Part IV

Normality and Objectivity—The Life-World, the Sciences, and Beyond

12 Constructivism in Epistemology—On the Constitution of Standards of Normality

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1. The Basic Idea Underlying Husserl's Epistemology

'Constructivism' has recently become popular in meta-ethics: the idea that there is some middle ground between moral realism with its heavy metaphysical baggage on the one hand and moral expressivism, relativism, or skepticism and its counterintuitive implications and undesirable consequences on the other[1] There are different versions of meta-ethical constructivism. One of these versions takes the shape of reflective moral sentimentalism. According to this view, our moral judgments are response-dependent: They are based on responsive sentiments, sentiments such as resentment and gratitude which we feel in response to the impact of other people's actions on our sensitive and emotive systems.

In contrast with other evaluative judgments that are response-dependent, moral judgments make claims to universal authority. But how can moral judges base their moral judgments about agents and their actions on their responsive sentiments and make justified claims to universal authority for these judgments nevertheless? After all, different people emotionally respond to the same action in different ways, because their needs and interests are not equally affected and because they may be vulnerable in different ways. However, reflective moral sentimentalism does not claim that we can make justified moral judgments on the basis of every sentiment that we happen to feel in response to an agent and his action. Moral judgments are justified if and only if the underlying sentiments are *proper*. Proper sentiments are sentiments which are properly adapted to matters of fact, namely (a) an action performed by an agent, (b) the impact it has on the persons concerned, and (c) the particular vulnerabilities of these persons. The respective standards of proper moral sentiments are not given; they have to be constituted—or constructed—in a communicative process between all people concerned and their unconcerned witnesses. The aim of this process is to constitute an impartial agreement about the propriety of particular moral sentiments (felt in response to particular actions by particular persons concerned) and the moral judgments based on them. People who have reached such an agreement jointly approve

of these judgments' claims to universal authority. The impartiality of the respective agreement is due to the particular procedure of communication and consenting underlying it; not any agreement between people will be able to provide the required justification. Standards of morally proper sentiments cannot be established by majority votes.

Here, I do not have to inquire into the details of the construction of impartial standards for morally proper sentiments. What is important for the purpose of my argument in this paper is that ethical constructivism in the shape of reflective moral sentimentalism does indeed open up a space between moral realism and moral expressivism: Standards of morally proper sentiments are not given; they are constructed. But the construction of these standards is informed by matters of fact, namely by the (beneficial or harmful) impact actions have on vulnerable people.[2]

My claim is that, in his *Phenomenology of Intersubjectivity*, Husserl develops a constructivist account of our perception-based knowledge of the external world that is analogous to meta-ethical constructivism in the shape of reflective moral sentimentalism. According to Husserl, most—if not all—our knowledge of the external world is based on perception through one of our five senses. Visual perception takes the pride of place and is the main focus of his attention. Put in terms of more contemporary debates, Husserl's claim is that most of our knowledge is response-dependent: We cannot explain the content of the terms we use for ascribing perceptual properties to objects without any reference to our perceptual experience of these properties. But the way people perceive certain spatio-temporal parts of the world is subject to limitations originating in the nature of humans' perceptual systems; furthermore, even within the human species, perceptual responses to the same spatio-temporal part of the world show a great deal of variation. How can judgments based on perceptual experience make justified claims to objective truth? According to Husserl, the truth claims we make for our perceptual judgments—and all other descriptive judgments informed by these—are justified if they are based on perceptions which are proper, properly adapted to the spatio-temporal parts of the world which triggered them. And he defines proper perceptions in terms of those particular perceptions a *normal* human observer has if she perceives a part of the world from a *normal* point of view under *normal* perceptual conditions. The respective standards of normality (standards for normal human observers, normal points of view, and normal perceptual conditions) are *normative* in kind. They cannot be explained in terms of actual statistical normality distributions among human perceivers, the standpoints they occupy, and the external conditions of their perceptual experiences.[3] They have to be constructed, or 'constituted' as Husserl prefers to say, and the construction of these standards is a collective task.

Before I argue for my claim in more detail, I have to address two worries that the project of developing a constructivist epistemology might

provoke. First of all, describing Husserl's phenomenological epistemology in terms of 'constructivism' might lead to a certain misunderstanding. The particular kind of constructivism I attribute to Husserl does not deny that our descriptive judgments are objectively true, true to the facts of the world. On the contrary, Husserl's main concern is to defend the claims to objective truth we make when ascribing perceptual properties to objects in the external world. Husserl's constructivism has to be distinguished from various kinds of social constructivism, according to which the seemingly descriptive and objective predicates we attribute to external objects in our descriptive judgments are merely informed by social constructions, constructions that are a result of contingent and arbitrary social agreements and have no correlate in the factual world. Prominent examples for seemingly descriptive concepts that are socially constructed are 'gender' and 'race' as well as 'harassment.' Whereas Husserl does not deny that the construction of standards of perceptual normality underlies certain species-induced limitations and historical contingencies, his claim is that this construction, as he understands it, is by no means arbitrary or biased: It is informed by the way we perceive the world, that is, by the way the external world affects our perceptual systems.

