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***What Does it Mean to ‘Act in the Light of’ a Norm?***

*Heidegger and Kant on Commitments and Critique*

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**Abstract**

This paper examines Heidegger’s position on a foundational distinction for Kantian and post-Kantian philosophy: that between acting ‘in the light of’ a norm and acting ‘merely in accordance with it’. In section 1, I introduce the distinction and highlight several relevant similarities between Kant and Heidegger on ontology and the first-person perspective. In section 2, I press the Kantian position further, focusing on the role of inferential commitments in perception: this provides a foil against which Heidegger’s account can be In section 3, I contrast this Kantian approach with Crowell’s highly sophisticated reading of Heidegger on care: I argue that, subject to certain conditions on how we view explanation, the two approaches are compatible and indeed mutually supporting. I close in section 4 by addressing an importantly distinct dimension of normativity, that marked by critique, broadly construed. I argue that we ultimately need to locate Heidegger in a context that runs from Kant’s ‘What is Enlightenment’ through Nietzsche’s *Genealogy*.

**(§1) Introduction – Acting ‘In the Light of’ or ‘Merely In Accordance With’ Norms**

It is natural to read Post-Kantian Philosophy as a series of disputes over normativity. On the one hand, these disputes concern specific sets of norms. Kantian morality, for example, is attacked as a radically inadequate fragment of some larger whole (Hegel) or as a mask for psychological and political manoeuvres (Nietzsche). On the other hand, there is the underlying question of what it even means to appeal to norms when explaining behaviour. Are norms rules, for example, and if so what does it mean to say that someone follows a rule? Of particular importance is the tradition which runs from Kant through Brandom on which normativity explains the very nature of rational agency: the difference between my reliable

assertion that it is raining and the lump of iron's equally reliable response of rusting (Brandom 1994:350-1).

The present chapter focuses on this underlying question: what does it mean to act 'in the light' of a norm and what are the implications for Heidegger's early work?<sup>i</sup> It is striking how divided Heidegger's commentators are. For Crowell, *Being and Time* illuminates the conditions that allow us "to think and act not merely in accord with norms, but *in light* of them" (Crowell 2001:170 – original emphasis). For Pippin, Heidegger failed to explain the very same thing: "my 'distance' as it were *from* the norm, my not merely responding and initiating appropriately, but in *the light of*" it (Pippin 1997:387 – original emphasis).

Both Pippin and Crowell present the point contrastively: one might act in the light of a norm, or one might act merely in accordance with it.<sup>ii</sup> Talk of "responding to norms" is ambiguous between these options: Crowell occasionally talks of "responsiveness to the normative *as* normative" to make clear that he is using the locution in the former sense (Crowell 2013e:24; original emphasis). The first thing I want to do is to flesh out this contrast by looking at the thinker who set the subsequent agenda: Immanuel Kant.

Kant's *Groundwork* draws a contrast between two types of being, defined in terms of their relationship to laws:

Everything in nature works in accordance with laws. Only a rational being has the capacity to act *in accordance with the representation* of laws, that is, in accordance with principles. (GM 4:412; original emphasis)

He equates the ability to act on principles with the ability to act on the basis of "ideas... a connection that is expressed by ought" (Prol. 4:345). Let's unpack this. The Kantian natural world is deterministic: hence, it operates "in accordance with laws". However, a subset of beings requires a distinctive form of explanation, one which refers to what those beings *take to be* laws, i.e. what they take to be required or forbidden or permissible. As Brandom puts it, such laws are "mediated by our attitude towards" them (Brandom 1994:31). This explains why they may fail to determine our behavior: I ought not to make inferential errors, but unlike a stone bound by the law of gravity, the laws of logic do not automatically determine what I will do.

Kant's distinction prompts some useful clarifications. One use of "norm" is merely statistical: norms in this sense, which we can treat as averages, are relatively uninteresting for Kant, and indeed for Heidegger, and are found in both the case of rational and non-rational beings. There is a norm height in this sense for humans and dogs and Audis. What is important is rather the use of norm that Kant links exclusively with rational agents. Consider

the behavior of a dog. For Kant, this is governed by a deterministic pattern of input-output correlations, whose mechanisms are associative (Br., 11: 52). This allows us to train such animals: by bringing them to associate food with the bell, Pavlov exploited the biological laws governing them. Here the dog acts *in accordance* with a law, but *not* in the light of it. In explaining its obedience to biology I will undoubtedly have to talk about the way it represents the world, but the efficacy of biological laws in determining its behavior is entirely independent of the dog's (non-existent) attitude to such laws. In contrast, to explain why someone acted morally or failed to do so, I need to reference both the law and their attitude to it – even if that attitude is one of ignorance or indifference, it needs to be cited if we are to explain why, unlike biological laws, the law failed to determine action.

From this sketch, we can see the familiar contours of the Kantian system emerging. First, unlike, say, with Dennett's intentional stance, the divide between normative and non-normative explanation is fundamentally an ontological one.<sup>iii</sup> As a rational being I demand a form of explanation that non-human animals (henceforth simply "animals") do not.

Second, it is a hard divide. Kant's views on animals have been the subject of much recent debate, but it is agreed by all that he posits two distinct philosophies of mind: animals lack apperception and understanding, for example.<sup>iv</sup> Whilst they may even mimic human behaviour, as a dog might be trained to get up on hearing the national anthem, the underlying mechanisms are quite different.

