

Everyday Noumena – The Fact and Significance of Ordinary Intelligible Objects

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I

Kantian noumena are otherworldly; they are supernatural. They are also here in the room with me. I have, in fact, been dealing with them all day. Some of them are a nuisance, like the Spring 2010 course schedule. Some I love: the friend who is on the way here for the weekend. Some are just mundane facts: my savings account, my job, my plans for the semester. This, at any rate, is what I want to try to show in this paper.

This paper seeks to make clear that we deal with Kantian noumenal objects, to a significant and underappreciated extent, everyday. It makes the claim that some things we might not think of as noumenal are in fact noumenal. It begins by looking at Kant's *Rechtslehre* deduction of property, or '*possessio noumenon*.' It argues that Kant is right to understand property as noumenal, and that once we understand why, we will have to admit the 'noumenality' of many more objects than we might have imagined.

To argue this way is to reject a powerful tendency in popular philosophical thought about Kantian noumena. This tendency sees Kantian noumena as metaphysical mystery posits, a category of things to which Kant resorted in order to (somewhat lamely) make room for faith, and to (very unsatisfactorily) solve the problem of free will. These moves are lame and unsatisfactory because noumena are shadowy and inscrutable, not the kinds of things you want to rest a theory on. "About noumena," writes Roger Scruton, in his 1982 *Kant*, "nothing significant can be said",¹ and (borrowing, Scruton notes, a remark from Wittgenstein) "a nothing would do as well as a something about which nothing can be said."² Noumena seem to add only a layer of mystification to Kant's oth-

1 Scruton, Roger: *Kant*. Oxford 1982, 43.

2 *Ibid.*, 45.

erwise potentially interesting views. Projects aimed at 'naturalizing' the noumena out of Kant start to seem the best way to go.

Let me show why I think there might be an alternative.

II

In Kant's *Rechtslehre*, in a section called "Von der Art etwas Äußeres als das Seine zu haben" ("How to Have Something External as One's Own"), Kant deduces rights to property (MS, AA 06: 245–257).³ What is there to deduce – that is, what is in need of rational explication and defense? While possession (holding) is adequately grasped by the senses – is an empirically verifiable matter of fact – *property* – something that is rightfully 'mine or yours,' something which someone has exclusive rights to use and control, regardless of present possession – can only be grasped by the mind, that is, *intelligibly*. Kant's aim in the deduction is to show how pure practical reason underwrites the possibility of, and indeed eventually demands the establishment of a system of, 'intelligibler Besitz' ('intelligible possession'), or property. (The details of the deduction are not my topic here, and I won't say more about them, interesting as they are.)

'Intelligibler Besitz' ('intelligible possession') is glossed parenthetically by Kant with the Latin 'possessio noumenon' several times early in the section (MS, AA 06: 249.12, 250.12, 253.32)⁴: this is basic evidence that property as such is, for Kant, intelligible or noumenal. Kant's thought is that property is not a natural feature of the world, but must be derived and located within the (non-natural) system of law governing free will and its objects. Kant's deduction accordingly discovers property in the system of ideal juridical law, whose concepts and principles form one branch of the 'Metaphysik der Sitten' ('metaphysics of morals'), the articulated system of freedom, governed by the moral law. This system of law governs not phenomena, but noumena.

Before carrying this thought any further, let us define some terms.

3 English translations of Kant's texts are as follows: KrV: *Critique of Pure Reason*. Trans. Paul Guyer and Allen Wood. Cambridge/New York 2000; MS: *Metaphysics of Morals*. Trans. Mary Gregor. Cambridge/New York 1991.

4 "Des Begriffs des bloß rechtlichen Besitzes eines äußeren Gegenstandes" ('the concept of merely rightful possession of an external object') is also glossed as '*possessio noumenon*' in a section heading at MS, AA 06: 249.28–29.

III

The idea of classifying objects as either phenomenal or noumenal goes back at least to Plato, who distinguishes (at e. g., *Republic* 508c) between things as they appear or seem, φαίνω (pheno) and things as they are known by the mind, or νοῦς (nous); the former are, of course, phenomena, the latter noumena. Leibniz later employs the distinction.⁵

“Der Begriff eines *Noumenon*,” Kant writes in the first *Kritik*, is the ‘Begriff’ (‘concept’), “eines Dinges, welches gar nicht als Gegenstand der Sinne, sondern als ein Ding an sich selbst (lediglich durch einen reinen Verstand) gedacht werden soll” (KrV, A 254/B 310).⁶ Noumena, accessible to the pure understanding (or intellect), are to be thought of as things in themselves because when we grasp them, we grasp them entirely as they are; we have no cause for concern, as we do with objects of the senses, that something inaccessible lies ‘behind’ our apprehension. Noumena, as intelligible, are *wholly* intelligible; phenomena, as appearances, may not show the whole story.

