002, 43). The intentional bond of the subject with the world requires the world so that the subject can take its place in a situation; in turn, situations only arise for subjects and thus depend on the constitutive powers of subjects. For this reason, the relation between the world and the subject is "strictly bilateral," a thesis a transcendental idealist, committed to the view that the conditions of experience are strictly subjective, would have to reject (PP lxxi, Morris 2012, 15).

Idealist readings of Merleau-Ponty, such as Gardner's, overlook co-constitution or complicity and therefore ultimately fail to recognize the transcendental status with which Merleau-Ponty invests the world. In investing both world and subject with a transcendental status, Merleau-Ponty's transcendental phenomenology cuts across the traditional distinction between realism and idealism. As we saw in Section 1, interpretations that deny that Merleau-Ponty is a transcendental thinker fail to recognize

this shift adequately, because like the transcendental idealist reading, they take notions such as world and facticity to be tantamount to the empirical, thereby empiricising what is genuinely transcendental for Merleau-Ponty. The *no a priori account* holds that Merleau-Ponty's insistence on the influence of facticity, which is contingent, on the level at which a priori claims can be made is tantamount to basing the a priori on the empirical; but in holding this view, the *no a priori account* neglects the transcendental status of facticity. The *subjective a priori account* takes Merleau-Ponty's remarks with respect to subjective constitution as suggesting that Merleau-Ponty is committed to the view that the world or facticity is nothing more than empirical reality constituted by the transcendental ego. Once facticity and world are understood as transcendental conditions, however, the transcendental is no longer part of an unchanging inner domain, but includes a dimension which, while complicit with the subject, also outruns her, thus cancelling any idealist tendencies so often found in transcendental thought.

Perhaps more than any transcendental thinker before him, Merleau-Ponty insisted that the conditions for various phenomena cannot be fixed and guaranteed. Part of the reason Merleau-Ponty held this view is due to his notion of the phenomenal field, or the field of lived experience, which, as Landes remarks, is neither “the 'objective' world discussed by empiricism nor the 'transcendental' field of intellectualism” (PP 62, Landes 2013, 147); if one were to stop here, at this negative statement, it would seem as if Merleau-Ponty rejects anything transcendental. But as Landes continues, “the field itself [...] must be seen also as a 'transcendental field', not in the sense of the place of a universal knowledge, but in the sense that the field structures our experience as a field of possibilities according to contingent a prioris” (Landes 2013, 147). It should be stressed at this point that the a priori is both contingent and necessary; the latter because it necessarily structures phenomena, and the former because its necessity can never be guaranteed given that the phenomenal *field* is not a static unchanging metaphysical

construct. Merleau-Ponty emphasizes that partly because we do not constitute or create reality, and partly due to the ineluctability of our embodied situation, the *field* of lived experience can never be made fully explicit. The word “field,” Merleau-Ponty argues, “signifies that reflection never has the entire world and the plurality of monads spread out and objectified before its gaze, that it only ever has a partial view and a limited power” (PP 62). This is reflected by Merleau-Ponty’s appeals to facticity and his dynamic conception of apriority. The philosopher, to paraphrase Merleau-Ponty, is ultimately subject to her situation; she cannot surpass it by metaphysical constructions including those of transcendental idealism (PP 63). As Dillon puts it, “Merleau-Ponty's a priori is not timeless and oblivious to the transcendence of our situation; its necessity is provisional, its pro-vision [anticipation] is open to modification in the light of what shows itself” (Dillon 1991, xvi). The constellation of investing the world and facticity with a transcendental status, taking the subject to be a part of the world qua embodied, emphasizing the situatedness of philosophy, and the notion of the phenomenal field as never entirely explicit, but always unfolding, gives us a transcendental that does not make the unwarranted ambitious claims of previous transcendental philosophies.

Conclusion

In this chapter, I have argued for a transcendental reading of Merleau-Ponty based on his treatment of apriority. Whereas for Kant, transcendental conditions were purely subjective and the world or facticity was a correlate of subjectivity, Merleau-Ponty invests the world with a transcendental status. This results in what might be called a liberation of apriority from its static position in transcendental thought. In Kant’s metaphysics of the mind, apriority is the characteristic property of changeless, strictly necessary, conditions for the possibility of experience. These conditions are sempiternal principles of cognition which is true at all times and for all places; crucially, they owe

their sempiternal status to the structural fact that every a priori claim is true at all times and for all places; or, in brief, apriority itself is sempiternal on the Kantian picture. Merleau-Ponty's a priori, by contrast, is inextricably tied to our concrete situation and its facticity. Because of their link with facticity, Merleau-Ponty's transcendental claims or considerations, the transcendental conditions that enable particular embodied experiences, may be said to have an open-ended character. Their necessity and universality is indexed to the world in which we, as subjects, are embodied. If this world changes, our embodied subjectivity changes, and with it what is necessary and universal with respect to the resulting, different, embodied experience. This link with facticity means at the same time that the a priori, the non-empirical structure of our embodied experience, ceases to signify truth at all times and for all places. Effectively, Merleau-Ponty liberates apriority from its traditional sempiternal status. This is, ultimately, the upshot of the phenomenological transformation of the transcendental. As I have tried to show in this chapter, Merleau-Ponty's phenomenology of embodied experience can be interpreted as a descriptive philosophy, which articulates basic structures of embodied experience without traditional metaphysical aspirations. That is to say, if phenomena are genuinely taken as our guide, and if facticity, our concrete being in the world, is taken seriously, the transcendental can be liberated from the strictures of realist and idealist commitments that are ultimately responsible for the difficulties with anti-skeptical transcendental arguments. Since the a priori is no longer grounded in Kantian metaphysics of the mind, which entails changeless and strictly necessary conditions, but is inextricably tied to our concrete situation, the necessity and universality operative in transcendental claims are open-ended. This is, ultimately, the upshot of the phenomenological transformation of the transcendental. If the phenomenon is genuinely taken as a guide and if facticity, our concrete being in the world, is taken seriously, the transcendental becomes a route to understanding how

various phenomena are structured, without any commitment to metaphysical positions such as idealism and realism. This is a significant step forward, because metaphysical commitments to realism or idealism leave the transcendental stranded with the unachievable tasks of proving its uniqueness and sempiternal validity. If the transcendental is reconfigured to incorporate facticity, as Merleau-Ponty suggests, necessity, universality, and apriority are also reconfigured so that uniqueness and sempiternality cease to be stumbling blocks. As Merleau-Ponty's phenomenology of embodied experience teaches us, we can both, take facticity into account and still retain a meaningful notion that certain structural features of our experience are necessary, universal, and a priori.

Chapter 4

Wittgenstein and the Transcendental: *On Certainty*

Introduction

In the last chapter, I argued that liberating transcendental claims from their original metaphysical commitments involves modifying the notions of apriority, necessity, and universality operative in transcendental claims. In the current chapter, I aim to bring together insights from Wittgenstein's later work in order to provide another radically different reading of the transcendental. Focusing on his work *On Certainty*, I will argue that Wittgenstein's notion of certainties, namely, states of affairs expressed by statements that are exempt from doubt (or justification) and which enable (epistemic) practices, are amenable to a transcendental reading. These states of affairs may include that there is an external world, that the table in front of me will not disappear once I turn my back on it, or that I have two hands. Since Wittgenstein is interested in a conceptual investigation of certainties, he focuses on the linguistic expression of these certainties. As we will see logical role of these statements brings to view or clarifies the significance of certainties (e.g. that the world has existed for a long time, which is not just a proposition, but is expressed in one) for our epistemic practices. My discussion of certainties should be understood accordingly.

The aim of this chapter is to establish that statements expressing certainties, due to the special logical role that Wittgenstein assigns to them, have the features characteristic of a transcendental claim, namely, necessity, universality and a non-empirical status. Unlike ordinary transcendental accounts, however, Wittgenstein's methodology offers us a unique way of understanding transcendental considerations in a non-metaphysical fashion. Taking onboard Oskari Kuusela's (2008) reading of

Wittgenstein's method, I will argue that instead of advancing (metaphysical) theses, Wittgenstein's account is directed at providing different ways of seeing or presenting the object of inquiry in order to clarify philosophical problems. In the case of *On Certainty*, one of the central problems Wittgenstein addresses is the dispute between the skeptic and her interlocutor. Wittgenstein neither offers a refutation of skepticism nor an endorsement, but supplies a particular way of conceiving matters, which relieves us from both skepticism and the desire to refute it. Ultimately, as I hope to show, this methodological insight gives us a truly non-metaphysical and non-dogmatic way of understanding the transcendental.

In the first section, I will present an overview of *On Certainty*, in particular, its reception of G. E. Moore's common sense realism. Wittgenstein holds that Moore's treatment of statements that are exempt from doubt and justification (Moorean propositions) as *knowledge claims* renders these statements nonsensical. As I will contend, however, Wittgenstein's position entails more than a charge of nonsense. We will see in the second section that Wittgenstein's methodological commitments ask us to differentiate between the *mode of representation*, namely, Wittgenstein's conception of certainties, and the *object of investigation*, namely, epistemic practices and what they involve. These considerations will be central to what, I will argue, a reading of Wittgenstein along transcendental lines can achieve. In the third section, we will see that according to Wittgenstein, Moore fails to recognize the *enabling* role of statements expressing certainties, conceived as a mode of representation; rather than being epistemic themselves, as we will see, these statements enable empirical judgments, i.e., knowledge claims (and epistemic practices, more broadly). Statements expressing certainties, as Wittgenstein conceives of them, provide us with a model for looking at epistemic practices and what they involve in a specific light, a model that is directed at clarifying a philosophical problem. Section 4 and 5 will turn to how an application of

this reading can be fruitfully applied to other features of Wittgenstein's *On Certainty*, namely, the necessity, universality and the non-empirical characterization of these kinds of statements. As I hope to show, understanding statements expressing certainties as transcendental modes of representation can give us a new account of the transcendental that manages to circumvent metaphysics and dogmatism.

1. *On Certainty*: An Overview

Wittgenstein's *On Certainty*, edited by Elizabeth Anscombe and published posthumously nearly two decades after his death in 1969, consists, among numerous other topics, of remarks about epistemological skepticism and attempts to refute it. More specifically, it deals, in part, with the impasse that arises in epistemology between idealism and realism. While idealist arguments give rise to skepticism with respect to the existence of a mind-independent external world, realist arguments aim to counteract this skepticism by proving the existence of just such a world. Aspects of *On Certainty* respond to G. E. Moore's common sense realism espoused in Moore's rejoinder to idealism and skepticism in the papers "Defense of Common Sense" (1993) and "Proof of an External World" (1993). In "Defense of Common Sense," Moore argues that certain common sense propositions pertaining to myself, others, and the world around me are unassailable. These include propositions such as "There exists at present a living human body, which is *my* body," "The earth existed for a long time before my birth" and so on (Moore 1993, 107). Moore contends that these truisms have three properties: they are (1) knowledge claims, (2) maximally certain, and (3) true. At the same time, Moore holds that unlike ordinary epistemic propositions, conceived traditionally as justified true belief, these truisms cannot be *justified*. According to Moore, we cannot point to particular evidence that would justify truisms of this kind, that is, we lack evidential grounds for common sense propositions. Moore demurs that a linguistic

analysis of these truisms that attempts, for instance, to break truisms down to their elemental parts, is parasitic on our common sense understanding where such truisms first acquire their intelligibility (1993, 111).⁵⁰

While in “Defense of Common Sense” Moore champions common sense realism and *rejects* the desire to justify common sense truisms, in “Proof of External World” (1993). Moore tries to *prove* one of the truisms he had held was beyond the compass of justification, the existence of the external world. Moore dismisses Kant's attempt in the Refutation of Idealism to prove that external objects exist independent of my awareness of them as a failed attempt at disarming skepticism about the existence of physical objects (1993, 148; CPR B74). In its place, and after considerable stage setting, Moore offers his own famous proof against external world skepticism. His proof consists of the following premises: here is a hand, here is another; therefore, at present, there exist two hands. From this Moore concludes that physical objects and, ultimately, an external world, exist. Moore's view that the ostensive presentation of hands gives us demonstrative warrant that there are external objects is tied to the common sense realism endorsed in his previous paper. The philosophical understanding of the word “hand,” which may define it as a mental representation, departs from the common sense meaning of the term, according to which a hand is a physical object.⁵¹ If the vantage

50 I have presented Moore's argument with a slant, allowing it to speak more clearly to Wittgenstein's concerns. Moore's whole position is complex and involves the claim that physical facts are not logically or causally dependent on mental facts, such that truisms comprising facts about the external world can be conceived as independent of mental representations.

51 I follow Norman Malcolm's reading, which understands Moore's truisms as having semantic implications. According to Malcolm, Moore is opposing the view held, for instance, by idealists that the external world reduces to mental representations (Malcolm 1992). Against this view, Moore holds that the utterance “I see my cat” is not tantamount to “I see a part of my mind,” i.e., “I am having a mental representation of a cat.” The utterance does not refer to mental representations, but something mind-independent.

point of common sense realism is recognized, proving the existence of hands is tantamount to proving the existence of physical objects.⁵²

Wittgenstein, though he sees much that is commendable in Moore's approach, offers a different perspective. He agrees that the truisms Moore lists cannot be justified, especially since they are non-evidential; but in contrast to Moore, Wittgenstein takes their *groundlessness*, that they cannot be justified, to entail that they are *non-epistemic*, that is, that they are not knowledge claims at all. Wittgenstein presents the following reasons for assigning a non-epistemic status to Moorean propositions or statements of certainties: first, a hallmark of knowledge claims is that they can be doubted and justified while certainties, by contrast, are open neither to doubt nor justification (OC 4, 10, 56, 88, 94, 359, 166); second, while knowledge claims are propositions that can be true or false, Wittgenstein points out that Moorean truisms are non-propositional and

52 Moore's approach has faced serious criticisms. Barry Stroud, for instance, holds that Moore's response is ultimately trivial and fails to take seriously the force of the skeptical worry. According to Stroud, Moore's insistence that he knows the existence of external things sidesteps the problem of skepticism. Arguing that one knows that one possesses hands "in one's own case" is a position from "one's own current knowledge" (Stroud 1984, 117). The skeptic's concern is not internal to one's knowledge, whether one believes in a propositions "in one's own case," but rather an external one, bringing into question the entirety of objective knowledge of the world, "requiring a certain withdrawal or detachment from the whole body of our knowledge of the world" (Stroud 1984, 26). Stroud, in a sense, repeats his objection to transcendental arguments that we saw in Chapter 1. That we *believe* X is the case does not warrant that X *is*, indeed, the case. Wittgenstein expresses a similar criticism when he draws a distinction between psychological and objective certainty: "Moore's view really comes down to this: the concept 'know' is analogous to the concepts 'believe', 'surmise', 'doubt', 'be convinced' in that the statement "I know..." can't be a mistake. *And if that is so, then there can be an inference from such an utterance to the truth of an assertion.* And here the form "I thought I knew" is being overlooked. - But if this latter is inadmissible, then a mistake in the *assertion* must be logically impossible too. And anyone who is acquainted with the language-game must realize this - an assurance from a reliable man that he *knows* cannot contribute anything" (OC 21, my emphasis).

thus cannot be true or false (OC 137, 404);⁵³ third, while knowledge claims are empirical, Moorean propositions are non-empirical (OC 308).

According to Wittgenstein, Moorean truisms are problematic on two principal counts: to begin with, they neglect the context-dependency of utterances and, relatedly, they confuse empirical propositions with what Wittgenstein calls grammatical statements (e.g., Coliva 2010, Stroll 1994, Moyal-Sharrock 2004). In what follows, I will turn to this interpretation of Wittgenstein's *On Certainty*, in order to argue that Wittgenstein's criticism of Moore goes beyond a charge of nonsensicality and, relatedly, a failure to adequately contextualize utterances expressing certainty. In the next sections, I will argue that Wittgenstein's conception of certainty is offered as part of a model, which aims to clarify philosophical confusions that give rise to skepticism and attempts to refute it. Wittgenstein's certainties, as I will argue further on, can be conceived as transcendental, because they play the characteristically non-empirical role with respect to epistemic practices of enabling these practices.

Wittgenstein criticizes Moore for his attempt to enumerate certainties, "straight off" without paying heed to the context in which advancing these assertions would make sense (OC 348, 353, 468, 558). In Wittgenstein's view, Moorean propositions, stated without context as empirical propositions, are *nonsensical* in the last instance, that is, we cannot attach any meaning to these propositions if they are stated out of context. If the assertions "I am conscious," "I know that I am sitting in a chair," or "X is a physical object" are abstracted from their appropriate contexts they are rendered unintelligible. One can imagine that someone might wish to give me tragic news on the phone and insist on confirming whether I am sitting in a chair. I might reply impatiently

53 That Wittgenstein considers Moorean truisms, or statements expressing certainties, to be non-propositional may sound confusing in light of Wittgenstein's own terminology for them and their cognates: "hinge propositions" or "grammatical propositions". See footnote 56.

that I know I am sitting in a chair. If I happen to have an accident in the street, a passerby might ask me if I can hear her, and I might respond by stating that I am conscious. However, in the absence of any context, these pronouncements cease to make sense, i.e., if I were to utter “I am conscious” or “I know I am sitting in a chair” in the middle of an ordinary conversation. To look at the third example, “X is a physical object” might be stated in order to instruct someone who might not understand what “X” or “physical objects” signifies (OC 46). “Physical object” is, in this light, a *grammatical* concept like color or quantity, that is, it constitutes the framework of meaningful language. The unqualified, context-free, statement “there are physical objects” treats grammatical propositions as if they are empirical.⁵⁴ The confusion becomes obvious if we look at the use of the indexical term “there” in connection with the grammatical concept “physical object;” this concept does not state something located within the empirical world, as is implied by the use of the indexical “there.” Stating that “there are physical objects” out of context confuses a grammatical statement with an empirical proposition which this grammatical statement frames; e.g., “there is a chair next door” is framed by how we talk intelligibly about physical objects (Williams 2005, 86). Proving that there are physical objects is nonsensical, because the procedures of proving or disproving do not extend to what can be conceived as framing our language. Any attempt to prove what frames language, would be parasitic on the framework itself and therefore question-begging. The nonsensicality of Moorean

54 Wittgenstein's position with respect to meaning reappears here: “for a large set of cases, -- though not for all [...] the meaning of a word is its use in the language” (PI 43). Wittgenstein holds that the meaning of words is embedded in our practical dealings, such that abstractions that excise words from their use lack meaning (Rudd 2005, 32). This view brings Wittgenstein close to Moore's position in “Defense of Common Sense” to the effect that a logical analysis of language would be parasitic on the common sense/everyday use of words. Moore, however, succumbs to his own objection when he enumerates truisms without further determination, i.e., in the absence of a context.

propositions, results from a lack of *determination*, that is, it is not clear what the context of the proposition is supposed to be and in what sense we should understand them (Moyal-Sharrock 2004, 94). Grammatical propositions like “X is a physical object,” “two is a number,” or “I am conscious” are intelligible only when they figure in a certain context.

