Kant and Husserl on bringing perception to judgment

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Abstract

There is today much debate about the contents of perceptual experience relative to our capacity to make them figure in judgments. There is considerably less interest, however, in *how* we subsume perceptual contents in judgments, that is, what judging about a perception is like for us. For Kant and Husserl, this second question is as important as the first. Whereas Kant tries to answer it in the schematism section of the first *Critique*, Husserl addresses it at length in *Experience and Judgment*. This paper draws new attention to this 'forgotten' transcendental problem by comparing both accounts of it. I will first discuss Kantian conceptualism in section two and schematization in section three. In section four I then turn to the Husserlian notion of type, which is today often juxtaposed to Kant's schema. After rejecting one commonly held view that they are functionally identical, I turn to Husserl's work on active synthesis, where I distinguish three different acts of judgment and their respective contents.

Keywords: Husserl, Kant, perception, judgment, knowledge, schematism, passive synthesis, conceptual content

1. Introduction

One central dispute in contemporary debates about perceptual content is what is often referred to as the conceptualism controversy. In brief, this debate, which to a large extent centers around McDowell's (1986, 1994, 1996, 2009, 2013) conceptualist theory, concerns the question whether perceptual contents, in order to be subsumed in judgment, or to be open to rationality, must already be determined by conceptual (or broadly rational) capacities.[1] Kant is a major figure in this debate, not only because of his

influential ground distinction between two separate sources of experience, but also because of the role he ascribes to the understanding in synthesizing the contents of intuition, particularly in the Transcendental Deduction. Over the past decades, the conceptualism controversy has also been discussed in the context of Husserl's philosophy by a number of authors: Cobb-Stevens (1990), De Warren (2006), Dahlstrom (2007), Barber (2008), Mooney (2010), Hopp (2011), Van Mazijk (2014a, 2016), Jansen (2015).

It is not, however, the conceptualism controversy that I will deal with in this paper. Both Kant and Husserl consider the question *how* we bring perception to judgment as of equal importance as questions that concern the conceptual determination of perceptual content. For some reason, however, the former concern has not received much or any scholarly attention in recent discussions. If we take conceptualists to ask what perceptual contents are like such that they are 'fit to figure in discursive activity' (McDowell 2013, 42), the question I want to pose here is this: *what is it like* to form a judgment about something perceived, i.e., how do we bring perception to judgment?

In the following two sections, I will first offer a fairly general outline of the problem of conceptualism in Kant's philosophy and of his notion of schema. In the fourth section, I turn to Husserl's phenomenological notion of type, which is today at least on one fairly influential reading perceived to be 'functionally almost identical' with Kant's schema (Lohmar 2003, 93). Here I argue that the type is best regarded as a form of passively originating habit, which makes it ill-fitted for comparison to Kant's active schema. In section five and six, I then turn to Husserl's work on active synthesis for an alternative account of how we bring perception to judgment. Here I discuss what Husserl calls the 'extraction' of the state of affairs from perception, which may be compared to what is today often called 'demonstrative reference'. After that, I also discuss two higher forms of judgment Husserl distinguishes and their respective contents.

2. Kantian Conceptualism

Kant's account of schemata cannot be properly understood without considering the Transcendental Deduction first. In the Transcendental Deduction, Kant aims to establish the rule of the pure concepts of the understanding regarding 'everything that may ever come before our senses' (Kant 1998, 261 [B160]). This, he thinks, is necessary to maintain the *a priori* status of the pure concepts of the understanding. Because Kant is here concerned directly with the conceptual determination of perception, it has been the central point of focus for conceptualist (and non-conceptualist) readers of Kant.

As is well known, Kant believes we have two faculties, sensibility and understanding, each of which is productive of its own elements, intuitions and concepts respectively, independently of one another (Kant 1998, 155 [A19/B33]). Furthermore, each faculty contains its own pure forms: space and time for sensibility, and a list of pure concepts for the understanding. These pure forms and concepts determine the contents of knowledgeable experiences of the experienced world, but they are themselves merely forms, and thus quite unlike anything that can be experienced.