But, if noumena do not appear, if they are not accessible to the senses, in what sense can they be *objects*? It is helpful here to understand ‘object’ in an older philosophical sense: an object is what a subject regards or otherwise aims at – it is the ‘target’ of a subject’s rationally ordered strivings, whether theoretical or practical. For Kant, an object can be anything explained, derived, or otherwise conceived within a rational system, a system of concepts and relations and principles that hang together in definite ways and within which certain kinds of things count as evidence and certain kinds of inferences are warranted. Kant has two such systems; there are, accordingly, two kinds of objects. Phenomenal objects are determined by concepts of theoretical understanding and are governed by the laws of nature (physical laws). Noumenal objects are determined by concepts of reason (in its speculative, transcendental, and practical employments) and are governed by the laws of freedom.

We are familiar with a few of these objects: God, the immortal soul, the free will are, of course, Kantian noumena. That which ‘underlies appearances’ is noumenal. How are these objects, which I’ve claimed are de-

5 Indeed, Kant is at pains to challenge Leibniz’s understanding and use of the term in the first *Critique* ‘Amphiboly’ (KrV, A 260/B 316-A 292/B 349).

6 “The concept of a *noumenon*,” is the concept “of a thing that is not to be thought of as an object of the senses but rather as a thing in itself (solely through a pure understanding).”

terminated by concepts of reason and governed by laws of freedom, known to us? We know they are not accessible to the senses: they do not conform to the forms of intuition (space and time) or to the pure concepts of the understanding (the categories); they are not given as appearances. How then *do* we access them? How does our intellect grasp them?

There are several possibilities. Perhaps there's a transcendental argument for them: something is given, and something else is found to be the condition of its possibility (the first *Critique's* transcendental object is intellectually required given the fact of appearances; the second *Critique* free will is intellectually required given the fact of moral responsibility). Perhaps reason is warranted in another way in postulating them. God and the immortal soul are postulated because without them, in different ways, the system of morality contains unacceptable lacuna (see KpV, AA 05: 121–132). Perhaps they are objects that cannot appear as such, but whose characteristics can nonetheless be determined with precision once an alternate system of laws and concepts, a system that does not apply to appearances, has been articulated – the system of freedom is like this, and its laws and concepts describe and govern a set of noumenal objects.

Early in the *Metaphysik der Sitten*, Kant offers a list of “Vorbegriffe” (“preliminary concepts”: MS, AA 06: 221.05) common to both the *Rechts-* and *Tugendlehre*. These include the very general concepts of freedom and unconditional practical or moral laws (MS, AA 06: 221) as well as the following more specific concepts: duty, imperative, necessitation, permission, authorization, and prohibition (MS, AA 06: 222); permissive law, deed, author (of action), imputation, person, moral personality, right, and wrong (MS, AA 06: 223); transgression, mere fault, crime, external laws, and positive law (MS, AA 06: 224); maxim, legality, and morality (MS, AA 06: 225); legislator, judge, meritoriousness, desert, culpability, and reward (MS, AA 06: 227). The list also includes the concept ‘Sache’ (‘thing’) (MS, AA 06: 223.32). Kant explains: “Ein jedes Object der freien Willkür, welches selbst der Freiheit ermanglet, heißt daher Sache (*res corporalis*)” (MS, AA 06: 223.32–34).⁷ ‘Sache’ (‘thing’) here, as something without freedom, is a concept that belongs to the metaphysics of morals, not to nature. In any event, one can see how these ‘Vorbegriffe’ (‘preliminary concepts’) get employed to pick out things we'd count as objects.

7 “Any object of free choice which itself lacks freedom is therefore called a thing (*res corporalis*).”