Wittgenstein holds that the philosopher, too, cannot forfeit conditions that apply for meaningful use of language in everyday contexts.⁵⁵ The Moorean proposition “Here is a hand” is freestanding, unqualified and is supposed to serve as a premise in a philosophical proof. However, excising propositions such as “here is a hand” from the context in which they might be uttered in a meaningful way strips them of intelligibility and thus makes them useless for philosophical usage. Wittgenstein remarks:

So if I say to someone "I know that that's a tree", it is also as if I told him "that is a tree; you can absolutely rely on it; there is no doubt about it". And a philosopher could only use the statement to show that this form of speech is actually used. But if his use of it is not to be merely an observation about English grammar, he must give the circumstances in which this expression functions (OC 433).

Wittgenstein contends that unless the philosopher is describing the norms of English grammar, she must provide a context for the utterance “I know that that's a tree.” It can

55 “When philosophers use a word—“knowledge”, “being”, “object”, “I”, “proposition”, “name”—and try to grasp the essence of the thing, one must always ask oneself: is the word ever actually used in this way in the language-game which is its original home?—What we do is to bring words back from their metaphysical to their everyday use.” (PI 116).

be argued, however, that there may be no reason to view philosophical usages as extraneous to ordinary contexts so that the charge of insufficient determination does not apply. A philosophical proof may come with a philosophical context in which it might make sense to assert that there is an external world; and internal to the philosophical discussion, say, between idealism and realism, a defense or an objection to this assertion may not infringe on the bounds of meaningful language. Wittgenstein, indeed, considers precisely this objection:

But is it adequate to answer to the scepticism of the idealist, or the assurances of the realist, to say that "There are physical objects" is nonsense? For them after all it is not nonsense. It would, however, be an answer to say: this assertion, or its opposite is a misfiring attempt to express what can't be expressed like that. And that it does misfire can be shown; but that isn't the end of the matter. We need to realize that what presents itself to us as the first expression of a difficulty, or of its solution, may as yet not be correctly expressed at all. Just as one who has a just censure of a picture to make will often at first offer the censure where it does not belong, and an investigation is needed in order to find the right point of attack for the critic (OC 37).

Wittgenstein acknowledges in this passage that a charge of nonsensicality is not the end of addressing a skeptical problem, but a first attempt at tackling it. Just as one who is tasked with appraising a picture might, as a starting point, offers a first evaluation and only after further investigation discovers the right leverage point for her critique. This qualification suggests that the charge of nonsensicality is not exhaustive of

Wittgenstein's account (“but that isn't the end of the matter”). Wittgenstein seems to suggest that while stating truisms in the form of knowledge claims might be nonsensical, this does not mean that these statements cannot be made at all. In the passage above he says “what can't be expressed *like that*” (my emphasis) and not “what can't be expressed *at all*”. Given this remark, we can at least countenance the possibility that the philosophical understanding of Moorean truisms (from now on statements expressing certainties) is not nonsense as such.

We have thus far seen that on Wittgenstein's analysis, statements expressing certainties lack crucial properties that knowledge claims possess. They are beyond justification or doubt, non-evidential, and non-propositional.⁵⁶ Additionally, when uttered as knowledge claims, they infringe on the bounds of sense. Various commentators have remarked on these features of Wittgenstein's position (e.g., Moyal-Sharrock 2004, Coliva 2010, Stroll 1994). For example, I can't give reasons why “two is a number” – it simply is a number and not an insect or a subatomic particle; there is no evidence for “two is a number;” “two is a number” cannot be true or false thus lacking one defining feature of a genuine proposition. I would fail to understand both “two” and “number” if I were to entertain the idea that I could adduce evidence for their relation, could doubt it, or could falsify it. In what follows, I will argue that Wittgenstein's deeper attitude with respect to statements expressing certainties turns on what, I hope to show, is their transcendental role. Before I substantiate this reading, it is crucial to understand Wittgenstein's methodological commitments, which give us the nucleus of a genuinely non-metaphysical account of certainties, and, as I will show,

56 Wittgenstein refers to certainties as *propositions* throughout the text, but there is disagreement concerning whether certainties count as propositional (being either true or false) or non-propositional (neither true nor false; e.g., a feeling, an act). According to Moyal-Sharrock, for example, certainties are a kind of know-how or non-propositional belief that is expressed in the way we live or in how we act (Moyal-Sharrock 2004). Others contend that certainties are in some sense propositional (e.g., Hacker 1986).

their transcendental characterization.

2. Wittgenstein's Method

Philosophers typically aim to give us an account of aspects of reality, such as language, experience, knowledge, etc. Some interpretations of Wittgenstein see his work as putting forth theses about such aspects of reality. For instance, it has been argued that Wittgenstein holds the philosophical view that meaning is use and that grammar serves as the scaffolding of language (Hacker 2013). On this view, *On Certainty* would give us a definite answer about how knowledge and certainties are essentially related in our experience. What interpretations like this neglect, however, is the crucial methodological step Wittgenstein makes, that is, how he understands *philosophical accounts* and their *objectives*. In what follows, I will describe a methodological approach that is crucial to my non-dogmatic account of statements that express certainties as transcendental. As we will see, if this methodological perspective is neglected, a transcendental reading of these statements cannot adequately maintain metaphysical parsimony, because it would relapse into the suggestion that there are metaphysical necessities underlying empirical statements and epistemic practices.

The first step to take in understanding Wittgenstein's methodology is what he believes philosophers are up to when they give us various accounts. While philosophical theories by their own self-understanding make claims about how reality necessarily must be, on Wittgenstein's view, these philosophical accounts are, in fact, different models or modes of representation, that is, ways of seeing or understanding reality. Let us take an example to clarify this point, the Augustinian picture of language, which advances the view that the meaning of a word is its correspondence to an object, e.g. the word "chair" owes its meaning to its correspondence with the object chair. While a standard philosophical account might hold that this account describes the *essence* of

meaning (PI 1), for Wittgenstein, the Augustinian picture is one way *among others* in which we can represent meaning, but it does not capture all instances of meaning (PI 3). Conceived as a mode of representation, the Augustinian picture is one way of looking at language that can be fruitful given certain philosophical purposes. What distinguishes a mode of representation or model from a conventional philosophical account is that a mode of representation or model does not *project* the view that meaning is correspondence of word to object onto reality as a metaphysical account of meaning and its relation to reality but indexes the view to particular philosophical problems. Projecting in this case could be compared to conflating the sketch of a landscape with the landscape itself.

To make this point clearer, we have to differentiate between modes of representation and objects of investigation, what I have called aspects of reality above, i.e., language, cognition, etc. Standard philosophical accounts, according to Wittgenstein, conflate modes of representation with the object they are investigating. Wittgenstein remarks in the *Investigations*: “We predicate of the thing what lies in the method of representing it. Impressed by the possibility of a comparison, we think we are perceiving a state of affairs of the highest generality” (PI 104). In other words, we take aspects that belong to a mode of representation (meaning must be correspondence between word and object) to be a feature of meaning and language as such. We might, for example, be struck by a similarity between the mode of representing (meaning is correspondence of word and object) and the object of investigation, meaning and language. Yet, the unwarranted step is to take this similarity or point of convergence to make the claim that meaning really is correspondence of word and object. This tendency expresses itself when we take features such as generality or exceptionless necessity, which belong to our mode of representation and project it onto our object of investigation, taking language itself to carry these features of generality and

exceptionless necessity.⁵⁷ As Wittgenstein explains, the Augustinian picture of language is not incorrect or false unless we collapse the distinction between mode of representation and the object of representing, taking correspondence to give us what is generally true for every instance of meaning. Understood as a mode of representation, what the Augustinian picture advocates “is appropriate, but only for this narrowly circumscribed region, not for the whole of what you were claiming to describe” (PI 3). That is, it can insightfully be compared to some cases (the meaning of chair is the object that it stands for), but others cases do not fit it (“here,” “that,” “and” do not stand for any object); it cannot tell us what language *generally* turns on. Conceived in this way, philosophical accounts are models, various approaches to how certain facts (about language, cognition etc.) can be configured in a useful way.

We have seen that Wittgenstein holds that philosophical accounts are modes of representation. I now turn to the purpose that a mode of representation serves in Wittgenstein’s own philosophy. For Wittgenstein, modes of representation can be used as *objects of comparison*. To this extent, he remarks:

The object of comparison [model], the object from which a way of conceiving things is derived, should be announced so that the examination does not become unjust. For now everything which holds of the model will be asserted of the object of examination; & asserted: it must always be...This is the origin of a kind of dogmatism. One forgets the role of the prototype in the examination; it is as it were the unit of measurement with which

57 “(Tractatus Logico-Philosophicus, 4.5): “The general form of propositions is: This is how things are.” — That is the kind of proposition that one repeats to oneself countless times. One thinks that one is tracing the outline of the thing’s nature over and over again, and one is merely tracing round the frame through which we look at it.” (PI 114).

we measure the object of examination. Dogmatism, however, claims that every measured object must be a whole number of the units of measurement. (MS 115, 56-57; cf. PI 130-131).

According to Wittgenstein, when we fail to make the distinction, fail to announce, that our philosophical account is offering an object of comparison rather than claims about necessities that actually govern reality we become dogmatic and unjust. Our dogmatism expresses itself in statements such as, “meaning *must* be reference,” and “knowledge *must* be justified true belief,” as articulating necessities that exist in reality; that is, we project the necessity of these statements onto reality. These instances, according to Wittgenstein are objects of comparison (e.g., the view that meaning must be *reference*, knowledge must be *justified true belief*) or “prototypes,” that is, they are models with which our object of investigation (meaning, knowledge) can be *compared*. For instance, it might be useful to see meaning as correspondence of word and object. If we look at meaning this way, we might be able to clarify a certain set of cases. But what is problematic, according to Wittgenstein, is a conflation of the *necessity* expressed by our model with necessities located in the nature of language itself. For Wittgenstein, by contrast, “instead of asserting anything about an alleged necessity in actual language use,” an object of comparison “invites us to look at and examine language in the light of the necessity which the statement [e.g., meaning is correspondence of word and object] expresses” (Kuusela 2017, 341). Therefore, Wittgenstein allows us to propound the view that meaning is correspondence between word and object, conceived as an object of comparison with which language can be juxtaposed, but cautions against the (palpably metaphysical) view that meaning must be correspondence *tout court*. This object of comparison specifically, and the mode of representation it involves broadly, is indexed to the philosophical context, to historically situated questions. In different

considerations about meaning, it might be completely unnecessary, non-salient or confusing to see correspondence as having a role.

Let us get clearer about the role of objects of comparison and their purpose for Wittgenstein. To this end, let us turn to some remarks in the *Philosophical Investigations*:

Our clear and simple language-games are not preparatory studies for a future regularization of language—as it were first approximations, ignoring friction and air-resistance. The language-games are rather set up as objects of comparison which are meant to throw light on the facts of our language by way not only of similarities, but also of dissimilarities.

For we can avoid ineptness or emptiness in our assertions only by presenting the model as what it is, as an object of comparison—as, so to speak, a measuring-rod; not as a preconceived idea to which reality must correspond. (The dogmatism into which we fall so easily in doing philosophy.)

We want to establish an order in our knowledge of the use of language: an order with a particular end in view; one out of many possible orders; not *the* order... (PI 130-132).

In the remarks above, Wittgenstein says that his notion of “language-games”⁵⁸ (and one

58 Giving a definition of language-games is rather difficult and outside the spirit of Wittgenstein work, but one can say that language-games are examples that Wittgenstein

could add grammatical statements) should not be understood as a step towards a theory of language that would give us an account of what governs language. Rather, his examples of language-games are objects of comparison, which allow us to reveal similarities *and* differences between our actual language use and a given language-game, which is useful for certain circumscribed purposes. If we hold, by contrast, the idea that language “must” fit X, we end up, as we saw in the paragraph above, being dogmatic. As the remark above and the remark cited prior to that suggests, dogmatism for Wittgenstein consists of an insistence on a “preconceived idea to which reality must correspond” (PI 131). We could say that what emerges from conflating the object of comparison (meaning is reference; meaning is use; knowledge is justified true belief) with necessary truths about reality itself is an attempt at giving one absolute and totalizing picture of reality and rejecting the possibility of alternatives (similar to the uniqueness problem discussed in Chapter 2). Wittgenstein’s problem is not that necessity is given a role in philosophical accounts; rather, what he finds problematic is that the projection of necessity, which belongs to a particular way of seeing things, onto reality as a whole. In doing so, we begin to hold whatever feature we believe is necessary to give us the genuine order of reality itself, i.e., reality itself is ordered by certain necessary features. As Wittgenstein says in the last of the above remarks, we want to make language and how it operates intelligible, that is, to give it some order; however, Wittgenstein’s intention is not to give us *the* order (PI 132), as philosophers commonly aim to, but one order, among others, that is useful given the purposes at hand.

To bring these various themes together, Wittgenstein sees philosophical

introduces as “resembling language.” He refers to language-games as “the practice of the use of language,” “the process of naming stones and of repeating words after someone,” among other things (PI 7). These language-games are introduced as objects of comparison that can shed light on some features of the phenomenon of language.

accounts as modes of representing reality. A mode of representing, or way of seeing is used as an object of comparison with which objects of investigation (whatever we are investigating about reality) is juxtaposed keeping in view both similarities and differences between the object of comparison and what it seeks to investigate. Philosophers do not recognize that their accounts are models among other models, and claim to supply metaphysical truths about what is necessary and universal, without further qualification, for language, cognition, belief etc. while the necessity and universality operative in their account belongs only to their model. In this way, the distinction between object of comparison and object of investigation falls out of view; and dogmatism that claims to give us necessary and absolute truths about reality ensues. What, however, is Wittgenstein's purpose of looking at philosophy in this way?

I will now turn to what Wittgenstein means when he says that objects of comparison are advanced with a "particular end in view." Basically, for Wittgenstein, objects of comparison serve a *clarificatory* role in conceptual investigations. To begin with conceptual investigations, philosophical accounts traditionally aim to give us answers to questions such as "*What is language?*" and then attempt to supply "an answer to these questions once and for all; and independently of any future experience" (PI 92). This is done, as we saw, by seeking the *essence* of our object of investigation, e.g., the essence of language. For Wittgenstein, by contrast, a conceptual investigation aims to give us a reconfiguration, rearrangement, or different ordering of facts about objects of investigation through different modes of representing it (RPP I 950). In reordering or rearranging it in a new way, and at times, in introducing new concepts that can help us think of the facts differently, we can make salient, for example, what other modes of representation were eclipsing in their way of seeing the object of investigation. In doing so, conceptual investigation aims to give us different ways of looking at our object of investigation that "may have advantages and consequences of

various kinds” (RPP I 950). Wittgenstein’s aim is not to give us a metaphysical account of the essence of language etc., but *clarifications* by highlighting problems that arise under one mode of representation by introducing other, contrasting, modes of representation for which such problems do not arise. At the heart of this way of understanding the task of philosophy is Wittgenstein’s view that philosophical problems can be dissolved by looking at the object of investigation in a new way, that is, by reordering or reconfiguring certain facts about our object of investigation in such a way that we are released from what was philosophically perplexing.

Describing this task of clarification, Wittgenstein says:

For the clarity that we are aiming at is indeed complete clarity. But this simply means that the philosophical problems should completely disappear. The real discovery is the one that makes me capable of stopping doing philosophy when I want to.—The one that gives philosophy peace, so that it is no longer tormented by questions which bring itself in question.—Instead, we now demonstrate a method, by examples; and the series of examples can be broken off.— (PI 133).

Complete clarity, according to Wittgenstein, is not to find an answer as philosophers traditional aimed to, but to find peace and relief from what we find perplexing. In other words, the task of philosophy, as Wittgenstein sees it, is the dissolution of problems through, connecting this remark to my discussion above, rearranging or reordering facts, introducing new ways of looking at things, which allows the problem to vanish. As Wittgenstein says, the way this is accomplished is through various examples that, one could add, invite us to look at what was perplexing in such a way that the perplexity

disappears.

We are now in a position to bring these methodological considerations to bear on the topics of *On Certainty*. Let us recall some key aspects of Moore's account and Wittgenstein's take on it. The traditional epistemological views treat statements such as "there is an external world" as requiring justification. As epistemologists see it, and as we saw in Chapter 1,⁵⁹ these statements are knowledge claims that can be doubted and justified. In order to justify these statements, as we saw in the previous section, Moore attempts to give a proof of the external world by casting truisms including "there is an external world" alongside others as knowledge claims that enjoy maximal certainty. These attempts, however, run into difficulties as we saw in the previous section, because Moore's epistemic interpretation of these truisms misrepresents their role with respect to ordinary empirical knowledge claims. This conclusion does not lead Wittgenstein to take the position of the skeptic, arguing, for instance, that since these propositions cannot be defended, doubting them is justified; rather, as Wittgenstein sees it, *both* doubt and justification are illicit with respect to these propositions. Since Wittgenstein seeks to release us from the perplexities that result from Moore arguing that there is an external world and the skeptic insisting that such a statement cannot be adequately justified, Wittgenstein gives us a new way of looking at things, introducing the notion that we express certainties in statements which are not knowledge claims, and thus, beyond justification and doubt. Wittgenstein account of certainties as expressed by statements that are beyond doubt is an object of comparison with which the objects of our investigation, in this case, epistemic practices, Moorean propositions and so on, can be compared. Certainties in this non-epistemic perspective are part of

59 Skeptical worries and attempts to refute them both consist of a dialectic that does not result in any solutions; the skeptic argues that there is always room for doubt and her counterpart insists that these claims are justified in one way or another. This leads to a dialectical gridlock of the kind that we saw in Chapter 1

Wittgenstein's conceptual investigation and his clarificatory task: to rid us of the problem that perplexes us by providing a rearrangement of the facts, different analogies and comparisons, that allows us to be relieved from the specter of skepticism and the desire to refute it.

We should be careful, however, not to sublimate the notion of certainties as a metaphysical account projected onto the object of investigation. Statements expressing certainties, as we will see, are necessary, universal, and non-empirical, but these are facets of our object of comparison, not a philosophical thesis to rival Moore's, that share similarities (and differences) with what we are investigating. The success of this model, for Wittgenstein, does not depend on whether it can be established that the relation between certainty and knowledge claims that he proposes is metaphysically true (i.e., certainties are transcendental conditions for knowledge in precisely the same sense in which a priori forms of intuition and categories are transcendental conditions for cognition). Rather, the success of his model depends on whether we are released from the philosophical problem we began with through this way of looking at things. It should be added, that Wittgenstein does not claim that there is no correspondence or a perfect correspondence between the mode of comparison and what we are investigating. As Kuusela puts it, the object of comparison "is used to draw attention to certain characteristics of the objects of investigation, but to what extent the latter actually correspond to the former is left open" (Kuusela 2008, 125).

This methodological insight will be crucial throughout what follows and, as we will see, allows us to understand the transcendental not as wedded to a metaphysical account of epistemic practices as such, but as an account that is indexed to a particular way of representing the object of investigation and is geared at relieving us of a philosophical perplexity. Keeping this in mind will be crucial for a non-dogmatic Wittgensteinian transcendental enterprise that is genuinely non-metaphysical.

