COMMENTARY

Accepting the Exceptional?

Jochem Zwier[1]

Abstract

This commentary attempts to contribute to a further elucidation of Dominic Smith's call for a rehabilitation of the transcendental in philosophy of technology. On the one hand, it focuses on *why* such a rehabilitation is deemed necessary, particularly in light of Smith's diagnosis of a contemporary tendency towards *reification* and *presentism*. Postphenomenology is discussed as a challenge and invitation to further clarify the stakes. On the other hand, this commentary inquires into *how* Smith envisages the achievement of a rehabilitation of the transcendental. Further attention is given to Smith's idea of a *renewed sense of the transcendental.* Following his own cues and situating this renewal in the philosophical tradition, the question whether the involved philosophical praxis should be primarily understood as *political* is brought to the fore. In so doing, Smith's reading and extension of Luciano Floridi's attempts to move *beyond* Kant receive special attention, since the transcendental is here understood in terms of *conditions of feasibility*. The challenge put to Smith is to contrast this approach with social-constructivist approaches on the one hand, and Stiegler's thought regarding technics and the transcendental on the other. Finally, Smith's commitment to *taking exception* is analyzed to ask how and which *logic* is at play there.

Keywords Transcendental · Reification · Conditions of feasibility · Taking exception

Let me begin by applauding what I take to be the overall ambition that Smith develops in his "Taking Exception" paper, namely a rehabilitation of a renewed sense of the transcendental in philosophy of technology after the empirical turn. All in all, Smith adds a welcome and interesting perspective to the recent increase of voices that critically assess, navigate, and occasionally transgress the limits of a still dominant empirical focus on artifacts.

Now, in the spirit of Smith's own account of "taking exception" as a "critical gesture" (Smith, this issue) and by accordingly starting from the assumption that Smith's philosophical work is best appreciated and served by way of a dialogue that is hospitable yet critical, rigorous yet unpedantic, I think it is worth pursuing and developing two general questions:

✉ Jochem Zwier
j.g.zwier@utwente.nl

[1] Dept of Philosophy – Faculty of BMS, University of Twente, Ravelijn, RA 4111, The Netherlands

first, what exactly necessitates the aforementioned *rehabilitation* of the transcendental? Secondly, what does Smith's *renewal* of transcendental philosophy imply and entail?

As to the first, although somewhat scattered throughout the paper, Smith offers several answers. In what follows, I will go over these answers point by point with the twofold goal of further clarifying their meaning and consequences as well as to raise some critical questions.

So why should a sense of the transcendental be rehabilitated? The first, general line of response follows a more-or-less familiar story: empirical turners ostracize the transcendental because it is an outmoded concept, belonging to the bygone era of classical philosophy of technology. The latter, so it is often argued, reifies technology in an all too abstract and rigid manner, speaks of *the* essence of technology, as *the* structuring of our epoch, as *the* inescapable and overarching behemoth etc., but in so doing fails to pay attention to the irreducible dynamics of particular technologies in specific contexts of design, production, and use. Here we find a first answer to the above question, as Smith critically signals that although an empirical focus on the micro-dynamics of concrete artifacts has clear merits, the associated rejection of the classical approach that reifies technology itself runs the risk of reifying '*the* transcendental' (cf. Smith, this issue).

One might then ask why the mentioned risks involved in reifying the transcendental are to be avoided. Is it primarily because a reification of the transcendental oversimplifies and fails to do justice to what so-called classical philosophers were doing, thus indicating inadequate scholarship and failure to appreciate the potentially significant insights that classical thinkers offer in their various works? Smith does appear to steer his critique in this direction (Smith, this issue), but also raises a more fundamental, methodological point. He objects that reifying the transcendental as *the* outmoded philosophical theme of classical philosophy of technology and to instead focus on concrete technologies "tends towards positivism and presentism" (Ibid.), which unwarrantedly assumes that "our sense of what constitutes a technology should just be obvious" (Ibid). Now, following up on this later argument, I think that three additional questions have to be raised.

