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Seeing what there is to see.

I shall not speak about legal reasoning¹. Legal reasoning, I take it, is reasoning with legal concepts and within a legal tradition, and I am not familiar with either our legal concepts or our legal tradition.

I shall, instead, make some elementary points about the *observation* and *description* of human activities.

The drift of what I shall be saying is that we are poor observers of whatever activities we are not ourselves familiar with as agents. This has to do with the way our activities in the world shape our concepts of the world and with the way our concepts of the world shape our perception of it.

Where we are poor observers, we are also poor agents. What we are then strangers to, or else at home in, I shall construe as a *conceptual space*, or an *activity space*.

Agent and observer.

Let me first present two characters, *the agent in action* and *the observer* of the agent in action.

The character that I call "the observer" is not himself engaged in the activity he observes. That, and that only, is what makes him *an observer* of that activity, whether he is just observing or also engaged in some other activity (which permits his eyes to stray while his hands are working).

But there is this connection between the observer of an agent in action and that same agent, that if the observer is not able to take the place of the agent, then that observer is not a skilled observer of that agent in action. The skilled observer of a fisherman at work is another fisherman. The skilled observer of a surgeon at work is another surgeon. Etc. And these statements should be viewed as conceptual truths, if you agree that we do not master the various concepts of a fisherman's skills, unless we recognize them when we see them (if, for example, we are not able to assess the quality of his manoeuvring the boat while hauling the net. Which we are not, if we are not also able to assess the different hazards that attach to hauling, e.g. with different angles of the boat to the net.) And if you agree that we learn to recognize such skills by practicing the same art ourselves.

The concept of agent perception.

There is a lot that a chess player may observe during a game of chess. But when I speak about *agent perception*, or *agent observation*, I speak only of *those observations that guide the agent's operations*.

There is a sense of the word "observe" where it means *let oneself be guided by*, or *abide by*,

¹ Much of the material of this article has been drawn from a paper that I presented at the von Wright symposium in Åbo, Finland, in May 1986. The papers from that symposium have all been printed in Perspectives on Human Conduct, edited by Lars Herzberg and Juhani Pietarinen, and published by E.J.Brill, 1988.

For a richer and more descriptive presentation of the same points, with examples drawn from coastal fishing and reindeer herding, see my article The Two Landscapes of Northern Norway, *Inquiry*, no.2 1988.

and that sense should be brought into the sense of "seeing" or "hearing", when it is what the agent is seeing or hearing that we talk about.

Some of the agent's observations I read off from what the agent is saying or doing. When white moves one of her pawns in between her own Queen and Black's Bishop, Black reads off from that move that White has observed that her Queen was being threatened by his own Bishop. And so do I, observing the two of them.

But if Black knows that White is a more practised player than he is, he also knows that the moves White makes may well be guided by observations that go beyond his own, and that he therefore may not be able to read off her observations from her moves. (With chess, it is the skill of the eyes, rather than the skill of the hand, that improves with practice.)

Seeing what there is to see.

If White is a lot more practiced than Black, then White can take it that she will be able to read off from Black's moves which observations guided them - and which did not (and which of her own observations Black did not make). That is, White can take it that she is in a position *to see what there is to see* in the moves Black makes.

From the perspective of logical empiricism, or from that of its successors, it makes no sense to speak of seeing *what there is to see*, in an object, in a move, within some activity, etc. - not if *what there is to see* is thought of as something definite, or well-defined. For any object, move, etc., there is an indefinite number of descriptions of it. There is no such thing as a complete description of it, and each true description of it is as good as any other true description of it. There is nothing in the object to make one description of it more essential to it than any other. Etc. Think, for example, of all the measurements that may be taken between any two points on a piece of rock, on a pawn, etc.

But note that we are now talking about the pawn, say, not as that piece within the game of chess, but as a material object simpliciter, differing from other material objects, such as this chess board or that rock, only through its shape and material. If we take the pawn for what it is, i.e. a pawn, it is of exactly one of two colours, it is either black or white, say. And so, if this pawn is white, and we say so, then we have given a complete description of its colour. Whatever else we may say, with truth, about its colour, is idle. It does not attach to the pawn. Likewise, if the pawn is now on the board, on square e4, and we say so, then we have given a complete description of its absolute position on the board, at this stage of the game. If we take e4, not as that one place within the net of 64 places on the chess board, but as that bounded region of the surface of the board object, then we can go on to describe its, that is the pawn object's, position within e4. But within the game of chess, all such additions are idle. They do not attach. Etc.

The concept of *what there is to see*, when what is observed is some agent in action, goes together with a concept of the action being *well-defined*, e.g. such that it can be construed as the carrying out of a well-defined instruction that the agent has given himself. Such well-defined instructions can only exist within a conceptual space, or within an activity space, that is itself well-ordered. Well-ordered activity spaces exist, e.g. in some workshops. There, "What did the agent understand himself to be doing?", asked of a skilled craftsman, is a less apt question than "What did he do?". Whether trivial or dramatic, it is such actions that make up the prose of life. And we should study grammar of prose before we embark upon the grammar of poetry.

Here is an example of seeing what there is to see. Let us say that this is what Black does: he moves his Bishop so as to threaten White's Queen, taking it that White will then move her nearest pawn in between, to protect her Queen, and so vacating a square where Black can then place his Knight. This is the short project of which moving his Bishop to threaten White's Queen is the first step. Now, if White, asked to describe Black's move, describes it as the first step in the two-step project we have just described, then White sees what there is to see in the move Black makes.