Third, Kant takes this divide to have far-reaching metaphysical implications. For example, he holds that natural laws necessarily underdetermine normative questions – it may be a natural law that I desire *x* or that I find inferential move *y* plausible but that does not show that I ought to act on that desire or affirm that inference. To see myself as a rational agent is to see myself as acting, at least insofar as I am responsible, on the basis of what I take myself to have reason to do. By extension, to see myself as a rational agent is to see natural laws alone as insufficient to explain my actions, insofar as they necessarily leave that normative question open (Relig 6:23-4). This is known as the "Incorporation Thesis": in Kantian jargon, incentives determine behaviour only once incorporated into a maxim.<sup>v</sup> Beyond Kant's own writings, this move is present in what one might call "neo-Kantian" philosophy of mind: as Moran puts it, in the deliberative stance, "I am not simply free to appraise [an impulse], but also free to choose whether it shall be something I act upon or not" (Moran 2001:144-5).<sup>vi</sup> Kant thus interweaves a story about normativity with a theory of freedom, aimed to insulate agency from causal determination. This combination is an obvious target for naturalistic debunking, for example by emphasising third-person facts about

“animal psychology” which allegedly show first-person deliberation to be a charade, driven by biological drives (Nietzsche 2002:§§3,117). It is also an obvious target for Aristotelian accounts which reject the underlying picture of biology as leaving normative questions open.

Turning to Heidegger, even this rough outline of Kant has immediate echoes. First, the distinction between Dasein and other beings is self-avowedly an ontological one and the starting point for Heidegger’s system, rather than an artefact of downstream notions such as an intentional stance. For a Heideggerian, talk of an “intentional stance” immediately begs the prior question of the being of the entity adopting such a stance. The exact sense in which Dasein is to be analysed in normative terms is discussed below, but for the moment we can simply note some obvious points regarding the Heideggerian world. To see something as a hammer as opposed to a sculpture is, amongst other things, to see it as appropriate for certain tasks. Similarly, to see that there are things ‘one just doesn’t talk about’ is to refer to a norm, that there are certain things that *ought not* be addressed.<sup>vii</sup> The Heideggerian world is thus suffused with an awareness of norms, an awareness he evidently thinks is not present in a rock.<sup>viii</sup> As Heidegger himself puts it, in a deliberately Kantian idiom, for Dasein “entities are manifest in their binding character [*Verbindlichkeit*]” (Ga29/30: 492): i.e. as located within a web of obligations, prohibitions and requirements.

Second, Heidegger is insistent that, whilst the behaviour of animals may mimic our own, it has a fundamentally different explanatory structure. He thus lines up with Kant against naturalistic thinkers such as Hume who viewed continuity here as a “touchstone” by which one “may try every system” (Hume 1978:1.3.16.3). This is Heidegger responding to that Humean line of thought.

But a skillful monkey or dog can also open a door to come in and out? Certainly. The question is whether what it does when it touches and pushes something is to touch a handle, whether what it does is something like opening a door. We talk as if the dog does the same as us; but...there is not the slightest criterion to say that it comports itself towards the entity. (Ga27:192)

Elsewhere he denies that animals understand being or that they can encounter entities ‘as’ something (Ga27:192; Ga29/30: 397, 416, 450).<sup>ix</sup> The normative character of the Heideggerian everyday meshes neatly with this: insofar as they cannot see something ‘as’ a hammer, animals cannot see it as subject to the norms governing hammers. In Brandom’s terms, the ‘as’ is the point of “mediation”, the point at which my attitudes to norms enter the picture.

Third, like Kant, Heidegger takes these distinctions to have far-reaching metaphysical implications. As Derrida observed, Heidegger's treatment of the animal as a function of its drives is close to traditional, deterministic, models (Derrida 2008:159-160). Conversely, his treatment of Dasein's freedom often mirrors the Incorporation Principle. The following could be a statement of Kant's position with only minor rephrasing.

Conscience discloses that I am a being for whom thrown grounds can never function simply as causes: because Dasein has been "released from the ground, not through itself but to itself, so as to be as this [ground]", grounds take on the character of reasons for which I am accountable. My natural impulses are not within my power, but it is I who make them normative for me, reasons for what I do (Crowell 2013b:209).<sup>x</sup>

Crowell notes that this aspect of Heidegger's position is "close to Korsgaard's" (Crowell 2001:453n38). In many ways, this is unsurprising: whilst Heidegger dislikes Kant's antinomial story (Ga31:191–2), he clearly shares the desire to remove human agency from mechanistic explanation and to locate it within a discourse of self-responsibility:

Freedom makes Dasein in the grounds of its essence responsible [*verbindlich*] to itself, or more exactly, gives it the possibility of commitment...Selfhood is free responsibility to and for itself. (Ga26: 247)

The Incorporation Thesis, suitably modified as in Crowell's discussion of conscience, achieves this by reframing the debate in terms of reason, not causes.

Some of these links between Kant and Heidegger change as Heidegger ages. For example, *Being and Time* offers little challenge to the Kantian picture of the natural world: in contrast to Hegel or to the Heidegger of the 1930s, *Being and Time* aims to separate Dasein from the present-at-hand rather than to question the thinking of nature in terms of the latter concept. However, even if Heidegger's subsequent remarks on *phusis* are taken as reintroducing something like Aristotelian teleology, Dasein's distinctive place remains: it alone stands in a relation to being, a relationship that requires us to respond appropriately. On other points, Heidegger's alignment with Kant persists unchanged. For example, the first volume of the *Schwarze Hefte* returns to the "abyss" between humans and animals, an abyss founded on our relationship to being: "*Seyn*" is that which we breathe and without which we are "reduced" to "mere cattle" [*bloßen Vieh*] (Ga94:232). Given the scope of the current paper, however, I want focus on the early work. The question is this: are the continuities sketched enough to locate Heidegger's position on normativity? To answer that, we need to press the comparison with Kant a little further.