Furthermore, there is the question why one would want to be a constructivist in matters of factual epistemology in the first place. After all, realism about matters of fact is not quite as metaphysically implausible as realism about moral values. Only radical skeptics question whether there is a factual world that exists independently of us or whether we can acquire objective knowledge of it. Husserl is not a radical skeptic, nor does he try to refute radical skepticism. Indeed, he takes certain commonsensical assumptions about the existence of the world and of ourselves and other people similar to us in this world for granted, assumptions a radical skeptic would not accept:

> Everything which, as an existing object [*seiender Gegenstand*], is a goal of cognition, is an existing being [*Seiendes*] on the ground of the world that is taken for granted as existing. Some allegedly existing beings may turn out to be non-existent and cognition may in particular cases lead to corrections of existential beliefs [*Seinsmeinungen*]; but this only means that things are not thus and so but rather different—different on the ground of the world existing as a whole.
>
> It is this universal ground of world-belief that every praxis—both the praxis of life and the theoretical praxis of cognition—presupposes. The existence of the world as a whole is that triviality [*Selbstverständlichkeit*] which is never doubted and is not itself acquired by an activity of judgment in the first place, but which rather already forms the presupposition of all judgment.
>
> (EuU, 25; Husserl 1939)[4]

In his phenomenological epistemology, Husserl explores how we can acquire properly objective knowledge of the external world even though we have to rely for this purpose on our limited perceptual capacities. Properly objective knowledge is justified knowledge, knowledge we have reason to consider as true and for which we can rightly claim other people's consent. It is informed by the way the factual world is, but it does not mirror it; nor is it complete or absolutely certain. Rather, it is a matter of a factually informed intersubjective and justified construction, a construction which has to remain, metaphorically speaking, a building site. All people capable of perceiving and thinking rationally keep working on it; their common purpose is to further improve the body of shared and justified knowledge—both in quantitative and qualitative terms. We are—in virtue of being embodied creatures—part of the world of our knowledge and we are causally connected to it. Due to the nature of our perceptual systems, our perceptions provide merely appearances of these objects, namely 'perceptual appearances' ['*Wahrnehmungserscheinungen,' Hua IV, 176 and 201*]. The content of these appearances provides us with data, data which carry information about the factual world.[5] But these data are also shaped by the perceptual channels through which we collect them. Husserl describes these data in terms of 'subjective thing-appearances' ['*subjektive Dingerscheinungen*'] in which 'environmental things' ['*umweltliche Dinge*'] 'manifest themselves' [*sich 'bekunden*'] (Hua IV, 201).

Perceptual content is, according to Husserl, conceptual in kind:

> Objective experience, or experience of worldly entities, is not merely experience of individual objects in the sense that universality would have to come merely second, in the form of logical spirituality (conceptuality). While individuals are experienced as such, they are already experienced as typified—as objects of use, forests, rivers, stones etc. Human beings are experienced precisely as human beings, animals as animals . . . In a sense, the universal or classificatory anticipates classification—at least if we are dealing with conceptual classification. Moreover, even the generality of meaning associated with naming as it usually sets in [in the course of our experience; CF] does not already consist in something logical—in some concept that arose from, and whose sense consists in, comparison and identification of a general trait [*identifizierender Abhebung von Allgemeinem*].
>
> (Hua XV, 96)[6]

Concepts are not given, they are constructed by our minds. But these constructions—Husserl speaks of the 'interpenetration of conscious achievements . . . which leads to the constitution of a possible world' ['*Ineinander von Bewusstseinsleistungen . . . , das zur Konstitution einer möglichen Welt führt*'] (EuU, 50)—are not arbitrary. They are informed

by the content of our perceptual states. The challenge for phenomenological epistemology is to reconstruct the process that allows us to interpret perceptual content as a source of information about the way the world is and to limit the impact of our limited perceptual systems on our knowledge of the world as much as possible. Thus, Husserl's constructivism in epistemology occupies a middle ground between straightforward epistemic realism and the epistemic skepticism of social constructivism: Whereas we can make justified claims to the objectivity of our descriptive judgments, the way we see and conceptualize the facts in the world bears the traces of our limited perceptual systems and minds. This is implicit in the following claim Husserl makes:

