

## *Kant on the Nature of Logical Laws*

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In logic, however, one must think as if one has no will at all, [otherwise] from this it would become a practical science; we have therefore the science of thinking, and not of willing.

—Kant, *Vienna Logic* (24:903)<sup>1</sup>

We cannot think anything unlogical, for otherwise we would have to think unlogically . . . That logic is *a priori* consists in the fact that nothing unlogical *can* be thought.

—Wittgenstein, *Tractatus Logico-Philosophicus*, §3.03, §5.4731

### I.

By most of his readers, Kant is taken to hold that the laws of formal (or what he calls “pure general”) logic stand in a very specific sort of relationship to that which is governed by these laws—i.e., our capacity for thinking and reasoning, or what Kant calls our capacity for “understanding as such [Verstand überhaupt].” Béatrice Longuenesse provides an especially clear expression of how this relation is most commonly understood in her recent essay “Kant on *a priori* Concepts.”<sup>2</sup> There Longuenesse writes that, like the seventeenth-century Port-Royal *Logique* of Antoine Arnauld and Pierre Nicole, Kant’s logic “is not just preoccupied with the way we happen to think, but establishes the norms for thinking *well*” (137). In fact, according to Longuenesse, Kant “is more explicit than they are about the *normative* character

of logic: logic, he [i.e., Kant] says, does not concern the way we think but the way we *ought* to think” (ibid.; my ital.).

In alluding to what “Kant says,” Longuenesse is making reference to an oft-quoted passage from the text entitled *Immanuel Kant’s Logic: A Handbook for Lectures*, a work prepared by Benjamin Jäsche (at Kant’s behest), and published in 1800, at the end of Kant’s life.<sup>3</sup> The passage (from the Introduction, §I) reads as follows:

In logic . . . the question is not about . . . how we do think [denken], but how we *ought* to think [denken sollen] . . . In logic we do not want to know how the understanding is and does think and how it has previously proceeded [verfahren ist] in thought, but rather how it *ought* to proceed [verfahren sollte] in thought. (9:14; my ital.)

And indeed, the presence of the language of “ought” in this passage clearly does seem to indicate that Kant views the relationship which obtains between logical laws and our capacity for understanding along the lines suggested by Longuenesse’s reading. That is, the passage strongly suggests that this relation is, as Longuenesse puts it, a *normative* relation. In fact, the passage seems to provide such a straightforward answer to the question of the relation between the laws of logic and their subject matter (thinking), that it is perhaps unsurprising that most contemporary interpreters of Kant are happy to simply repeat or paraphrase the passage with little further comment and move on to other issues.<sup>4</sup>

Let us use the label “normative interpretation” to pick out those interpretations that ascribe to Kant a position in which he takes the logical laws to be *imperatives* for thinking—i.e., laws that tell us how we *ought* to think, or tell us how to think *well*. It is safe to say that the normative interpretation is by far the most common interpretation currently on offer. The reasons for this prevalence no doubt extend beyond the presence of the above statement in Jäsche’s text, as the type of position being ascribed to Kant by this standard interpretation is one which has itself enjoyed long-standing appeal. Longuenesse herself refers to the *Logique* of Port-Royal, and throughout the nineteenth century up till the present, it has been quite common for logic textbooks to propound precisely the sort of position these readers wish to ascribe to Kant—namely, one in which logic is taken to provide norms for reasoning, in the sense that its principles (like those of ethics and even of aesthetics, in the eyes of some) are adequately expressed in the language of “oughts.”<sup>5</sup> This fact in turn might give a further motivation for the normative interpretation, insofar as Kant’s readers might be predisposed to attribute what they take to be philosophically “sensible” views to a thinker whom they admire.

Even so, as I will show in what follows, there is reason for thinking that things are not as simple as this standard reading would have it. For there are actually quite strong reasons for thinking that most versions of this standard normative interpretation will end up being forced to ascribe beliefs to Kant that would be in *direct conflict* with other key Kantian commitments. In fact, I will contend that thorough and systematic reflection—upon both the presuppositions that the normative interpre-

tation would require, and the consequences that such an interpretation would have for our understanding of other aspects of Kant's philosophy—will show that it is actually far from clear that there is any room within Kant's conception of logic for the sort of "ought" that the normative interpretation wants to find in Kant's characterization of logical laws.

I will develop this criticism of the standard interpretation in the following manner. First, I will further specify (in Part II) what is involved in those readings of Kant which I would qualify as putting forward what I am here calling "the normative interpretation," by laying out several general conditions that, according to these readings, must be met for something to count as a "norm" or to be "normative" in the relevant sense. This will enable us to gain a more determinate grasp on what most interpreters appear to have in mind when they use these terms to characterize Kant's own position.<sup>6</sup> I then explore the extent to which Kant's *practical* philosophy provides us with an example of a discipline whose laws satisfy these conditions for being normative (in the sense defined in Part II), most straightforwardly in that Kant takes the laws of morality to function as the fundamental imperatives that are to guide all human volitional activity.

Yet as I go on to argue (in Part III), even in the practical sphere it is far from evident that Kant takes practical laws to be normative *in themselves*. Rather, I argue that Kant appears to hold that such laws function as norms only *in relation to* beings that are not purely rational. That is, moral laws become norms when they are "applied" to beings whose capacities for reasoning are conjoined with other, possibly obstructive forces—such as, in humans, the capacity for "inclination [Neigung], or sensible impulse [sinnliche Antrieb]," as Kant names them in his 1797–98 *Metaphysics of Morals* (6:213; hereafter *MM*). It is only due to the *interaction* within the human mind, between reason and sensible impulses, that we experience ourselves as having the power of "free choice [Willkür]," i.e., the capacity to act both in and out of accord with the moral law (*MM* 6:226), and so experience the moral law as a *norm*.<sup>7</sup>

By this point, then, we will have been given substantial grounds for thinking that, in the case of beings that possess only the capacity for practical reasoning, Kant would *not* take the moral law to be normative (in the sense defined in Part II),<sup>8</sup> but rather would view it as *constitutive* of its essence [Wesen]. I argue that this is implied by Kant's claim in his 1785 *Groundwork for the Metaphysics of Morals* (*GMM*), that to arrive at these laws, we are "to derive them from the concept of a rational being in general [aus dem allgemeinen Begriffe eines vernünftigen Wesens überhaupt abzuleiten]" (4:412).