First of all, what do positivism and presentism mean here, and, put rather bluntly, what exactly is wrong with them? Perhaps Smith elaborates on these terms in the book on which this paper builds (cf. Smith 2018), but a further discussion of these terms would be welcome here as well. Limiting the discussion to presentism for the moment, one can imagine that presentism means that we simply take technologies for what they are, as unnoticeably present in the way in which we go about our ways. This would imply that we never 'take exception' to technology in the specific sense that Smith introduces, which is to say as a "critical attentiveness towards a direct object or process" (Smith, this issue). If this is what Smith means by presentism, one is left wondering which philosophers, lines of inquiry, or works his critique targets. On his own account, the motive of 'taking exception' has always been central to the praxis of philosophy, since instead of simply taking things (in the broadest possible sense: natural things, technological things, issues, words, questions, etc.) as plainly given, philosophy concerns itself with "*how* a question or issue.. is 'given'" (Ibid.; my emphasis). Questioning this 'how' easily translates into the transcendental question about what ultimately makes a given thing or issue possible. As Smith rightly points out, this is a "common theme in the history of philosophy" (Ibid.), a history filled to the brim with answers to this question, including the pre-Socratic *archè*, Plato's idea, Aristotle's *ousia*, Aquinas' God, Descartes' subject, Foucault's discursive order, etc. But if presentism avoids such 'taking exception,' does Smith's aim to argue that a 'presentist' empirical philosophy of technology risks abandoning technology qua philosophical theme altogether? And again, where does he see this risk looming in particular?

Secondly, perhaps presentism and positivism indicate a specific philosophical perspective on technology. What comes to mind are (post)phenomenological orientations that are particularly concerned with how technologies are present in experiential correlations, for instance in terms of how they shape or mediate the way in which we experience and inhabit the world, which is then expressed in the various kinds of human-world relations developed by, among others, Ihde (2009) and Verbeek (2005). Following this reading of presentism, the question emerges whether and which (post)phenomenological orientations are bound to reify and neglect transcendental considerations. Even though Verbeek is deeply critical of what he calls "transcendentalist" philosophical accounts of technology (2005: 7), isn't the point of his critique that we should not *reduce* our questioning of technology to their conditions of possibility (like Jaspers and Heidegger *allegedly*[1] do)? This is not quite the same as stating that such conditions are irrelevant when it comes to asking 'what things do.' Or, put the other way around, wouldn't a postphenomenological scholar argue that transcendental questions *are* in fact developed, but in a deliberately limited way, for instance by focusing on how technologies make a particular experience of the world possible, how technologies make particular scientific objects possible, etc. (cf. De Boer 2019).

Thirdly, in what sense does a philosophy of technology that "[blocks] the conditions that constitute technologies … fall back on preconceptions" (Smith, this issue) related to an "obvious" (Ibid.) conception of what constitutes a technology, and what is overlooked in such blocking and falling back? Smith rightly argues that a sense for the transcendental allows for "critical reflection on the conditions that constitute our sense of 'technology' in fine-grained ways across different situations" (Ibid.). It is questionable, however, whether and how empirical turners are blocked from such reflections. Sticking to the aforementioned case, wouldn't postphenomenologists argue that they *do* in fact theorize what constitutes a technology, namely the use-context? With reference to Ihde's famous example, isn't it precisely a 'fine-grained analysis' that elucidates how use-contexts stabilize the intrinsic multistability of technologies, where a can of fish can be constituted as foodstuff (in the context of having dinner) or as ornamental headgear (in a context of beautification) (cf. Ihde 2009: 125)? To sum up, my question to Smith would be which transcendental motives are blocked in such accounts, and whether such a blockade exists de facto or *de jure*.

It may help to examine all this via a case study. In a rather interesting and convincing way, Smith concretely develops his rehabilitation of the transcendental in a critical examination of the trolley problem. Via the work of Bogost (2018), he 'takes exception' to how the trolley problem itself appears to have become a technology for 'doing ethics', an all too 'obvious' technology in Smith's abovementioned sense. Smith then shows how this problem is customarily used to tear out ethical dilemmas related to technologies such as self-driving cars, but has always already and unwittingly presupposed a plethora of "logical, epistemological, and ontological issues" (Smith, this issue) in the way it frames the issue. A transcendental analysis (here meant in Smith's *renewed* sense to which we will return shortly) not only lays bare such presuppositions, but also ultimately unmasks them as "matters of political contingency, not logical necessity" (Ibid.). As said, to my mind, Smith's critical diagnosis is interesting, timely, and convincing. At the same time, put in terms of the three questions formulated above, the question remains why and how transcendental-forgetful empirical approaches in philosophy and ethics of technology are unable to perform such 'critical exception taking.'