> The mere physical thing is a system of possibilities regarding what can be experienced or perceived in connection with what is actually perceived [. . .]—not in the sense of empty possibilities, but rather in the sense of "real" possibilities, i.e., motivational connections with the already given set of perceptions and memories, in the context of "motivated belief" [*im "motivierten Glauben"*].
>
> (Hua XII, 45)[7]

In other words: Without our perceptual systems and intellectual capacities (including the capacities of consciousness, conceptualization, logical reasoning, memory, and anticipation of perceptual states) we would not have any epistemic access to the external world. But these systems and capacities also impose limitations on this access. The challenge for us is to make the best out of the perceptual and cognitive capacities we have. And for meeting this challenge as well as possible, people have to join forces. The acquisition of knowledge is a collective, an intersubjective enterprise.

2. Point of Departure: Limitations of Individual Perceptual States, Naïve Perceptual Realism, Self-Awareness and Empathy

People are embodied. Their bodies occupy a particular point in space and time. Whenever they perceive the external world, they do so from a particular spatio-temporal standpoint, and their visual perception (on which I shall focus for reasons of simplicity) is further limited by the constraints of perspective: From one point of view, we can only look in one direction at a time. Accordingly, the content of our visual field, at any point in time and space, is limited. Apart from the spatio-temporal limitations of perspective, there are further limitations of the content of perceptual experiences in the here and now: The way things look to a perceiver depends on the amount and color of the light reflected by the perceived objects, and on the nature of the perceiver's perceptual systems. In so far as the

perceiver is a human being, her perceptual systems are of a certain kind; even if her perceptual systems function well, her perceptual sensitivities are limited to a very small part of the electromagnetic spectrum. Furthermore, it might be the case that her perceptual systems—or some of these systems—do not function well, not as well as those of other beings of the same human species. As for an example, people may be color-blind or entirely blind.

Accordingly, the information about the external world contained in one perceptual experience of one perceiver at one particular moment in space and time is very limited. But we hardly ever are aware of these limitations. Our minds are programmed to automatically fill in further data from past perceptual experiences and to anticipate future perceptual experiences taken—or to be taken—either from the same standpoint or from a different one. We rely on memory and anticipation when we interpret the content of an actual visual field and say something like 'I see a woman' or 'I see a woman coming down the road.'[8]

Furthermore, as commonsensical perceivers, we are naïve realists, without, however, ever engaging in metaphysical thinking: We trust our perceptual systems, we trust our eyes and ears etc. Husserl speaks of 'naïve percieving' ['*naives Wahrnehmen*'] (Hua XV, 24).[9] We trust that our senses provide us with information about objects in a factual world that exists independently of us, independently of our perceiving it:

> The Ego always has a limited spatial surrounding which it either perceives directly or remembers in the form of direct, retentional memory. But every Ego "knows", in the sense of being certain, that the surrounding which is posited as being there in the mode of direct intuition is merely the intuitively presented [*angeschaute*] piece of the endless chain of being that both reaches back into the infinite past and reaches forward into an endless future. The Ego knows that things exist even if they are not perceived, and also that they existed even if they were unperceived in the past. [. . .]
>
> (Hua XIII, 113)

As long as we are mere naïve realists, we do not constantly wonder whether the way spatio-temporal parts of the world appear in our visual field might be misleading.

> [...] As long as everything goes the normal way, we regard the schemata—the sensual things—as the things themselves, or as the given real-causal states of things. Afterwards we will say that we were merely faced with "appearances"—that it is thus that things looked to the respective subject.
>
> (Hua XIII, 382)

But this does not mean that the distinction between appearance and reality is entirely absent from the naïve mind; it is operative on a sub-conscious level. Since our minds are programmed to integrate present perceptual data with past perceptual data and anticipations of future perceptions to constitute a consistent picture of the perceived object, consistent in itself and with the actual picture of the rest of the surrounding world, the potentially misleading discrepancy between appearance and reality is automatically reduced. Husserl's phenomenological account of the process of constructing real objects of knowledge from perceptual appearances is confirmed by the way our minds process perceptual information sub-consciously. Indeed, we are constantly engaged in constructing real objects of knowledge from the appearances we have of them:

> The thing is a rule of possible appearances. That is to say: the thing is a reality as a unity of a manifold of appearances belonging together in a rule-governed way.
>
> (Hua IV: 86)

Indeed, these appearances can be more or less misleading; the less misleading they are, the more 'normal' are the external perceptual conditions.