3. The Enabling Role of Certainties

Let us take up where we left in Section 1, where I indicated that Wittgenstein's departure from Moore's account does not only include considerations about sense and nonsense, but goes further than that. In order to establish that statements that express certainties can be conceived as transcendental, we need to show that they play a necessary, universal, non-empirical and enabling role with respect to our epistemic judgments and practices. At the same time, we need to remain mindful of Wittgenstein's methodological position in order to avoid conflating what he offers as an object of comparison with the object of investigation at hand. I will begin with the last feature of transcendental certainty statements, namely, the enabling role. To this extent Wittgenstein remarks:

'Knowledge' and 'certainty' belong to different *categories*. They are not two 'mental states' like, say 'surmising' and 'being sure' [...]
What interests us now is not being sure but knowledge. That is, we are interested in the fact that about certain empirical propositions no doubt can exist if making judgments is to be possible at all. Or again: I am inclined to believe that not everything that has the form of an empirical proposition *is* one (OC 308).

In the above, Wittgenstein points to a categorial difference between knowledge claims and statements expressing certainties, which he develops in the rest of the remark. He begins by pointing out that certainty and knowledge are not “mental states,” an observation that becomes clearer in reference to various other passages in the text where

he asserts that he is not concerned with psychological or subjective certainty but with objective certainty. He remarks, for instance, that while subjective certainty consists of “a total absence of doubt,” embodied in one's comprehensive personal conviction about what one believes, objective certainty, by contrast, does not refer to this *personal* state of total conviction, but to the *logical* exclusion of doubt (OC 194).⁶⁰ The logical exclusion of doubt can be expressed in the following way: if *C* is a certainty, then by virtue of this property, doubting *C* is impossible. The logical role of statements expressing certainties can be gleaned from the remark above as well: these statements must be held beyond doubt if “making judgments is to be possible at all,” that is to say, they are the condition for the possibility of making judgments. Their logical role is complemented by Wittgenstein's suggestion that their status is non-empirical, evident in his hint that statements expressing certainties are not empirical propositions, even though they possess the form of empirical propositions. While Wittgenstein does not explicitly state what the categorial distinction between certainty and knowledge amounts to, the following can be gathered from the remark above: if knowledge claims are empirical and therefore dubitable, unlike knowledge claims, statements expressing

60 Moyal-Sharrock presents a taxonomy of various kind of certainties, including subjective and objective certainty, but also linguistic hinges, or grammatical rules (“A is a physical object”); personal hinges (“My name is Wittgenstein”); local hinges, rules for a community in light of its background, say, scientific commitments (“Lunar travel is impossible”); and universal hinges, which Moyal-Sharrock holds are held by all human beings (“there is an external world”) (Moyal-Sharrock 2004, 72). It is, of course, not clear how the distinction between these hinges can be maintained, since a linguistic hinge, for instance, can also serve as a personal or universal hinge. In any case, while Wittgenstein might be open to the view that certainty can be personal, in the passage I have cited, Wittgenstein wishes to clarify the *logical* role of certainty which a psychological reading would obscure. Therefore, he explicitly states: “The physical game is just as certain as the arithmetical. But this can be misunderstood. My remark is a logical and not a psychological one” (OC 447). Understood psychological, we would conceive of the remark as a personal introspective feeling. Wittgenstein, by contrast, wants to point out the logical role of certainty.

certainties are non-empirical and indubitable. Wittgenstein, however, goes further. He observes that statements expressing certainties are distinct from knowledge claims because certainties possess an *enabling* role *with respect to* knowledge claims. Moore's way of representing statements expressing certainties does not bring out these important features. In treating these statements as distinguished from knowledge claims and as serving a logical role, Wittgenstein offers a new way of conceiving of these statements, which allows us to see features of these statements that were previously obscured.

According to Wittgenstein, Moore conflates statements expressing certainties with empirical knowledge claims, merely adding the proviso that the former statements are knowledge claims that enjoy a supreme degree of certainty. For Wittgenstein, as I have suggested above, Moore's error does not stop at a confusion of the grammatical and the factual (empirical), but goes further. Moore fails to recognize the role that statements expressing certainties have with respect to knowledge claims as evidenced in the following remarks:

When Moore says he *knows* such and such, he is really enumerating a lot of empirical propositions which we affirm without special testing; propositions, that is, which have a peculiar logical role in the system of our empirical propositions.

Even if the most trustworthy of men assures me that he *knows* things are thus and so, this by itself cannot satisfy me that he does know. Only that he believes he knows. That is why Moore's assurance that he knows [...] does not interest us. The propositions, however, which Moore retails as examples of such known truths are indeed interesting. Not because anyone knows

their truth, or believes he knows them, but because they all have a *similar* role in the system of our empirical judgments (OC 136-137)

For Moore, statements expressing certainties are “empirical propositions which we affirm without special testing,” but on Wittgenstein's model, they serve “a peculiar logical role [that these propositions have] in the system of our empirical propositions” (OC 136). That is, their logical properties do not simply set them apart from empirical propositions; these properties also put them in a special *relation* with empirical propositions. In the second remark, Wittgenstein therefore points out that Moore's common sense psychological assurances are not ultimately interesting. What makes statements expressing certainties exceptional is that “they all have a *similar* role in the system of our empirical judgments” (OC 137). Whatever a particular certainty states, it is related to a set of empirical propositions in a way that is characteristic for all statements expressing certainties. As these statements are not knowledge claims themselves, they cannot give an epistemic foundation to empirical propositions. Their peculiar properties (they are indubitable and unjustifiable) suggests that statements expressing certainties frame empirical propositions and thus make them possible. Evidently, then, for Wittgenstein, one fundamental area of contrast between his mode of representation and Moore's is that the latter neglects the *peculiar role* of certainties with respect to empirical propositions.

It is important to point out, however, that this enabling role has to be characterized not as giving us the presuppositions for knowledge without qualification; rather, this enabling role serves as an object of comparison, as pointed out above, which is juxtaposed with statements that Moore treats as knowledge claims. Unlike the Kantian account, for instance, which gives us conditions for the possibility of cognition,

Wittgenstein is not offering a similar account of the *nature* of epistemic practices and what enables them. The enabling feature of statements expressing certainties should not be projected onto epistemic practices and what they involve; rather, this is an invitation to look at similarities between the object of comparison and the object of investigation (epistemic practices and what they involve). Wittgenstein is attempting to remove obscurities that result from Moore's epistemic account of statements expressing certainties, by presenting these statements as non-epistemic and enabling. That Wittgenstein pursues this strategy can be substantiated if we consider the following remark: "When one hears Moore say "I *know* that that's a tree", one suddenly understands those who think that that has by no means been settled. The matter strikes one all at once as being unclear and blurred. It is as if Moore had put it in the wrong light" (OC 481).

So far, we have seen adumbrations of a transcendental reading according to which statements expressing certainties are seen as serving an enabling role. Wittgenstein points out the logical role of these statements with respect to knowledge claims and subsequently develops their transcendental dimension as conditions for the possibility of empirical claims and practices. But Wittgenstein's conception of certainties is a new way of representing matters that can clarify "the unclear and blurred" way in which Moore understands them. Although this interpretation needs further textual corroboration, it is fair to say that apart from the considerations concerning sense and nonsense that we have seen above, Wittgenstein finds Moore's account problematic because it disregards the peculiar role certainties have with respect to empirical judgments. On Wittgenstein's model, this role is one of *enabling* judgments, or, to use Wittgenstein's metaphor, providing hinges on which our epistemic practices turn (OC 341). In what follows I will substantiate the transcendental reading by examining the role necessity, universality and apriority play for certainties. To

further substantiate this reading we have to ask in what way statements expressing certainties make knowledge claims possible.

4. Necessity and Universality

If we keep in mind that the enabling role accorded to statements that are an expression of certainties belongs to them understood as an object of comparison and in order to shed light on certain features of our practices, we do stop short of the metaphysical perspective that our practices must be arranged in this and only this way. When I turn to necessity and universality next, this insight will be all the more important. Wittgenstein does not take the necessity and universality of certainties to be a self-standing thesis about what we *must* hold as beyond doubt and justification for knowledge to be possible as such. The necessity and universality in question belong to Wittgenstein's object of comparison with which the *object of our investigation* (which as we see consists of a constellation of concepts such as knowledge, propositions that are unassailable, doubt etc.) can be compared.

First, in order to justify my discussion of the topic of necessity and universality, let me substantiate Wittgenstein's conception of certainties as possessing these features. Wittgenstein often suggests that a relation of presupposition exists between certainties and what they enable as expressed clearly in the following remarks: "The game of doubting presupposes certainty" OC 115; "isn't this 'certainty' (already) presupposed in the language-game?" OC 446). This relation shows up especially in light of the hinge metaphor: "If I want the door to turn, the hinges must stay put" (OC 343), "Dispute about other things; *this* is immovable - it is a hinge on which your dispute can turn" (OC 655), and "the questions that we raise and our doubts depend on the fact that some propositions are exempt from doubt, are as it were like hinges on which those turn" (OC 341). If epistemic procedures such as doubt, enquiry, justification and so on cannot take

off without presupposing certainty, it is safe to assume certainty is in some sense necessary for these particular practices. This view is supported further by how Wittgenstein spells out the relation between certainties and the empirical judgments they make possible (OC 21). Wittgenstein suggests that certain propositions must be treated as unassailable, “fixed,” “removed from the traffic” and “shunted to an unused siding” for epistemic practices of various kinds to be possible. He offers various reasons for this. We have already seen that one reason is that doubting or justifying certainties is nonsensical. A further reason is that epistemic language-games simply would not be possible if propositions were subject to boundless doubt (OC 337, OC 519). Certainties are expressed by statements at which doubts have to stop. In turn, abandoning certainty statements at which doubts have to stop would result in the dissolution of intelligibility for empirical statements. This furthermore applies to certainties, not as a personal or subjective matter, but universally (OC 440). These remarks make clear that certainties are necessary; epistemic practices simply would not get off the ground if we directed boundless doubt to every proposition. I will now turn to the kind of necessity and universality that certainties embody by looking at a few contrasting positions, first Strawson’s metaphysical account in *Individuals* and then Moyal-Sharrock’s reading of certainties as universal hinges.

4.1 The Emergence of Certainties

According to Wittgenstein’s model, we can conceive of certainties as particular propositions that *emerge* as necessary over time *through a* sedimentation of empirical statements, rather than as static and unchanging features of an inner domain as Kant’s transcendental idealism or neo-Kantian approaches such as Strawson’s conceptual scheme suggest. Strawson’s is an interesting case because he rejects Kant’s transcendental idealism yet maintains that there is a dimension of human thinking which

is immutable in its “fundamental character;” this dimension is the subject matter of what he calls “descriptive metaphysics” and remains changeless despite differences in the idiom in which – for various contingent reasons – we express it (Strawson 1959, 10-11). Though Wittgenstein and Strawson can be said to share a concern with description, their goals are entirely different. These different intentions have implications for the necessity operative in their accounts. For example, Wittgenstein does not take himself to be describing the conceptual scheme that is *underneath* differences in idiom. The idiom cannot be separated from what it represents insofar as the idiom and what it represents are equally open to view. Further, in contrast to Strawson’s position, the necessity of statements expressing certainties is, according to Wittgenstein’s model, not a fixed feature of the human conceptual scheme, but emerges as part of a dynamic and shifting process. Strawson’s presentation of what one could call a static account of the basic concepts that govern human thinking rules out the possibility that these basic concepts might be *established* just like other concepts and, therefore, might also change. Wittgenstein’s contrast to a static account is clearly exemplified by the riverbed analogy:

It might be imagined that some propositions, of the form of empirical propositions, were hardened and functioned as channels for such empirical propositions as were not hardened but fluid; and that this relation altered with time, in that fluid propositions hardened, and hard ones became fluid (OC 96).

The mythology may change back into a state of flux, the river-bed of thoughts may shift. But I distinguish between the movement of the waters on the river-bed and the shift of the bed itself; though

there is not a sharp division of the one from the other (OC 97).

But if someone were to say "So logic too is an empirical science" he would be wrong. Yet this is right: the same proposition may get treated at one time as something to test by experience, at another as a rule of testing (OC 98).

And the bank of that river consists partly of hard rock, subject to no alteration or only to an imperceptible one, partly of sand, which now in one place now in another gets washed away, or deposited (OC 99).

While Wittgenstein names logic specifically in these remarks, their larger context addresses certainties (where Wittgenstein speaks of "Moore's propositions" as a world-picture or a mythology). In the remark above, it is evident that unlike the concepts of Strawson's descriptive metaphysics, propositions that express certainties can sediment over the course of time, but they can also crumble away, becoming empirical propositions again. Thus, they are not insulated from change. It could be that the certainty that the earth has existed for thousands of years is one of those certainties which "changes not at all" but only imperceptibly, but as we will see in what follows, there is no clear or principled way in which we can distinguish between certainties that are more fixed than others. The riverbed analogy suggests that there is no *sharp* or absolute distinction between certainty statements (the riverbed) and empirical propositions (the movement of the waters), but this does not rule out that I can differentiate between the two. In other words, in some cases the distinction between certainty and empirical propositions may be clear; and in other cases it may be

ambiguous. Again in the imagery of Wittgenstein's analogy, some certainties are like hard rock, that is, they do not change or change merely imperceptibly, while other certainties are like sand, that is, they fluctuate and shift more readily.

Given that certainties can change, we might be led to the view that what Wittgenstein is describing are empirical propositions that have a special status, and thus, propositions that have the status of certainties belong to the empirical domain and embody something analogous to an anthropological or historical account of the statements people take for granted. When Wittgenstein points out in the above that the relation between certainties and empirical propositions "altered with time" and that propositions that have the status of certainties can become empirical propositions and vice versa, it might appear that Wittgenstein is providing just such an empirical account. However, at the same time, we saw in the preceding sections that Wittgenstein's account of certainties is *logical* and not empirical. How are we to understand these contrasting features -- first the view that statements expressing certainties are *non-empirical and logical*, which suggests that they do not change, and second the view that propositions that have the status of certainties can change, once again becoming empirical propositions as we saw in the riverbed analogy?

If the empirical perspective and a more robust metaphysical interpretation of certainties are the only two interpretive options available to us, we face an unwelcome oscillation. On the one hand, if statements expressing certainties are conceived as empirical, remarks elsewhere that suggest they are logical and non-empirical become impossible to explain. On the other hand, in rejecting this empirical reading and holding that statements expressing certainties are in some sense metaphysical, emphasizing the certainties that "*change not at all* or only imperceptibly," we cannot explain how propositions that have the status of certainty statements can also come to lose this status and become empirical propositions. As we will see, the way out of this dilemma is to

recognize that statements expressing certainties are objects of comparison, that is, a mode of representation. Under this methodological framework, issues surrounding the changeable character of certainties can be resolved without oscillation.

We can see the clearly how this oscillation arises by taking a look at Danielle Moyal-Sharrock's (2004) account. While her account avoids empiricising certainties straight away, it has serious shortcomings. According to Moyal-Sharrock, Wittgenstein incorporates change into his account of certainties by distinguishing between "local hinges" and "universal hinges" (Moyal-Sharrock 2004, 147). The latter, she argues, refers to a "universal grammar" that fixes the bounds for the human form of life; and the former refers to "culture variant" certainties true for a certain number of people at a given time and place. Moyal-Sharrock explains the universality of propositions expressing certainties by presenting an anthropological example of a tribe where some women are thought to be able to fly, but crucially, it is believed that the women exit their bodies before they take off or possess doubles in the form of fireflies (Moyal-Sharrock 2004, 176). According to Moyal-Sharrock, this suggests that the universal hinge "human beings cannot fly unaided" is not transgressed, but accommodated. She thinks that if these women were to try to jump off a cliff in a bid to fly, their attempt could be characterized as pathological. On this view, universal hinges are analogous to Strawson's conceptual scheme: they give us the fundamental certainties held by all members of the human form of life.

Moyal-Sharrock's account, however, faces serious problems. First, it is not clear on which grounds we could judge individuals who flew off a cliff to be pathological, since it could be part of the spiritual narrative that the soul splits from the body during the attempt. After all, it is a common religious idea that the soul and the body are equally real components of a person, except the soul is not bound by physical laws and for this reason does not need an airplane or a parachute but can, indeed, fly unaided. It

seems Moyal-Sharrock's view that the tribe must accommodate universal hinges only works if we presuppose that language games based on "our science and education" are ultimately operative everywhere (OC 298). After all, it can be imagined that what we take to be universal, for instance, "human beings cannot fly unaided," might turn out to be merely local. For terms like "universal" employed here can actually turn out to be local to us. It is *our* way of life that tells us that human beings, understood as a material category, cannot fly unaided. It is an unwarranted assumption to hold that this world-view is the truly universal one to which everyone else must accommodate theirs.

Secondly, Moyal-Sharrock does not explain how a principled distinction between a local and a universal certainty can be established. It is not clear how we can arrive at a principled way of distinguishing certainties that are "subject to no alteration" from certainties that are open to modification, because we would need a view from nowhere, an unchanging and non-situated perspective, to indicate how the two differ (OC 99). Moyal-Sharrock's account of the universality of certainties relies on the unwarranted view that what might be universal for us is ultimately operative everywhere and that the distinction between local and universal hinges can be established in a principled fashion. It is difficult, however, to attribute this view to Wittgenstein who given his remarks on method, cautions against the dogmatism of views on which one way of representing an object of investigation must apply to all instances of the object of investigation. Indeed, if we take Wittgenstein's conception of certainties as a mode of representation, we are not entitled to abstract them from their task of clarification and take them as self-standing universal hinges that tell us what is certain for the human life form as a whole, everywhere and at all times (OC 92, OC 132). Wittgenstein, as we saw, is opposed to totalization, that is, the denial or effacement of difference that such a metaphysically charged account endorses. For if we were to assume truly universal hinges, we would need to assume a common unchanging

reality that unifies diverse communities and practices, for instance, the unvarying “essence” of the human form of life in which universal hinges would be grounded.⁶¹ This account would take the necessity and universality of statements expressing certainties, which, according to the methodological considerations we have seen above, are features of certainties understood as an object of comparison, and project it onto our object of investigation, our epistemic practices and what they involve. This projection deprives us of the possibility of taking the necessity and universality of statements expressing certainties as one way of seeing matters that is profitable for the purposes of clarifying a philosophical problem. Moyal-Sharrock’s reading might place Wittgenstein closer to metaphysical transcendental perspectives like Strawson’s, which attempt to give us the universal scheme or conditions of human practice and belief, but it does not get us closer to the kind of non-dogmatic transcendental account that, on my reading, can be plausibly gleaned from *On Certainty*.

4.2 Non-Temporality

Let us now return to our dilemma. If certainties are not interpreted in the robust sense advocated by Moyal-Sharrock, we may risk interpreting them as empirical; as I pointed out, this stands in tension with Wittgenstein’s remarks that statements expressing certainties are at the same time logical and non-empirical. This tension arises once we attempt to give a place to the logical (and non-empirical) status of these statements and their temporal features (propositions can lose their status as expressing a certainty and become empirical) *without* keeping in view the methodological view that Wittgenstein’s account of statements expressing certainties are objects of comparison. The key to this

61 We can relate the difficulty of arguing for universal hinges to the problem associated with the “uniqueness condition,” the view that one concept or conceptual scheme uniquely or without alternatives enables a phenomenon, such as cognition or perception discussed in Chapter 2.

puzzle, as I hope to show, is drawing out consequences of statements expressing certainties conceived as an object of comparison, which presents us with a third option between a metaphysically charged understanding on the one hand, and an empirical understanding of certainties on the other.