Just as relevant concepts range from very general to very specific, the laws governing noumenal objects range from the most general supreme moral law (the founding law of the system), to the ‘metaphysical’ or mid-level a priori laws derivable from the supreme law, down to highly specified positive laws and articulated ethical obligations. ‘Act only on maxims that you can at the same time will as universal law,’ is the supreme law. “Handle äußerlich so, daß der freie Gebrauch deiner Willkür mit der Freiheit von jedermann nach einem allgemeinen Gesetze zusammen bestehen könne” (“so act externally that the free use of your choice can coexist with the freedom of everyone in accordance with a universal law”), is the a priori ‘metaphysical’ principle that grounds all juridical law (MS, AA 06: 231.10–12); ‘cultivate your own moral perfection and promote the happiness of others,’ grounds ethics (MS, AA 06: 391–94). ‘Care for your children until they are able to look after themselves,’ is a highly specified positive juridical law (MS, AA 06: 280); ‘refrain from stupefying oneself by excessive use of food and drink,’ is a highly specified ethical law (MS, AA 06: 427). All belong to the system of freedom.

Within this system, the natures of relevant objects are determined and their proper actions and interactions are described. The system as a whole is not a system of nature, not a system of spatio-temporal sensible appearances, subject to natural law, but a system of things known in themselves, constituted and grasped intellectually in virtue of the places they occupy within the system. The system, which assumes the operation of free will, is the system of freedom, and the objects in this system are noumena.

IV

If this analysis is correct, if noumenal objects are objects determined by concepts and governed by laws that belong to the system of freedom, then we find ourselves surrounded by more noumenal objects than we might have suspected. A tenant, a husband, a servant, a testator, money, a corporation, a household, a promise, a negotiation, a contract, a lease, a will, and a marriage are all noumenal objects. So are jobs, bosses, and employees. At the outset, I also named the Spring 2010 course schedule, my friend, my savings account, and my plans for the semester. None of these appears as such to my senses; all are what they are in virtue of their position with a system of laws of freedom.

Many of them, it is true, depend on particular systems of positive law: “ein Edelmann kann ja als ein solcher nur im Staate, nicht im Stande der Natur gedacht werden” (MS, AA 06: 370.08–10).⁸ A contract is not a contract for Kant unless a prescribed set of moves is made (offer, assent, promise, acceptance) (MS, AA 06: 272). The rules constituting and governing money, leases, wills, and marriages involve plenty of positive juridical law. But this makes them no less a part of a system of freedom for Kant; positive law belongs no more to nature than ethical demands to keep promises or respect elders do. (The idea of acquisition by contract requires, for Kant, a “transcendentale Deduction” (“transcendental deduction,” MS, AA 06: 272.30), since at its heart, as a ‘*rechtlches Verhältnis*’ (“rightful relation”), it is “*rein intellectuell*” (“purely intellectual,” MS, AA 06: 273.01), since the unification of two parties’ wills can only be accurately represented “*durch Weglassung der empirischen Bedingungen*” (“by omitting empirical conditions,” MS, AA 06: 273.08–09.)

V

Noumenal objects, then, are not hard to find, though they are found differently from phenomenal ones. We know, in an ordinary sense, the things described here perfectly well. We experience, them, in an ordinary sense, often. What then about the familiar claim that Kantian noumena cannot be known or experienced? Here, the trouble is that Kant’s technical concepts of knowledge (‘*Erkenntnis*’) and of experience (‘*Erfahrung*’) are still too easily taken in their more familiar, non-Kantian senses. No ‘*Erkenntnis*,’ or knowledge, of noumena? In fact, what we cannot have of noumena is theoretical cognition, where this just means that we cannot fit them into a theory or ‘world’ of spatio-temporal objects governed by physical laws. But no one ever thought that understanding someone as a husband meant understanding him in spatio-temporal terms, according to physical laws. Understanding someone as a husband means understanding him as occupying a particular position within a system of juridical (and probably also ethical) law. It means knowing what marriage is, and what rights and obligations accrue to the parties in it. No ‘*Erfahrung*,’ or experience, of noumena? Again, this should not surprise – to ‘experience’ something for Kant is to assimilate it to a systematically interconnected ‘world of sense experience.’ We don’t do this with noumena,

8 “[A] nobleman as such is conceivable only in a state, not in the state of nature.”

but then, there is no reason we should. That I grasp, and deal with, noumena all the time does not require, if we understand Kant's terms as I think we must, that I be able to 'know' or 'experience' them at all.⁹

A more pressing worry is this: many of the things I have named, the familiar everyday things, are surely described by empirical concepts and governed by empirical laws. Doesn't this conflict with my claim that they are noumenal objects? A husband, for example, is, at least under our current law, a man who entered into a particular sort of contract with a woman. But 'man' and 'woman' are empirical categories, for Kant. And doesn't the conventionality of marriage – the fact that it takes different forms in different times and places, and could indeed be done without altogether – indicate that 'marriage' itself is an empirical concept? It does, but an object's being described and governed by empirical laws and concepts is no objection to the object's being noumenal.