For filling in perceptual data from past perceptual experience and for anticipating the content of future experiences we rely on memory and anticipation.[10] Memory and anticipation of past and future perceptual states request my imaginatively putting myself on a point of view different from the one I actually stand on, a point of view I stood on in the past or one I might take in the future. From such past or future points of view, I imaginatively represent the perceptual state I experienced or anticipate to experience. Thus, when we see someone sitting across the room at a table, when we see only the upper part of this person's body, we automatically assume that the lower part is merely disclosed from our view by the table and that we would see this part as well if we removed the table. Accordingly, we respond with astonishment if we discover that the person we see actually is in a wheelchair, that she has no legs and cannot move without the help of her chair. We do not normally conclude from the invisibility of a person's legs that she has lost them or left them at home, even though there are cases in which we are wrong in doing so. Accumulating perceptual data by acts of memory and anticipation allows us to interpret these data and to distinguish between those elements which provide us with reliable information about external facts and those that are explicable in terms of perceptual distortion.[11] In other words: Even the naïve realist about visual perception relies on interpretation of visual data for recognizing what it is that she sees; but her brain does this automatically and she does not become consciously aware of it.

We do not only anticipate automatically that people bring their legs when they come to sit at a table; we generally anticipate that objects persist in time and do not change their shape or color along with our multiple perceptions of them. By comparing appearances of the same objects as perceived from different points of view and under different external perceptual conditions, we learn to distinguish between aspects of the respective perceptual states that contain reliable information about the object and its persisting perceptual properties on the one hand and aspects that are explicable in terms of perspectival distortion or varying external perceptual conditions.

There is no reason to limit the pool of perceptual data on which to rely for acquiring objective knowledge of the external world to my own present, past, and future perceptual states. It is quite the opposite. Knowledge can only be objective if it is or can be intersubjectively shared. After all, the objects of this knowledge are perceptually accessible not only to myself but to every other being provided with perceptual systems:

> A cognition is intersubjective if it is available to many subjects—in fact: available to as many subjects as you like—provided that they all cognize the same [*dasselbe erkennend*].
>
> (Hua I, 217)[12]

The question is how we can have access to the content of the perceptual states of other perceivers. Of course, we do not have direct access to other people's minds:

> The foreign spiritual life is virtually covert—but only virtually. For, it is in principle impossible to uncover it—I cannot open up the human being that confronts me or "turn round" that human being like a thing, such that what was not authentically seen [*das eigentlich Ungesehene*] before becomes authentically seen.
>
> (Hua XX/2, 34)

For our access to the perceptual states of other people we have to rely on 'empathy' ['*Einfühlung*']. Husserl speaks of empathy in terms of acts of 'presencing/representification' ['*Vergegenwärtigung*'].[13] Empathy is a matter of imagining what the world looks like to other perceivers, to perceivers who perceive the world from standpoints different from our own:

> The act of empathy is like an act of remembering-oneself-into-the-Other, and accordingly an act of sympathy would occur in the same way as in the case of memory in the ordinary sense of the term.
>
> (Hua XIV, 186.)

> What is peculiar about empathy is the fact that it refers to an originary body-spirit-consciousness—but as one I cannot myself accomplish originarily, I who am not the other and who only functions, with regard to him, as a comprehension-enabling [*verständigendes*] analogon.
>
> (Hua IV, 198)[14]

Husserl himself compares acts of empathy to acts of memory. Indeed, functions and procedures of *memorizing* my own past perceptual states (and *anticipating* my own future perceptual states) on the one hand and functions and procedures of *empathizing* with other people's perceptual states on the other are very similar: In all three cases, we have to imaginatively put ourselves on a point of view different from the one we actually occupy and imagine what the world looked like (memory), looks like (empathy), or will look like (anticipation) from the imaginatively taken other point of view. And in all three cases, the purpose is to enlarge the pool of perceptual data on which to rely for constructing an objective picture of the perceived object beyond what is accessible here and now.[15] But whereas memory and anticipation are presupposing the I's continuous existence in time, empathy presupposes that the other, the one whose perceptual states I empathically re-present, is similar to me, at least as far as her or his perceptual systems are concerned. In every act of empathy I address the other I as an I similar to myself:

> [. . .] the foreign Ego [. . .] is of my own kind [. . .]
>
> (Hua XIV, 256/7)[16]

If I did not assume that the other was a perceiver similar to myself, having perceptual experiences similar to my own when looking at the world from the same point of view as I do, I could not eventually imagine what the world looks like from this other's point of view:

> We already know that a certain similarity in the whole of the manifolds of appearances is a condition for the possibility of mutual understanding, so that differences are possible in certain directions only.
>
> (Hua IV, 206)