For Wittgenstein, a mode of representation is non-temporal.⁶² When a mode of representation is used as an object of comparison it is brought into contact with an actual practice or philosophical problem. Objects of comparison are used in certain historical circumstances, with a view to historically situated philosophical problems. However, statements expressing certainties, even though they are from this broad perspective historically situated, are treated as non-temporal objects of comparison. Wittgenstein comments on this non-temporal character of statements used as objects of comparison when he discusses grammatical rules:

What I call a ‘rule’ is not meant to entail anything about any determinate (or also indeterminate) time or place of use, and not to refer to any determinate (or indeterminate) persons; but to be merely an instrument of representation. (MS 113, 29v).

Statements expressing grammatical rules, such as “meaning is use” or “meaning is correspondence of word and object”, conceived as an object of comparison, are “instruments of representation.” These statements are to be compared with actual cases, namely, our objects of investigation. But they are not themselves empirical or sempiternal; their non-temporality is an inbuilt qualification. To understand this point more clearly, we can turn to Wittgenstein’s analogy between grammatical rules and the

62 For Wittgenstein, all philosophical accounts are modes of representation. Metaphysical accounts take what are actually non-temporal features of their model to constitute a sempiternal account of their object of inquiry.

non-temporal statements of mathematics. Take the following statement: “The 100 apples in this box consist of 50 and 50 – here the non-temporal character of 'consist' is important. For it does not mean that *now*, or just for a time, they consist of 50 and 50” (RFM 101). On the one hand, this statement concerns the fact that *this* box contains hundred apples at this time, which is obviously a temporal fact about a box and what it contains. But if we look at the mathematical relation between 100 and $50 + 50$, the statement is non-temporal. It is not just that for *this* box, 100 consists of 50 and 50. The latter mathematical relation does not stand or fall with any particular states of affairs; as Kuusela puts it, conceived as a mathematical relation, this statement “does not concern any particular occasion or occasions but is employed to make a statement about the concept of a hundred [that holds] universally for all cases in which we talk about a hundred in the relevant meaning, independently, as it were, of any contingent facts of the world” (Kuusela 2008, 196).⁶³ At the same time, these mathematical statements do not describe essences of numbers that are immutable and that cannot change, as a metaphysical account would hold. Such an account would be forced to posit numbers as mysterious superfactual entities, when they are relations between *concepts* (Kuusela 2008, 197). To explain this point further, Wittgenstein conceives of such statements as *grammatical* rules that do not tell us about the metaphysical essence of, for example, “numbers,” “colors,” etc., but are “nontemporal statement[s] that describe...conceptual

63 Elsewhere Wittgenstein remarks “‘White is lighter than black.’ This expression too is non-temporal and it too expresses the existence of an internal relation” (RFM 104). White and black, just as light and dark, are embedded respectively in conceptual “paradigms,” such that black and dark belong together under one paradigm and white and light belong to another. “The proposition” white is lighter than black, according to Wittgenstein, “is non-temporal because it only expresses the connection of the words 'white,' 'black' and 'lighter' with a paradigm” (RFM 75-76). The internal relations of these terms do not stand and fall with their contingent, external, occurrence but are precisely necessary connections between paradigms. At the same time, as with the example of mathematical statements, this internal relation is not an immutable essence, but a non-temporal relation.

relation[s]” between, in our example above, $100 = 50 + 50$. Keep in mind, however, that Wittgenstein is not advancing, say, a linguistic account or theory that presents the nature of numbers as grammatical, contrary to, for example, Platonic theories. Grammar is not the metaphysical essence of language, but, once again, an object of comparison, a way of representing certain statements, for the purpose of clarifying philosophical perplexities, e.g., it tries to clarify how we should understand the necessity of mathematical relations -- as metaphysical entities or as empirical etc.

If we understand statements expressing certainties as similarly non-temporal objects of comparison, Wittgenstein’s riverbed analogy cannot be said to be describing an empirical process of change according to which propositions that have the status of certainties lose this status, and instead of necessary and universal for empirical propositions, become empirical propositions themselves. If we do not keep in mind that statements expressing certainties are non-temporal, some examples from *On Certainty* strike us as confusing. Take his example of the certainty “no one has ever been to the moon” (OC 108). It would seem that one way to understand Wittgenstein’s view of the statement “no one has ever been to the moon” is to consider it to be empirical; it once had the status of a certainty, but now it is an empirical proposition and this shows us that certainties are ultimately empirical – for us this proposition does not express a certainty, but has become an empirical proposition; for our ancestors it has been indubitable, but now due to certain historical facts, it is an empirical proposition we can show to be false by reference to evidence of the moon landing. It would sound, then, that Wittgenstein’s remarks were intended anthropologically, as diachronic statements about a particular community or set of epistemic practices. If we take Moyal-Sharrock’s perspective, the statement “no one has ever been to the moon” was a local hinge, open to variation, less robust than universal hinges that are fixed and beyond change. We have seen, however, that both of these options run into difficulties; on the one hand,

Wittgenstein is not offering an anthropological or historical account; on the other hand, the distinction between local and universal hinges cannot be maintained. If we bring the view that statements expressing certainties are objects of comparison – like the grammatical rule $50 + 50 = 100$ – to bear on this example, we can say that, *conceived* as an object of comparison, the statement “no one has ever been to the moon” is non-temporal. This, of course, does not mean that the *proposition* “no one has ever been to the moon” is non-temporal. Wittgenstein did not intend for it to be a statement that is true for all times and all places or as embodying an anthropological fact, but as a way of representing the logical relation between some propositions that are unassailable and empirical propositions or practices. Wittgenstein claims that statements expressing certainties as an object of comparison are being used non-temporally, because they are a model, a prototype, or a way of seeing things. The non-temporal statement is used as an object of comparison with respect to something temporal, i.e., our practices that the philosopher wants to make intelligible in a certain historical setting. In this sense, the comparison is temporal, as it is directed at clarifying an actual practice in a historical setting. To use the example of mathematics from above, that $50 + 50 = 100$ is a nontemporal statement; but when I count 50 apples in one box and 50 in another and have 100 apples, I am making a temporal use of the non-temporal rule $50 + 50 = 100$. Wittgenstein’s conception of certainties shares this feature with mathematical statements. As a mode of representation or more specifically, an object of comparison, they can be brought into contact with an actual or temporal practice; the mode itself, however, is not temporal.

Another example might be instructive. Traditional philosophical accounts give us perspectives on change and transformation that are non-empirical in the sense that these perspectives are sempiternal, always true for all transformations everywhere. For instance, according to Marxism all of human history is teleological, that is, societies go

through transformations and revolutions to arrive at a classless society. For Wittgenstein, that statements, which are certain can lose their status is not a sempiternal truth about how all human practices evolve. It is a model, which can shed light on a historically indexed set of philosophical problems and not a metaphysical account of transformation and change. At the same time, as we saw above, to take this model to be an empirical account misses the crucial third route: an understanding of statements expressing certainties as non-temporal objects of comparison with which we can compare objects of investigation, once again, (epistemic) practices, statements which are unassailable, doubt, justification etc., in order to bring out the logical relation we have explored in the previous section. The aim of bringing out this relation is to clarify the philosophical problems that arise, for example, from Moore's way of conceiving these statements expressing certainties. We will return to this point below.

If we consider the three perspectives on certainties we have examined so far, empirical, metaphysical, and as an object of comparison (like grammatical rules), different conclusions emerge with respect to the necessity and universality of certainties. In the empirical or anthropological case, the necessity and universality of statements expressing certainties is merely conventional and in force for a certain time and place. Conventionalism would ground necessity and universality in tacit stipulations that human communities are agreed on (Dummett 1993, 447). However, in this context, Wittgenstein cannot be construed as a conventionalist. The view that the necessity and universality of statements expressing certainties is *grounded* in convention is in tension with Wittgenstein's remarks that certainties are groundless (OC 66). If we look at certainties from a metaphysical perspective, on the other hand, the necessity and universality of certainties is a sempiternal truth about all human life forms. In this case, we take Wittgenstein to be advancing a metaphysical thesis about the grounds of human practices. We have seen that Wittgenstein cautions against the view that we can give *the*

essence or *the* order (PI 132) of what we are investigating. The last option is to take necessity and universality to be features of an object of comparison. Statements expressing certainties, conceived as a mode of representation, like grammatical rules, possess necessity and universality. When they are used as objects of comparison, they do not postulate or project what is necessary and universal onto the object of investigation. The extent to which the object of comparison and the object of investigation correspond remains an open question from Wittgenstein's methodological perspective. If this methodological perspective is not recognized, we are quickly led to the view that certainties are either conventions or sempiternal truths, which means that we have to establish conclusions about the *nature* of necessity or universality involved. As we have seen in Part I of this thesis, fixed modal intuitions throw the transcendental into disarray. Wittgenstein's methodological perspective does not have this consequence; hence its potential for a reformulated transcendental.

To give further credence to this reading, I would like to turn to the Wittgenstein's peculiar literary style that is not just characteristic of *On Certainty*, but of his work more broadly. It is virtually impossible to ignore the recurrence of modal qualifiers throughout the text ("it could be," "one could say," "it is as if," "we can also imagine," "one might grant," "But in that case isn't it like *this*") alongside the question marks with which many remarks containing substantive "theses" conclude. To disregard these considerations as trivial is to ignore the fact that Wittgenstein is not asserting, in the style of ordinary philosophical accounts, theses about his object of investigation that proceed unscrupulously and with only a few examples to supply overarching conclusions. As Katherine Morris points out, Wittgenstein's use of modal qualifiers should not be disregarded as merely stylistic or, when convenient, exploited to meet certain exegetical aims (Morris 1994). Attention to these qualifiers can bring to light that his interest, far from offering an empirical or metaphysical account of the object of

inquiry, is to bring to light diverse ways of seeing things, offering alternatives to the pictures that lead to philosophical quandaries and elicits the need for positive philosophical solutions. These modal qualifiers and, what at times seem like hesitations and questions, suggest, as has been argued above, that Wittgenstein is attempting to see the matter at hand in different ways, or to use the technical terminology, he is addressing the situation through a different mode of representing the place of Moorean truisms in our (epistemic) practices that would dissipate the philosophical perplexity that arises from, for instance, failing to see the enabling role of the former with respect to the latter.

If we bring this to bear on the necessity and universality of statements expressing certainties, we can see a truly non-dogmatic way of understanding the transcendental. Statements expressing certainties, understood as an object of comparison, articulate enabling conditions that bring to light relevant features of the object of investigation by telling us how these features are possible. But these features may also be brought to light by other statements of certainties or in another way, not by asking how these features are possible but, for example, by looking at their definition, and so forth. So Wittgenstein's statements expressing certainties do not settle once and for all what makes our practices possible, but they also do not leave the terrain to mere convention.

We have so far considered the features of certainties as enabling, necessary, and universal and their role as objects of comparison with respect to a constellation of topics. But our picture of Wittgenstein's contribution to a new understanding of the transcendental is not complete without taking into account what he has to say about the a priori. Transcendental claims characteristically involve a commitment to apriority. Therefore, I will turn to a Wittgensteinian construal of the non-empirical status of certainties in the next section. Before I do so, I will examine a standard transcendental

way of reading Wittgenstein, which construes him as advancing a form of transcendental idealism. My contrast with this position will bring into sharp relief how Wittgenstein's conception of the non-empirical should be understood.

5. Apriority

Wittgenstein distinguishes knowledge and certainty on the basis of the empirical nature of the former and the non-empirical nature of the latter (OC 308). This places statements expressing certainties on the non-empirical side. It is important to point out, however, that a statement like "I have a hand" can be used empirically if the context is appropriate, that is, if it makes sense, for example, to adduce evidence for the fact that I have a hand; but when used as an object of comparison, a statement like "I have a hand" plays a logical role and expresses something non-empirical. Unlike empirical propositions, statements expressing certainties are not open to falsification or confirmation, they cannot be doubted or justified, and they are not "true" but are conditions for the possibility of distinguishing between true and false (OC 94). Then, while empirical propositions, such as knowledge claims, have evidential grounds, statements expressing certainties have no grounds whether evidential or rational (Moyal-Sharrock 2004, 12). Further, the formation of certainties is often incremental and non-reflective (OC 457): it is not because of an explicit process, such as an experiment, that we believe that the earth has existed for thousands of years. It is the sum total, the background, or, as Wittgenstein sometimes says, the mythology that guides us, so that we cannot allocate specific reasons in favor of a given statement expressing certainties (OC 95, OC 97, OC 162, 167). These remarks collectively support the view that statements expressing certainties are non-empirical.

The move here, it can be argued, is Kantian in some respects. The scaffolding of experience, for Kant, does not belong to reality itself, but to our (a priori) way of

representing it; dogmatic metaphysics goes wrong, in Kant's view, when it predicates what belongs to the scaffolding of experience to reality itself (as Kant explains in the Transcendental Dialectic). Kant, however, aims to furnish an immutable and universal framework of experience or empirical knowledge – that is, a metaphysical scaffolding of experience. In this sense, Kant replaces realist metaphysics with immanent or idealist metaphysics, centered on his notion that the genesis of the conditions of experience is a priori, i.e., has its source in the cognitive structure of the subject and for that reason is non-empirical. It has been asserted that Wittgenstein pursues a comparable course of argument; on this interpretation, grammar or, in our present case, certainties would serve as the scaffolding of knowledge or empirical judgments, which owes its a priori status to its subjective source.⁶⁴ In what follows, I will argue that such a transcendental idealist reading of Wittgenstein conflates his account of the non-empirical with the Kantian a priori. To bring this problem into sharp relief, I will focus on relevant aspects of Bernard Williams' (1981) interpretation of Wittgenstein according to which he advances a form of transcendental idealism.

64 Such a conclusion seems difficult to avoid, if we consider readings such as the following: “in Wittgenstein's view, what appear to be necessities of nature, and what Kant argued to be a priori principles that the understanding imposes on intuitions to *constitute* nature, are no more than shadows cast upon nature by the grammar of our language” (Hacker 2013, 36). To avoid this conclusion, it can be argued that grammar has its source *both* in us and in reality. Baker and Hacker, for instance, hold that mathematical concepts though they are not answerable to reality (because they do not correspond to facts) are nonetheless constrained by “our nature and the nature and stability of the world we inhabit” (Baker and Hacker 2009, 216). We have seen in the previous chapter that Merleau-Ponty's account of complicity and co-constitution of subject and world can be said to offer a similar resolution to an oscillation between realism and idealism. As I will argue, in what follows, however, such a conclusion is difficult to defend with respect to Wittgenstein due to his methodology and his agnosticism with respect to the question of sources.

5.1 The Non-Empirical and Transcendental Idealism

As opposed to transcendental realism, transcendental idealism emphasizes the subjective or inner genesis of the conditions of experience, and therefore draws a distinction between how things are for us (dependent on subjective constraints on our representations) and how things are in themselves (independent of these constraints). Lear (1984) and Williams (1981), famously argue for, and affirm, a transcendental idealist interpretation of Wittgenstein.

An indication of putatively transcendental idealist views can be gleaned from *On Certainty*: “We are quite sure of it' does not mean just that every single person is certain of it, but that we belong to a community which is bound together by science and education” (OC 298). It might be argued that by appealing to our communal practices (science, education, and so on), this remark places the source of statements expressing certainties on the subjective side. If we consider, further, that these statements are non-empirical and serve an enabling role with respect to our epistemic practices, Wittgenstein can be viewed as advancing a form of idealism. Just as Kant held that the categories together with the a priori forms of intuition (the cognitive apparatus of the subject) make cognition possible, Wittgenstein can be seen as asserting that the non-empirical (a priori) statements expressing certainties make epistemic practices possible. In taking statements expressing certainties to be communal, rather than subjective in the Kantian sense, i.e., belonging to each individual subject, Wittgenstein advances, it could be argued, a first person plural idealism.

The view that Wittgenstein advances a first person plural idealism has been suggested and defended by Bernard Williams (1981). On Williams' view Wittgenstein's transcendental idealism is evident in “[t]he fact that [...] everything can be expressed only via human interests and concerns, things which are expressions of mind, and which themselves cannot ultimately be explained in any further terms: that provides grounds, I

suggest, for calling such a view a kind of idealism” (Williams 1981, 153). Williams argues that Wittgenstein holds in his later work that our language places constraints on our experience of the world; in other words, our language is a condition for the possibility of experience and knowledge (Williams 1981, 147). Yet the “*our*” in this context is not an anthropological or particular “we;” rather it is the “plural descendant of that idealist *I*” (Williams 1981, 160). When Wittgenstein says in the remark from *On Certainty* above that we are bound by our science and education, he does not mean, according to Williams, that there would be communities that are incommensurable with ours given whatever science or education they practice; rather, anything that is identified as a community counts as “we.” If we can conceive of something as a community, then it already belongs to “we”, for if they were *genuinely* incommensurable with us, we would not identify them as community at all, not even as a *different* community (Williams 1981, 160). As Williams puts it, “[i]f they are groups with which we are in the universe, and we can understand the fact (namely, that they are groups with a language, etc.), then they also belong to ‘we’” (cited by Bolton 1982, 278; Williams 1981, 160).

However, this transcendental idealist reading is possible only if we interpret Wittgenstein’s conception of the non-empirical as the Kantian a priori, which has subjective genesis. In order to clarify this point, it is important to keep in view that Williams relies on the a priori status of the “we” in question – it is not an item in the world, it is not an empirical or anthropological “we” – and language relates to the “we” in a manner analogous to the way that Kant’s categories relate to the transcendental ego. As Derek Bolton (1982) points out, the “we” is “transcendental [...] namely, in that our language has a non-empirical status, and reaches right to the limits of what is comprehensible to us” and as he explains later, this non-empirical status is being understood by Williams as tantamount to the a priori (279, 280). For Williams to be

able to read Wittgenstein as an idealist, he needs to view language as something anchored in us. Language belongs to how the world is constituted and therefore cannot be conceived as anything but subjective, whether the subjective is understood as the singular I of a transcendental ego or the plural we of a linguistic community.

Let me explain why these grounding considerations are essential for an idealist account. We saw above on realist accounts the source of language or any other phenomenon such as experience is the world or reality itself (conceived as mind-independent). Idealism aims to undercut this thesis, but in order to do so, it must show us that the ground of the target phenomenon is *not* reality, but an inner domain, whether understood as a singular *I*, like Kant's transcendental ego, or a plural *we*, like Williams's conception of a linguistic community. It is only if we understand the community as some kind of inner realm that the idealist thesis can be substantiated. If, for instance, the community is conditioned by reality as such – a natural occurrence, as it were – then the idealist thesis collapses. Central to the idealist position, then, is the view that the non-empirical features of our language point to something inner or to the a priori as Kant conceives it. A grounding of language or an explanation of the nature of our community as turning on idealism is problematic, however, given what Williams' himself says: "everything can be expressed only via human interests and concerns, things which are expressions of mind, and which themselves cannot ultimately be explained in any further terms" (Williams 1981, 153). It is not clear, however, whether human interests and concerns can be understood as "expressions of mind"⁶⁵ – especially, given that human interests and concerns are not further explicable, any such grounding of these interests and concerns in the mind seems unjustified. If we take human activity and concerns to be beyond further explication, as Williams' himself suggests, we are not warranted, contrary to Williams, to provide further grounding of these features *either* in

⁶⁵ Lear also takes human activity to be an expression of mindedness.

realism or idealism.