## (§2) Pressing The Kantian Legacy: Concepts and Perceptual Normativity

As phenomenology has always emphasised, huge amounts of human action fall below the level of thematization and argument. Consider my fluid response to the traffic signs as I drive, or my unthinking tracking of social norms, such as those governing how close I should stand to strangers, or native speakers' responsiveness to grammatical rules which they cannot formulate, let alone deliberately endorse. All seem to be cases in which I act 'in the light of the relevant norms'? Yet all present a challenge for Kantians who tends to links normativity with "deliberation" and "reflection", privileging cases in which I carefully weigh my options (Korsgaard 1996:94; Moran 2001:144-5). Accounts such as Korsgaard's have thus been severely criticised by Heideggerians as intellectualist and phenomenologically inadequate (Okrent 1999:70; Crowell 2007:321). To get to the bottom of the matter, we need to look more closely at the Kantian picture and at what exactly it offers. We will then be in a better position to address Heidegger.

The best way to approach the issue is via one of Kant's own analyses of the contrast between rational and non-rational experience. Kant couches this in terms of concepts: I discuss the significance of that below. He begins by confronting an argument of Meier's in favor of animals being ascribed such concepts:

An ox's representation of its stall includes the clear representation of its characteristic mark of having a door; therefore, the ox has a distinct concept of its stall [this is Meier's view - SG]. It is easy to prevent the confusion here. The distinctness of a concept does not consist in the fact that that which is a characteristic mark of the thing is clearly represented, but rather in the fact that it is recognized [*erkannt*] as a characteristic mark of the thing. (SvF:59)

The ox has a clear visual awareness of some property or "mark" of the stall, namely having a door. This clear representation underpins both differential reaction (the ox would behave differently in a stall with no door), and association (the ox becomes anxious or excited depending on past experiences with doors). The rational agent, however, is distinguished by the ability to *recognize* this mark, something which can be shared by many stalls and by many non-stalls, as a generic property. One way to express this is to say that we, unlike the ox, see the door 'as' a door. For Kant, this ability to recognize generic properties or marks is the ability to employ concepts (Refl. 16:300).<sup>xi</sup>

Why is this an ability significant? The answer is that it is here that norms enter: for Kant, to conceptualize something *is* to employ a certain inferential rule in thinking about it

(KrV:A126; A106). Specifically, to recognize a mark is to recognize a set of inferences as grounded in it: to recognize something as exhibiting the mark <door> is to recognize both a fact about the entity involved and certain implications for how we must understand it – for example, any door “necessitates the representation of extension” (KrV:A106). To paraphrase the title of one of Sellars’ papers, concepts involve laws and are inconceivable without them (Sellars 1948). Kant argues that this basic capacity, the awareness of “oughts”, transforms our experience along three dimensions.

The first is what we might call “the subjective ought”. To apply a concept is to require myself either to attribute further properties in line with the relevant rules, or to revisit the initial attribution. Mark recognition thus imposes a normative order on experience, preventing it from being “haphazard” (KrV:A104). By extension, my experience can be critically assessed for coherence and accuracy: in conceptualizing something as a door, I take on a host of further commitments, commitments which may turn out to be true or false. My experience now makes *claims*; in contrast, the ox’s awareness is simply a series of *events*, with one representation bringing to mind another. The second is what we might call “the objective ought”. To apply a concept is to possess an awareness of some inferences as putatively grounded in the properties of the “thing”, in this case the stall. By extension, it is to possess, if only tacitly, an awareness of the distinction between such inferences and ways of combining representations which are not so grounded. It is in this sense that “judgment” allows me “to say that the two representations are combined in the object”, as opposed to simply associating them (KrV:B141-2). Norms, in other words, sustain the distinction between merely subjective and purportedly objective property combinations: they ground the subject/object distinction.<sup>xii</sup> The third I label the “inter-subjective ought”. To apply a concept is to be aware, if only tacitly, that insofar as an inference is putatively grounded in properties of the “thing”, and not merely an artefact of my own psychological history, the posited connection should hold for any other observer, “regardless of any difference in the condition of the subject” (KrV:B141-2). In short, norms establish the triangle of subjective, objective and inter-subjective.

We can now give an initial gloss on what it means to act “in the light of norms” for Kant: it refers to the presence of a certain representational capacity and an attendant *cognitive architecture*, as just outlined. None of this needs to be explicit or thematic: a glance at the door is enough to sustain a form of awareness that the ox necessarily lacks. This difference in content will almost certainly manifest itself in behavioural differences, but for Kant that is the symptom rather than the cause: even if the ox is trained to mimic my reactions, the

underlying contents, the underlying representational architecture, are quite different. Hence it acts at most “in accordance with norms”, for example insofar as training establishes associationistic input-output correlations.<sup>xiii</sup>

In light of this, I want to introduce a provisional distinction between two stages in Kant’s analysis of normativity. First, there is the *core* stage: this refers to the material just sketched, the basic analysis of what normative content contributes to a theory of representation. Second, there is what you might call the *elaboration* stage. This occurs insofar as he attempts to further analyse that core in terms of specific methods or mental states. For example, , Kantian normativity is often elaborated in terms of reflection, construed as a particular mental state in which an agent deliberately steps back from, thematises, and evaluates her commitments. Korsgaard offers the classic formulation: for her, this ability to “back up and... have a certain distance” marks the human/animal boundary and thus the domain of responsibility (Korsgaard 1996:93). Such an elaboration is immediately suspicious from a phenomenological perspective. Reflection, so construed, seems a relatively rare and marginal occurrence: it makes poor sense of the majority of our behaviour (Ga24:227; Okrent 1999; Crowell 2007).<sup>xiv</sup>

As we saw in section 1, Heidegger mirrors several aspects of the Kantian position: these range from the normative structure of human agency, to the sharp divide from animals, to a non-deterministic freedom along the lines of the Incorporation Thesis. We can now formulate a preliminary claim: Heidegger might retain what I called the *core* aspects of Kant’s account, whilst rejecting the specific *elaborations* offered on it.