We need here to get clear about the deep interplay between empirical and a priori concepts and principles in constituting both the system of nature *and* the system of freedom. This interplay is familiar in the system of nature, whose phenomenal objects are jointly determined and governed by empirical and a priori concepts and principles. It is perhaps less familiar when we think about the system of freedom, which we tend to associate with the a priori. But just as phenomenal objects are not rendered noumenal by being partly determined by a priori concepts, so noumenal objects are not rendered phenomenal by being partly determined by empirical concepts.

It will help to notice that while Kant equates 'empirical object' with 'phenomenal object,' the term 'empirical' ranges over much more than objects: concepts and principles can also be either empirical or a priori (they can also be hybrids). If an object is empirical, it is accessible as such to the senses – it is a phenomenal object. If a concept or principle is empirical, however, it is not 'accessible to the senses' (concepts and

9 In addition, as I read them, Kant's first *Critique* warnings against thinking we can know anything positive about noumena should be read in particular as a rejection of the Leibnizian view (according to which intuition of noumena is possible), and in general as a caution against extending categories proper to the theoretical understanding – the faculty of sense-based cognition – to things we cannot sensibly perceive (see e.g. KrV, A 287–88/B 344.) They should not be taken as general condemnation of the thought that we can say or think anything articulate about noumena. Indeed, Kant's subsequent work – the *Kritik der praktischen Vernunft*, for instance – paints extended articulate portraits of important noumenal objects (like God, the immortal soul, and the free will).

principles are not like this), but rather, is something that owes its contents in significant part to empirical observation: it cannot be derived a priori. The concept 'deception' is empirical for Kant, because it relies on empirical information about human communication; so is the concept 'allegiance,' which relies on empirical information about human psychology and social behavior. But this does not mean that the objects these concepts describe – deceptions and allegiances – are accessible as such to the senses: indeed, neither is. Both, I would argue, are Kantian noumena.

Empirical and a priori concepts and principles are layered together in determining many objects, including noumenal ones. Property is noumenal, yet Kant tells us that coastline is only susceptible to being property as far as it can be defended – which he says means I may claim rights to the water that extends from my bit of coast only as far as a cannonball can reach (MS, AA 06: 269). This empirical constraint doesn't make my property, as such, phenomenal. Instead, it makes the specification or full determination of some noumenal objects dependent on empirical information. We are used to this in the case of the free will. When my will is determined by the categorical imperative, it is also, always, necessarily, determined in ways that employ empirical concepts. The categorical imperative demands that I return the dish, or make a phone call, or write a check, or visit a friend. But this doesn't make free will phenomenal any more than property lines marked by hedges make property phenomenal.

I have tried to cover a lot of ground here, and to indicate the considerations that lead me to think Kant's noumenal a much more healthily populated realm than is often supposed. Noumena are 'outside of nature,' in a strict Kantian sense – they are, as I said at the outset, 'supernatural.' If you are partial to the two-worlds view of noumena and phenomena, they also qualify as 'other-worldly.' Noumena are also, I'm suggesting here, quite ordinary, familiar, and determinate. Before concluding, I want to very briefly indicate the reasons I think this account is worth considering.

VI

Seeing the extent of the everyday noumenal may help save noumena from their reputation as extravagant metaphysical posits attractive only to fuzzy or superstitious minds. Saving them from this reputation may help push against the project, embraced by many more down-to-earth Kant scholars, of 'naturalizing' Kant – a project often motivated, I think, by a reflexive allegiance to natural scientific descriptions of the world. Kant, to his

credit, saw precisely that these descriptions cannot do justice to everything there is. His answer to this fact was the noumenal/phenomenal distinction.

An account of everyday noumena may also open new and fruitful avenues for thinking about noumena themselves, and about the relation between noumena and phenomena. Discussions of this relation are often focused on the noumenal will's causality, and are freighted with all the difficulties that attend long-standing debates about freedom and determinism. (I am thinking here of much of the 'two-world'/'two-aspect' debate.) My account – in keeping our attention on familiar noumenal objects, and in forcing us to get clearer about the joint contributions of the empirical and the a priori to systems of nature and freedom alike – may open productive new avenues for thinking about how objects move between or coexist across systems. At any rate, I think this effort is worth a try.