Let us return to the role of the a priori in Wittgenstein's *On Certainty* and compare it with the above. If Wittgenstein's conception of the non-empirical is tantamount to Kant's we cannot explain how statements that once had the status of certainties can also come to lose this status as we saw in the context of the riverbed analogy (OC 96-99; OC 108). A Kantian pure a priori, as being grounded in the subject, could not similarly be displaced because of its absolute independence from experience and thus from contingency and change. If we want to remain within the Kantian paradigm, the only other option we have would be to interpret certainties as an impure a priori, that is, as instances of inductive generalization (CPR B2). But Wittgenstein explicitly argues against the notion that we arrive at certainties through a process of induction (OC 287). As statements expressing certainties are not knowledge claims, they cannot be put together from empirical observations. Thus, neither the pure nor the impure a priori can adequately capture the a priori with which Wittgenstein is concerned. It cannot be ignored that Wittgenstein does not use the word a priori throughout the text, but suggests that statements expressing certainties can be conceived as non-empirical. As we have seen above, considerations that connect the a priori with the inner, lead to a philosophical commitment to idealism.

Traditionally, we conceive of a priori knowledge claims to convey necessary truths about, for instance, cognition or experience. The a priori evokes the notion of a mysterious kind of knowledge derived outside experience through, for example, rational intuition (e.g., BonJour 1998). We hold that the necessity and independence from experience that a priori statements embody are features of reality, whether of mind (e.g., Kantian idealism) or world (e.g., traditional metaphysics). According to Wittgenstein, by contrast, a priori statements do not give us any special kind of knowledge. Instead of being a statement that conveys knowledge about reality, a statement expressing

certainties is “not a statement about anything [for example, reality, language, cognition] but expresses commitment to a form of expression and thought, a rule of language” (Kuusela 2008, 104). To take up this last point, according to Wittgenstein, we can conceive of a priori statements as grammatical is; they are norms for how we use language in a meaningful way that, when, projected into reality are taken to be describing it. To illustrate further, let us take Kant’s view that “every event has a cause,” which is an a priori knowledge claim. For Kant, this statement conveys a truth about the nature of cognition, namely, that causality (as one of the categories) is a necessary condition for the possibility of cognition. Statements involving categories, according to Kant, belong to the scaffolding of experience and cognition. By contrast, the necessity of this statement, for Wittgenstein, does not convey a necessity about the object of investigation (i.e., cognition, thinking in terms of cause and effect); rather, it belongs, as we saw in the remark above, to how we might use language in a meaningful way. Given what we understand by “cause,” “effect,” and “event,” it makes sense to say that every event has a cause. In expressing this, we are saying something analogous to “2 is a number,” “X is a physical object,” “black is darker than white” – we are not describing the natural or metaphysical necessities about numbers, physical objects, or colors, but we are making grammatical remarks about how we speak meaningfully about numbers and physical objects (see section 1). For someone, as we saw in Section 1, who does not speak a particular language, this could serve as a piece of instruction about how we use words.

Wittgenstein describes what he thinks should be done with traditional conceptions the a priori in the following way:

The a priori must become a form of examination [Betrachtung;
deleted alternative: representation; Darstellung]. That is to say,

this concept too must be deprived of its nimbus. A proposition a priori arises through dressing up a proposition about the mode of representation in the form of a proposition about the represented objects (cited in Kuusela forthcoming, 147; MS 157b 3v).

This allows us to say that when philosophers employ a priori statements (which, as we have seen, are grammatical rules), they are using modes of representation. The necessity of the statement that every event has a cause belongs to the mode, returning to the example above, to the way in which Kant is asking us to conceive of cognition. The further assertion that causality is a necessary feature of cognition as such turns this mode of representing cognition into a general and necessary feature of cognition. As Kuusela puts it, “when the statement is taken as a principle that determines a mode of (re)presentation, rather than as a philosophical/metaphysical claim about propositions, the need disappears to insist misleadingly and dogmatically that reality must conform to it,” (Kuusela 2013, 112) i.e., the insistence that the principle expressed by “every event has a cause” is a necessary feature of cognition. Conceiving of a priori statements that express universality and necessity to be features of modes of representation allows us to open up cognition to be represented in alternative ways. As we saw in Section 2 of this chapter, insisting that cognition must be governed by causality generalizes what might be a useful *way of seeing* cognition into a metaphysical truth about causality and its relation to cognition as such. Removing the nimbus of a priori statements and the necessity and generality they convey is to see them as the philosopher’s mode of representation and not as features of the object of investigation itself.

Wittgenstein’s choice of “non-empirical” instead of a priori is telling in *On Certainty*, because it avoids the “nimbus,” that is, the metaphysical halo that attaches to the traditional conception of apriority. The first person plural idealism we have seen

above, attempts to get rid of Kant's emphasis on the mind or cognition by merely expanding the realm of the a priori or the inner to include human activity or *our* mindedness.⁶⁶ Despite this move from cognition to community, however, such attempts retain a metaphysical commitment to transcendental idealism. These readings jump to the conclusion that whatever Wittgenstein means by "non-empirical" or "*human* activity," is pointing to something a priori or subjectivist, disregarding the crucial contrast Wittgenstein draws between mode of representation and object of investigation, a contrast that, as we have seen, prevents us from attributing metaphysical theses to Wittgenstein.⁶⁷

In the above we have seen that Wittgenstein offers us a new way of understanding the place of necessity, universality and the non-empirical. They belong to an object of comparison that allows us to represent our object of study in a particular light. If we interpret certainties in this (new and modified) transcendental way, we can appreciate that conceiving of some statements as background presuppositions for (epistemic) practices allows us to dissolve the skeptical problem and with it the attempt to refute the skeptic, opening up transcendental considerations to a new possibility, as

66 Sacks (2000) similarly distinguishes between traditional transcendental idealism (T1) and a Wittgensteinian transcendental idealism (T2):

T1: There are transcendental constraints imposed by the mind on what can count as an object in experience, such that we can know (experience) objects only in conformity with these constraints (2000, 201).

T2: Anything that is a possible object of experience is ultimately an expression of our activity – where that is taken to include human concerns, interests, actions, beliefs (2000, 206).

67 Readings of Wittgenstein's conception of certainties make claims such as the following: "For Wittgenstein, these conditions arise from very general but contingent features of human life; in contrast, Kant holds, conditions for experience arise from the necessary structure of the mind" (Hamilton 2014, 295). This view, similar to Williams does not make the important distinction between Wittgenstein's view that statements expressing certainties are not to be conceived as providing a thesis about what conditions human life and its sources.

being clarificatory. In what follows, I will explain how this transcendental can serve a clarificatory role.

5.2 Transcendental Clarification

We begin with Moore's mode of representation, his philosophical account, according to which statements such as "there is an external world" or "I know I have a hand" are knowledge claims. This statement leads us to feel confused, because if I know I have a hand, or if the existence of the external world is an epistemic fact, I can also doubt both statements. As we saw, what can be known can also be doubted. When I think of matters in this way, I begin to realize that I cannot attach any sense to the view that I could know (or doubt) that I have a hand or that I know (or can doubt) that there is an external world, except in exceptional circumstances, when the statement is a knowledge claim, i.e., if I suffer a terrible accident or if I'm suffering derealization as part of a pathological condition. As Wittgenstein puts it, when Moore asserts these statements as knowledge claims, "[t]he matter strikes one all at once as being unclear and blurred. It is as if Moore had put it in the wrong light" (OC 481). Wittgenstein, then, offers us a different way of understanding matters, which clarifies what seemed to be unclear and blurred.

This different way of understanding matters, as I attempted to show, can be viewed as transcendental. Wittgenstein's mode of representation holds that instead of taking the statements "I have a hand," "there is an external world" etc. as tantamount to knowledge claims, we should consider these statements as beyond knowledge and doubt, that is, as non-epistemic. Further, if we conceive of these statements as being necessary, universal, non-empirical and enabling for epistemic practices, our need to doubt or justify these statements vanishes. We come to see that we must take something as certain, beyond doubt, in order to make any knowledge claim. Conceiving of them in

this way allows us to see these statements serve an enabling role. But the point of these considerations is not to establish a metaphysical relation between knowledge claims and statements expressing certainties. It is to show us an alternative arrangement of concepts under which the need for doubting or justifying these statements ceases to have a hold on us. This arrangement, I have argued, can be understood as transcendental, since statements expressing certainties embody necessity, universality, non-empirical and are enabling.

Conclusion

In this chapter, I have aimed to bring together insights from Wittgenstein's *On Certainty* (and aspects of his other works) in order to present a new way in which we can understand the transcendental as truly non-dogmatic. I began with some features of the standard accounts of *On Certainty* that rightly point out that, according to Wittgenstein, propositions that have the status of certainty are not knowledge claims as Moore saw them. If we conceive of them as such, they end up being nonsensical, given their lack of determination. Wittgenstein, as I aimed to show, did not think that that was all there was to be said about Moorean propositions. I then proceeded to argue that they had an enabling role with respect to epistemic propositions. So that this enabling role is not taken to be a standard philosophical account of what enables epistemic practices, I introduced methodological insights crucial to a reading of certainties conceived as transcendental. I argued that we can take Wittgenstein's conception of certainties as an object of comparison that is juxtaposed with the object of investigation (a constellation of topics, such as, empirical judgments, statements that Moore holds are unassailable, and so on) with the aim to clarify philosophical perplexities. When we turned to the riverbed analogy in order to examine which kinds of necessity and universality are operative in Wittgenstein's conception of certainties, we saw that readings that do not

take account of their role as objects of comparison end up vacillating between an attribution of an empirical (anthropological/historical) perspective on certainties or a metaphysical reading. Both readings emphasize different aspects of the riverbed analogy. Those aspects of certainties that present them as changeable suggest an empirical reading and those aspects of certainties that point to certainties as hardly changeable or fixed emphasize a metaphysical reading. I argued that both positions run into various difficulties and cannot give us a convincing account of certainties that gives a place to both aspects. Conceiving of certainties as nontemporal objects of comparison, I argued, allows us to resolve this difficulty. As giving us a model for how we can conceive of particular statements, Wittgenstein is committed neither to an empirical nor a metaphysical account. Rather statements expressing certainties are non-temporal – they can only be juxtaposed with the object of investigation in order to clarify a problem. Wittgenstein does not claim to give us an account, either empirical or metaphysical, but a model with which we can make particular features of our object of investigation salient. Conceived as features of the object of comparison, the necessity and universality of certainties cannot be transposed into the object of investigation and thus is protected against dogmatism. Finally, I turned to Wittgenstein's suggestion that statements expressing certainties can be viewed as non-empirical. I argued against the view that Wittgenstein's conception of the non-empirical is tantamount to a commitment to apriority in the Kantian sense, according to which the genesis of the a priori is in us. Commitment to this notion of apriority leads Kant to advance transcendental idealism: since the enabling features of experience are a priori (i.e., have their genesis in the subject) the subjective or the inner is necessary for the possibility of experience. As I argued, Wittgenstein's conception of the non-empirical cannot be treated as identical to Kant's a priori. Returning the key methodological insight that guides my argument, I contended that Wittgenstein is, in fact, opposed to a conflation

between the a priori as a mode of representation and the represented object, which seems to be required for a transcendental idealist account.

Chapter 5

Merleau-Ponty, Wittgenstein, and Transcendental Description

Introduction

In this chapter, I will bring together the descriptive transcendental accounts of Merleau-Ponty and Wittgenstein explored in Part II in order to examine whether their accounts circumvent the problems associated with transcendental arguments discussed in Part I of the thesis. While there are substantial differences between these thinkers, I will argue that they offer fruitful resources for a new non-metaphysical account of the transcendental that helps restore its non-dogmatic impulse. I will contend that both thinkers manage to overcome the challenges faced by transcendental arguments because they index transcendental claims to contexts or contingencies. Merleau-Ponty indexes the transcendental to the phenomenal field, an unfolding situation for the embodied subject, which contributes to the phenomenological constitution of the subject; and Wittgenstein indexes philosophical accounts by treating them as modes of representation that aim to clarify a philosophical problem by comparative and contrasting illustrations.

Thematically, this chapter falls in two parts. The first part of comprises three sections where I will compare Merleau-Ponty and Wittgenstein on the topics of necessity, universality and apriority with a view to whether they can circumvent the challenges to these notions raised in the epistemological context of anti-skeptical transcendental arguments. The second part of the chapter, its fourth section, will explore the notion of “transcendental description” as characterizing the new conception of the transcendental that emerges from the various modifications to classical transcendental considerations that have been discussed so far. In order to bring this new conception

into sharp relief, I will discuss three criticisms that can be directed against a combination of the *transcendental* and the *descriptive* from the perspective of dogmatism. First, the essentialist inclination of the transcendental, which aims towards the general and the fundamental, makes it difficult to reconcile the transcendental with the descriptive, which attends to the particular and the concrete (Westerlund 2014). In other words, it is not entirely clear how particular or concrete cases can yield insight into essences, and thus, if this move is not adequately explained, the claim that essential features of all phenomena of the kind X can be determined from a few cases is unwarranted and dogmatic, in the sense explored in Chapter 4. Second, the subjectivism that is often associated with a transcendental account dogmatically privileges subjective acts over objects of experience. Addressing this issue will lead us back to themes from the critical discussions of Gardner's transcendental idealist interpretation of Merleau-Ponty in Chapter 3 and of Williams' transcendental idealist interpretation of Wittgenstein in Chapter 4. Third, transcendental claims are usually committed to a model of simple conceptual unity, namely, that all instances of X can be unified under necessary conditions for their possibility (Kuusela 2008b). However, the assumption that the interlocutor also accepts this model of simple conceptual unity is dogmatic, because it could be denied that conceptual unity centers on a set of shared features, i.e., there are other, more complicated, ways that conceptual unity could be understood (e.g., family resemblance). As I will argue, however, given the modification of the transcendental explored in Part II, transcendental description overcomes these three challenges so that the new transcendental can be understood as genuinely non-metaphysical and non-dogmatic, and in this sense as critical.

1. Transcendental Arguments and Necessity

The problem of necessity has long dominated the discussion of transcendental

arguments in epistemology. We saw in Chapter 1 that a transcendental argument cannot rely on necessary conditions without addressing the kind of necessity that is operative in it. The idea that the skeptic is *forced* to accept the conclusion of the transcendental argument assumes that the skeptic assents to the modal notions operative in the argument. Recall the case of ambitious transcendental arguments and their centerpiece, the inference from facts about us to facts about reality. Ambitious transcendental arguments assume, since facts about us do not warrant claims about metaphysical reality without further support, that the inference from facts about us to facts about reality is backed by metaphysical, non-causal and non-logical, necessity. This assumption, however, is unwarranted. We saw that the skeptic would be free to reject metaphysical necessity, that is, the necessary involved in inferences with respect to reality as such, where this includes, for example, the basic metaphysical structure of reality, language, or mind.

Metaphysical necessity, however, is only the most obvious example of a problematic form of necessity for anti-skeptical purposes. A skeptic could also deny the anti-skeptical effect of a transcendental argument on any other conception of necessity. The skeptic could argue, for instance, that the source of necessity is merely convention, resulting in the anti-skeptical transcendental argument losing its force, because this argument could only demonstrate that our conventions make it necessary for us to believe there is an external world, not that there is, indeed, such a world. Note that conventionalist explanations of necessity can be metaphysical in their own right, since they purport to explain the real nature of concepts as grounded in convention. This gives the skeptic even less reason to go along with any notion of necessity, and does further disservice to ambitious transcendental arguments. An ambitious transcendental argument does not make metaphysical claims about ourselves, but metaphysical claims about reality; it purports to demonstrate, for instance, that other minds exist or that there

is an external world. Conventionalist necessity would undermine the “world-directed” or “reality-directed” character of an ambitious transcendental argument by pushing it back onto facts about ourselves. Our conventional belief that there is an external world does not prove that there is, in fact, such a world. On weaker notions of necessity, therefore, the inference that the ambitious transcendental argument makes between facts about ourselves – self-consciousness – and facts about reality – the external world necessarily exists – does not even reach its target.

A modest transcendental argument might claim to circumvent the inference to reality and associated troubles with necessity by remaining within the ambit of facts about ourselves. The modest argument would hold that it is necessary for self-consciousness, for instance, to be conditioned by something the skeptic denies, say *belief* in the existence of the external world. The skepticism, in this case, is distinct from the standard Cartesian skepticism, which ambitious transcendental arguments attempt to refute, because in this case it is not the ontological or metaphysical existence of the external world that is the target, but, roughly, what we are entitled to believe. The skeptic might doubt that our belief in the external world is not licensed in light of the usual ways in which we justify our beliefs, i.e., through induction, perception, or memory. This skeptic is concerned with doxastic structures or doxastic norms and attempts to question our justifications for what we believe internally, without moving to the actual existence of objects in the external world. The transcendental argument in this case would hold that something the skeptic denies – e.g., belief in the existence of the external world – is necessary for what the skeptic takes for granted – e.g., self-consciousness. As we saw in Chapter 1, however, this modest case also involves metaphysical commitments, because it holds that what the skeptic doubts is a necessary, universal and a priori condition for self-consciousness such that the claim, while not about external reality, is nevertheless a claim about the metaphysical nature and source

of doxastic norms. So remaining within the range of facts about ourselves does not automatically entail metaphysical parsimony. Kantian metaphysics of mind and traditional metaphysics are, in this sense, only different if we argue that metaphysical claims about the mind (or, indeed, doxastic norms, language, etc.) are more modest than metaphysical claims about reality. The discussion in Chapter 1 pointed out that this intuition cannot be defended, because while the subject matter of the former and the latter differ, the modal force of both claims is equally strong, that is, both appeal to immutable, universal, that is, metaphysical features. Changing their topic from the existence of the external world to doxastic norms cannot neutralize the problematic metaphysical charge of transcendental arguments. What is needed, rather, is a comprehensive revision of the combined notions of necessity, universality, and a priority at play in transcendental arguments. Ultimately, we saw that the view that transcendental arguments are self-standing and do not turn on any additional philosophical commitment cannot be defended.

Unwarranted metaphysical elements enter the picture in three ways: *first*, by making direct metaphysical claims about the *reality* or *existence* of the external world or other minds; *second*, by making metaphysical claims concerning the *essence* or *real nature* of, for example, mind, world, or language; *third*, a metaphysical claim has certain problematic features of its own, that is, it offers an immutable sempiternal account of the object of investigation that is supposedly true for all times and places. While ambitious transcendental arguments fall under all three points, modest transcendental arguments fall under the second and third point. This tells us that all anti-skeptical transcendental arguments struggle with charged notions of necessity and with a tendency to essentialize. To see which direction a revision of these notions and tendencies has to take, I will now turn to an examination of whether Merleau-Ponty's and Wittgenstein's transcendental account falls prey to similar metaphysical problems.