The task is to test this hypothesis and to evaluate its consequences for Heidegger’s thought. After all, taking only part of the Kantian legacy may bring problems of its own. The dominant reading of early Sartre provides a cautionary tale in this regard. Sartre clearly endorses something very like the Incorporation Thesis: even under torture, it is up to me whether I take the pain as a reason to talk, and it is this gap which guarantees my freedom and my responsibility (Sartre 2003:403). But in the absence of a priori reason, it is unclear on what basis such an agent should choose: insofar as all empirical incentives necessarily leave open what I should do, on what basis do I actually decide? The result is the standard picture of early Sartre where absolute freedom is coupled with an absurd voluntarism. My point is not that Sartre cannot respond to this line of thought, but that its prevalence stems directly from his attempt to keep some parts of the Kantian package whilst rejecting others. The question now is whether Heidegger is able to find any more stable a balance.



### (§3) Crowell, Identity and a Kantian Compromise?

Given the systematic place of these issues in Heidegger's thought, there are many avenues we could now take: one, following the Sartrean case, would be to examine the question of voluntarism and whether Heidegger can avoid it.<sup>xv</sup> But rather than that kind of piecemeal approach, I want to address the most sophisticated attempt to grapple with the structure of normativity in Heidegger's work: the reading put forward by Steven Crowell.

At the heart of Crowell's picture is a displacement of reason in favour of care; it is the latter which is taken to be the true ground of normativity. As in the attack on Korsgaard, Kant is presented as overly intellectualist.

For Heidegger, what Kant mistakenly attributes to reason has deeper roots, and though Kant may succeed in uncovering conditions for a certain kind of intentionality (the regional ontology of nature as the occurrent), this is accomplished only by concealing those deeper roots through an aporetic approach to the "subject" as something equally occurrent. It is not reason, then – the power of combining representations into judgments, the power of subsuming under rules, or drawing inferences – that explains how entities show up for us, but rather Dasein's "transcendence," its "projection of possibilities for being its self" in light of which things can show themselves as what they are. (Crowell 2013b:192)

The reference to judgements and rules matches §2. Elsewhere, Crowell puts the point in terms of autonomy:

[U]nlike Kant, Heidegger does not ground autonomy in rationality. Dasein is not autonomous because it is rational; rather, justifying reasons are possible at all because Dasein, as care, is autonomously responsible for its being. (Crowell 2014:219).

More specifically, the claim is that Dasein's fundamental orientation towards the normative comes from its awareness of possibility, from its *trying to be* something. There Dasein:

"[U]nderstands itself in *terms* of ... a *possibility* of itself" (GA 2, p. 17/12/33), that is, it measures *itself* against a standard whose meaning is part of what is at stake in existing as that possibility. For instance, to "be" a father is for what it means to be a father to be at issue for me in trying to be one: I do not merely do certain things but commit myself to the possibility of failure. That is, for *me* being a father is a normative status. Even if I cannot define what it means to be a father, I am oriented toward that meaning as toward a measure. (Crowell 2013a:215; original emphasis)

The result is a position which retains the characteristic Kantian links between freedom and the first person – I must decide what I make of the situation into which I am thrown – and yet

where reason is displaced in favor of care. As Crowell summarizes, “freedom is thus norm-oriented from the outset, which is not to say that it is oriented toward reason” (Crowell Forthcoming:19).<sup>xvi</sup>

Once this primitive normativity has been secured, the rest of the Heideggerian world falls into place: the pile of scripts precariously balanced on the office floor shows up for me ‘as for marking’ just as they may show up to the cleaners ‘as for disposal’. As Crowell nicely observes:

This holds of my affective intentional states as well, whose reason-responsiveness is tied to what I am currently trying to be. For instance, as I lecture I notice a student sleeping and I become angry. A sleeping student is not inherently a reason to get angry, but given my practical identity as a teacher it is an instance of what Heidegger might call “obtrusiveness” (SZ:73) and constitutes a (defeasible) reason for anger. (Crowell 2014:225)

It is thus Dasein’s self-understanding which is the basis for normative grounding:

Why is there anything such as a why and a because? Because Dasein exists...The for-the-sake-of-which, as the primary character of world, i.e. of transcendence, is the primal phenomenon of ground as such. (Ga26: 276)

Crowell’s account, developed over many years, is an immensely subtle one, and this sketch is at best an attempt to isolate some key strands. One way to respond would be direct exegesis: do the texts support his reading? My own view is that they do, but I also think, given the complexity and opacity of some of Heidegger’s remarks, that is not the best way to proceed. Instead, let us assume that Crowell’s story is representative of Heidegger’s position, and draw out some of the philosophical and historical consequences that follow; insofar as we assume a principle of charity, these questions bear on the exegetical ones too. It is possible to raise three points.