It has frequently been asked why Kant did not simply consider space and time to be pure concepts as well. Kant's reasons for locating space and time in a separate faculty go back as far as his pre-critical works on space in relation to debates between Leibniz and Clarke (Guyer 2005, Guyer 2010, Janiak 2009, Van Mazijk 2014a, Van Mazijk 2014b).[2] Against Leibniz's relational account, Kant argued that in order to account for our experiences of so-called 'incongruent counterparts' – two objects that are each other's mirror image – one has to make use of something *other than* concepts. One's left and right hand, for instance, are (in an idealized case) incongruent counterparts. Although they are mathematically considered point-to-point identical, they cannot be made to fit each other through rotation. They are thus incongruent in a sense that cannot be accounted for mathematically or conceptually. What is needed, additionally, according to Kant, is a spatiotemporal point of orientation that can account for the

fact that we are actually aware of a difference between left and right hands. This formal viewpoint cannot itself be conceptual, as the two-hands experiment shows – which puts us into the direction of a non-conceptual faculty of intuition.

Consequently, when in the first *Critique* Kant speaks of a required interplay of concepts and intuitions for a knowledgeable experience, it appears he has in mind an interaction between two very different products. On the one hand, sensibility 'alone affords us intuitions; but they are thought through the understanding, and from it arise concepts' (Kant 1998, 155 [A19/B33]). It is this rigid separation which prompts questions regarding the relation between concepts and perceptions. For how, if they indeed are so heterogeneous, are both united in a knowledgeable experience?

Kant's Transcendental Deduction provides a part of the solution to this. Kant's primary goal here is to prove that pure concepts have *a priori* validity. There is a particularly important passage here often referred to as the 'second step of the B-Deduction' (Kant 1998, 261-2 [B160-162]; Henrich 1969). At this point in the *Critique*, Kant wants to show that pure concepts do not just apply to perceptions when we form a judgment, but that through them alone 'perception itself becomes possible' (Kant 1998, 261-2 [B161]). Kant seems to believe that he must show that everything which enters our senses already stands under the laws of pure concepts if the *a priori* rule of those concepts is to be guaranteed.

Kant proceeds this task not by focusing on the form of intuition, which is supplied by the pure forms of sensibility itself (space and time), but on 'the laws of their combination' (Kant 1998, 260 [B159]). For Kant, an intuition is brought about through combinations or syntheses of sense data impinging upon our faculty of sensibility. The first and most basic of these syntheses is called the 'synthesis of apprehension'. Kant, however, asserts that the basic perceptual unity thereby brought about cannot be brought forth by sensibility itself. Instead, this synthetic unity 'has its seat in the understanding' (Kant 1998, 262 [B162]). Kant explicitly takes the category of unity 'as condition of the synthesis of apprehension' (Kant 1998, 261-2 [B161]). The very reason

judgment about objects of perception is possible at all is that all synthesis, 'through which even perception itself becomes possible, stands under the categories' (Kant 1998, 261-2 [B161]).

Some Kantian non-conceptualists have tried to claim that Kant thinks there would also be a type of 'blind' intuition that does not demand a synthetic unity provided by the understanding. Kant, then, could be taken to say that only a knowledgeable experience demands concepts whereas a plain and simple perception does not.[3] To my mind, this reading is not so plausible. Kant thinks it is necessary to show that a mere synthesis of apprehension is already conditioned by pure concepts (Kant 1998, 261-2 [B161]). Synthesis in the understanding and synthesis in perception are brought forth by 'one and the same spontaneity' (Kant 1998, 262 [B162]), which is a function of the understanding.

The conceptualism controversy with regard to Kant's philosophy is due to the apparent incompatibility of Kant's claims that (i) intuition is necessarily non-conceptual (as in the argument from incongruent counterparts) and (ii) that intuition is necessarily structured by concepts (as in the Transcendental Deduction). I have tried to resolve that apparent contradiction elsewhere (Van Mazijk 2014a, 2014b).[4] What matters for present purposes, however, is this: when Kant goes on to address the 'power of judgment' in the schematism section, he takes the perceptual object judged about as *already structured* by the understanding in a way that makes judgment possible in the first place. The question to be addresses next – how we can 'subsume' intuitions under concepts in judgment (Kant 1998, 271-2 [A137/B176-A138/B177])[5] – is thus essentially marked by Kant's conceptualist view of perception.

3. Kantian Schematism

The schema takes central stage in Kant's discussion of how we judge about experience with necessity. The sections in which Kant deals with it have often been considered the most obscure of the first *Critique*. It is therefore unsurprising that they have also been interpreted in different ways. I will here restrict myself to making some general observations regarding Kant's schema that I think should suffice for a comparison to

Husserl's more fine-grained analyses, which I will discuss in more detail later.