For empathically representing another person's perceptual states, I have to rely on the memory of my own perceptual experiences or on imagination. Since the other is, per assumption, similar to me, I expect the world as seen from the other's actual point of view to look similar to the way it looked to me when I previously looked at it from that same

point of view or like I imagine it to look, based on what I already know about the world and the point of view of the respective other. Still, empathic representation has the status of a hypothesis. It might turn out that what the other actually sees is different from what I think or imagine she sees. The awareness of such discrepancies gives rise to questions of representational adequacy of appearances. Some discrepancies are explicable in terms of differences in attention or of differences in perceptual capacities, others in terms of a lack of information available for imagining what the other sees. We can become aware of such discrepancies—and then inquire into their origin—only if we engage in communication:

> All of this is subject to mutual communication among the Egos or, let us say, the human beings. Everyone has his own experiences regarding things which would sometimes appear to him thus and so and sometimes differently, and everyone judges on the basis of these experiences and exchanges them with others in mutual communication. If he has no reason [*Anlaß*] to reflect upon his appearances—if he is immediately directed at the object of experience—then he does not, in the course of this experience, judge about the appearances but rather about the things; if he describes a thing, then the thing counts for him as one and the same thing, for example as an unchanged thing having its unchangeable qualities, and he predicts this of the thing while nevertheless continuing to have different appearances all the time—sometimes he would have the front appearance, sometimes the back appearance, etc
>
> (Hua XIII, 118)

The similarity of my perceptual experiences with those of others is, according to Husserl, a necessary condition for my conceiving of myself as a person, as a subject of knowledge in the world of knowledge and as a subject among other subjects of knowledge.[17] And it is an equally necessary condition for engaging in a fruitful dialogue with other subjects of knowledge about the perceptual properties of the objects we jointly perceive. This dialogue plays a key role in identifying and correcting an individual subject's false beliefs based on insufficient or falsely interpreted perceptual data and in our joint construction of a world of perceptual objects in space and time.

3. Disagreement and the Joint Construction of Standards of Normality

Even before engaging in acts of empathy and in the communication with other people (as subjects of perceptual experience and factual knowledge),

a person can acquire knowledge that is justified and thus objective. But this knowledge is limited in content:

> Although the solipsistic subject could be confronted by an objective nature, it could not consider itself as an element of nature [. . .]
> (Hua IV, 90)

Such a solipsistic person can distinguish between points of view and external perceptual conditions from where and under which she can collect the most detailed and reliable perceptual data. Indeed, for every perceptual object, there are points of view from where it can be seen clearly and distinctly, from where its shape and size can be grasped with as little perspectival distortion as possible. These are the *best* or the *normal* points of view. Analogously, there are external perceptual conditions which are optimal for a human perceiver, namely conditions of daylight.[18] Daylight conditions are normal perceptual conditions, normal—or best—for all members of the human species. Husserl underlines the, importance of normal perceptual conditions for the constitution of the perceptual object ['*die Bedeutung normaler Wahrnehmungsbedingungen für die Konstitution des anschaulichen Dinges*']; such 'normal' conditions have to be distinguished from 'abnormal' conditions (Hua IV, 58).

In order to see a chair as a chair, its size and shape, we should take a point of view neither too far away nor too close: From too far away, the chair might look like a dot on the horizon, from too close by I can at best see a detail of its surface but not its shape and size as a whole. Humans cannot see in the dark, and the conceptual tools for color ascriptions are informed by the way colors appear under daylight.

But the solipsistic subject will not raise the question whether or not she herself is a normal perceiver, whether her perceptual systems function as well as those of other perceivers of her species. For this purpose, communication with other perceivers is crucial. Once an individual subject engages in communication with other perceivers, she might have to revise her solipsistically constructed standards of normality for points of view and for external perceptual conditions. She might not only be colorblind; also, she might not have access to the best points of view; and she might have spent all her life under conditions of twilight.

Characterizing the best points of view, the best external perceptual conditions from where and under which human perceivers can collect the most detailed and reliable perceptual data, and the best human perceivers in terms of 'normality' seems to imply that these points of view, external perceptual conditions, and perceivers are those that occur most frequently for the majority of perceivers. Indeed, Husserl seems to try to explain the normative standards for optimal perceivers by reducing them to the standards statistically normal perceivers meet, to the standards met

by a majority of perceivers whose perceptual systems are similar to a high degree; he speaks of the

> [. . .] possible [. . .] and familiar [. . .] distinctions between "normal" human persons and abnormal ones: a normality that is related to a plurality of persons belonging to a communicative association—persons who mutually agree *on average*, with predominant regularity, as opposed to other persons belonging to the same association who make deviant assertions about their environment [*Umwelt*] in some [details] of their descriptions [*in einzelnen Beschreibungsrichtungen abweichende Aussagen*] [. . .]
>
> (Hua IV, 207, italics CF)