After saying a bit more about what is meant by "constitutive" in this context, and emphasizing that the relevant meanings of "constitutive" and "normative" show them to be mutually incompatible terms—an opposition in meaning which Kant himself notes—I argue (in Parts IV–VII) that, if there is any analogy to be drawn between logical laws and practical laws, it would have to be drawn at this constitutive level.<sup>9</sup> For logical laws, too, can only be "derived" from a concept of a similarly

“purely rational” sort of being—namely, from the concept of an “understanding in general,” considered *in isolation from every other faculty or “force.”* As I show in these sections (cf., Part VII), this stems from Kant’s partial acceptance of a *Leibnizian* account of the radical independence of “understanding” and its laws, within the mind. Most important for my purposes here, we will see that Kant shares Leibniz’s commitment to a picture in which logic considers our capacity for understanding in isolation from the *will*.

I argue, furthermore, that Kant also follows Leibniz insofar as neither’s use of the language of “spontaneity” to describe the activity of understanding is meant to introduce any element of “free choice [Willkür]” on the part of the understanding to follow the laws which govern thought as such. I do not, however, close off the possibility that there could be some such “Willkür”-like correlate present in a sphere in which thinking operates in conjunction with an additional (e.g., sensible) faculty. In particular (as I note in Parts V–VI), there are passages which suggest that Kant does appear to leave open the possibility of this sort of “freedom” with regard to acts of “holding-true [Fürwahrhalten].” Yet even if this is so, I show that it in no way implies that Kant takes us to have the “freedom” which would be necessary for the logical laws to function as norms—that is, the freedom to think but to do so *illogically* (Part VI). This last point entails that, unlike in the moral dimensions of human activity (in which we ought to exercise our “free choice” in accordance with the imperatives of practical reason), there is no relevant capacity (or composite of capacities) in view within formal logic for which formal-logical laws as such could then be normative.<sup>10</sup>

I show in Part VI that the constitutive interpretation alone makes sense of Kant’s persistent claims that *no* thinking would “take place” if logical laws are not followed. That is, even if (as I explain in Part VIII) Kant surely thinks that we are free to make what might be called “second-order” mistakes (such as incorrectly thinking or misjudging, or succumbing to the *illusion* that, in a given case, thinking or inferring has occurred, or mistaking certain putative laws for truly “logical” ones), I will contend that, for Kant, we are simply incapable of engaging in “first-order” thinking that fails to be logically structured. This too is in direct contrast with the “freedom” we have to act “immorally.”<sup>11</sup> Hence, on my reading, if we are somehow able to perform an action (or “be” in a mental state) that is not in accord with logical law, Kant will say in such instances that we have simply *failed* to think (judge, infer).

At this point, the main challenge that my alternative, “constitutive” interpretation will face will be to find a way to re-incorporate the language contained in the well-known passage from Jäsche’s *Logic* that I cited earlier as strongly suggestive of the normative interpretation. For, we might wonder, how can the constitutive interpretation be made to accommodate this clear insertion of an “ought” into Kant’s description of the results of logical inquiry? I conclude the essay (Parts IX–X) by canvassing several options that appear to remain open for the constitutive reading, and propose that the option that provides the maximal amount of interpretive consistency is one that ascribes to Kant a position in which logic becomes normative

for our mental life *only* when viewed in reference to the fact that thinking and reasoning serve as necessary conditions (“means”) for the fulfillment of the “ends” of humanity—i.e., for the realization of human “interests,” such as the acquisition of scientific truth and the actualization of a moral community. In effect, I conclude that, for Kant, normativity is at best an externally conferred, rather than essentially inherent, property of logical law.

## II.

What, then, do most contemporary interpreters seem to have in mind when they say that a law is “normative”? It seems that the relevant sense can be captured by the following three conditions:

- (1) The “subjects” of the law—those beings which are governed by, or subjected to, the law—must both be able to succeed *and be able to fail* to act (or be) in accordance with the law.<sup>12</sup>
- (2) The *subjects* of a norm *must retain their identity* as beings that are subjected to this specific sort of law regardless of their (actual) accord with it. This latter condition is important, as it implies that evaluative ascriptions in light of norms (e.g., *x* as “in” or “out of accord”) institute a division *within* some otherwise well-defined class.
- (3) The *laws must retain their validity* or bindingness over their subjects regardless of the (lack of) *actual* adherence to the norms by their subjects—though, to be sure, there must be the *possibility* of such adherence (to uphold the traditional formula that “ought” implies “can”).<sup>13</sup>

So unlike descriptions, laws which are norms have a “direction of fit” (to use J. L. Austin’s turn of phrase)<sup>14</sup> which provides them with a fixed content that prescribes certain behavior of their subjects as “correct,” regardless (in typical cases)<sup>15</sup> of any actual behavior of their subjects; nothing subjects do can change the appropriateness of the norms’ claim to governance.

To illustrate the intended sense of “normativity,” let’s take a concrete (if banal) example: the relation which obtains between traffic laws and drivers. According to the above analysis, these laws can be counted as normative for drivers for the following three reasons: (1) Drivers can succeed or fail to be in accord with them. Of course these laws are *not* normative for, say, stones, since there doesn’t seem to be a clear sense in which stones (on their own) can (or cannot) succeed and fail to be in accord with regulations. And as a corollary of this condition, it seems that we should also say of petrological laws themselves that they are likewise *not* norms for stones, since stones cannot both succeed *and fail* to be in accord with these laws. Instead, part of the task of these laws is to separate stones from *non*-stones (not “failed” stones). As familiar cases like these indicate, not all relations of law to subject

have this normative valence. Rather, some laws (perhaps such as those of geology) provides a specification of what we might call the *essential constitution* of their subjects and their properties.<sup>16</sup> (2) Though traffic laws are normative for drivers, when someone fails to be in accordance with their prescriptions, they do not thereby fail to be a driver. In other words, the essential task of traffic law is to separate good from bad drivers, taking “driver” as an independently definable concept. It separates drivers from non-drivers only secondarily, if at all. Finally, (3) even if *no* driver at the moment were actually driving in accord with traffic law, these laws would still clearly represent (appropriately enforceable) prescriptions for driving.