1.1 Merleau-Ponty and Necessity

As we saw in Chapter 3, Merleau-Ponty holds that structural aspects of perception, such as the fixed perspective of the body and other structures like the body-schema, the intentional arc, and temporality are transcendental. Let us now address the question whether Merleau-Ponty makes a metaphysical inference with respect to the necessity of these phenomena. It is important to keep in mind, in addressing this question, that metaphysical inferences are necessitated by the kind of philosophical account one wishes to offer; ambitious transcendental arguments have to appeal to metaphysical necessity because they aim to refute, for instance, Cartesian skepticism or skepticism about other minds. These types of skeptical doubts, and attempts to refute them, are directed at the ontological/metaphysical existence of the external world and other minds respectively. Merleau-Ponty, by contrast, does not have comparable metaphysical concerns. He does not attempt to legitimize or validate the *existence* of the world or other subjects, because the aim of his phenomenology is not to prove whether phenomena are metaphysically real, but to describe how phenomena appear. Merleau-Ponty's account, therefore, begins with the world instead of working towards it ("we must not [...] wonder whether we really perceive a world, we must instead say: the world is what we perceive" PP lxxx). What epistemological skepticism obscures, as Carman has argued with respect to skepticism about other minds, is how others and the world outrun or elude us, the *lived* "mystery of other selves," and the world (Carman 2008, 136-137). Thus, Merleau-Ponty does not seek to prove anything; rather, his aim is to give a phenomenological account of the experience, whether of other minds or the world. For this, we do not need an account that is directed at demonstrating the existence of other subjects or external things; rather, we need an understanding of our

relations to others and to our environment – that are always already there.⁶⁸ It seems, then, that the problematic inference from facts about us to facts about reality suggested by the modalized premise of ambitious transcendental arguments is absent in Merleau-Ponty's account, because Merleau-Ponty, instead of validating or legitimizing the existence of the world and others, appeals to what can be termed a primordial or an original connection between subjects and their environment that is always already in place. As Marie McGinn puts it, “Scepticism about the existence of others, like skepticism about the external world, is countered by the fact that our relations to others is deeper than – prior to – any individual or uncertain judgment that we express concerning them: 'Our relationship to the social is, like our relationship to the world, deeper than any express perception or any judgment'” (McGinn 1998, 51; PP 379). Because lived experience is crucial to Merleau-Ponty's phenomenology, our experience of others does not leave room for doubts about the existence of other minds and the external world. To the extent that necessity plays into these phenomenological considerations, it does not involve an inference from facts about us to facts about the ontological or metaphysical existence of other minds or the external world.

However, although Merleau-Ponty is not making metaphysical claims in this ambitious sense, that his account is not metaphysical in a different sense also needs to be ruled out. As we saw, modest transcendental arguments involve metaphysical commitments, because they purport to establish something necessary about the reality (real nature or essential structure) of language or mind, for example. *Prima facie* Merleau-Ponty claims similarly that the structures of perception are metaphysically necessary (e.g., the fixed perspective of my body is a metaphysical necessary PP 93);

68 Merleau-Ponty's elaborate account of intersubjectivity follows his view on our relation to the world: the self is interlaced with others and the world; and the communion between the self and the other consists, prior to inferential or analogical reasoning, of bodily co-existence (PP 369 – 372).

and his account, accordingly, seems to say something essential about the nature of embodied subjectivity and its relation to others and the world. It could, then, be argued that like proponents of modest transcendental arguments, Merleau-Ponty is committed to claims about the real nature, or underlying metaphysical structure, of embodied perception. His claim would be metaphysical if he were to purport to give us sempiternal conditions for phenomena and we have seen in previous chapters (especially Chapter 1 and 2) why such a claim is problematic. An attempt to establish the essence of phenomena for all times and places makes an unwarranted leap from what appears to us to the *real and unchanging* nature of or behind what appears. This would amount to a move from phenomenology to metaphysics and would, indeed, place Merleau-Ponty on par with the views he criticizes under the rubric of objective thought, “a view of the world as composed of determinate entities [whose existence or nonexistence can be established with specifiable properties] that stand in external relations to one another” (Romdenh-Romluc 2011, 19). This perspective, which Merleau-Ponty associates with empiricism and intellectualism, does not stop at phenomena, but claims to find the unchangeable and sempiternal law underneath what is given (e.g., PP 40). Interpreted in this way, the body-schema, the intentional arc, and other structures of embodiment would amount to a sempiternal law of embodied perception.

The crucial move that prevents Merleau-Ponty from making such a claim is his notion of the phenomenal field, the field of perception and lived experience, and the situatedness of philosophical reflection within this field. Merleau-Ponty’s phenomenological account of necessary structural features of intentionality is indexed to the phenomenal field. The phenomenal field as, for Merleau-Ponty, the transcendental field, is an open-ended and indeterminate field of that is “the space of possibilities, impossibilities, and necessities *constitutive* of our perceptual world”

(Carman 2008, 82). The field is distinguished from a traditional transcendental domain insofar as the field is open-ended and unfolding, while the latter is fixed and immutable. The result of placing transcendental reflection at the level of the phenomenal field is that the necessity which enables embodied experiences cannot be rendered static or reified as underwriting conditions that hold true for all times and all places. As Merleau-Ponty emphasizes, the word “field” “signifies that reflection never has the entire world and the plurality of monads spread out and objectified before its gaze, that it only ever has a partial view and a limited power” (PP 62). From this perspective, that is, from this partial view, transcendental conditions that reflection reveals are always provisional and indeterminate; they do not set down the immutable law of embodiment and they can always be modified in light of what shows itself (Dillon 1991, xvi). As we saw, such an open-ended account cannot be used in an anti-skeptical context, because conditions with anti-skeptical import must be fixed and unchanging in order to gain any purchase against skepticism. Merleau-Ponty’s phenomenology shows a different way of employing necessary enabling conditions. He envisages them to shape our possibilities of encountering a dynamic world in which we are dynamically situated. This gives the world itself the transcendental status of a constitutive condition for how we can experience it. Due to the co-constitutive character of enabling conditions, which involves both body-subject and world, the necessity with which our perceptions and engagements are conditioned does not reduce to one single source. In this way, Merleau-Ponty liberates transcendental conditions and claims from the static metaphysical fixity that plagues the transcendental arguments of analytic epistemology.

1.2 Wittgenstein and Necessity

Let us now turn to Wittgenstein in order to examine whether his position, as I have portrayed it in Chapter 4, is committed to metaphysical inferences like those involved in

transcendental arguments. The approach to the transcendental that can be gleaned from Wittgenstein's *On Certainty* has non-metaphysical outcomes that resemble the conclusions we could draw from Merleau-Ponty's take on the transcendental. For Wittgenstein, one of the problems with Moore's anti-skeptical position is the latter's attempt to argue from subjective certainty to objective certainty, from the subjective or, one could say, psychological "I know that the earth has existed for thousands of years" to the objective (and in Wittgenstein's view logical) "the earth has existed for thousands of years" (OC 15, 16, 137).⁶⁹ Wittgenstein's objection to Moore echoes the central objection against the metaphysical inference of ambitious transcendental arguments, namely an inference from how things appear subjectively to how things must be objectively. Wittgenstein, additionally, like Merleau-Ponty, does not aim to refute or undermine skepticism by presenting proofs or arguments for the existence of the external world and so on. Rather, Wittgenstein holds both skepticism and an attempt to refute it to be equally confused philosophical undertakings. In order to clarify this confusion, Wittgenstein presents us with statements expressing certainties as a mode of representing Moorean propositions and epistemic practices. Seen from this new perspective, neither skepticism nor the attempt to refute it gains any foothold.

Let us now turn to whether Wittgenstein, like proponents of modest transcendental arguments, establishes something necessary about the real nature of epistemic practices (or other objects of investigation like linguistic meaning). Wittgenstein's mode of representing Moorean propositions constitutes a model to be used as an object of comparison. The necessity and universality that Wittgenstein takes

⁶⁹ Especially relevant here is OC 137: "Even if the most trustworthy of men assures me that he *knows* things are thus and so, this by itself cannot satisfy me that he does know. Only that he believes he knows. That is why Moore's assurance that he knows... does not interest us. The propositions, however, which Moore retails as examples of such known truths are indeed interesting. Not because anyone knows their truth, or believes he knows them, but because they all have a *similar* role in the system of our empirical judgments."

these statements to possess is not to be projected into the object of investigation (epistemic practices and what they involve). Rather, in treating these statements as necessary and universal, Wittgenstein attempts to compare them to the object of investigation in order to dissolve a philosophical confusion that results from modes of representation (like Moore's) that give these statements an epistemic status, that is, treat them as knowledge claims. Thus, Wittgenstein does not make necessary and universal claims about the nature of epistemic practices as such; rather he asks us to conceive of these statements in a new light, as necessary and universal, so that we are relieved from perplexities that arise once we take an epistemic view of these statements. This comparison involves, for example, taking statements such as "there is an external world" as a necessary and universal statement and juxtaposing it with the Moorean proposition, i.e., in Moore's view the knowledge claim that "there is an external world." In doing so, Wittgenstein attempts to give us an alternative picture of these statements under which the skeptical problem and attempts to refute it does not arise. This alternative picture, however, is not a philosophical account about *the* actual nature of knowledge claims and what they involve. Thus, the necessity and universality operative in statements expressing certainties do not belong to the nature of epistemic practices as such. Wittgenstein is rather asking us to conceive of a different way of looking at things, not the actual or the only way, that releases us from the grip of a philosophical perplexity. Thus, while statements expressing certainties are necessary, universal, non-empirical and enabling, viewing them in this way serves to open us up to a different, and arguably more plausible, way of understanding Moorean propositions and their relation to epistemic practices. Wittgenstein, therefore, does not take statements expressing certainties as articulating unchanging metaphysically real structures; statements expressing certainties are indexed to a mode of representation and geared at clarifying the philosophical problem in such a way that the problem is dissolved.

Now we can also take stock of some crucial convergences between Wittgenstein's and Merleau-Ponty's respective takes on necessity. Merleau-Ponty cannot be said to be treating his own account as a mode of representation or an object of comparison; rather, he holds himself to be speaking about the nature of perception, though granted that, as we saw above, he does not think we can say anything metaphysical about it, because of our partial perspective on the world. However, if we bracket the methodological aspects of Wittgenstein's position, we can see that his characterization of certainties shares features with Merleau-Ponty's approach. For Wittgenstein, as for Merleau-Ponty, the structural features that underpin our engagements with the world and with each other are not static, but dynamic, as exemplified by the riverbed analogy. Like Merleau-Ponty Wittgenstein holds that certainties are not inner mental presuppositions; the non-empirical, in their case, is not of the order of the a priori in the traditional transcendental sense, i.e., in the sense of the transcendental idealist notion that enabling structures have their genesis in the subject. Additionally, like Merleau-Ponty, for Wittgenstein, skeptical doubts about the external world and other minds do not gain any purchase; our attitude, for instance, towards others is visceral, prior to "what we might call intellectual or judgemental" – that is, prior also to philosophical doubt (McGinn 1998, 54). Eventually, neither Wittgenstein nor Merleau-Ponty invoke any inference from facts about us to facts about reality when they speak about necessity with respect to their own accounts, though how they avoid making these inferences involves different strategies.

2. Universality and Uniqueness

Kant's transcendental idealism is wedded to an all-encompassing systematic ambition: to provide an account of necessary conditions for the possibility of empirical knowledge that is valid for all times and places, which, for Kant, makes these conditions universal.

As we saw in Chapter 2, the view that a given set of conditions uniquely organizes or reflects phenomena is directed at validating concepts such as causality against skepticism.⁷⁰ A transcendental argument or claim with this anti-skeptical purpose is forced to rule out alternative conditions that could take the place of the condition that is being legitimized or validated. As we discussed in Chapter 2, this *uniqueness condition*, the view that a condition cannot be replaced by an alternative, is difficult to defend. We cannot legitimately rule out the possibility of conceptual schemes different than ours that could be necessary for our experiences or engagements with the world. As Koerner (1967) who advanced this argument points out, we cannot flout the historical truth that at different times, different conditions seem salient to us as enabling our experience. The question is whether claims to universality, as they are bound to arise in the context of transcendental conditions, can genuinely be separated from the notion of uniqueness. It is clear from Kant's ambition to state for all times and places which enabling conditions for empirical knowledge obtain that for him, as for contemporary proponents of transcendental arguments, universality and uniqueness have to go hand in hand. Let us now turn to whether this is also true of Merleau-Ponty and Wittgenstein.

2.1 Merleau-Ponty and Unique Conditions

It would seem that Merleau-Ponty would be open to the uniqueness charge, because he believes that perception universally requires certain structural features like embodiment as a condition of its possibility; disembodied perception, by contrast, would either be

70 For Kant, the attempt to provide unchanging features of our cognitive apparatus was directed not only at providing an answer to Humean skepticism that challenged the validity of concepts such as causality, but also to provide an immanent metaphysics of mind, which as a priori and necessary, for cognition and experience cannot be replaced by any other conditions, given its metaphysical ambitions. In this sense, it could be said, that metaphysics in its traditional sense rules out pluralism. In giving us *the* order, to echo Wittgenstein, metaphysics does not accept other ways of conceiving of things is possible.

impossible or parasitic on embodied perception. It is difficult, however, to square Merleau-Ponty's transcendental phenomenology with uniqueness, because Merleau-Ponty does not seem to hold that alternative ways of understanding experience are outright incorrect; rather, he tends to call accounts which take an alternative perspective on shared subject matters incomplete. In taking them to be incomplete, Merleau-Ponty allows that the way they conceive of various phenomena is (at least partially) justified.

Let us illustrate Merleau-Ponty's approach through an example, Merleau-Ponty's phenomenological account of the phantom limb phenomenon, a condition in which an individual can still sense an amputated limb, that is, experience its presence despite its physical absence (PP 78). This includes, for instance, feeling pain in the amputated arm or sensing that the physically absent leg is placed in some specific position. Now, Merleau-Ponty's discussion of the phantom limb phenomenon features two accounts that are alternatives to each other (and to Merleau-Ponty's own account), namely physiology and psychology. The physiological account holds that the phantom limb results from physiological conditions; the patient's sensory conductors, at the site of the amputation, remain active and produce these sensations. The psychological account, by contrast, holds that the patient's condition arises from the patient's personal history, wishes, desires and so on; in some cases, for instance, the patient only feels the phantom limb when she is psychologically prompted (e.g., experiencing something that reminds her of her injury). Both accounts, however, are incomplete. For the physiological account cannot explain why, if the condition is *purely* physiological, something non-physiological, like psychological prompting can give rise to the phantom limb in an amputee. Further it cannot be explained from a purely physiological perspective how the phantom limb gradually disappears as the patient comes to terms with the mutilation psychologically. The psychological account, which depends on emotions, desires, etc., cannot explain why the phantom limb, if the phantom limb is

purely psychological, disappears once the sensory conductors at the site of the amputation that run to the brain are severed (PP 79). Merleau-Ponty's aim, in this case, is to find what is common to both accounts; how in other words, the physiological and psychological come together to yield the phantom limb.

If Merleau-Ponty's intention were to give us the unique conditions for all perception, he would be forced to rule out these alternatives altogether. Acknowledging alternative conditions is tantamount to acknowledging that one's own scheme is not unique. Rather than rejecting the physiological and the psychological explanation, Merleau-Ponty in fact accepts both, arguing that phenomenology can allow us to understand how the physiological might come together with the psychological in the phantom limb phenomenon. After all, Merleau-Ponty uses concepts such as repression from psychoanalysis as insightful and accurate (PP 80). Further, he never denies the physiological dimension of the phantom limb. Merleau-Ponty accepts the sensorimotor circuits that lead from the stump to the brain play a role in producing the phantom limb phenomenon. What he rejects, however, is an understanding of this physiological dimension as reductively explaining everything about the phenomenon. In his view, "sensorimotor circuits stand out all the more clearly insofar as one is dealing with more integrated existences, and reflex, in its pure state, is hardly ever found in man, who has not merely a milieu (*Umwelt*), but also a world (*Welt*)" (PP 89). In other words, the physiological dimension only makes sense if we conceive of the various dimensions of existence as integrated or linked and take into account the milieu and world, which gives our physiological dimension its mode of expression. As Merleau-Ponty puts it with respect to the historical a priori, "clothing, jewelry, and love transform the biological needs from which they are born" (PP 90). This example shows that Merleau-Ponty does not make uniqueness claims on behalf of his position. Uniqueness conditions aim to give an account that rules out any alternatives; Merleau-Ponty, by

contrast, accepts the truth of alternative views – physiology and psychology in the case above. In addition to this, with respect to the constitution of the situated and embodied subject, the phenomenal field, discussed in the previous section, cannot supply unique conditions. We cannot determine what is unique, without any alternatives, if we are in a field that is unfolding and only gives reflection, as we saw, “a partial view and a limited power” (PP 62).

2.2 Wittgenstein and Unique Conditions

Like Merleau-Ponty, though for different reasons, Wittgenstein does not make any claims to uniqueness as understood in the context of transcendental arguments. Wittgenstein’s aim, as we saw, is not to give us “*the* order (PI 132),” that is, in the context of my transcendental reading of statements expressing certainties, he does not intend to indicate unique enabling conditions of epistemic practices that cannot have alternatives because they supply the actual way in which epistemic practices operate. As I argued in the previous chapter, Wittgenstein attempts to give us a different way of ordering things, a different arrangement of concepts, under which Moorean propositions as knowledge claims, do not arise. Instead of imposing a unique set of conditions under which the object of inquiry can be seen or understood, Wittgenstein opens the object of inquiry to alternatives. Thus, Wittgenstein is not taking his task to consist of supplying the unique conditions that Moore’s account overlooked; rather, he is aiming to give us an alternative arrangement under which skepticism and the attempt to refute it do not arise. To have a better grasp of what Wittgenstein might mean with reordering or rearranging facts, let us examine an analogy.⁷¹

Let me use an example to illustrate this point. Suppose I am in charge of a

71 I adapt the example of museums as illustrating Wittgenstein’s conception of re-ordering or re-arranging facts for clarificatory purposes from Kuusela (2017)

museum's collection and my task is to reorder and rearrange pieces from the exhibition. One section of the museum looks at similarities between the art movement known as Primitivism and so-called ethnographic art, that is, artifacts from non-Western societies. This mode of representing arranges these works in a way that brings to prominence the formal similarities between these artifacts and works by Primitivist artists. Let us say, I want to offer a new way of seeing things and thus introduce a new arrangement of these works. Suppose I place these artifacts under the title of "history of appropriation," highlighting what might have been, at times, questionable ways in which these artifacts were taken, commodified, and assimilated into the Western artistic tradition. In doing so, I want to bring into sharp relief a way of looking at the artifacts and their relation to artworks that does not obscure the historical and ideological situation in which they came to be together. This new mode of representation asks us to understand the relation between Primitivism and non-Western artifacts in a different way. While the first mode of representation saw this relation as formal, I want to draw attention to ideological and historical aspects of the relation. Seeing these objects in a new light gives us *a* perspective. But it would be strange to argue that there is no other way in which such a relation can be understood. While capturing an important dimension of the relation, my mode of representation does not claim to be unique. In the case of *On Certainty*, this new way allows us to have a different perspective on a particular kind of statements that caused perplexity when conceived as knowledge claims (i.e., Moorean propositions) so that the perplexity vanishes; in the case of my example, spectators might come to appreciate in light of the reorganized exhibits, a new mode of representation, that Western art has a deeper and more problematic history which is obscured if we focus on purely formalistic comparisons. As the mode of representation introduces an object of comparison, which has a *logical* role, and not an empirical one, conceptually speaking, our new perspective is non-temporal. It is of course indexed historically, but the model

itself does not make an empirical claim or metaphysical claim, but offers a way of seeing things. We can maintain that Wittgenstein's methodological considerations, similar to Merleau-Ponty's embodied experience, provide us with conditions which are not unique and for this reason do not meet with the problems that beset anti-skeptical transcendental arguments.