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[1] The justification of such allegations remains contested (cf. Zwier et al. 2016; Smith 2015), but this is beside the point here.

Another, related transcendental question is whether it is sufficient to 'take exception' to matters like the trolley problem to unmask its political contingencies, or whether one should also ask about the conditions that allow for re-framing the problem in terms of political deliberation and praxis. For Smith, 'taking exception' is philosophical gesture "par excellence" (Smith, this issue), but although it indeed figures as a "relatively common theme in the history of philosophy" (Ibid.), the philosophical tradition has not always understood this critical gesture in political terms. In rehabilitating a sense of the transcendental, would one not also need to account for the contemporary (or at least Smith's own) tendency to interpret this sense in terms of political praxis, as opposed to, say, Cartesian clear and distinct ideas? Put differently, would a transcendental analysis of *our* ways of taking exception be relevant, and if so, how would Smith propose such an analysis is to be carried out?

So much for the question what necessitates the rehabilitation of the transcendental. Let me now turn to the way in which Smith proposes a *renewed* sense of the transcendental. For him, transcendental philosophy has less to do with tracing the conditions that make a given object possible back to some ultimate reified foundation (e.g. a Kantian ego equipped with a universal and necessary a priori machinery that forms and categorizes phenomena), but concerns a *process* or *gesture* of exception-taking that does not necessarily come to a halt at a transcendental thing or *res* (Smith, this issue). In emphasizing the transcendental *process* over the transcendental *thing*, Smith further extends Floridi's proposition to be "more Kantian than Kant" (Floridi 2019: 191), which is to say to move beyond Kant's transcendental logic concerning the conditions of *possibility*, through Hegel's dialectical logic concerning *(in)stability*, towards a transcendental logic of *feasibility* (Smith, this issue).

First, for the purpose of clarification, I think it is worth asking about the meaning of feasibility here. What exactly is the difference between possibility and feasibility? Etymologically speaking, feasible comes from the old-French *faisible*, which in turn comes from the Latin *facere*, i.e. 'to make, do, or perform.' Floridi's point then seems to be (but I invite Smith to correct me if I'm wrong here) that this dimension of 'facere' can be understood as "constructed, engineered, in a word: *designed*" (Floridi 2019: 198). Now, were we to indeed attempt to be more Kantian than Kant, does this mean that Kant's a priori conditions of possibility can and must themselves be traced back to their 'conditions of feasability'? If so, how would this compare to more sociologically oriented constructivist approaches, given how Floridi's notion of "ab-anteriori" or "weak a priori" (2019: 172, 193; cf. Smith, this issue) appears rather similar to the 'socially constructed and historically contingent a priori' that one often finds in Foucault-inspired constuctivist accounts? Secondly, how does it compare to the way in which Stiegler lays bare the *technical* or techno-logical origins of the Kantian schema in *Technics and Time 3* (Stiegler 2010: 35-78)?

A second set of questions pertain to the *future-orientation* of Floridi's conditions of feasibility, the associated "logic of design" (Smith, this issue), and Smith's further extension of this logic. As to the latter, Smith argues that Floridi remains too limited in the way he thinks through game-rule-mastery metaphors (Ibid.). Notwithstanding Floridi's emphasis on variables associated with design (e.g. talent, imagination, and good fortune), his conceptualization of design prioritizes a rule-governed dimension of "independent epistemic praxis" (Floridi 2019: 193), which underappreciates how empirical experiment could itself be a condition of feasibility for the revision or coming into being of rules or even games as such.[2] This critique aligns well with Smith's "fine grained analysis" (Smith, this issue),

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[2] Following up on the previous question concerning the difference between Floridi's notion of *feasibility* and associated *revisable* a priori on the one hand and constructivist approaches on the other, it would perhaps be worth investigating whether and how Floridi's account (given its at least seemingly *individual* ori-

where the analysandum now explicitly concerns "imagined, failed, and impossible," in short, "exceptional technologies" (Ibid.). For Smith, such exceptional technologies can in fact inform (no longer *in*dependent, pace Floridi) epistemological praxis by uprooting accustomed pictures of what a well-designed technology is (Ibid.).