First, it is important to note that Kant distinguishes between empirical and pure schemata. Kant appears to have little to no interest in schemata of the first kind, however, which seems due to the following two reasons. First, empirical schemata are not considered by Kant to be important for our capacity to judge with necessity. The second reason is that Kant appears to see no real problem in the relation between empirical schemata and perceptions. The challenge, he thinks, lie only in the case of applying pure concepts, which do not resemble anything (Kant 1998, 271 [A137/B176]) as they are *a priori* and therefore not derived from any experience. Pure concepts 'can never be brought to an image at all' (Kant 1998, 273-4 [A142/B181]), for any image of them would be inadequate to their *a priori* character, which precisely prescribes rules *a priori* to images. In section five and six, I will show that the principal difficulty for Husserl is reversed: there it lies in empirical judgment, while *a priori* judgment is considered to be 'only' a modification of that.

Since pure concepts are unlike anything we can perceive (Kant 1998, 271 [A137/B176]), it seems there is no way for them to match onto sensible intuitions. Kant rapidly concludes from this that there must be a 'third thing' that can mediate between pure understanding and sensibility. This task is assigned to the *imagination*, which is a 'faculty of synthesis', which in turn is said to belong to the understanding (Kant 1998, 238-9 [A120], 256-7 [B151-152]). The products of the imagination that are supposed to make the abstract *a priori* concepts of the understanding more 'worldly' and thereby equipped to fit intuitions through acts of judgment, are called pure schemata.

Although Kant is obscure on the matter, it is clear that time is supposed to play a crucial role in schematization. As Kant had outlined in the Transcendental Aesthetic, all outer and inner sense is conditioned by the pure form of time.[6] Given that both time and the pure concepts of the understanding are *a priori,* the latter can determine the contents of intuition through the former. Kant thus takes the transcendental schemata to be *a priori* 'time-determinations' and for that reason also

determinations of the concrete intuitions which take place through them. I will not try to give more flesh to this idea here than Kant himself seems willing to (who ultimately appears content in noting that this procedure is 'a hidden art in the depths of the human soul') (Kant 1998, 273-4 [A140/B179-B181]).

In spite of the many difficulties involved in interpreting Kant's schema, I want to suggest some general characteristics that can guide the upcoming comparison to Husserl. First, regarding the location of the schema in Kant's architectonic system, we can note that it takes place between the concept and the perception.[7] The schema operates as a 'mediating representation' that is 'intellectual on the one hand and sensible on the other' (Kant 1998, 272 [A138/B177]). However, I think it is fair to say that the schema is closer to the intellectual than the sensible side. Both schema and intellectual concept are *rules* with a certain determined generality or scope. The schema is virtually identical to the concept, apart from the fact that it has been made sensible.

The schema, then, is not a passive accomplishment; it has little or nothing to do with our pre-judgmental experience of the world. The schema is not supposed to bring about some kind of pre-constituted familiarity or generality to the simple perceptual apprehension prior to the act of judgment. As I showed in the previous section, Kant does to some extent speak of a kind of pre-structuring of perceptual experience, which he believes is a transcendental condition of possibility for having a world that lies open to reason. But in doing so, he does not refer to schemata, but to the synthesis of apprehension. The schema instead belongs to the active 'power of judgment', which is a 'faculty of subsuming under rules, i.e., of determining whether something stands under a given rule' (Kant 1998 267-8 [A132/B171]). For now, these fairly general observations will have to suffice.

4. Types in Husserl's Genetic Phenomenology

In the following three sections I purport to discuss aspects of Husserl's genetic phenomenology. I first focus on the role of Husserl's notion of type, which according to Lohmar's leading interpretation is 'functionally identical' to the schema (Lohmar 2003, 93). After arguing that this comparison is

unsatisfactory, I will turn to other aspects of Husserl's later work in search of better alternatives.

Genetic phenomenology is a specific form of transcendental phenomenology that specializes in a kind of 'genealogical' analysis. The exact methodology of genetic phenomenology is complex and a matter of ongoing debate.[8] In order to get an idea of how Husserl uses the term genealogy, one needs to understand the meaning of Husserl's central divide between passive and active synthesis. Although this division is by no means considered by Husserl as a rigid one (Husserl 1997, 108), it forms the mold for all of his genetic analyses.

The term genealogy, when applied to phenomenological investigation, yields an image of a layered or stratified consciousness. This stratification is understood by Husserl both 'anachronically' as well as 'diachronically'. On what I call the diachronic reading, genealogy points to the 'sedimentated' layers of consciousness generated by past apprehensions, which secretly play their parts in acts performed in the now. Put differently, genealogy in the diachronic sense involves the phenomenological investigation of one's current experience in order to uncover how that experience is conditioned by one's experiential past. For that reason, Husserl also speaks of a phenomenology of 'habit'. Stripped of phenomenological jargon, habits deal with the role of the past in the present through what is basically a learning process.