3. The A Priori and Transcendental Idealism

If anything is characteristic of a transcendental claim, it is its distinction from empirical claims. Empirical statements are a posteriori whereas transcendental conditions are a priori. What makes traditional notions of apriority especially thorny is their debt to a metaphysical thesis about subjective-genesis. Due to their contrast with contingent empirical claims, concerns with apriority traditionally imply deeper theses about idealism and realism. Kant's transcendental idealism holds that the structures of experience are a priori insofar as they have their genesis in us, the subject or the intellect. If transcendental arguments want to refute the skeptic by beginning with what the skeptic takes for granted, they cannot help themselves to notions such as the a priori without explaining its potential metaphysical implications.

3.1 Merleau-Ponty and the A Priori

Merleau-Ponty, owing to his employment of a priori considerations, as we saw in Chapter 3, has been interpreted as advocating a form of idealism. However, what is often neglected is the transformation of apriority in Merleau-Ponty's phenomenology. First, it is clear that Merleau-Ponty's conception of the body-subject and embodied perception does not allow us to posit a purely subjective a priori along Kantian lines. Since the embodied subject is conceived as "being in the world" (*etre au monde*), the world cannot be separated from the subject; a priori structures of embodiment can no

longer be understood as a priori structures of the intellect, that is, as having their genesis in a subject that is separate and cut-off from the world and constitutes the world unilaterally. Second, as Merleau-Ponty sees it, perception is the result of co-constitution between embodied subject and world. The latter, as Dillon (1987, 1988) points out, has a transcendental status and its own a priori. Once this move is appreciated, it becomes clear that co-constitution makes metaphysical commitments either to idealism or to realism impossible. It is also worth pointing out that the phenomenal field, as we addressed above, which is the transcendental field for Merleau-Ponty, is neither internal nor external, neither ideal nor real (PP 56-59), but involves the body-subject and its “living communication with the world” (PP 53). An idealist conception of the a priori would need to take perception to be at least partially constituted by a subject; but to maintain an idealist position, this subject could not be enmeshed in the world in such a way that no principled distinction can be made between subject and world. To rephrase this point, since the subject is so deeply and fundamentally enmeshed in the world for Merleau-Ponty, it is not longer possible to claim that a structure belongs to an inner domain or to an isolated subject.

3.2 Wittgenstein and the Non-Empirical

For Wittgenstein, like for Merleau-Ponty, a priori necessities are not grounded on metaphysical constructs such as Kant's faculty psychology. According to Wittgenstein, as we saw, a priori statements are grammatical rules disguised as descriptions of reality. Statements expressing certainties, as we saw, are not a priori in the traditional sense. Statements that express certainties are modes of representation and qua modes of representation they express something necessary, universal and non-empirical. When they are used as objects of comparison, they are brought into contact with the object of inquiry (epistemic practices and Moorean propositions). Through comparisons with the

object of inquiry, they aim to clarify a philosophical problem by presenting the object of inquiry in an alternative picture under which the philosophical problem is dissolved. The aim, thus, is not to establish some necessary truth about the object of inquiry, but to clarify a philosophical perplexity. Therefore, as we saw, attempts to attribute idealism to Wittgenstein that base this attribution on the role of non-empirical considerations in his work make these considerations out to be tantamount to the Kantian a priori. The assumption guiding such a picture is that non-empirical considerations, like Kant's a priori, point to something inner or subjective. If, on this reading, propositions expressing certainties are similarly a priori and subjective, and, as we saw, enable epistemic practices, Wittgenstein comes to be seen as arguing that the subjective is a necessary condition for the possibility of the object and thus making a commitment to transcendental idealism. Confusions of this kind are clarified once we establish that Wittgenstein's non-empirical statements are not a priori in the full Kantian sense. As explained in Chapter 4, Wittgenstein is not advancing a philosophical account in order to establish metaphysical theses; rather, he is asking us to consider a different perspective that contrasts with Moore's in order to remove the perplexities that arise from viewing Moorean propositions as knowledge claims. Thus neither Wittgenstein nor Merleau-Ponty are committed to idealism or realism, because both transform what has traditionally been assumed of the a priori.

4. Transcendental Description

In the last two chapters, I made the case for interpreting Merleau-Ponty and Wittgenstein as offering transcendental accounts that while removed from traditional transcendental thought in their anti-metaphysical perspective, retain crucial elements of transcendentalism. We saw that the contemporary epistemological context takes transcendental claims to be metaphysically parsimonious, but tacitly trades in unrevised

notions of necessity, universality, and apriority that are ultimately metaphysical. Merleau-Ponty and Wittgenstein give us an alternative picture of the transcendental, one that has emancipated itself from metaphysical commitments because of its different treatment of necessity, universality, and apriority. One fundamental reason for which they are able to provide us with this non-metaphysical alternative, and to which I now turn, is their respective turn to description. Description means different things for Merleau-Ponty and Wittgenstein. Merleau-Ponty holds that the phenomenological dedication to “pure description” goes hand in hand with the rejection of both, “reflective analysis” (intellectualism) and “scientific explanation” (empiricism) (PP lxx). This has to do with the fact that as “direct description,” phenomenology does not try to answer questions of “psychological genesis” and “causal explanations” (PP lxxi). However, as Komarine Romdenh-Romluc suggests, a principled distinction between description and explanation cannot always be maintained with respect to Merleau-Ponty, since he “offers us many theories and explanations of the phenomenal field, and puts forward many theories about the world and consciousness” (2011, 33). That is, his account can be viewed as an alternative explanation that arrives at its conclusion through careful descriptions of lived experience.

Wittgenstein upholds an explicit commitment to description when he says, for example, that “[w]e must do away with all explanation, and description alone must take its place” (PI 109). For Wittgenstein, as we have seen, explanation is replaced with a description that gives us an alternative reordering, sometimes by introducing new concepts, of the object of our inquiry. However, this alternative is not to serve as an alternative *theory*. It aims to show us, rather, that what seemed to us an inexorable way of looking at things can plausibly be seen in a different way. The aim, as we also saw, is not to provide an alternative philosophical thesis, as philosophical accounts typically aim to, but an alternative model, which clarifies the philosophical problem. These

differences between Merleau-Ponty and Wittgenstein notwithstanding, their respective takes on description are sufficiently close to each other so that we can say that for both thinkers description asks us to attend to particular examples, in Merleau-Ponty's case concrete examples of embodied perception (sometimes in pathological contexts) and in Wittgenstein's case examples for how we use language. It might, thus, be rightfully asked how the transcendental thrust and descriptive intent come together.

4.1 Subjectivism and Essentialism

It has been argued that there are a number of difficulties in combining the descriptive approach with claims that seem to surpass or exceed description, i.e., the necessary, universal, and a priori claims in the transcendental context. These problems have been raised in a recent paper by Frederik Westerlund (2014). Westerlund explores what seems to be a contradiction between the descriptive thrust of phenomenology and what he calls the *subjectivist* and *essentialist* thrust of transcendental thought. The subjectivist tendency is embodied in the view that “in order to grasp the meaning of things, we need to turn from the objects themselves to how we experience them” (Westerlund 2014, 262), what we have discussed as the subjective genesis of the a priori in Kant. The essentialist aspect is the claim that we can determine the essential structure of a phenomenon in general from a set of particular cases (i.e., the essence of perception is embodiment). The problem with subjectivism as a starting point is, according to Westerlund, a “dogmatic tendency to privilege the subjective acts of experience over the objects experienced” (Westerlund 2014, 263). There are no grounds of postulating a subject as an “absolute starting point” which, from a descriptive point of view, distorts “the natural direction of experience” which does not terminate in subjective acts but in an experience of the world (Westerlund 2014, 263). In other words, in Westerlund's view, by turning to subjective *acts* of constitution instead of a mere description of the

experience, transcendental description dogmatically privileges the subjective. He argues that Husserl's egological and foundationalist perspective on constitution as well as Heidegger's analysis of Dasein ultimately belong under the subjectivist or idealist paradigm. Westerlund suggests, however, that transcendental description can be rid of its subjectivism, in principle. Although he does not detail how such a possibility for transcendental description can be worked out, as we have seen, the turn to co-constitution amounts to a rejection of the view that the subject is the ultimate source of the constitution of experience in Merleau-Ponty's case. In Wittgenstein's case, statements expressing certainties are considered in a non-empirical way to bring out their transcendental relation to epistemic practices in a mode of representation that serves clarificatory purposes. Again, no appeal is made to something exclusively subjective. The mistake underlying this objection, as we saw in the previous chapter, is to conflate Wittgenstein's non-empirical with the Kantian a priori; both are independent from empirical experience, yet only the Kantian a priori is grounded in the subject.

Even if Westerlund were to concede that the subjectivity charge against transcendental description fails, he could still insist that transcendental description is perpetually hampered by its claim to "generality and fundamentality," or, in other words, transcendental description always involves essentialism (Westerlund 2014, 266). The combination of description and essentialism, he argues, is problematic because it involves a leap from concrete cases to "claiming that these features constitute the necessary determinations constituting this kind of matter of experience;" but this general claim cannot be "motivated by a concrete description of a particular experience" (Westerlund 2014, 269). In other words, on Westerlund's view, we are not entitled to move from the particular cases, say of perception, that are under description to the general claims of the transcendental perspective about what is necessary for *all* cases of our object of investigation. The few cases we examine do not warrant the attribution of

necessity to claims about perception as such, because there could always be other cases that do not fit our paradigm, but still count as perception. Westerlund's critique against essentialism shares features with Koerner's argument against uniqueness, the view that a condition is unique and alternatives to it are inconceivable. The uniqueness condition is then not only present in transcendental accounts in epistemology, but also in how phenomenology describes connections between types of experiences. As Westerlund recalls, many phenomenologists hold that it is necessary for an experience of memory to be connected to perception necessarily, so that if we *deny* that memory is enabled by perception, then we are not talking about memory at all (Crowell 2003, 108). Westerlund rightly points out “these structures [perception] do not necessarily hold for all factual experiences of this same kind [memory]” (Westerlund 2014, 270).

At first glance, it might seem troubling to see this objection against the epistemological account of transcendental arguments reappear in the context of transcendental description, which I have argued overcomes such objections. However, the upshot of abandoning the anti-skeptical enterprise is that there is room for maneuver in order to overcome these difficulties. In response to Westerlund's charge of essentialism, we can draw on Merleau-Ponty's suggestion to index transcendental conditions to the phenomenal field. This indexing ensures that universal and necessary claims are provisional; as we saw in Chapter 3, this allows him to connect the universality of transcendental conditions to what is actually the case, to how, in other words, phenomena are presented to us given the facticity of our situation. Concrete cases can point to transcendental structures with greater generality in a manner that reveals important aspects of phenomena. If these structures are indexed to what actually appears, given the facticity of our situation, the transcendental is open to revision and rearticulation. The essentialism implicated by Westerlund is problematic in a dogmatic sense only if it bars any possible alternatives to the current structures, because it makes

an unwarranted claim that a few cases can tell us the final truth about what is fundamental and essential to phenomena of a particular kind. The open-endedness and the unfolding of the phenomenal field blocks, as I have argued, such an unwarranted move. Wittgenstein's case is even clearer in light of the discussion from the previous chapter and above, because he is not giving us the one and only essential order, but recognizes that his descriptive account is just one mode of representation among others that invites us to look at phenomena in a particular way in order to clarify philosophical confusions.

4.2 Essentialism and Simple Conceptual Unity

A more challenging and deeper version of the essentialism objection is one that charges transcendental claims with tacitly employing a *model of simple conceptual unity*. Transcendental claims can be construed as treating of perception, cognition, or meaning by looking at what is involved in having a unified concept “perception,” “cognition,” or “meaning.” Kuusela, for example, contends that transcendental arguments only take off because they underhandedly operate with a particular understanding of conceptual unity, what he calls “simple conceptual unity,” which is the view that “conceptual unity depends on a feature common to all instances falling under the concept” (Kuusela 2008b, 62). So, on this construal, the concept “perception” would come to reflect an essential feature of all instances of perception. In turn, as transcendental claims state necessary conditions, in conjunction with the simple conceptual unity model, necessary conditions come to “define,” as Kuusela (2008b, 59) puts it, what is common to all cases of a given kind of phenomenon, experience, or engagement. In the example adapted from Crowell (2003) above, the claim that perception is necessary for the possibility of memory can be construed to tacitly trade on a simple model of conceptual unity in the following way: the concept of memory consists of cases that share

something in common, namely all instances of memory are necessarily connected with perception; otherwise, we are not describing memory at all. As a consequence, Kuusela argues, traditional transcendental arguments cannot maintain their aspirations to a kind of critique that is sensitive to the interlocutor's starting point, because they tacitly rely on the simple model of conceptual unity, which the skeptic is free to reject (2008b, 62-63). Before we assume on the basis of necessary conditions that certain cases fall under the designation of memory and certain cases do not fall under it, we must *first* justify the model of simple conceptual unity that is underlying our assumption. This step is required because the mere fact that particular instances of memory have certain necessary conditions does not allow us to argue that *all* instances of memory *must* be defined exclusively in this way. If we omit this step while engaging in an anti-skeptical setting, we are not genuinely arguing with the skeptic; we are trying to corner her by suggesting that there is something essential about the concepts that we are using without defending the implicit model of conceptual unity that we have employed. We first delimit the concept of memory in a convenient way, extend our delimitation to all its instances by presupposing simple conceptual unity, and then force the skeptic due to our underlying essentialism about concepts to adhere to our delimitation of the concept of memory. This strategy disregards cases of memory that could be unified without appeal to a common feature (i.e., perception as a necessary condition) shared by all instances of memory. An example of this would be the unification of concepts by family resemblance (more on this topic later). As long as we cannot ensure that transcendental claims are independent from simple conceptual unity, we have to contend with the problem that the skeptic is forced to assent to this undeclared assumption of simple conceptual unity without her knowledge. This test case shows us that because the skeptic's assent is elicited behind her back, transcendental claims turn out to be dogmatic.

Kuusela examines a number of possible defenses for the simple model of conceptual unity. One way of justifying the model of simple conceptual unity is arguing any concept *must* fit the model of conceptual unity if it is to be considered as a concept at all. This approach fails, because family resemblance concepts do not share a common feature, so there are other modes of understanding conceptual unity (Kuusela 2008b, 65). One could argue, further, that some concepts require a simple model of conceptual unity by demonstrating that rejecting such a model gives rise to contradictions or counts as a deviation from how the concept is actually used (Kuusela 2008b, 65). But, as Kuusela points out, in both cases, showing what counts as a deviation from a certain use of a concept or what counts as “employing the concept in contradictory ways” requires that one has a prior conception of *what* a concept is (Kuusela 2008b). Only then is it possible to determine that a certain use is a deviation or a contradiction. Thus, such a defense ends up begging the question: it presupposes that the skeptic and her interlocutor are in agreement about what a concept is.

What, however, is the relation between transcendental description and the assumption of conceptual unity? In the transcendental arguments setting, the anti-skeptical *claim* is to begin with facts that the skeptic acknowledges and to show her that she cannot uphold the skeptical thesis, given what she implicitly takes for granted. Now it is obvious, as with necessity, universality, and apriority before, if we exceed what the skeptic takes for granted by tacitly invoking the simple model of conceptual unity, this inclusive claim is a pretense. The problem of conceptual unity, however, also occurs outside the dialectical situation of anti-skeptical transcendental arguments. It draws attention to a general dogmatic problem of transcendental thought, namely, to “impose on someone a philosophical dogma to which this person is not committed by anything she says or thinks, and so on” (Kuusela 2008b, 62). Compare Kuusela's conception of dogmatism to what Nozick believes philosophical arguments aim at: “A philosophical

argument is an attempt to get someone to believe something, whether he wants to believe it or not” (Nozick 1981, 4). The coercion that philosophical arguments exercise comes from various directions. In the transcendental case, the coercion may be said to be motivated by the underlying fear that, for transcendental arguments, there is no common ground with the skeptic and thus no chance of convincing her that her own stance is self-undermining; for transcendental description, as Crowell might see it, the coercion may be said to be motivated by the underlying fear that we make experience unintelligible if we sever structural enabling connections such as that between memory and perception.

Kuusela’s Wittgensteinian solution is to make a distinction between *general* and *specific* transcendental arguments (2008b, 68). The former refers to transcendental arguments in the traditional context, which give conditions for experience or perception in general, and therefore must conform to the simple model of conceptual unity. The latter, on the other hand, singles out particular cases of perception or specific areas of experience where certain necessary conditions hold. Significantly, specific transcendental arguments on this understanding are indexed to the context of particular philosophical problems and cannot be generalized beyond the particular philosophical problem they attempt to address. So a specific transcendental argument aims to address the conditions for a phenomenon, such as knowledge or perception, within the specific setting of the philosophical problem at hand. Kuusela contends that one of the upshots of such an argument is that it resolves the problem of uniqueness posited by Koerner; because the argument is specific to the set of cases it attempts to clarify and, additionally, it is indexed to the philosophical context in question, it leaves open the possibility of alternative conceptual schemes.

The question that emerges from this discussion is whether transcendental description dogmatically assumes the simple model of conceptual unity. Although

transcendental description is not meant to target epistemological skepticism and thus does not run the risk of imposing implicit conceptual unity claims on an opponent, its advantages over the anti-skeptical approach to the transcendental stand and fall with its metaphysical parsimony. Therefore, transcendental description cannot afford the residual essentialism that comes with an implicit reliance on simple conceptual unity.