Standards for normal points of view from where to look at an object and normal external perceptual conditions for human perceptual systems are essentially normative. Where the challenge is to collect the most detailed and most reliable data for understanding the externally existing world, these standards cannot be established by an actual majority of people. Nor can they be explained in terms of a mere frequency of occurrences of standpoints or external points of view. In order to establish these standards we cannot rely on merely statistical research. Rather, we have to understand these standards as originating in the course of the processes of collecting perceptual data and comparing them for the purpose of filtering out the reliable information they contain, information about the objects perceived and their factual perceptual properties. In the course of this process, we do not only identify normative standards of normality for points of view, external perceptual conditions, and perceivers; we also understand how the perceptual appearances of an object co-vary with the points of view from where we look at it, with the different external perceptual conditions under which we look at it, and with the more or less well-functioning of a perceiver's perceptual system.

That standards of normality are essentially normative is particularly evident in the realm of empathy and the exchange of factual, perception-based knowledge between individual perceivers who perceive each other as similar and as equally normal. When engaging in empathy and imagining the contents of the perceptual states of another perceiver who is looking at an object from a particular point of view different from our own, we might encounter difficulties. We might ascribe perceptual states to the respective other that this other I does not actually have. We can become aware of such empathic errors only if we communicate with the respective other and encounter disagreement:

> It is obvious that deviance with respect to the sensual-intuitive commonality (which is motivated by apperception) manifests itself by incoherence between assertions—particularly comparative judgments—

> which everyone makes in accordance with his direct experience [*die jeder an seiner direkten Erfahrung orientiert*].
>
> (Hua XIII, 380)

Whenever two people encounter such a kind of disagreement, what is at stake is not only the normality of standpoints and external perceptual conditions, but also the normality of perceivers, the normality of the perceivers' perceptual systems.[19]

Imagine the following scenario: Two people are looking at the same chair at the same time, under the same external perceptual conditions, conditions they both consider to be normal; of course, they can do so only from different standpoints, but these standpoints can be equally normal. One of them says: 'The chair is red.' But the other disagrees and says: 'The chair is grey.' Both are naïve realists about perceptual information. They trust their eyes. But they also trust to be normal perceivers. And this trust has a twofold implication: They trust that they are good perceivers, and that they are as good perceivers as all or most other people. After all, they assume that other people are similar to themselves, similar in particular with respect to their perceptual systems. On the basis of their respective naïve realism and their self-conception as normal perceivers, they trust their perceptual capacities to the extent that they impose them as standards of good perception on everybody else: They expect, whenever they make a claim of factual knowledge based on their perceptual experience, that other people will agree with them. Accordingly, when they find this expectation disappointed, when they encounter disagreement, they take this as an indicator for a mistake that one of them has made. Since both of them equally trust to be good perceivers, they both assume that the respective other has made the mistake underlying their disagreement:

> It belongs to the sense of empathy that I ascribe [*einlege*] the same system of appearances to the Other that is freely available to me, and that I ascribe it to the Other as being freely available to him as well, but that I accordingly ascribe different actual appearances to him, a different position and correspondingly a different orientation. [. . .] The experiences of the Other are not my experiences, but in his experiences the Other shares the same experiences that also belong to my system of appearances, and in this system the same things appear; each of us has his own free access to the same things and appearances.
>
> (Hua XIV: 254)

> [. . .] the perceptual doxa is confirmed by the coherence of experience, while incoherence leads to a suspension of the posited being or being-so.
>
> (Hua IV, 276)

Both of the parties of such a disagreement are equally motivated to try to settle their disagreement. This is because objective knowledge is, according to Husserl, a matter of intersubjective agreement; he speaks of the 'mutual harmony of objective beliefs' ['*wechselseiting Einstimmung objektiver Meinungen*'] (Hua XV, 111) and of the 'constitution of a harmonious intersubjective objectivity . . . which now also becomes an objectivity valid for every single subject' ['*Konstitution einer einstimmigen intersubjektiven Objektivitaet . . . welche nun zugleich zu der fuer jedes einzelne Subjekt geltenden wird*'] (Hua IV, 310).

For settling their disagreement, two perceivers have to engage in a process of communication. In particular, they have to engage in acts of empathy. Both have to inquire into the causes of their disagreement: Why does the respective other not see the color of the chair as I assume that he sees it—and as I see it myself or as I imagine I would see it from her actual point of view? Given the assumption that they both look at the same chair under the same external conditions and that they jointly consider both these conditions and their respective standpoints as normal, the only cause of their disagreement can be that their systems of visual perception are different. Indeed, one of them may be color-blind. But the mere awareness of the fact that their perceptual systems are different does not imply any clue as to whose system is defective. There is then the question who of them is the better, the more reliable, or, in Husserl's terms, the 'normal' perceiver.