Now that we have a better sense of what it means to say of a law (in this context) that it is a norm, we can see immediately why it has been commonplace for some time to use the language of normativity to interpret Kant’s conception of *ethics* and, in particular, to interpret the way in which the moral law binds human beings.<sup>17</sup> We can now unpack the content of such claims by showing that the relation of moral law to human action fulfills the three conditions identified above.

Take the first condition: as Kant writes in the *Metaphysics of Morals*, “experience” itself shows us that the freedom inherent in the process of selecting our act-determining law-representations (“maxims”) appears to us as if it results from the exercise of an “ability to make a choice for or against the [moral] law” (6:226). That is, “experience shows that the human being . . . is able to choose [wählen] *in opposition to* [zuwider] as well as *in conformity with* [gemäß] the law,” even if the true “freedom of free choice [die Freiheit der Willkür]” cannot be “defined [definirt]” solely by our “being able to make a choice in opposition to [our] reason” (ibid.).

As a consequence, the second condition for normativity is then also met, since even morally incorrect acts retain their identity as human acts. Human action as such is not constitutively (essentially) defined as only that action which is morally worthy (or unworthy). Rather, as Kant writes in a footnote, the “highest concept” at issue in practical philosophy—a concept which is then divided further along the spectrum of moral evaluation (“right” and “wrong”)—is actually that of the “act of free choice in general [Act der freien Willkür überhaupt]” (MM 6:218n). This implies that the higher concept of “free act of choice” is definable independently of “right” and “wrong,” since it does not contain these concepts within its “content [Inhalt],” but rather contains them “under” itself, in its “extension [Umfang].” Hence this highest concept can be defined in a way which allows its instances to be identified as such regardless of their particular moral-evaluative status.

Finally, we can note that our third condition is met, in that even if no human being in fact (in history) has ever actually selected maxims that merited the ascription of moral worth to their actions, the moral law would still enjoy its validity. In the words of Kant’s first *Critique*, these laws “say what *ought to happen* [was geschehen soll], even though perhaps it never does happen [nie geschieht]” (B830).

This, then, gives a clear sense to the claim that the moral law is, for Kant, *normative* for humans. Yet before we explore the extent to which a similar analysis can be given of our relation to logical laws, I want to introduce one further element of

Kant's moral theory, in order to raise a complication about the lines of comparison which ought to be drawn between the two spheres. For what I want to introduce now are considerations which Kant puts forward to argue that the moral law is *not* normative for *every* sort of rational being.

### III.

The possibility for a non-normative relation between the moral law and a rational being emerges from Kant's discussion in the *Groundwork for the Metaphysics of Morals* of the possibility of a being which might be composed *solely* of the capacity for practical reason—a being that, as Kant puts it, has a “holy will” (*GMM* 4:439).

In the case of a being with a holy will, though it would succeed in fulfilling the demands of morality, Kant thinks that it *cannot fail* to do so. Its “volition [Wollen],” Kant writes, “is of itself necessarily in accord [notwendig einstimmig] with the law” (*GMM* 4:414). Of course, Kant is quick to point out that, even in this case, the act of selecting which representation of law will determine the actions of a holy will is an act which is itself determined without any influence of alien causes (*GMM* 4:446). Because of this absence of external influence, the activity of a holy will would remain “negatively free.”

Moreover, Kant also holds that the activity of such a being would be determined entirely by principles which derive from its own “essence [Wesen]”—i.e., the essence of a rational being as such (4:412). Hence, a being with a holy will would be an “autonomous,” self-determining agent, and so also be “positively” free (4:446–47). I will return to this point below (cf., Part VII), but this is, in effect, what I take to represent the basic significance of Kant's otherwise cryptic claim that a rational being can be said to give, or “be,” a “law to itself [sich selbst ein Gesetz zu sein]” (4:447) (and so engages in “Selbst-gesetzgebung”). For something can be said to give itself its own law when the entire structural articulation of the space of its possible activity (here, the activity of a being with a holy will) can be understood *solely* on the basis of its own “internal” (essential) principles.<sup>18</sup>

The basic distinction between such a will and wills like our own (as humans) is summarized nicely by Allen Wood, in his *Kant's Ethical Thought* (1999): “[i]f the will is perfect or holy, the normative law tells us what its self-determined volitions necessarily *are*; if it is finite and imperfect rather than holy, then this law is a categorical imperative, determining what its volitions *ought* to be” (174). Yet in a long and difficult endnote, Wood goes on to claim that “the laws of *every* will must be *normative*,” and hence concludes that “the laws of a holy will, just because it is a *will*, have to be normative, but they are not obligatory” (379 n. 25). Even leaving to one side the question of the intelligibility of something's being normative without being (in any way) obligatory, it is hard to see how Wood's basic claim can amount to anything more than a bare assertion of the contrary to Kant's own thesis. Moreover,

since there is *absolutely* no possibility for the holy will to err in any sense—that is, a holy will is not contingently or accidentally “perfect,” but *essentially* so—it becomes difficult to see in what sense *at all* these laws can still serve as norms for such a will.<sup>19</sup> Indeed, Kant himself concludes that the language of “the ought [das Sollen]” is “out of place” in the case of such a divine or holy rational being (*GMM* 4:414).

The purity of such a thoroughly and solely rational being with a holy will would thus differ from humans in that it could not be characterized by the same possibility for deviance or error as a result of “free choice” (in the sense of “Willkür”). Rather, *its* activity just *is* universally and necessarily determined solely by what *we* ought to take as correct representations of moral law. Its “maxims” would thus be necessarily identical with the moral law, and so its activity would fully exemplify pure or perfect practical reasoning. But this means that the relationship between the moral law and the holy will of such a being would fail to meet the first condition set out above, since such a being would fail to *be able to fail* to accord with law. And on this basis, then, I would argue (against Wood) that the relation between the moral law and such a purely (practically) rational being should not be said to be normative.<sup>20</sup>