First, the status of norms not derived directly from Dasein’s for-the-sake-of-which needs clarification. Consider, for example, Levinas when he writes, contra Heidegger, of how:

As equipment, the objects of everyday use are subordinated to enjoyment – the lighter to the cigarette one smokes, the fork to the food, the cup to the lips. Things refer to my enjoyment. (Levinas 2013:133)

Levinas’s point is that the normative web is structured around enjoyment, not identity: the reason the food is to be eaten is not because of anything I am “trying to be”. There are, of course, highly complex, often gendered, norms surrounding such pleasure. But even if gender

roles explain why only the boy is able to unselfconsciously relish the burger, they do not explain what makes it so tasty. Heidegger's account thus needs supplementation. But there is no obvious reason why he should be unable to do so, and one could easily argue that the pleasure of food makes sense only within an environment structured by the classic Heideggerian framework of the pots, the kitchen, the break from work, the time to relax etc.

Second, it is striking how accounts such as Crowell's shift the locus away from what for Kant, or indeed Husserl, was the classic problem: namely, the constitution of a stable object out of a temporally disjointed set of sensations.<sup>xvii</sup> A parallel point can be made at the ontological level: from a Kantian point of view, the ability to treat entities as ready-to-hand depends upon the prior ability to represent them as causally ordered and existing unperceived, as present-at-hand in Heidegger's terms. After all, if the hammer sometimes bent, sometimes melted and sometimes vanished when I turned my back, it is hard to see how I would ever have developed a stable practice of using it "for-the-sake-of" anything. The change stems from Heidegger's very different philosophy of perception. For him the challenge is not to "constitute" entities, but to render them meaningful, to "free" them by creating a context against which the entity can show itself (Golob 2014:81-2). This line of thought inevitably begins from a 'later' point than the Kantian one: to even talk about the meaning of an entity assumes something more than the 'blooming, buzzing, confusion' from which the Kantian subject begins.<sup>xviii</sup> Thus, when Heidegger employs Husserlian terminology, he quickly redefines it:

'Constituting' does not mean producing in the sense of making and fabricating; it means letting the entity be seen in its objectivity. (Ga20:97)

Third, it is difficult to assess Heidegger's account of normativity in relation to its Kantian counterpart without the discussion expanding exponentially. For example, Crowell acutely criticises Kant's "additive" conception of human agency, part rationality, part animality (Crowell 2007:324). The charge is that this combination "serves to obstruct the question of the actual being of the acts, the being of the intentional" (Ga24:123). But from a Kantian point of view, Heidegger's insistence on a full separation of Dasein from animality makes things too easy. It occludes the sense in which we are physical creatures whose behavior is indeed subject to casual explanation and prediction by the various natural and social sciences. Kant's split conception of human agency is intended to recognize this fact, and it is unclear that Heidegger can offer any better story: to remain solely within the categories of Dasein risks neglecting this dimension of our existence, whilst to accept that we are simultaneously Dasein and present-at-hand seems as additive as Kant's position.

We can now return to the “preliminary hypothesis” of section 2. There I distinguished the core of Kant’s theory from its subsequent elaboration, a distinction that paved the way for a possible compromise: Heidegger might retain the former and reject only the latter. We now have some grounds for thinking Heidegger may need to do exactly that. The basic act of taking on commitments through mark recognition, for example, is plausibly assumed by anything like Heidegger’s picture: when I walk to my car ‘for-the-sake-of’ performing all the various tasks ahead of me, I am making myriad assumptions about the behavior of the vehicle and its properties, assumptions such as the fact that it will start when I turn the key or that it will respond to petrol in a stable fashion. One might argue that these assumptions are “non-conceptual” and the term is so vague that on some glosses some of them may well be. But they are not well analyzed by talk of my self-understanding, since they pertain essentially to the *object’s* independent causal properties, nor are they typically a function of my embodiment, to take another familiar phenomenological move. Instead, they have all the hallmarks of Kant’s three “oughts”: subjective, inter-subjective and objective. This applies both to properties that are “occurrent” or “present-at-hand” and those that are not. To see myself as a father or a hippie or a sports show host is to see myself in terms of all the qualities inferentially linked to those ideas, and to see those connections as grounded in the ideal I am trying to live up to, rather than as mere associations.

Here is another way to put the point. Heidegger’s arguments typically show that *certain specific speech acts or certain specific phenomenological states* – assertion or reflection – are explanatorily derivative. But this is compatible with the idea that *propositional normativity*, in the sense sketched in Kant’s reply to Meier above, might still be explanatorily basic: from a Kantian point of view, Heidegger is entirely correct that assertion occurs only in an already richly specified context (SZ:157-8), but that context is itself at least partly a function of the kind of mark recognition defined in section 2. Of course, one may take Heidegger to have separate arguments against propositional content, perhaps hanging on the rich nature of perceptual awareness. I have discussed such moves in detail elsewhere (Golob 2014), but what I want to emphasize here is that *even if* they are granted the Heideggerian world still relies on a vast range of assumptions, that are not plausibly understood as *perceptually* “rich” in this fashion - assumptions well-handled by Kant’s mark model, such as the hammer’s rigidity or the car’s solidity or the fact that to be a father is to take on certain duties and not others.