It is, however, the anachronic sense that determines the overall structure of Husserl's genetic investigations. On this reading, genealogy points again to the layered structure of consciousness but now in terms of the degree in which the 'ego' actively participates in them. Thus considered, conceptual or judgmental activity are the upper ('active') layers of consciousness, build upon structures of receptivity (perception) which pair with minimal degrees of ego-awareness (or none at all). The term 'passive synthesis', then, is primarily used by Husserl to point to those synthetic achievements of consciousness that either do not involve ego-awareness at all or a merely receptive ego.[9] Active synthesis, by contrast, roughly concerns those syntheses to whose essence it belongs that they are brought forth by the ego living in the experience. Actively

produced sense-formations are not just passively given to the ego, as is the case in simple (passive) perception, but spontaneously created by it, as in judgment.

Husserl's later philosophy thrives on the idea that, transcendentally speaking, passive perceptual experience both shapes and conditions objectivity as we know it. For that reason, perception is now taken to hold the important keys to a phenomenological-transcendental clarification of objectivity, i.e. to a transcendental logic. For one, if one wants to understand the logical category 'unity', 'substrate' or 'thing in general', one has to clarify the structure of perception (of ego-passive syntheses) where thing, unity and substrate are 'pre-constituted'. This produces a picture of genetic phenomenology as laying bare a kind of hierarchy of sense-formations – of grounding relations leading from passive apprehensions to more complex active ones.

Although the so-called 'anachronic' line offers the general mold for Husserl's genetic analyses, the notion of type is specifically tied to the 'diachronic' approach. In other words, the type is a notion that belongs to the phenomenology of habit. Husserl realized that the achievements of consciousness usually have a lasting impact upon future experiences. In this regard, he speaks of the 'sedimentation' of earlier experiences and their becoming a 'habit' for consciousness. Husserl further acknowledges, in a quite Kantian fashion, that because of this 'the world in which we live […] is always already pregiven to us as impregnated by the precipitate of logical operations' (Husserl 1997, 42). Conceptual and linguistic capacities deeply affect our perceptual engagements with the everyday world. Importantly, however, this does not yet imply conceptualism regarding the contents of experience. The mere phenomenological observation that perception is influenced by conceptual capacities does not amount to saying that this very influence is a transcendental condition of possibility for forming judgments about the world – as seems to be the case for both Kant and, more recently, McDowell (1996).

It is worth looking at the ways in which Husserl takes habit to shape perception. The easiest examples of habitualization would be of active learning processes, such as

taking driving lessons, learning new words or acquiring new concepts. According to Husserl, 'every step of [ego-active] predicative judgment has its lasting result.' (Husserl 1997, 211-212) However, for Husserl, not just cognitive acts but passive experiences too can leave permanent imprints upon consciousness and thus become part of one's 'second nature'. It seems therefore unjust to say that 'habit for Husserl is connected with rational deliberation and intellectual scrutiny' (Moran 2014, 32). Although only predicative activity can create lasting stores of knowledge for the subject to consciously return to time and again, Husserl asserts that mere receptive contemplation 'already creates knowledge which persists as habitual' (Husserl 1997, 62).

In *Ideas II*, Husserl remarks that we never encounter objects that are completely new to us; every perception is accompanied by a sense of familiarity (Husserl 2000, 278). Again following *Ideas II*, this habituality could be said to be the result from a passive associative synthesis, through which one ongoing experience gets associated with sedimentated past ones. As an example of this, we may consider the sound of a roaring engine as one absent-mindedly wanders the streets. We notice that this sound is *in place* in this particular context - i.e. is contextualized as familiar - because one has heard similar sound in comparable situations before. Through such familiarity one also (passively) 'knows' whether one might have to make way for the car or whether one can simply 'ignore' it. One also 'knows' already what one is likely to discover if one were to turn one's eyes to explicate the sound-object, and whether it is worth making such an effort. Long story short: a whole space of pre-thinking interpretation, anticipations and possible future actions are delineated through the workings of habit.