These points about a holy will are recapitulated nicely in §69 of the student transcripts from Kant’s 1794–95 lectures on metaphysics (*Metaphysik Vigilantius* [“K<sub>3</sub>”]): “God is not capable of a deviation [Abweichung] from the law, he determines himself only by the law, i.e., by himself [durch sich selbst], with him there takes place no necessitation [Nötigung], no ought [Sollen]” (29:1017). What I want to note now, however, is the fact that Kant uses the very same language to describe the faculty for pure practical reasoning “as such” (or “in general”)—that is, the capacity which he later distinguishes as “Wille.”<sup>21</sup> In the *Metaphysics of Morals*, for example, Kant claims that “Wille” can be “directed to [geht auf] nothing beyond the law,” and so actually “cannot be called either free or unfree,” because it “directs with absolute necessity and is itself *subject to* no necessitation [Nötigung]” (*MM* 6:226).<sup>22</sup> As a result of the complete and absolutely necessary accord of “Wille” with the moral law, it seems clear that the relation between this faculty itself—considered as a capacity on its own, in abstraction and in isolation from its possible cooperation with other faculties—on the one hand, and the moral law, on the other, should also be viewed as *non-normative*. For the moral law does not tell pure practical reason (as Wille) how it should, but might not, act. Rather, the moral law simply *expresses* what pure practical reason (Wille) *is*, in its very nature or essential *constitution*.<sup>23</sup>

All of this again points up an important fact about the nature of *human* beings. For it is quite clear that the moral law does not on its own express what humans “are,” or lay bare the essence of the human form of being—or indeed the essence of any other being which is only partially, though not wholly or simply, rational. Humans are constituted by “lower,” non-rational capacities in addition to possessing higher faculties. But then this implies that we will need to look elsewhere for the *constitutive* laws of our complete type of “being” (i.e., the principles which



constitute the kind of being that humans enjoy “as a whole”).<sup>24</sup> Yet whatever these “cooperative” laws may look like, because of the relationship that Kant identifies between our capacity for “free choice” and pure practical reason, the moral law will stand above them insofar as it serves as a fundamental *norm* for all human activity, since (as we have seen) its relation to human action fulfills the three conditions outlined in the preceding section (Part II).<sup>25</sup> This normative relationship marks us out as a special type of (partially) “rational being,” in that we can both succeed and fail to accord with moral law.<sup>26</sup> Moral law thus tells us humans not how we *do* act, nor which maxims we *do* choose, but how we—considered as the collection of our various capacities—*ought* to act, and so which maxims we *ought* to choose. And, as we have seen, the reference here to the rest of our humanity is essential.

#### IV.

We have found that the relation between moral law and its subjects takes on two different forms, due to the fact that one and the same law actually governs two different *types* of subjects: on the one hand, it governs purely rational beings, and on the other, it governs beings whose capacities for acting rationally are conjoined to other competing “forces” (e.g., inclination, “Willkür,” and so on). With respect to a purely rational being, the moral law simply expresses the essential (“timeless”) structure of its moral volition as such and gives a complete description of its “subjective constitution” (*GMM* 4:414). To be sure, even in relation to the more general sphere that includes both purely and impurely rational beings, this law represents the necessary condition which any act of will must meet if it is to count as the exercise (whether in us or in any other “being”) of pure practical reason (rather than of some other capacity). It is just that such laws take on an added imperatival or normative force when they are viewed in relation to a kind of being (like humans) which can freely choose not to heed its demands.

All of these considerations will be relevant as we return to the main topic of the essay—that is, what relation Kant thinks obtains between *logical* laws and the capacity for understanding. For what we must now ask is whether things in the logical sphere look more like one or the other type of relation between moral law and moral subject—whether, that is, the logical subject is more like one or the other type of moral subject: whether the logical subject (the “thinker”) should be viewed on par with a composite (e.g., human) being, or instead on analogy with a “pure” being with a holy will; whether it is more like a collective of possibly competing capacities, or rather a being constituted out of a single one.

The normative interpretation would seem to presuppose that the relation between logical laws and thinking is straightforwardly analogous to the relation between moral laws and human volitional capacities. But it is equally clear, I will now argue, that such an answer is unacceptable. First of all, Kant consistently argues

that logic considers the capacity for understanding *in isolation*, i.e., in abstraction from any and every other faculty. In the first *Critique*, Kant makes this point quite clearly (and most famously) in relation to *sensibility*, or our capacity to be receptive to representations caused by objects, writing that, in each of the sciences (logic and aesthetic) which investigate only one or the other capacity, “one has great cause to separate [absondern] them carefully from each other and distinguish them” (B76). Yet, though this is perhaps less well known, Kant also makes an analogous point (time and again) with respect to our *volitional* capacities, in both his logic lectures and in his so-called reflections (Reflexionen) on logic, which consist of the marginalia he added to the logic textbook from which he lectured.

Let me give a bit more of the historical background behind Kant’s lectures, as it will allow us to further appreciate the precise significance of the point at issue. For almost all of his lecturing career, Kant used Georg Meier’s 1752 *Auszug aus der Vernunftlehre* (“Excerpts from the Doctrine of Reason”) as the textbook for his logic courses, and it is in the margins and blank pages of this text that we find most of the material that is now called Kant’s “Reflections [Reflexionen]” on logic.<sup>27</sup> Now, as Meier’s text is written from the Wolffian point of view, and as Kant’s criticisms of Wolffian rationalism as a whole are well known,<sup>28</sup> it is not surprising to find that these notes, as well as the student transcripts from Kant’s lectures, are peppered with critical remarks directed at “the author.” The criticism most relevant to the present topic, however, may come as a surprise to some, and especially to those who embrace the normative interpretation of logical laws. What I have in mind is Kant’s consistent rejection of Meier’s decision to include a discussion of the “practical” sphere within his logic textbook.