If this is correct, there are two opportunities for compromise between Kant and Heidegger. First, one might combine the Kantian “propositional core” with what I called an

alternate “elaboration”. The suggestion is that we separate self-consciousness qua phenomenological state from self-consciousness qua normative condition. What do I mean here by “normative condition”? Well, as discussed in section 2, mark recognition necessarily brings with it the idea of further commitments: to see something as *is* to commit myself to various outcomes occurring if it is struck. Concept application thus assumes a notion of “oneself” at least as a locus of such commitments. The result is the thin reading of apperception, found in Kantians such as Longuenesse:

In referring his thoughts to ‘I’, the thinker (perceiver, imaginer) is doing nothing more than committing himself to the unity and consistency of his thoughts, and committing himself to obtaining a unified standpoint that could be shared by all: an objective standpoint, also called by Kant “objective unity of apperception. (Longuenesse 2008:17)

Heidegger would thus be free to oppose Kant’s reliance on self-consciousness in the sense of explicit reflection or deliberation (Ga24:216), whilst joining with him in an acceptance of its normative centrality. Second, one might combine this Kantian “propositional core” with some distinct set of norms operative at some bodily or non-conceptual level, and lacking the kind of inferential structure found in Kantian mark recognition. The result would be two distinct models of normativity, operating hand in hand, each explicating distinct parts of the fabric of experience: on the one hand, we would act “in the light of” propositional norms, on the other, non-propositional ones.

The questions which these proposals face are partly methodological. With respect to the first option, is it possible to abstract out Kant’s “core” in this way? How much sense, in other words, can we make of “mark recognition” if we refuse to elaborate it in terms of specific states such as reflection or assertion? With respect to the second, the suggested compromise abandons the hope of a single “primordial” point of explanation. There is a natural Heideggerian tendency to try to restore such primordially by arguing the non-propositional possesses priority, with the propositional deriving from it. As I see it, the two are sufficiently interwoven to make any linear priority claim implausible: however finely my motor-skills weight the hammer, my behavior makes sense only if I have a range of beliefs about how its surface will react when meeting the wood.

These potential compromises need not unjustly limit the Heideggerians room for maneuver. They are, for example, compatible with Crowell’s model: they explain what it is to understand notions such as fatherhood which I am trying to live up to. Similarly, one might develop a reading on which the primitive form of mark-recognition was necessarily a matter

of inter-subjective recognition. Such developments will impact the relationship between the two lines of compromise just sketched: as one approaches an elaboration such as Brandom's on which "only communities, not individuals" have "original intentionality", there will be a concomitant pressure to minimize the non-propositional in favor of the linguistic (Brandom, 1994:61,143). But this sort of limitation is to be welcomed; it is simply a consequence of the different lines of thought playing out.

In sum, I have outlined two lines along which Heideggerian and Kantian accounts could, and indeed should, mesh. Heidegger's position is best seen as a distinctive elaboration of a Kantian core, within which "mineness" plays a role close to thin models of apperception. Readings such as Crowell's would provide highly sophisticated ways of fleshing out this elaboration.

#### **(§4) From the Philosophy of Mind to Philosophy as Critique**

I want to close by addressing a final question. The reason for doing so is that it is also naturally framed in terms of a contrast between action "in the light of a norm" and action "merely in accordance with it". However, the meaning of that distinction is very different, and it is worth making that explicit.

Pippin gives an eloquent formulation of the problem. The difficulty, as he sees it, is that whilst Heidegger dismisses an account of normativity in terms of rule-following, he offers no alternative that:

[C]ould explain my 'distance' as it were *from* the norm, not merely responding and initiating appropriately but *in the light of*, and so with some possible alteration or rejection, of such presumed shared sense of appropriateness. (Pippin 1997:387 – original emphasis)

Pippin acknowledges that themes such as death or anxiety are meant to supply the missing distance, but fears that they ultimately yield only a "Manichean" voluntarism (Pippin 1997:387).

The charge of voluntarism is a familiar one, and I have addressed it elsewhere (Golob Forthcoming-a). But more important is the basic conception of the problem. The issue is no longer simply human responsiveness to norms, in a way that animals lack. Rather, it is the ability to call given norms into question: for example, by altering or rejecting the dominant social standards.

One problematic feature of Heidegger's presentation is that it sometimes blurs these two questions. For it is unclear how compromised *das Man*'s relation to norms really is. Crowell sometimes suggests that inauthentic agents are no longer acting in the light of norms:

As the one-self I have my reasons for what I do, but the one-self as such cannot really be distinguished from the carpenter ant who acts in accord with norms but not in light of them. (Crowell 2013d:295)

Given the close links between normativity and the first-person perspective as expressed by the Incorporation Thesis, this occasionally leads him to deny that such agents really have a first-person point of view (Crowell 2001:437). Blattner has criticized this aspect of Crowell's presentation (Blattner 2014). Yet, I think it does not well-express Crowell's considered view: as he stresses elsewhere, "[t]o take over being a ground is not to pass from some pre-normative ontological condition to one governed by norms" (Crowell 2013c:249).<sup>xix</sup> This yields a very different perspective on *das Man*, one in which it continues to act in the light of norms, but fails to establish critical distance with respect to them.

It seems to me this was Heidegger's position: many of the instances he adduces of inauthentic agents are involved in sophisticated, yet in some sense sophistical, reasoning. For example, he views scholarly exegesis of *Being and Time*'s links to Kierkegaard as a derailment device by which academics serve to distract both themselves and the public from the book's real import (Ga94:74; 39). Similarly, Ga20 presents academic conferences as devices for 'covering up' ideas through parroting them out (Ga20:376). Such agents are clearly "in the space of reasons": they are evaluating and offering inferences, arguments, counter-points etc, albeit within a deeply limited discursive framework.