Let us consider Merleau-Ponty and Wittgenstein in turn. Although conceptual unity is not explicitly discussed by Merleau-Ponty, I would like to turn to his account of space in order to address whether he is committed to such a conceptual model. Merleau-Ponty holds that from the phenomenological point of view, that is, from the perspective of lived experience, the notion of objective space, that is, the geometric, homogenous and indivisible space of mathematics, is not fundamental but derivative (PP 301-302). Objective space and objective time, according to Merleau-Ponty, are not experienced but are products of reflection (PP 302). These conceptions of space and time are parasitic on our original experience of space and time; to start with, the space of lived experience is oriented given the situatedness and embodiment of the subject (e.g., PP 253-265). Because objective space depends on lived and oriented space for its intelligibility, the latter is a transcendental condition for the former. Further, Merleau-Ponty advances the view, based on lived experience, that there are *multiple* spaces: the space of dreams, the space of mythology, the space of schizophrenia, etc. To justify this multiplicity, Merleau-Ponty says:

In order to drain mythical experience, dream experience, or perceptual experience of all positive value, that is, in order to reintegrate these spaces into geometrical space, we must, in short, deny that one ever dreams, that one is ever a madman, or that one ever truly sees. As long as we acknowledge the dream, madness,

or perception as, at the very least, absences of reflection – and how could we not if we want to maintain a value for the testimony of consciousness, without which no truth is possible – then we do not have the right to level out all experiences into a single world, nor all modalities of existence into a single consciousness. In order to do this, we would need to have available a higher authority to which one could submit perceptive consciousness and fantastical consciousness, a me more intimate to myself than me who thinks my dream or my perception when I limit myself to dreaming or to perceiving, a me who possesses the true substance of my dream and of my perception while I only have the appearance of this. But this very distinction between appearance and the real is made neither in the world of the myth, nor in the world of the patient or the child. The myth fits the essence *into* the appearance; the mythical phenomenon is not a representation, but a genuine presence (PP 303).

The quote above, although not directly related to conceptual unity and dogmatism, can shed light on Merleau-Ponty's attitude with respect to these themes. Merleau-Ponty holds, in the above, that from the phenomenological point of view which is directed at doing justice to lived experience, imposing an objective space as “real” and subsuming other “unreal” experiences under objective space and thus denying their self-standing reality, would suggest that, as he says elsewhere, the reflecting subject “knows what the dreamer and the schizophrenic experience better than the dreamer or the schizophrenic himself” (PP 302). The phenomenological perspective aims to uphold a pre-reflective description of lived experience without enforcing a picture, for instance,

of spatiality that would obscure or outright deny an alternative experience. To bring everything under a “single world” or “consciousness,” as Merleau-Ponty says in the quote above, would involve subsuming these multiple lived experiences of space under one homogenous objective space; to argue that one notion of spatiality should be subsumed under another, because, for instance, this other notion is “truly” how consciousness experiences the world would be to contend that there is “a me more intimate to myself than me who thinks my dream or my perception when I limit myself to dreaming or to perceiving, a me who possesses the true substance of my dream and of my perception while I only have the appearance of this” (PP 303). This makes clear that Merleau-Ponty allows that there can be multiple ways of experiencing space. The space of dreams is not a continuation of, or homogenous with, the space of wakefulness. As Stephen Priest remarks, we may conceive of still other numerically distinct spaces, e.g., cinematic space on the screen, which I can visually perceive, but not travel to (Priest 1998, 115). All of these, according to Merleau-Ponty, would count as modalities of spatial experience.

To bring these thoughts to bear on the notion of simple conceptual unity and dogmatism, if the example of spatiality above is paradigmatic of how Merleau-Ponty treats experiences, he implicitly attacks the dogmatic notion that we can determine the limits of a concept or a phenomenon such as space in abstraction from lived experiences of spatiality. In his remarks above, he urges that we take first person experiences of spatiality in their diversity instead of imposing one way of experiencing or understanding space as fundamental or genuine and downgrade the rest as derivative or unreal. If, for Merleau-Ponty, lived and oriented space is a necessary condition for the possibility of perception, it is not restricted to a unifying definition of space but open to diverse modalities of our experience of spatiality. Merleau-Ponty’s principle is that human experience should guide what we take to be a necessary condition; this, in

essence, is the openness of transcendental description. Suppose, then, that there are reports of experiences in which subjects claim to have perceptions or experiences that cannot be characterized as spatial or temporal.⁷² Transcendental description then would be required to distinguish between different *modes* of experience in order to make room for phenomena that do not involve the proposed transcendental condition. These phenomena might entail structures that are different from experiences, which are conditioned by space and time. Because, finally, Merleau-Ponty's conception of the transcendental is indexed to the phenomenal field, the scope of space and time is not prescribed by the unchanging features of the subject (i.e., space and time as a priori forms of intuition). If, indeed, reflection is always situated, and we do not have, as the word *field* signifies for Merleau-Ponty, an absolute perspective, questions of application of conditions of experience remain open to what actually appears. This view is further complemented by Merleau-Ponty's phenomenological commitment to description, which remains attuned to particular cases. Counter-examples to proposed transcendental conditions, to echo Kuusela, are not indications of defects in transcendental description; they confirm that the latter is, in principle, open to difference. Unlike the anti-skeptical transcendental arguments we have explored, which are required to give us strong and unchanging conditions given their validating ambitions, transcendental description is not geared at providing unassailable proof in the face of skepticism. Transcendental description in its phenomenological sense may be said to reveal basic structures of lived experience, which can shift and evolve as lived experience and our situation in the world unfolds.

Kuusela's take on the transcendental and his concerns with conceptual unity are inspired by Wittgenstein (2008b, 75 fn26). The interpretation of Wittgenstein's

72 According to self-reports of mystical experiences, perception can be highly distorted and is, at times, described as nonspatial and nontemporal (Stace 1960).

certainties, which I have endorsed, following Kuusela, gives us a mode of comparison with which an object of investigation can be juxtaposed within the context of the skeptic and her interlocutor. The account of certainties and their transcendental relation to knowledge does not give us an independent account of how knowledge as such is possible. Wittgenstein does not, therefore, take certainty to be a unifying feature of all (epistemic) practices, because his account aims to clarify a philosophical problem, and not to give us the general features of knowledge as such. Furthermore, Wittgenstein often considers the unity of concepts to be one that is centered on *family resemblance*, as opposed to a common feature that runs through all cases of that kind (PI 65). On this picture, any given concept, for instance, epistemic statements or statements expressing certainties, might have overlapping features instead of one common feature. For example, X1 might have the features a, b, and c; X2 might have the features a, d, and e; X3 might have the features d, f, and g (Ahmed 2010, 67). This view is exemplified in the following remark:

There are, however, certain types of case in which I rightly say I cannot be making a mistake, and Moore has given a few examples of such cases.

I can enumerate various typical cases, but not give any common characteristic. (N.N. cannot be mistaken about his flown from America to England a few days ago. Only if he is mad can he take anything else to be possible.) (OC 674)

Wittgenstein remarks that while that one “cannot be mistaken” is a feature of particular cases, it cannot be extended to all cases as a “common characteristic.” While it is sometimes important to be able to provide some features that at least many cases share

for systematic purposes, Wittgenstein himself does not take statements expressing certainties to share one essential feature, as the simple mode of conceptual unity would require. That is, Wittgenstein refrains from both claiming that all statements expressing certainties enable all knowledge, as a metaphysical account would, and that all such statements share one feature (e.g., that it is beyond doubt, justification etc.). The possibility of exceptions cannot be ruled out.

Conclusion

In this chapter, I have argued that Merleau-Ponty and Wittgenstein circumvent the problems associated with the concepts of necessity, universality and apriority operative in anti-skeptical transcendental arguments. My comparison of the two thinkers should not, however, mask various differences. One major difference between Merleau-Ponty and Wittgenstein that emerged in this chapter concerns their respective notions of a philosophical account. While Merleau-Ponty does not differentiate between the philosophical account and what it aims to describe, Wittgenstein's recognition of philosophical accounts as various modes of representing the objects of our inquiry and of statements expressing certainties as objects of comparison suggests that a philosophical account does not give a description of reality (understood here as the object of investigation) itself, but is a model with which reality can be compared. This strategy allows Wittgenstein to steer clear from metaphysical commitments. Merleau-Ponty's account, for distinct reasons, does not fall into metaphysics; by indexing his account to the phenomenal field, Merleau-Ponty's phenomenology avoids commitments to metaphysical structures with their requisite sempiternality and generality. Finally, I turned to the charge of essentialism and subjectivism that can render transcendental description dogmatic. I argued that the charge of essentialism could be avoided if we consider Merleau-Ponty's indexing of his account to what appears in the phenomenal

field and to a mode of representation, among others, that uses its claims as objects of comparison in Wittgenstein's sense. Owing to the pluralistic and open-textured perspectives of both these philosophers, I argued, the third challenge of an assumed model of simple conceptual unity can also be rebutted.

Conclusion

This thesis has sought to make a case for uses of the transcendental that are non-metaphysical and, relatedly, non-dogmatic in their orientation. I have argued that the epistemological treatment of transcendental claims enforces a narrow perspective on their scope and application that is fraught with undeclared metaphysical commitments due to its anti-skeptical purpose. Despite their intention to begin with a common starting point, transcendental arguments fail to meet this critical standard. We could see that transcendental arguments, while seemingly inclusive, are backed by metaphysically charged conceptions of necessity, universality, and apriority, which remain unannounced. Throughout the chapters, the dogmatism of these unannounced metaphysical presuppositions has remained an obstacle for transcendental arguments. However, given the anti-skeptical context, transcendental arguments cannot help but advance precisely these strong conditions in order to gain purchase against skepticism. The dogmatism of this tendency is, as I hope the preceding chapters have clarified, opposed to a critical spirit that remains open to phenomena, because apart from presuppositions that it does not reveal to the skeptic, it also insists on a metaphysical perspective, claiming authority over the one true nature of phenomena (cognition, language, perception etc.).

In order to break from the epistemological concerns that have dominated recent discussions of the transcendental, and in this way to take steps towards retrieving the critical impulse of the transcendental, I turned to descriptive philosophies that can be shown to reject problematic metaphysical commitments and the dogmatism associated with them. By allowing for an understanding of transcendental conditions that does justice to the many facets and the open horizon of our lived experience, these

descriptive philosophies pluralize the transcendental. In this way, as I have argued, the transcendental can be reclaimed for a non-dogmatic perspective from which philosophical criticism could take its cues.

Classical formulations of the transcendental are bound up with a claim to necessity, universality and apriority that are metaphysically charged. This charged claim is passed on to transcendental arguments in the contemporary epistemological discussion. We could see that both ambitious and modest transcendental arguments rely on an unwarranted inferential move from facts about us to facts about the unchanging metaphysical nature of reality or the self (Stern 1999; 2000) (Chapter 1). The associated view of universality, which holds that only one set of conditions can organize experience, I argued, is ultimately indefensible (Chapter 2). This might give us the impression that the transcendental should be discarded as a philosophical approach because it is wrought with too many difficulties. But this pessimistic conclusion seems premature. I suggested that if the transcendental can be made workable in a descriptive setting without tacit metaphysical commitments, then these difficulties can be adequately addressed.

It might seem paradoxical that the transcendental can be made amenable to a descriptive reading because of its traditional association with a validating or legitimizing project. My contention was that this project unduly curbs the scope of the transcendental. Therefore, I argued that if the operative notions of necessity, universality and apriority are adequately revised, the tension between the transcendental and the descriptive can be resolved (Chapter 5). Merleau-Ponty holds that the transcendental is not an immanent aspect of the ego and the necessity and universality it furnishes are indexed to the phenomenal field. Because, on this understanding, the transcendental does not belong to an internal realm that is immune from change, it is open to modification. It responds to the contingency of experience or the facticity of

meaningful practice. While some commentators have understood such a move to blend the a priori with the empirical (Smith 2005; Inkpin 2017), I have contested the traditional view that underlies their assessment, that is, the view that contingency belongs exclusively to the domain of the empirical. The phenomenal field is contingent, insofar as we cannot rule out that things could be otherwise; given, however, the actuality and facticity of the phenomenal field for embodied experience, certain necessities emerge. As I have insisted, it is crucial to understand that these necessities are not grounded in the metaphysical reality of the world or self. This latter point is especially important, because the open-ended transcendentalism that we encounter in Merleau-Ponty should not be conflated with transcendental idealism either (Gardner 2015). Merleau-Ponty replaces Kant's unchanging intellectual ego with a body-subject that is in and of the world, and the world is not tantamount to empirical reality, but an open horizon in which transcendence has a genuine place. Thus, although there is nothing necessary about being embodied as such, given that we are embodied, we can identify necessary, universal, and a priori enabling structures. These necessities are not grounded in metaphysics, but indexed to the facticity of the phenomenal field, which is open to contingency and change.

Wittgenstein's work is an even clearer case of a non-metaphysical orientation, because he does not, in contrast to Merleau-Ponty, give us conditions for knowledge or perception as a philosophical account, but only in light of a clarificatory philosophical task which distinguishes between the *mode of representation*, which consists of a revised notion of the transcendental, and the object of investigation, that is, language, epistemic practices, cognition etc. Modes of representation differ from conventional philosophical positions in that they are not designed to make a systematic pronouncement on an issue but to clarify a philosophical problem by offering an alternative picture under which the problem does not arise. However, Wittgenstein's

rejection of metaphysics and the positive role he accords to change and contingency should not be interpreted as a turn towards the empirical (anthropological, historical etc.) (Kuusela 2008a, 2017). By indexing necessity, universality, and apriority to a mode of representation or a philosophical model, Wittgenstein ensures that we do not predicate of the phenomenon what belongs to our mode of representation and thus avoid a *projection* that is at the heart of metaphysical positions. This results in a transcendental that is embedded in a philosophical model and its potential to remove unclarities that give rise to philosophical problems. Wittgenstein's treatment of certainties is a striking example for this strategy. Statements expressing certainties emerge as useful tools in dissolving skeptical quandaries, by showing us that what the skeptic doubts is a necessary condition for epistemic claims. This is not a refutation of skepticism, because it rejects *both* doubt *and* justification with respect to certainties. If we accept this model, statements such as "there are mind-independent objects" are simply not open to epistemic evaluation. On Wittgenstein's view, certainties are necessary and universal with respect to the epistemic practices they enable, not because they are sempiternal like Kant's transcendental constraints on knowledge, that is, true for all times and places, but precisely because statements expressing certainties, like other logical features of our language games, are non-temporal and therefore are neutral with respect to time or change.

This attempt to establish a non-metaphysical alternative to the familiar Kantian transcendental, however, will rightly meet objections. First, it could be argued that the transformation of the transcendental, which I have suggested undermines objectivity and collapses into relativism. Second, it could be argued that if the transcendental requires such radical revisions, why should it be retained at all.

First it is the specter of contingency that, according to some, vitiates the relation of the transcendental with objectivity and results in relativism (Sacks 2000). For if it is

allowed that transcendental conditions for knowledge or perception are not fixed “there is nothing [...] that is such that in principle it could not change; all construals seem only relatively stable, subject to brute shifts to the way human practice – as well as changeable forces of nature – have shaped them” (Sacks 2000, 193). As a result, we lose any conception of a “fixed objective world” (Sacks 2000, 193). Recall that Merleau-Ponty grounded necessity on contingency of facticity. If both necessity and universality are indexed to what appears in the phenomenal field, we seem to put the objectivity of our picture of the world at risk. Wittgenstein’s view that necessity and universality are indexed to the philosophical account or the mode in which we are representing the object of our investigation can be open to a similar critique. For if the object of investigation can be understood in countless ways, our perspective on the objective world comes adrift. A troubling result of this picture is that anything goes – in other words, we end up with relativism and that makes critique, the fundamental reason for which I have argued that the transcendental should be retained, impossible.

It is important to point out, however, that Merleau-Ponty and Wittgenstein do not hold, as relativists might, that in some sense all ways of understanding the world are incommensurable with each other, yet when it comes to validity they all are equivalent. Both Merleau-Ponty and Wittgenstein believe that there are better or worse ways of understanding the world. Indexing conditions of possibility to a situation, practice, or philosophical problem is not tantamount to denying that some ways of looking at the world are preferable to others. Rather, indexing transcendental conditions in this way can be understood as a manner of expressing that what counts as “better” or “worse” cannot be decided once and for all and from nowhere, but is only intelligible in light of a task or a context. For example, Merleau-Ponty is critical of the sciences, though he does not reject them altogether. He argues that it is their domination in all fields of thought (e.g., PrP 35), that is, scientism, which is not a resourceful way of

understanding lived experience. Thus, his critique is qualified on the basis of what science can and cannot adequately explain; relativist thinking would not be able supply such claims, because it might hold science and phenomenology to be incommensurable and correct in their own right. Wittgenstein, similarly, does not suggest that there is no better or worse way of understanding epistemic practices in the context of skepticism. Rather, he holds that once we look at how we use words, the epistemic understanding of certainties causes various deep confusions. It is precisely for these confusions that it is *better* to have a non-epistemic understanding of certainties which can be spelled out further in transcendental terms. But this will not be salient or resourceful if we do not contextualize it with respect to the philosophical problem we are addressing. While *relativism* holds that anything goes, this *pluralism* retains critical intent.

It is not clear why plurality should be bartered for objectivity, especially when we consider how easily we fall into an uncritical attitude towards the objective. Dogmatism claims to have the final word on a “fixed objective world” by ultimately appealing to a metaphysical ground (of world or self); and this is more problematic than pluralism, because while the latter does not lay claim to a perimeter – from nowhere – that brings all experience or practice to convergence, the former illicitly claims that it has authority over the true nature of the world or the self. It is a misperception that pluralism stands in the way of objectivity. Especially as pluralism does not suffer from the relativistic equalization of validity, pluralism and objectivity are compatible with each other. Therefore, in light of the above, it is not pluralism that should be discarded but perhaps the problematic, fixed, vision of what the objective should be.

Let us turn to the second objection and some suggestions for prospects for the transcendental as I have conceived it. One can raise a deeper concern about the transcendental: if the transcendental has to be changed and modified so radically, why should it be retained at all as a philosophical tool? One reason for retaining the

transcendental is its unrivalled aptitude for a non-empirical examination of background structures, which offers an alternative to some forms of naturalistic explanation. Transcendental description as I have conceived it, can open scientific inquiry and its claims to neutrality to social and political critique by revealing its reliance on problematic a priori assumptions. In Merleau-Ponty's work, for instance, the transcendental reveals broadly that our lived experience – which involves our ideological situation (PP 137) – is a condition for the possibility of science. This descriptive revelation has critical force, because it draws attention to, for example, distortions that might result from blanket applications of science to all aspects of human experience, by showing how the supposed neutrality of such a position has a background in our political and cultural world.

Relatedly, the transcendental can allow us to appreciate political and social phenomena critically (e.g. Apel 1998, Habermas 1975). Because the transcendental in this new sense makes room for contingency, it is open to contextualized agency and expressions of freedom; it reveals that the a priori conditions which, for instance, make social injustices possible are not set in stone. Sacks holds that the transcendental is critical, because it reveals that what we take to be objective and independent of us is actually, behind our conscious and cognitive backs, introduced by us (Sacks 2000, 194). It is our contribution that also makes the world what it is. On this view, transcendental conditions can give us the ability to reflect on perceived necessities and in this sense allow us to exercise some reflective freedom with respect to them (Sacks 2000). The new transcendental perspective I have argued for can take social criticism beyond mere reflection on what is metaphysically necessary, because it also has the potential to reveal to us that we can transform these conditions. The new transcendental takes the co-constitutive and open-ended stance on our engagements with the world seriously. We do not have the absolute freedom of metaphysical subjects, but we are also not

completely determined by our circumstances. Although showing this in detail is outside the remit of this thesis, indexing the transcendental to lived situations or specific conceptual problems provides critical thinking with a new footing. It allows us to interrogate what we take for granted without having to insist on one and only correct vantage point.

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