For deciding who—if anyone—is the normal, the best perceiver, they have to bring in other perceivers. Again, Husserl seems to trust that the normative standard of 'normality' can be explicated in statistical terms:

> At first, anomalies that manifest themselves in the form of inconsistencies between the experiences of different subjects concerning the same things (so that these things appear to have contradictory properties for different subjects) get resolved on the ground of normality: It is what *"all" human beings* experience (notably in a coherent manner, both orthoaesthetically by each one for himself and collectively by all human beings together) that counts as true [*ist das Wahre*], and where particular human beings disagree [*es anders finden*], they are [regarded as] queer fellows [*Querköpfe*] (notably, as sensually defective ones—as experience teaches).
>
> (Hua XIII, 380, italics CF)

But that cannot be quite right. Standards for adequate perceptual states are ultimately set by the factual world. Even though humans have no undistorted access to this world, their aim is to acquire as much knowledge of it with as much detail as possible. Accordingly, the best or 'normal' perceivers cannot be those with the perceptual systems that are most frequent among human perceivers; it can only be those whose perceptual

systems provide the best—the most reliable and the most detailed—perceptual information. Husserl himself mentions the case of a society of color-blind people (see Hua XIV, 133 and Hua XV, 47f, 159). Among them, being color-blind is statistically normal. But color-blind people cannot see all of what people see who are not color-blind. Thus, even among a majority of color-blind perceivers, those who can see colours—in addition to everything that the color-blind perceivers see—can rightly request to be the normal perceivers. Evidently, in such a scenario, the colour-perceivers have to find a way to persuade the color-blind of their being equipped with better perceptual systems, and that may not be an easy task.

One might object that, among actual human perceivers, normal perceivers do indeed represent the majority. But this is explicable in terms of everyone making an effort to meet the standard of normal perception—be it by undergoing eye-operations or by relying on spectacles. Normality as a normative standard cannot be defined in terms of an actual majority. But the existence of an actual majority of people meeting standards of normal perceptual systems may be explicable in terms of a collective effort to meet the normative standards of normal perceptual systems.[20]

What the example of a society of color-blind people reveals is that the collective construction of normative standards of perceptual normality can be subject to contingent constraints. Such constraints arise not from the actual distributions of majorities of perceivers of a certain kind; they arise from the pool of perceptual data factually accessible to the people involved in the construction of normative standards of normality. There may be no one among them who can actually see colors; they may all be extremely short sighted; they may live on an island which they cannot leave so that they can see things across the water only from a very large distance; or they may live in a place where there is never full daylight. But even within a society where none of these contingent limitations exist, the construction of normative standards of perceptual normality will underlie the constraints arising from the fact that even the best perceivers are human perceivers. Their perceptual access to the world is constrained to what human perceptual systems allow. By now, we know much about these limitations. Humans have developed technical tools that allow them to collect data not directly accessible to their perceptual systems. But these tools, such as telescopes and microscopes, have to transform the data they collect into data accessible to the human perceptual systems. Otherwise, they would be useless.

4. Higher Level Empathy and the Danger of an Empathic Regress

In our empathic efforts to try to put ourselves in the shoes of others and to imagine these other's perceptual states, we are not limited to those

others who actually observe the same spatio-temporal parts of the external world as we do. We can also try to empathize with another who is actually engaged in empathizing with ourselves at the moment of our own engagement in an act of empathy. I can try to imagine the perceptual state of someone who tries to imagine what I imagine that he sees—and vice versa. This is a case of second-order empathy. In principle, there are no limits to our engaging in acts of increasingly higher orders of empathy. Thus, if we empathize with another person who is empathizing with us, our effort of properly understanding the other's mind can lead to an infinite regress. Since there is no highest order of empathy, there seems to be no prospect of properly understanding how another person perceives and feels and thinks about us.[21]

Husserl himself addresses the problem of a regress arising in any attempt of a hearer to understand what a speaker means (see Hua XX/2, 37); but he is aware of the problem of a similar regress arising in any attempt to empathically understand the mind of another whose empathic attention is directed toward the empathizer (see Hua XX/2, 34–35). The question is whether the prospect of such a regress stands in the way of people constructing a joint view of the world in the way Husserl envisages.

For answering this question one has to take into account for what purpose we engage in acts of higher order empathy. According to Husserl, we do so in order to extend the pool of data on which to rely for constructing standards of perceptual normality on the one hand and for reaching an intersubjectively justified, shared and objective description of the external world on the other. The purpose of empathizing is epistemic in kind, we want to expand our knowledge of the world and avoid mistakes that we might make in originally perceiving it. We are likely to make such mistakes because of the limitations which our perceptual and further cognitive capacities inevitably bear. Why would we care to empathize—in Husserl's sense of the term—with another person if it was not with the prospect of learning more about the world? Why would we try to settle disagreements about descriptive judgments if such disagreements did not indicate that at least one of the parties to the disagreement had made a mistake in her or his interpretation of the perceptual data available to her?