Elements of the criticism can be found in the *Blomberg Logik*, a transcript of Kant’s logic lectures from the 1770s:

Our author [i.e., Meier] speaks in general in this whole section ({*Auszug*} §§216–48) of cognition, how it relates to free will [zum freyen willen]. In logic, however, the relation of cognition to will [zum Willen] is simply not considered; instead, this belongs to morals. The relation of free will is not an *objectum domesticum* of logic. (24:250)

Now, the title of the “whole section” from Meier’s text is “On Practical Learned Cognition [von der praktischen gelehrten Erkenntniss].”<sup>29</sup> In §216, Meier defines a “practical cognition [cognitio practica]” as one that “can move us to a noticeable extent to do [tun] or allow [lassen] an action [Handlung]” (16:516). In §217 Meier adds to this the remark that a practical cognition is one in which we “represent to ourselves that something *ought* [solle] to be done or allowed” (16:517; my ital.). In other words, a practical cognition is something which today might go under the name of a *normative* assessment, the judgment that “such-and-such *ought* to come about.” And though Meier does not use Kant’s own phrasing here (“free will [der freie Wille]”), he does speak in §221 about the capacity for practical cognitions to “produce [würken]” something in our “power of desire [Begehrungskraft]” (16:520),

a term quite close to one of Kant's own titles for our volitional capacities, the "capacity for desire [Begehungsvermögen]." <sup>30</sup>

The quote above from the *Blomberg Logic* (24:250) gives us Kant's response to Meier's inclusion of these topics within a "general" logic—topics which Kant summarizes under the heading: "the relation of cognition to free will." Kant's response states emphatically that all of these topics are to be banished from the science of logic. Logic is simply not concerned with any specific representations of what "ought" to "move" our free will, because it is not concerned with the relationship between free will or volition and cognition *at all*.

Kant's rejection of practical cognition as a topic for logic—and with it, issues connected to the will—is by no means restricted to these remarks. Kant returns to this point repeatedly in later logic lectures, consistently underlining the connection between practical cognition (normative representation) and our capacity for volition and claiming all the while that logic has no room for these topics, no "practical" component. <sup>31</sup> A particularly striking example of such a claim can be seen from the passage from the 1790s *Vienna Logic* lecture transcripts that contains the epigraph to the present essay. Again making reference to Meier, Kant argues once more that "[t]he whole doctrine of practical use, with which the author deals, simply does not belong to logic," claiming instead that, "in logic one must think *as if one had no will* [Wille]" (my ital.), since logic is "the science of thinking, and not of willing [Wollen]" (24:903).

Kant's criticisms of Meier thus appear to target precisely the idea that lies behind the normative interpretation—namely, the idea that logic deals with laws of the sort that are at issue in a practical discipline, i.e., laws which function as norms or prescriptions for our capacities for volition. Yet, as we have found, Kantian logic simply has no room for such a practical element. It is hard, then, to see how logic could give us any sort of "practical" guidance, or show us how to "do" anything (e.g., thinking) "well."

## V.

Indeed, Kant feels strongly enough about the need to distinguish logic from practical philosophy in general that he makes precisely such a distinction fundamental to his general philosophical architectonic. For instance, in the preface to his *Groundwork for the Metaphysics of Morals* and in both the published and unpublished versions of the introduction to his 1790 *Critique of Judgment*, <sup>32</sup> Kant explicitly distinguishes logic from practical philosophy, classifying logic under the heading of *formal* philosophy, and classifying practical philosophy ("ethics") under the heading of *material* philosophy (along with "physics"). What is more, only practical philosophy is consistently aligned with the examination of the "*concept of freedom*" (*Critique of Judgment* 5:171) and "the laws of *freedom*" (*GMM* 4:387), while

logic is said to be “occupied only with the form of the understanding and of reason itself and with the universal rules of thinking in general” (*GMM* *ibid.*). It is hard to see how the normative interpretation can account for such a clear separation of topics in Kant’s official disciplinary classification scheme, especially in light of the claims we encountered in the previous section, that logic has nothing to do with the will, or the relation of free will to thinking, or anything else that pertains specifically to practical-normative representations.

Is there, nevertheless, *some* analogy which might still be drawn from the moral to the logical sphere? I think there is, though I think we can find grounds from our above analysis for concluding that, if anything can be carried over to the question of the bindingness of logical law upon its “subject” (i.e., *Verstand überhaupt*), it can *only* be Kant’s conception of the relationship which obtains between moral laws and the faculty of practical reason as such, since only practical reason as such can be considered with the same sort of “purity” that Kant prescribes for the treatment of the capacity for understanding within logic. In fact, at several places Kant himself speaks of pure general (formal) logic as if it stood parallel to a corresponding “general [*allgemeine*]” practical science of the Will (*qua Wille*) (compare *GMM* 4:390; also, B79).<sup>33</sup>

Yet before we evaluate this alternate analogy, let us first consider what would be required if the normative interpretation were correct, again taking our cues from our analysis in previous sections. For if—as the majority of contemporary interpreters suggest—the nature of the “bindingness” of logical laws upon the capacity for understanding (for “thinking in general”) were to be explicable by way of a model similar to the normative relation that we found in Kant’s practical philosophy, then we ought to be able to interpret logical law on analogy with the general form of lawfulness that governs human actions or productions through *free choice*. That is, if we are still determined to make the normative interpretation work, then we should ask what (if any) role Kant thinks that free choice, or something like it, plays in the “activity” or “production” of thinking.

Now, at this point, two well-known Kantian doctrines might spring immediately to mind. First, Kant consistently characterizes the activity of the understanding as *spontaneous*,<sup>34</sup> which surely implies that thought is accorded at least *some* form of freedom. This has led some readers, such as Pierre Keller and John McDowell, to simply identify the spontaneity of the understanding with the sort of “freedom of choice” that we have analyzed in the moral sphere. For instance, in his *Kant and the Demands of Self-Consciousness* (1998), Keller writes

Bona fide norms must be principles that the individual can come to understand as the basis for his or her behavior, and they must be principles that the individual can come to see him- or herself as having chosen to be bound by in his or her behavior. Such a capacity for choice is what Kant refers to as “spontaneity.” (7–8)<sup>35</sup>

Second, the role that the “freedom of thought” plays in Kant’s conception of “Enlightenment” is well-known, especially in connection with his assertion that, in

order to escape intellectual immaturity, one must have the courage to exercise one's freedom to "think for oneself."<sup>36</sup> And in connection with these two doctrines, we might also recall the fact that, as several commentators have noted, early in the Critical period Kant appears to have been drawn to a "short" argument for the existence of the (transcendental) "freedom" that morality requires, one which could be grounded upon a direct consideration of the spontaneous freedom that we possess in thought and judgment.<sup>37</sup>

Even more support might seem to be lent to this interpretive line if we note that, in many of the transcripts from his logic lectures, Kant is reported to have acknowledged at least the appearance of a connection between the activity of thinking and judging, on the one hand, and the capacity for "free choice" on the other, insofar as both capacities seem to be at work in the activity of "holding-true" [fürwahrhalten]. For instance, the *Vienna Logic* tells us that "there must be something in our approval which is arbitrary [willkürlich], where we ourselves have to determine whether we will [wollen] hold the cognition to be true [vor wahr halten] or not" (24:859). Jäsche's *Logic* too states that there seems to be "something arbitrary [etwas Willkürliches] in our judging, in that we hold something to be true because we want [wollen] to hold it to be true" (9:73). Perhaps, then, just as the moral laws are normative for our capacity for "free choice [Willkür]," so too is logic normative, if not for our understanding *per se*, at least for the understanding conjoined with free choice or some "Willkür"-correlate—i.e., normative for whatever it is that is responsible for "holding-true"?