This example already prepares for an important conceptual distinction Husserl makes, namely between the type as a form of passive habituality that provides contextualized familiarity, and conceptual generality as we find it in judgments. It would be a mistake to conflate these – to straightforwardly identify types with conceptual generality – but likewise a mistake to take types as pre-figured (or pre-constituted) conceptual generality.[10] If the latter were the case, types could be

a kind of 'pre-concepts'. One could then, for instance, have the perceptual sound-type for 'a car's engine', and then also the (possibly identical) conceptual content 'a car's engine' built onto that. The type might then even boil down to a kind of conceptual content in perception – a content that can figure both in perception and in judgment without undergoing any changes - much in the sense in which McDowell speaks of 'conceptual capacities […] drawn on *in* receptivity' (McDowell 1996, 9).

On my reading, this interpretation would misrepresent the way types function in perceptual experience. It would be misleading to represent the typified perceptual content as the propositional sense 'a car's engine', a content which could then without any alteration figure in judgment. Instead, one should consider the type as a mechanism of habit aiding the unfolding of a complete *situation* in passive perception. Such a situation involves among others networks of affective tendencies battling over the ego's attention and a vague space for interpretation and future actions on the ego's behalf and on behalf of the lived body. Types do not serve to provide well-marked *rules* for interpretation, as do concepts (conform Kant's definition). They do not yet allow for propositionally expressible contents. Instead, they disclose a *space for passive interpretation and appropriate (kinesthetic) action*. The way I see it, this passively constituted 'space' is dissimilar to conceptual generality to this extent that even the notion of 'pre-concept' would be inadequate to express the nature of the type. To understand the disclosing force of the type we should not conceptualize it in the light of judgment, but as a *sui generis* structure of passive sense-making.

To perceive with a type is thus, at least on my account, not primarily a matter of seeing objects as objects of this or that sort. The main merit of the type is neither objective nor pre-objective: it is rather *affective*. The best way to flesh out the specific contribution affectivity makes to perceptual experience would be in terms of *familiarity* and *unfamiliarity*. Whereas unfamiliarity allows for a stronger call upon the ego to turn-toward, to move closer, to take a better look etc., a sense of familiarity may directly disclose a space for appropriate action, thus helping consciousness decide which movements and which perceptual explications to make next. Types, as all forms of

habit generally, are useful because they make complex pre-structurings of experience possible at an affective level without demanding the ego's active attention.

The conclusion to be drawn from this section is that while Kant's schema, as we saw earlier, resembles the concept as the 'sensible concept of an object' (Kant 1998, 276 [A146/B186]), and thus basically overlaps with the well-delineated conceptual rule provided by the understanding, the type does not seem to provide well-marked rules at all. Unlike Kant, Husserl is not interested in perceptual experience solely to the extent in which it can figure in reasoning. Husserl rather considers the contents of passive perception in their own right, not as 'pre-concepts', nor as rule-providing schemata, but as a *sui generis* contribution of habit that allows us to make sense of the world in passive experience.

5. Husserl on the 'Extraction' of the State of Affairs from Perception

If we compare the results obtained thus far, we are bound to conclude that types cannot play the same role schemata play for Kant. We have therefore attained good reasons to turn away from the type to Husserl's work on active synthesis instead.

But before doing so, it is useful to emphasize that the genetic-phenomenological problem of how active judgment about a passively pre-constituted perceptual world is possible is not identical to the problem troubling Kant in his schematism sections. It is essential to Kant's account of the schema that pure concepts are taken to stand in radical isolation from empirical experience. The pure schema is in fact called to life solely for the purpose of making the heterogeneous products of the pure understanding and intuition compatible. Husserl's idea that all concepts are in fact (genetically speaking) derived from experience is thus unavailable to Kant, for whom concrete perceptual experience is only of an empirical order and therefore not a transcendental concern. For Husserl, by contrast, the totality of world-experience is included in the transcendental field, which guarantees an infinite domain of phenomenological investigation that was not available to Kant.

Transcendental phenomenology therefore has its own problems regarding objective judgment. On Husserl's view, 'objectivities of the understanding' (the contents of judgments) are *radically different* from what is constituted in the sphere of passive experience (Husserl 1997, 251). Unlike perceptual contents, the contents of judgment are ideal and 'omni-temporal' (Husserl 1997, 258-261); they are freely communicable and repeatable at any time. Husserl's main difficulty is to show how objectivity or 'omni-temporality' can be achieved from transcendental subjectivity. In his genetic work, the solution to this problem consists of showing how judgment arises out of pre-predicative experience.