While Smith clearly formulates a considerable challenge to Floridi here, a number of related questions ensue. First of all, harking back to the discussion of Kant, in what sense are *conditions* involved here? Is praxis here perceived as a condition for (future) technology, or is experimentation with (exceptional) technology conceived as a condition for (future) praxis? Or has such a distinction perhaps become meaningless? Secondly, would it not also be necessary to inquire into the conditions for experimentation qua epistemic practice as such? Perhaps technology or technics would be significant here (for instance in the way in which Stiegler theorizes technics as condition of possibility for the way in which we experience and experiment with the world in *Technics and Time 1*, cf. Stiegler 1998). Finally, given the trajectory from transcendental logic of possibility towards a logic of feasibility, what kind of *logic* is implicated here? With regards to exceptional technology and experimentations with 'failed technologies' for instance (cf. Smith, this issue), must one think of an experimental logic of malfunction here? If so, wouldn't such a logic remain parasitic on a logic of functioning, meaning that Floridi is perhaps justified in prioritizing a logic of feasibility as the subject matter of philosophy as independent epistemic praxis? Perhaps the matter has to be put the other way around, where instead of a logic of exceptional technology, exceptions appear precisely as exceptions to a *rule*, implying that rather than itself denoting a transcendental logic of feasibility, exceptional technology in various ways indicates a limit to techno-logy.

I invite Smith to respond to some of these hopefully interesting and challenging interrogations, perhaps by way of answers, or perhaps by pointing out how I have misread his meaning or failed to understand his arguments. As noted, I wholeheartedly agree with Smith's proposition that 'taking exception' is part and parcel of philosophical praxis tout court. The way I see it, a philosophical dialogue must then accordingly examine whether and how we must accept Smith's ways of taking exception. It is in this spirit that I offer this commentary.

Footnote 2 (continued)

entation in terms of the metaphor of (chess) mastery and "independent epistemic praxis") can accommodate the *co*l-laborative and *co*-constructed character of technological design, which has been a main topic in constructivist literature.

References

Bogost, I. (2018). Enough with the trolley problem. *The Atlantic*. https://www.theatlantic.com/technology/archive/2018/03/got-99-problems-but-a-trolley-aint-one/556805/. Retrieved 10 Jan 2020.

De Boer, B. (2019). *How scientific instruments speak: A hermeneutics of technological mediations in (neuro-)scientific practice.* Dissertation.

Floridi, L. (2019). *The logic of information: A theory of philosophy as conceptual design*. Oxford: Oxford University Press.

Ihde, D. (2009). *Postphenomenology and technoscience: The Peking University lectures*. Albany: SUNY Press.

Smith, D. (2015). Rewriting the constitution: A critique of 'postphenomenology.' *Philosophy & Technology, 28*(4), 553–551.

Smith, D. (2018). *Exceptional technologies: A continental philosophy of technology*. London: Bloomsbury.

Stiegler, B. (1998). *Technics and time, 1: The fault of Epimetheus*. Palo Alto: Stanford University Press.

Stiegler, B. (2010). *Technics and time, 3: Cinematic time and the question of malaise*. Palo Alto: Stanford University Press.

Verbeek, P.-P. (2005). *What things do: Philosophical reflections on technology, agency, and design* (trans: Crease, R. P.). Pennsylvania: Penn State University Press.

Zwier, J., Blok, V., & Lemmens, P. (2016). Phenomenology and the empirical turn: A phenomenological analysis of postphenomenology. *Philosophy & Technology, 29*(4), 331–333.

Jochem Zwier is an assistant professor at the Department of Philosophy at the University of Twente. After studying electrical engineering and philosophy of technology, he obtained a PhD in philosophy from the Radboud University Nijmegen. His work mainly focuses on the intersection of philosophy of technology and ecological thought, particularly in light of the Anthropocene. His research is oriented towards phenomenology, postphenomenology, hermeneutics, critical theory, and object-oriented philosophy. He is currently working on elucidating the role and status of both science and technology in conceptualizations of the Anthropocene, with particular attention to the constitution of the technological world, the Earth, and the Anthropos.