In fact, Jäsche's text goes on to say that the apparent involvement of something like "free choice" in judgment *qua* holding-true is highly misleading, even "absurd," stating explicitly that "the will does not have any influence immediately on holding-true" (ibid.).<sup>38</sup> This recalls Kant's criticisms of Meier discussed above (Part IV), which made it quite clear that logic treats the understanding in abstraction from any connection it may have to the "will." But note that even if we were to grant the assumption that *some* sort of freedom akin to the freedom of choice *does* pertain to certain activities in which thinking is involved—that is, even if we enjoyed some form of "freedom of choice" in relation to "holding-true," or "believing"—it would still remain altogether unclear whether this freedom would amount to the sort that would be required in order for *logic* to be normative for thought. For according to our earlier analysis (Part II) it would have to be a freedom (to choose) to think in a manner that *fails to be logical*.<sup>39</sup> For only this sort of freedom, it would seem, could complete the analogy with the ethical sphere, since we would then have a logical correlate for cases in which our capacity of free choice is exercised *immorally* (in opposition to the moral law).

Conversely, we could marshal even more support for a non-normative interpretation if it could be shown that Kant thinks that *illogical thought is impossible* (in the strongest sense of the term), for then it would be extremely difficult to see how the normative interpretation could even get off the ground, despite those sentences which surface in Jäsche's text. For what sense could it make to ascribe to Kant a

view in which the understanding (or anything else) possesses the freedom required for logical laws to be norms—i.e., the freedom to think illogically—if this would amount to the freedom to *do the impossible*?

## VI.

With this in mind, consider the following claim from the first *Critique*: general logic “contains the absolutely necessary rules of thinking, without which *no use of the understanding takes place*” (B76; my ital.).<sup>40</sup> Here the clear implication would seem to be that, with respect to the laws of general logic, the understanding simply *cannot act*—that is, it is *not free* to act—without abiding by these “absolutely necessary rules”; otherwise nothing at all would “take place” in thought. Even so, not everyone agrees. For example, John MacFarlane (op. cit.) has suggested that this description of the absolute necessity of logical laws need not imply that “we cannot think contrary to them,” adding parenthetically: “Compare the sense in which Kant calls the categorical imperative ‘necessary’” (44). Yet though it is clear from the context that MacFarlane means for this last comparison to provide support for the normative interpretation, we have already been given grounds above for thinking that there are other sorts of necessity besides that of an imperative (however universal and necessary) that are present in the moral domain itself. Hence, MacFarlane’s comparison simply begs the relevant question.

Moreover, there are further textual reasons for seeing in this quotation (from B76) precisely the entailment which MacFarlane denies, namely, if some “thing” violates the rules set forth in general logic—such as the Principle of Contradiction [Satz des Widerspruchs], though the point surely generalizes to other formal-logical laws—then it is simply ruled out *as a thought*. For Kant draws exactly this conclusion quite clearly in his 1790 polemic against Eberhard<sup>41</sup>: “whatever conflicts with [nicht bestehen mit] this principle [i.e., the Principle of Contradiction] is obviously *nothing* [nichts] (*not even a thought* [gar nicht einmal ein Gedanke])” (8:195, my ital.; cf., B189–90). Kant’s thesis here is that, because no thought or judgment “can be opposed to it without annihilating itself [sich selbst zu vernichten],” “this principle”—i.e., the Principle of Contradiction—stands as a “*conditio sine qua non*” for thought as such (B191). In this regard, Manley Thompson captures the essence of Kant’s position quite nicely in his essay “On *a priori* Truth”:<sup>42</sup> “when we accuse someone of illogical . . . thought, what we mean is that the person’s efforts at thought have completely failed” (471); “conformity to [the principle of contradiction] is not simply the best thing to do; it is the only thing to do if there is to be thought at all” (464 n. 2).<sup>43</sup>

The general conclusion we are pushed toward, then, is that, for Kant, whatever does not fall “within the canon” of logically possible forms of thought (of judgment, of inference, etc.) that are articulated by logical laws is something which can-

not be counted as an act of the understanding. It would amount only to a “putative” thought, no more a thought than a “false friend” is a friend. This brings out a further manner in which the relationship between logical law and its “subject” fails to meet the conditions set forth above (in Part II): that which fails to accord with logical law simply loses its identity as an exercise of the faculty governed by this law. Similarly, various passages—such as the Introduction to the first *Critique*’s “Transcendental Dialectic”—indicate that the first condition (i.e., the possibility of both success *and* failure of accord with logical law) likewise cannot be met, because the understanding cannot “by itself depart from its own laws” (B350).<sup>44</sup> In several of these passages, the possibility for error is said to arise only when there are *multiple* forces at work, or when there are influences of “other causes.” Formal logic, however, considers the understanding in complete isolation.