Not seeing what there is to see.

There are two ways of not seeing what there is to see. One is where you locate the action to its proper activity space, but you are not experienced enough, or not (as yet) conceptually equipped, to catch its richness. You don't see enough of it. The other, more dramatic, is where you allocate it to the wrong activity space. You are blind to it.

Let White be a lot less experienced than Black. White may then be too shortsighted to see this one move as the first in a two-move project. She observes that her Queen is now being threatened and that's all. She does not see what there is to see in Black's move. If the very point of that move was to get his Knight into a better position, then that move was essentially the first move in a sequence of two.

In this sense of not seeing what there is to see, we are most of us poor observers of each other's doings - outside our own workshops.

Now let the observer of the game between White and Black be ignorant about chess, even to the existence of the game. But let him also be an experienced fisherman and navigator. He knows his whereabouts, and he observes that the board is oriented roughly 45° along the 1 to 8 line, so that when a piece is moved parallel to that line and in the direction from 1 to 8, the direction of its movement is 45° . When it is moved along a perpendicular to that line, in the direction from A to H, the direction of its movement is 135° . Etc. He notes that the man moves the black pieces and the woman the white ones. A black piece is now being moved steadily 90° . It travels roughly 20 centimetres. A smaller white piece (the pieces should really be numbered as fishing boats are) is then moved 45° , roughly 5 centimetres. Etc. He also takes down the direction and distance that a piece travels when it is moved off the board.

This observer does not report on a game of chess. If the form of his reports matches the form of his observations, then he does not see what the players are doing. He is blind to it.

It is not that he makes any false statements. But, as a report about what the two players are doing, his truths are about the wrong objects, the wrong places and the wrong movements. When Black moves his Bishop to threaten White's Queen, that move is not informed either by direction in terms of degrees or by distance in terms of centimetres. The concepts of navigation have no existence within the game of chess.

What is wrong about this observer's reports, is that they construct the wrong space for these objects to travel in. The sequence of moves comes out as just that, a chronologically ordered sequence of otherwise disconnected moves. There is a true report on each move, but between no two such reports can we intelligibly insert a "therefore", "so wisely", etc. To make room for such connections, we must give these pieces their proper space to move in.

Activity spaces.

When the fisherman has learnt to play chess, he has also learnt to observe the moves that his opponent makes, and the situations that those moves create. And only then can he take on the position of a non-playing observer and count on seeing what there is to see, or some ordered slice of it.

The game of chess has come alive as a drama, where the pieces have taken on the character of agents, each with a well-defined set of basic actions. The space of chess is a fictional space, where the fiction is that of a feudal battle, where you win if you capture your antagonist's King. The concepts of navigation do not attach to this fiction. What is wrong about reporting that Black moves his Rook straight North-East, is not the misrepresentation of what Black is now doing that stems from Black's *not knowing* that he moves the Rook straight North-East. If it is the fisherman that plays Black, he may well know. What is wrong is that the concept of the direction North-East has no existence in chess. There is no place for it within that conceptual space.

We may speak of chess as a conceptual space, or as an activity space. Within that space the pieces take on the character of agent, the moves take on the character of actions, and the squares take on the character of positions (from where to act).

The objects that belong to an activity space are defined by the activities constituting that space. The Queen is defined by what she can do in the battle, and her colour tells us whose Queen she is. But she is not made of oak, as distinct from pinewood or copper. She is not 10 centimetres tall, or 11 or 12, not within that space. There is no action defined for her in terms of such measurements.

Within chess, there is no description of a situation, and no perception of a situation, that is not in terms of the chess-action it asks for, or invites, or warns against, or in terms of the chess-actions it opens up for or rules out.

White's Queen is *being threatened* by Black's Bishop. That is a perception of a situation in chess, or a description of it. And that *situation invites* White to *protect* her Queen. Black's Bishop is 18 centimetres away from White's Queen, as measured from top center to top center. Even if that description is true, it does not invite any chess action. But then that description, or that perception, has no existence within chess.

And that ends the chess example. The point of that exercise is to sketch a model activity space.

I shall conclude by making the same points about a different example.

The Kitchen

The order there is to the objects in the kitchen, the pans and the cauldrons, the plates and the glasses, the utensils, the chairs and the table and the work bench, etc., exists as that order only as viewed from within the activities of that kitchen. Imagine those activities of that kitchen. Imagine those activities removed, and there is no particular order to it - since there is then no particular point to any of its objects. The glasses in the cupboard are not placed there upside-down, because a glass no longer has any particular orientation. The frying pan has preserved its geometrical shape, but lost its handle. The chairs have preserved their shapes, but lost their backs their seats and their legs. The stool at the workbench is no more connected to the bench than to any cup in the cupboard, and it is of no particular orientation. Etc.

My guess is that most of the males in this room, do not see much of what there is to see in a kitchen. My guess is also that most of us have no experience of not seeing what there is to see there.

Not seeing and not knowing that we are not seeing (what there is to see) is a kind of non-existence. If I am blind to chess or mathematics, chess and mathematics do not exist in my world. And so I do not exist in that world where chess and mathematics exist. (It is a terrible thought, and more so for more humdrum examples.)