In order to see how this works, I first want to turn attention to what Husserl calls the 'extraction' of the state of affairs.[11] The case of extraction can be considered the simplest form of judgment Husserl distinguishes, which occurs when we form a judgment directly about something perceived. In contemporary debates, this is often called 'demonstrative reference'. For one, I can perceive that there is mug on the table, but I can also directly judge that there is a mug on the table on the basis of the perception. The matter to consider in this section is how Husserl describes the transition from one to the other.

According to Husserl, in seeing a certain situation, for instance a white coffee mug, we may obtain a perceptual content that is already synthetically structured with a substrate and a predicate (substrate: mug, predicate: white). This is a crucial aspect of Husserl's account of perception: what we passively apprehend is already pre-predicatively structured. It is, however, only so *structured*; it is not *apprehended* by the subject as *being* so structured. In spite of the rich achievements ascribed by Husserl to passive experience, the latter can never by itself bring about objectivities properly (Husserl 1997, 251). Perceptual contents are never ideal – repeatable and shareable – contents in the way the contents of judgment are.

Husserl has a quite enigmatic but very illuminating way of describing how we extract ideal contents from perceptual situations. First of all, like all judgment, the extraction of the state of affairs demands a specific 'will to knowledge'; a new

kind of 'voluntary participation' that is unknown to passive perceptual experience. These are *noetic* features of the act of judgment, i.e. they concern the side of the act-processes and the ego living in the experience. According to Husserl, judging is a desire to 'fix […] the result of contemplative perception', in such a way as to obtain it 'for once and for all' (Husserl 1997, 198). Judgment is always a willful act by an ego living in the experience. There can be no judgment without a judger.

Husserl continues that if the ego intends to *know that* 'S is *p*' on the basis of the perceptual situation 'S is *p*', it must actively and willingly *turn back* toward the synthesis 'S is *p*' as passively accomplished (Husserl 1997, 208). The ego, he writes, must *repeat* the passive synthetic process, but this time in a changed, willful attitude. Importantly, it is here not just any plain object, but rather the passively established connection itself ('S is *p*') that becomes a theme for the subject. It is because this connection was already a part of the passively accomplished perceptual situation that Husserl can refer to the new accomplishment as a 'turning-back'. To extract the state of affairs from the perceptual content is thus in a way a reflection upon intentionality itself, in other words: it consists in an active turning back to a synthetic achievement that was already accomplished by a passive consciousness.

Through this process, the ego has now 'produced' a new kind of object, namely an 'objectivity of the understanding'. The ego is no longer just looking at the white coffee mug; it now intends the objective state of affairs. Husserl leaves us no doubt that this conceptual objectivity does *not* figure at the level of passive experience: it 'can be never originally apprehended in a mere act of reception' (Husserl 1997, 251). However, at the same time, the new conceptual objectivity must be said to have figured in some way in the passive perception already. After all, it is only through an active *repetition* that the judgment could take place – which means that the theme of the act of judgment was present prior to the judging. On Husserl's reading, then, the status of the object of judgment turns out almost paradoxical: it is present in the pre-judgmental experience, while simultaneously lying infinitely beyond it.

As a final remark, it seems to follow from Husserl's description of extraction as an active repetition of a passively accomplished synthesis that the perceptual content cannot really have changed through the act of extracting the state of affairs; what we now judge about has to be the exact same coffee mug that we intended before, for the judgment consists in repetition.[12] At least regarding judgment through extraction, then, Husserl appears supportive of McDowell's claim that '*that things are thus and so* is the content of an experience, and it can also be the content of a judgment' (McDowell 1996, 26). In extraction, there need be no distance between mind and world.

6. Husserl on Judgments of Empirical and *A Priori* Universality

The previous outline only dealt with direct predicative judgments about perceptual contents, which Husserl calls the extraction of the state of affairs. Such acts do not, however, amount to *a priori* judgments of the sort Kant is interested in when he speaks of schemata. Kant is specifically interested in finding out how we apply *a priori* concepts – which are not derived from experience – to perceptual experiences. In order to see what Husserl has to say about *a priori* judgment, however, it is necessary to first consider what he understands by *a priori* in a bit more detail.

Husserl defines *a priori* as 'preceding all factuality [and] all determinations arising from experience' (Husserl 1997, 353) and as 'prescribing rules' to actual things rather than as being derived from actuality (Husserl 1997, 354). So far this matches Kant's views. Husserl, however, departs from Kant by expanding the notion of *a priori* as to include virtually any possible objectivity whatsoever. According to Husserl, there is an *a priori* essence of 'coffee mug' or 'table' as much as there is one of 'triangle' or 'number'. Although this may seem odd, Husserl has good motives for this position. As Husserl writes, it would be 'completely absurd' (Husserl 1997, 353) to restrict the possible use of pure imaginative variation in order to attain *a priori* essences to mathematics. Instead, imagination allows for any particular object to be modified into a pure possibility, as for instance in the *a priori* essence 'a table in general'.[13] That

we can intuit an essence *a priori*, then, does not need to say much about the eternal truth of that insight; it says more about the essential relations between imagination and experience, between possibility and actuality (Husserl 1997, 353).