Now, it might be argued that these passages indicate that our understanding *can* in fact depart from its *own* laws, just so long as it is “influenced” by “another cause.” It is important to recognize, however, that this sort of reading is not forced on us. Though it might be true that error “in general” can only arise once we are in a situation in which there is cooperation between two forces, the laws with respect to which these forces are said to cause an “error” might actually amount to a *different sort of law altogether*, a law which governs the *cooperation* of the forces, rather than either individually. This would seem to be especially appropriate in cases—like that of cognition—in which we are required to have cooperation between two *non-homogenous* forces (e.g., receptivity and spontaneity).<sup>45</sup> (For example, the cooperative “laws” being flouted in the “Transcendental Dialectic” are not pure-general, formal-logical laws, but rather *transcendental*-logical laws, such as the Principles from the “Transcendental Analytic.”) On this reading, though during such cooperation, the joint product of sensibility and understanding might deviate from these cooperative laws, the cooperation itself cannot cause either force (to the extent that its specific contribution can be isolated) to deviate from its *own* essential laws. And if ostensibly cooperative forces engage in activity which does go “contrary” to the laws of one of the individual forces, we should conclude that a force of that sort is in fact no longer present or wasn’t “at work” in the first place.

In fact, this interpretation brings to light, and then makes good sense of, two important and related *disanalogies* between logic and ethics, which have been touched upon above, though not yet made fully explicit. The first stems from Kant’s oft-repeated claim, at the heart of his anti-Rationalism, that cooperation of the above sort (between spontaneity and receptivity) is *necessary* for the possibility of cognition (“only from their unification can cognition arise” [B75–76]). Now, the systematic collection and organization of such cognition—more specifically, of *true* cognition—in turn represents what Kant calls the “interest” of the theoretical (“speculative”) sciences. “Interest” is defined by Kant in the second *Critique* as “the principle which contains the condition under which alone the exercise [Ausübung] of the relevant mental capacity is promoted [befördert]” (5:119). Hence, even though, when viewed in conjunction with the rest of our mental capacities, the

capacity for understanding (thinking) is subordinated to the principle which promotes its use in the systematic acquisition of true cognition, this capacity on its own (“as such”) is simply *not* able to meet the demands of knowledge. Yet it is equally evident that *no* such cooperation is necessary in the moral sphere, since (as we have seen above) a being endowed with practical reason (“Wille”) alone (such as a holy will) *would* (be able to) achieve the “end” set by morality (practical philosophy). No further faculty (e.g., sensible inclination) is necessary.

But what is more—and this provides the second disanalogy between ethics and logic—in the second *Critique*, Kant argues that there are certain things which are “required for the possibility of *any* use of reason,” such as acting in accordance with rules like: “principles and affirmations must not contradict one another” (5:120). These requirements “do *not* constitute a part of the interest” of our capacity for reasoning, but are “instead the condition of *having reason at all*” (*ibid.*; my ital.). This implies that there is a space for the investigation of the capacity for reasoning or understanding “as such,” considered independently of any such interests or ends towards which it might be “used.” And the language here (i.e., the requirement of non-contradiction) indicates that it is *formal logic* which Kant takes to represent the science that will undertake this sort of inquiry, and which will therefore bracket all considerations of interests and ends. (In this regard, note that it is *transcendental* logic—or a logic which takes up the conditions of relation between our thought and objects—which Kant calls a “logic of *truth*” (B87; my ital.).) By contrast, reason in its practical use is essentially “interested” in “the determination of the will with respect to the final and complete end” (5:120).

## VII.

Since we have found no correlate to our capacity for free choice in view within formal logic itself, for which logical laws could be normative, the ground for the more frequently drawn analogy between ethics and logic is thus obscured. Moreover, it would seem that we have actually found reason to think that *no* such grounds can exist, given Kant’s claims that something which was not in accord with logical law is not to be counted as a “thought,” albeit a logically “bad” one or one we “ought” not to entertain, but rather not to be counted as a thought *at all*. Perhaps by now, then, enough has been said to convey a sense of the difficulties that face the straightforward normative interpretation of Kantian logical laws. Rather than continue to present criticism of this interpretation, let me begin to lay out more fully what I take to be a more promising alternative.

We can gain a preliminary sense for what would be involved in such a constitutive interpretation, if we allow ourselves to recall the different possible line of analogy that might obtain between ethics and logic (though not the one which is *prima facie* implied by the quote from Jäsche’s text). For the truly relevant analogy



is, I would argue, one which might be phrased by way of a transposition of the claim from the *Metaphysics of Morals* (cited above, Part III) into the logical register: like the capacity for practical reasoning [Wille] as such, the capacity for understanding as such [Verstand überhaupt] is simply *not* “subject to necessitation” by its laws; instead, logic “directs” the understanding’s activity and use with “absolute necessity.” With this transposition, we would be put in a position to view the “spontaneity” of the understanding as of a piece with whatever “freedom” we might be able to attribute to a holy will, or to the “capacity” for purely practical reasoning itself. Both “pure” faculties are such that they are completely and necessarily determined *internally*—their “activity” is wholly and solely determined by those laws which express their essence as a capacity. They are each “free,” then, in the following, “Leibnizian” senses of being “spontaneous”:<sup>46</sup> free “negatively,” as each enjoys an absence of external influence upon its activity, but also free “positively,” since their own essences provide the principle(s) sufficient for the complete explanation of their activity.

Let me say a little bit more about Kant’s “Leibnizianism” in this regard, since it will provide us with a proximate historical source from which Kant might have drawn his own conception of the relation between logic and the capacity for understanding. The first thing to note is that for Leibniz, as for Kant, logic is a discipline which takes thought or understanding as its subject matter. In IV.21.5 of his 1705 *Nouveaux Essais*, Leibniz describes logic as “giving a thorough account of the understanding [expliquant cet entendement au fonds]” of “spirits” (G v.504). Earlier, in III.10.12, logic is said to be “the art which teaches us the order and connection [liaison] of thoughts” (G v.323).

Secondly, Leibniz too takes the general principles of logic to in some sense constitute the very essence of this capacity. In I.1.20 of the *Nouveaux Essais*, Leibniz claims that “general principles enter into our thoughts, serving as their soul [ame] and as their links [liaison],” such that “even if we give no thought to them, they are necessary for thought, as muscles and tendons are for walking” (G v.69). In I.3.3 Leibniz even speaks of the logical categories (or as Kant would call them, logical “forms”) of “being,” “possible,” “same” as “so thoroughly innate that they enter into *all* our thoughts and reasoning, and I regard them as *essential* things to our minds” (G v.93; my ital.).