What I am suggesting, to put it another way, is that *das Man*, whilst "deprived of its answerability" retains the structural features that, for Heidegger and for Kant, allow action in the light of norms – for example, the first-person perspective. As Heidegger puts it, "authenticity and inauthenticity...are both grounded in the fact that any Dasein whatsoever is characterized by mineness" (SZ:42–3). Thus, we have an important ambiguity in the "in the light of"/"in accordance with" distinction. In sections 2 and 3, it tracked a difference in the *philosophy of mind*: what model of intentionality do we need for humans as opposed to well-trained animals? Here in contrast, it is now a *matter of critique*: the distinction is drawn within the set of Dasein, i.e. within the class of agents responsive to norms, between those who are responding appropriately and those who are rehashing the kinds of sophistry or banality associated with *das Man*. It is only because such agents are responsive to "oughts" in the first place that they can be faulted for failing to be suitably distanced from them.

If this is right, the phenomenon of *das Man* has immediate links to the classic Enlightenment political dilemma: the problem is a group of agents who, whilst acting in the light of norms, are unwilling or unable to adequately challenge them (Auf. 8:35). The point can equally be expressed in terms of authenticity: Heideggerian authenticity becomes “just the distinction between following reasons transparently and following them...as though they were quasi-natural ‘givens’” (Crowell 2007:326).<sup>xx</sup> It is precisely such “quasi-natural givens” that a text such as Kant’s ‘What is Enlightenment’ sought to disturb.

What is striking, however, is the change in the remedial mechanism. Kant’s solution, besides urging courage, is to defend the juridical and cultural space for a broader self-conception, one in which everyone sees themselves as a scholar making “public” use of reason and capable of challenging any premise – in contrast, a “private” use of reason is one in which some assumed role, such as that of a soldier, renders certain obligations off limits to critique (Auf. 8:37-8).<sup>xxi</sup> Such scholarship, coupled with the natural tendency of each of us “to live as an individual”, will allow for an increasingly robust debate, provided the corresponding legal protections are in place. In such a debate all commitments are ultimately called for justification (Idee 8:21).

There are two moves here: one an appeal to public debate; the other to a specific identity, the scholar, a specific ‘for-the-sake-of-which’ in Heideggerian terms. In the aftermath of the Enlightenment, both are widely challenged. From a Nietzschean perspective, say, they are naïve at best, and Nietzsche offers his own mechanisms, such as genealogy, designed to create the kind of distance from contemporary norms that Pippin sought. My suggestion is that rather than focusing on the well-worn debate surrounding voluntarism, we should approach Heidegger in this new context: we need to ask what distinctive *mechanisms* he makes available for critique? Seen in such a light, the key questions will be ones like these: how does Heidegger’s “destruction” of the canon differ from a process such as genealogy?; how does his attempt to “awaken” fundamental moods in Ga29/30 work, what techniques does it use?; how might Heideggerian anxiety short-circuit or circumvent the need to work off or leverage an existing set of identity commitments? The aim of this paper has been to clarify what it means to “act in the light of norms”. The task now should be to ask after the strategies and tactics by which agents improve or transform their relationship to the normative, a relationship in which as rational agents we all stand.<sup>xxii</sup>

### **Abbreviations to Heidegger’s Works**

References are to the *Gesamtausgabe* edition (Frankfurt: Klostermann, 1975–; abbreviated as



Ga), with the exception of SZ, where I use the standard text (Tübingen: Max Niemeyer, 1957). With respect to translations, I have endeavored to stay close to the Macquarrie and Robinson version of SZ on the grounds that it is by far the best known. Where other translations exist, I have typically consulted these but often modified them: the relevant translations are listed below.

SZ – *Sein und Zeit* (Tübingen: Niemeyer, 1957); *Being and Time*, trans. J. Macquarrie and E. Robinson (New York: Harper & Row, 1962)

Ga20 – *Prolegomena zur Geschichte des Zeitbegriffs* (1979); *History of the Concept of Time*, trans. T. Kisiel (Bloomington: Indiana University Press, 1992)

Ga24 – *Die Grundprobleme der Phänomenologie* (1997); *Basic Problems of Phenomenology*, trans. A. Hofstadter (Bloomington: Indiana University Press, 1982)

Ga26 – *Metaphysische Anfangsgründe der Logik im Ausgang von Leibniz* (1978); *The Metaphysical Foundations of Logic*, trans. M. Heim (Bloomington: Indiana University Press, 1984)

Ga27 – *Einleitung in die Philosophie* (1996)

Ga29/30 – *Die Grundbegriffe der Metaphysik* (1983); *The Fundamental Concepts of Metaphysics*, trans. W. McNeill and N. Walker (Bloomington: Indiana University Press, 1995)

Ga31 – *Vom Wesen der menschlichen Freiheit* (1982); *The Essence of Human Freedom*, trans. T. Sadler (London: Continuum, 2002)

Ga34 – *Vom Wesen der Wahrheit. Zu Platons Höhlengleichnis und Theätet* (1988); *The Essence of Truth*, trans. T. Sadler (London: Continuum, 2002)

Ga40 – *Einführung in die Metaphysik* (1983)

Ga41 – *Die Frage nach dem Ding* (1984)

Ga94 – *Überlegungen II-VI (Schwarze Hefte 1931-1938)*, (2014), p. 58.

### **Abbreviations to Kant's Works**

References are to *Kants gesammelte Schriften* (Berlin: de Gruyter, 1900–; abbreviated as Ak.). For KrV, however, I employ the standard A/B pagination. I have consulted both the *Cambridge Edition of the Writings of Immanuel Kant* (New York: Cambridge University Press, 1992–) and Norman Kemp Smith's version of the *Critique of Pure Reason* (London: Macmillan, 1933) in translating Kant's texts.