Husserl's phenomenological problem of *a priori* judgment is not, then, as with Kant, one that concerns the application to experience of a limited number of pure concepts of the understanding. On Husserl's view, one can modify any objectivity apprehended through judgment into an *a priori* objectivity, thereby transforming an act of empirical judgment into an *a priori* one. Husserl notes that this transition – unlike the one from perceptual situations to judgmental states of affairs – is *only gradual*. Here, as I discussed previously, an entirely new object – an 'ideal', communicable one – is constituted by an active repetition of a passive synthesis. When passing from empirical to *a priori* judgment, by contrast, Husserl speaks only of a 'modification' of the judgment-sense (Husserl 1997, 365-373); it here concerns a mere shift of attention to the pure universal already implicitly contained in the judged state of affairs.

So what happens in the transition from the extracted state of affairs to the *a priori* judgment? In between these essentially different types of judgment-acts Husserl locates another type of judgment which we may call the judgment of empirical universality. On Husserl's view, in performing an act of demonstrative judgment, we form a judgment that deals directly with 'the self-givenness of individual objects' (Husserl 1997, 317-318). We can also, however, judge in such a way that the 'reference to the universal […] is itself thematized' (Husserl 1997, 317-318). The idea here is that although in normal predication we make use of universal concepts, the relation to the universal does not itself become thematic here. More concretely, one can simply think 'this rose is red' without apprehending this rose as one possible instance of the universal 'rose in general'. To grasp the universal, Husserl notes that the active ego living in the experience must shift interest from the concrete intended object to the '*one*' that can be apprehended through it (Husserl 1997, 321-327; Husserl 2002, 221). This universal is given just once, and the intended object is now

understood as only a particularization of it. For instance, 'this rose here' can be grasped as an instantiation of the universal 'any rose whatsoever'. Often, such universals have only regional validity. One might notice a red rose in a field full of red roses, leading one to think the thought that 'any rose whatsoever in this field is red'.

Lastly, we can move from a judgment of empirical universality to a judgment of *a priori* universality. According to Husserl, empirical judgments still have their point of departure in actual experience. As long as they are not totally freed from actuality, they are 'bound essences' that have their foundation in the world of passive perception. For Husserl, this is what differentiates them from *a priori* universals. Their constitution 'does not depend on the contingency of the element actually given as the point of departure' (Husserl 1997, 340; Husserl 2002, 209-215). To attain the *a priori* universal, we have to disconnect our thoughts entirely from actual reality and imaginatively run through an 'arbitrary'[14] set of pure possibilities or possible worlds. For instance, we start not with the perceived rose, but with an imagined rose (a pure possibility) and arbitrarily vary its features in order to grasp what is absolutely essential to a rose in general. This act of judgment, according to Husserl, only concerns pure possibilities and makes no direct claims about actual roses. Because of this exclusive concern with pure possibilities, this kind of judgment is, as with Kant, one taking place through *pure imagination* (Husserl 1997, 370).

7. Concluding Remarks

I opened this paper by referring to the conceptualism controversy, which is today hotly debated over in various subfields of philosophy. I remarked that whereas in contemporary debates focus lies almost exclusively on the question of perception's conceptual content, both Kant and Husserl believe it equally important to address a second, closely related problem, namely how we bring perception to judgment. Comparing Kant's and Husserl's views on this second problem served to bring new attention to this forgotten side of the conceptualism controversy.

With respect to Kant, I first argued that for him perceptual experience is always already synthetically structured by rational capacities. This conceptualist background shapes his account of how perception can be brought to judgment. In order for judgment to be possible at all, Kant believes the perceptual content must already be determined by pure concepts before any act of schematization, even in the plain perception itself. With regard to Kant's analyses of judgment and schemata, I claimed that the schema does not serve to pre-structure perceptual experience but should instead be read as an imaginative (ego-)act, fleshed out by Kant as a 'time-determination', which makes judgment – a 'subsuming under rules' – possible.