Accordingly, we can stop engaging in further acts of higher order empathy as soon as we have come to an agreement about how to describe a particular matter of fact with those with whom we originally disagreed. But this is merely a pragmatic answer to the question to which the empathic regress gives rise. Given the threat of the regress, we have to make a twofold concession: An engagement in empathically informed communication will not always bring about a properly informed consent of the parties involved. The parties might engage in increasingly higher orders of empathy without finding what they are looking for, namely

evidence for the mistake that one of them has made. Furthermore, we have to concede that the justification provided by an intersubjective consent about how to describe a particular matter of fact cannot be ultimate in kind. Every claim to objectivity made for a particular epistemic judgment has to be made with a caveat: Further data may be found which will either confirm its objectivity or force us to revise it.

Constructivism in epistemology, along the lines of Husserl's *Phenomenology of Intersubjectivity*, provides a justification of knowledge claims: Humans are justified to claim that their epistemic judgments are objectively true. However, a claim can be more or less justified, depending on the amount of data that were taken into account. Since epistemic claims to objectivity in Husserl's understanding of objectivity cannot be ultimately justified, their authority is not absolute.

Notes

1. See Bagnoli 2013, 4.
2. See also Fricke 2012.
3. Husserl is not always sufficiently aware of the difference between normative and statistical senses of 'normality'. On the distinction between statistical and normative notions of 'normality,' see Fricke 2015 and below.
4. Many thanks to Christan Beyer for helping me with the translations of Husserl's text. On this topic, see also Hua IV, 84–88 and 222–224. From the latter passage we can see that Husserl does not engage in the kind of skeptical hypotheses that underlie Nelson Goodman's 'riddle of induction' (see Goodman 1983, 31ff); nor does he consider the possibility that our perceptual engagement with objects in the world might induce these objects to change in a way we cannot eventually track; this possibility has haunted philosophers exploring the metaphysical potential of response-dependent accounts of the meaning of certain predicates (see Wright 1992; Busck-Gunderson 2011). For an account of the kind of objectivity Husserl has in mind, see Railton 1998, 63–65; but Railton does not refer to Husserl.
5. Note that he does not mean to imply that the objects of our perceptual states are sense data which have their own metaphysical reality, independent of the reality of external objects.
6. See also EuU, 399.
7. See also Hua IV, 56: "It turns out that the character [*Beschaffenheit*] of material things as aistheta, just as they stand before me in intuition, is dependent on *the character* of myself, *the experiencing subject*, concerning *my lived body and my 'normal sensibility'*" ["*Es stellt sich heraus, dass die Beschaffenheit der materiellen Dinge als Aistheta, so wie sie anschaulich vor mir stehen, abhängig sind von meiner, des erfahrenden Subjekts, Beschaffenheit, bezogen auf meinen Leib und meine 'Normale Sinnlichkeit'*."") (Husserl's italics)
8. On this topic, see also EuU, 28, 32, and 88–91.
9. On Husserl's description of the commonsensical epistemic attitude as 'naïve,' see also Luft 1998.
10. See Hua IV, 57/8.
11. For a similar example, see Hua XX/2, 34.

12. See also Hua IV, 82.
13. See, for example, Hua IV, 110, 198 and Hua XIII, 318.
14. See also Hua IV, 244.
15. In another paper, I have suggested understanding anticipation and memory as acts of self-empathy and distinguish them from acts of other-empathy. See Fricke 2012. However, even though Husserl himself sees the analogy, he does not speak of empathy as aiming at the empathizing subject's own past and future perceptual states. There is, however, one exception: see Hua XIII, 70.
16. See also Hua IV, 242 und 309.
17. See Hua IV, 90, 169, 191.
18. See Hua IV, 59.
19. On Husserl's partly ambivalent use of the standard of normality, see also Steinbock 1995; Wehrle 2010.
20. This claim requests a caveat: There are people whose perceptual capacities excel those the actual majority of people have—even if this majority has emerged from many people's efforts to improve their perceptual capacities. There are, among humans, rare cases of super-vision or 'tetrachromats'. Their case reveals that our normative standard of normal perceptual capacities is not only defined in terms of an epistemic optimum (for humans), but also in terms of what one might describe as a pragmatic or sociological optimum, the optimum which allows the actual majority of people to set normative standards.
21. On the problem of a regress in Husserl's account of empathy and self-awareness, see Jordan 2017.

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