Auf. – *Beantwortung der Frage: Was ist Aufklärung?* (Ak., vol. 8)

Preprint – please cite the published version

Idee – *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht* (Ak., vol. 8)

Br. – *Briefe* (Ak., vol. 11)

GMS – *Grundlegung zur Metaphysik der Sitten* (Ak., vol. 4)

KrV – *Kritik der reinen Vernunft* (Ak., vol. 4)

Prol. – *Prolegomena zu einer jeden künftigen Metaphysik* (Ak., vol. 4)

Relig. – *Die Religion innerhalb der Grenzen der bloßen Vernunft* (Ak., vol. 6)

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<sup>i</sup> My concern is roughly with the period from 1919 to 1935: for stylistic reasons, I talk simply of “Heidegger” in what follows.

<sup>ii</sup> These options are evidently not exclusive: one might deliberately flout a norm or have no relation to it whatsoever.

<sup>iii</sup> For a detailed presentation see Dennett 1987. There are complex issues here regarding the links between the “ontological”, in the Kantian, Heideggerian and contemporary senses, and the “metaphysical”. Views on which Kantian freedom is to be understood in terms of regulative conditions on agency remain ontological in the sense used here: it is because we are entities of a certain sophisticated sort that we must see ourselves in a certain way.

<sup>iv</sup> For analysis of the recent debate see Golob Forthcoming-b.

<sup>v</sup> The expression comes from Allison 1990:51.

<sup>vi</sup> I am simplifying Moran’s position which is ultimately aimed at establishing deliberative authority, the authority to make up my own mind, as a basis for a constitutive theory of self-knowledge.

<sup>vii</sup> This remains true even in secondary cases where the speaker is talking sociologically: e.g. “this group, in which I don’t include myself, subscribe to the norm that...”.

<sup>viii</sup> Might the Heideggerian rock be subject to normative explanation in some other form, for example via Aristotelian teleology? I touch on this at the end of the section.

<sup>ix</sup> As with Kant, there are points at which the lines blur: the animal is supposedly “poor in world”, rather than lacking one entirely (Ga29/30:261). But, as with Kant, it is unclear how to take these gestures of rapprochement – what could Heideggerian familiarity with a world, poor or otherwise, amount to in the absence of being or the ‘as’? Indeed, Heidegger himself retracts the move in Ga40: there the animal ‘*hat keine Welt*’ (Ga40:48).

<sup>x</sup> Similarly:

Taking over being-a-ground cannot mean that I create myself; my inclinations are not mine to create. Rather to take over the ground into which I am thrown is to see my inclinations in a normative light, that is, as “possible” rather than inevitable grounds of my behavior; it is to see them as potentially justifying reasons. In taking them over I become responsible for them either by making them my reasons or refusing to do so. Only by “understanding the call” in this sense can Dasein “be responsible [*verantwortlich*]” (GA 2, p. 382/288/334). (Crowell 2013d:299).

<sup>xi</sup> I develop this textual analysis in greater detail in Golob: Forthcoming-b.

<sup>xii</sup> Of course, I may be wrong about which properties I attribute to an object; the point concerns the underlying capacity to distinguish such attributions from facts about my own mental states.

<sup>xiii</sup> One question, which I cannot address directly here, is the link between such conceptual architecture and the distinctive phenomenology of perception. Accounts such as Brandom’s effectively stress the former whilst sidelining the latter. From a Kantian perspective, Brandomian agents resemble zombies somehow armed with sophisticated inferential abilities (for this complaint see McDowell 2010).

<sup>xiv</sup> This is not the only worry: as Nagel noted in his reply to Korsgaard’s original lectures it is unclear why reflection introduces normativity as opposed to simply more information (Nagel 1996:201). Why does stepping

back not just bring into view another set of *facts*, facts about events occurring within my body – how does the “ought” enter?

<sup>xv</sup> I have discussed this elsewhere – see Golob Forthcoming-a.

<sup>xvi</sup> I stress the Kantian aspects of the view for present purposes; as Crowell often notes, it has deeper roots still in Plato (Crowell 2001).

<sup>xvii</sup> For a particularly clear treatment in a Husserlian context see Husserl 2004:23-47; for Kant see KrV:A98-A113.

<sup>xviii</sup> Thus, Heidegger’s preferred metaphors are of removing barriers to sight, of letting us see what is there, rather than of producing it through the multiple processing stages characteristic of Kantian synthesis. There is a deep methodological issue here: from a Heideggerian perspective, the Kantian starting point is a myth, lacking any phenomenological warrant, whose sole purpose is to motivate an illusory demand for synthetic reconstruction.

<sup>xix</sup> Thus, despite the passage on the ants just cited, one can also find clear rejections of any equation of inauthentic agents with animals:

But surely one cannot say that mindless coping expresses the animal teleology that would have governed me were I not a self-conscious being. When I gear unreflectively into the world, going about my daily tasks, do I really recover the Edenic garden of nature? (Crowell 2007:328)

<sup>xx</sup> Likewise, Haugeland’s reading on which Heideggerian authenticity requires a classic Kantian combination of scrutiny and choice – a role is subject to “critical scrutiny” and only then taken over “because I claim it by my own choice” (Haugeland 2013:14–15).

<sup>xxi</sup> Kant’s phrasing sounds confusing to modern ears: his examples of “private”, i.e. limited, uses of reason are typically the holders of public roles, such as soldiers, clergy etc. For discussion see O’Neill 1989:1989:23-50.

<sup>xxii</sup> I am hugely indebted to all the participants at the International Society for Phenomenology meeting in Maine for their feedback, insight and guidance. I am particularly grateful to Steven Crowell for discussion of these issues, and to the Editors for their very helpful comments on a draft. The errors are, it goes without saying, all my own.