In my exposition of Husserl I indicated that Husserl does not share Kant's conceptualist background. It rather belongs to the methodological set-up of genetic phenomenology to analyze passive perceptual experience as pre-predicative in order to see from there how judgment is possible. Perception, for Husserl, constitutes a *sui generis* stratum of sense-making, which is not of philosophical interest merely because it can be judged about (as with Kant), but which deserves to be analyzed in its own right.

In turning to Husserl's transcendental-phenomenological problem of judgment, I first discussed the notion of type, which Lohmar has suggested is functionally identical to the schema. Although I refrained from discussing Lohmar's position in detail, the interpretation of the type I offered – as a form of passive habit which helps disclosing a field of pre-reflective interpretation – reveals little similarity between type and schema. The type is, on my reading, only indirectly related to problems of judgment; it is neither a concept nor a tacit conceptual capacity.

In pursuit of a phenomenological clarification of judgment, I then turned to Husserl's work on active synthesis. Here I distinguished three sorts of judgments: extraction of the state of affairs, judgments of empirical universality, and judgments of *a priori* universality. The first and simplest form of judgment consists, I argued, of an active repetition of a synthesis already passively pre-constituted. In extracting the

state of affairs in this way, there need on Husserl's account be no distance between mind and world: what one grasps rationally is the very same (actively repeated) synthetic accomplishment of passive perception. It is worth noting that this ingenious characterization of extraction as a kind of repetition is indebted to Husserl's non-conceptualist approach to perception: it is only because perception pre-constitutes categorial structures from out of itself that a categorial (judgmental) act can subsequently be said to consist of a repetition.

Given Kant's predominant interest in *a priori* judgment in his discussions of the schema, a comparison to Husserl is incomplete without addressing the phenomenology of *a priori* judgment. On the level of judging about universals, Husserl fleshes out the necessary contributions of imagination. Whereas judging with empirical universality consists in an ego-shift toward the 'one' which 'hides' in the categorial objectivity, *a priori* judgment requires severing all ties with actuality, turning it into an act of 'pure imagination'.

NOTES

[1] See also Van Mazijk (2015) where I offer an overview of the contemporary debate about non-conceptual content and distinguish between different non-conceptualist and conceptualist stances.

[2] See especially Kant's 1768 work *Concerning the ultimate ground of the differentiation of directions in space* (Kant 2003). Although it does not seem to be dealt with in the *Critique,* Kant does briefly refer to this debate in the *Prolegomena.* Similar points are being made in Kant's 1786 work *What does it mean to orient oneself in thinking?* (Kant 1996).

[3] This latter position has been frequently suggested, among others by Hanna (2008), Allais (2009), Grüne (2009, 2011) and De Sá Pereira (2013).

[4] The contradiction can be resolved by separating the conceptually structured *content* from intuition from a necessarily non-conceptual *point of orientation* which conditions that content, but is not itself a part of that content.

[5] In spite of differences between both terms, I will use 'subsumption' and 'application' of concepts to experience interchangeably (as does Kant). See also Pendlebury (1995) on this difference.

[6] Space, however, is only a necessary form (next to time) of outer intuition.

[7] Regarding empirical concepts, however, it could be argued that they coincide with the concept. See also Guyer (1987).

[8] See also Van Mazijk (2014a, 2016), where I discuss Barber's (2008), Mooney's (2010), and my own position.

⁹ It should be noted that passivity and activity do not straightforwardly denote two separate realms of object-constitution. Husserl admits that their meanings are unsteady and also that passivity includes various sorts of activity and vice versa. In this paper, when I speak of activity, I mean the kind of ego-acts that involve a 'strive for knowledge' which is required for the constitution of objectivities of the understanding. When I speak of entirely passive formations, by contrast, I have in mind sense-formations that can be constituted independently of such egoic activities.

¹⁰ On such an understanding, already hinted at by Schuetz (1959), types themselves would latently contain the concepts under which we may come to structure them syntactically. I do not think this reading is supported by Husserl's work (1997, 2001).

¹¹ The English translation of *Erfahrung und Urteil* speaks of 'eduction'.

¹² See also B. Smith's article 'Logic and Formal Ontology' (1989), which, when held next to my reading, suggests a deep continuity between the early and later Husserl on this topic.

¹³ See also Kern (1964) for a more elaborate discussion of the notion of *a priori* in Kant and Husserl.

¹⁴ Although Husserl usually characterizes the process as wholly arbitrary, it naturally does require a model 'which gives direction' (Husserl 1997, 343) and without which the activity of free imaginative variation could yield no result at all.

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