Finally, it is crucial for Leibniz’s arguments against the Cartesian doctrine of the divine creation of the so-called eternal truths that logical laws should obtain or be valid of understanding and thinking prior to, and independently of, any consideration of what ends we might wish to achieve with these capacities, or what interests they might be useful for realizing. This is of a piece with Leibniz’s anti-voluntarism and is an application of his commitment to the principle of sufficient reason, which he spells out in §2 of his 1686 *Discourse on Metaphysics* §2: “all acts of will *presuppose* a reason for willing and that this reason is naturally *prior* to the act of will” (G iv.428; my ital.). God’s own volitions are no exceptions.<sup>47</sup> Leibniz argues here (in *Discourse* §2) that the reason for God’s willing can be found in his

essence, which is something that His will did not in turn bring into being. And it is precisely in God's essence that Leibniz also locates "the eternal truths of metaphysics and geometry and consequently also the rules of goodness, justice, and perfection"; far from being "merely the effects of the will of God," they are "only the consequences [suites] of his understanding [entendement], which, assuredly, does not depend on his will, any more than does his essence" (G iv.428). As Leibniz puts it later, in §13, "necessary truths" in general "are founded [fondées] . . . without regard to the free will of God or of creatures" (G iv.438).<sup>48</sup> Or more strikingly, as Leibniz writes in his 1712 *Monadology* §43, "the understanding of God is the region of eternal truths or of the ideas upon which they depend" (G vi.614; my ital.).

In Leibniz's construal of the priority and independence of the *divine* understanding to volition, we thus find a near-perfect model for the sort of independence of understanding from will that we have seen Kant uphold in the *human* case. Both the Leibnizian divine understanding and the Kantian human understanding are "free" in the sense of being fully self-sufficient "sources" of principles of their activity, as well as in the sense that the "activity" of understanding itself is something which is "spontaneous"; it "follows" from these constitutive principles alone. That is, I think we can and should take over what Leibniz says of the "soul" and of "substances" in general in *Discourse* §§32–33 and apply it to the Kantian understanding itself, as both Leibniz and Kant take the capacity for thinking to have "a perfect spontaneity . . . such that everything which happens to it is a consequence [suite] of its idea or of its being" (G iv.458).

What is more, neither a Leibnizian nor a Kantian "understanding" is "free" to adhere to any other law (nor to be "lawless"). It simply *is* that which accords with the logical law; the "essence" of understanding is wholly expressed by logical laws.<sup>49</sup> These laws are not things that either Leibniz or Kant suggest that the understanding "ought" to live up to, or "ought" to act in accordance with, but are rather laws which articulate the very form of "being" of understanding itself. These laws are necessary principles which both Kant and Leibniz think must be seen as mere "consequences" of the very idea of understanding as such, consequences which, in particular, "obtain" prior to any considerations of what can or cannot, or should or should not, be willed.

In these regards, then, recognizing the Leibnizian heritage of Kant's picture of the subject matter of logic is something which, I suggest, can provide an extremely useful interpretive corrective when we approach Kant's own views. For keeping Kant's Leibnizianism in mind will help us avoid ascribing to Kant, not only the "normativist" position concerning logical laws that I have criticized at length in the previous sections, but also any kind of crude constructivism or conventionalism about logical principles.

Moreover, arriving at a non-normative, but rather constitutive interpretation of the relation between "Verstand" as well as "Wille," on the one hand, and their respective laws and principles, on the other, can also help us avoid what Terry Pinkard has recently called the "Kantian paradox" of the "self-legislation [Selbstgesetzgebung]" of reason in either sphere. Pinkard writes that, according to Kant,

if we are to impose a principle (a maxim, the moral law) on ourselves, then presumably we must have a *reason* to do so; but if there was an antecedent reason to adopt that principle, then that reason would not itself be self-imposed; yet for it to be binding on us, it had to be (or at least had to be “regarded” to be, as Kant ambiguously stated) self-imposed.<sup>50</sup>

I agree that, as it is stated, this situation appears paradoxical.<sup>51</sup> In fact, it is extremely difficult to see how such a position could avoid bottoming out in some form of (radically) voluntaristic ethical and logical conventionalism. Yet Kant never gives any indication that he would go in for such conventionalism, in either the logical or the ethical sphere.<sup>52</sup>

On my reading, Kant himself would seek to temper the sense of paradox, in both the moral and logical spheres, as follows. Rather than being something “we” *do* (or could fail to do), the manner in which the will (“Wille”) as such is said (in the *Groundwork*) to “give itself the law” (4:431) or to be “a law to itself” (4:447) consists in its being so *constituted* as a capacity so as to never be determined by anything “from without.” Its entire space for activity is delineated *a priori* by its essential principles. The same applies to the case of the capacity for understanding as such and its laws (and any other form of pure “rational being [vernünftige Wesen]”). The highest principles of each sphere (the law of contradiction and the non-normative correlate of the categorical imperative, respectively) do not represent *prescriptions* concerning what an understanding or practical reason “should” do (and yet might fail to do), but rather an expression of what these capacities *are* (in their “essence,” as I have been calling it).<sup>53</sup>

In general, then, on the non-normative interpretation, Kantian logical rules construct a “space” of possible activity which circumscribes a capacity for understanding *per se*, such that nothing which could not be construed as in accordance with these rules could be counted as an act of understanding. Any “thing” which failed to meet up with these rules would, on this picture, fail to be an act of the understanding, but would have to be the product of some other force or capacity. Unlike norms, these laws do not institute a division *within* thinking, between, say, “correct” and “incorrect” thought, but rather one between thought and *non*-thought.<sup>54</sup>

## VIII.

We should thus conclude that Kant simply does not ascribe to humans the “freedom” to “think” what is illogical. In this regard, Kant’s conception of logic’s relation to thought is neatly encapsulated in the propositions from the *Tractatus* that serve as our second epigraph: nothing unlogical *can* be thought.<sup>55</sup>

One consequence of this interpretation would seem to be that, for Kant, in a fairly strict sense, there is no such “thing” as logically “faulty” judging or reasoning or inferring. Now, this may seem to some modern readers to run together two kinds

of failure to accord with logical rules, since there are nowadays (typically) two sorts of rules which belong to logic—namely, formation rules and rules of inference. That is, while we might be convinced that if we “fail” to produce something “well-formed,” we are, from the point of view of logic, indulging in nonsense (i.e., “failing” to give expression to anything thinkable), we might nevertheless want to keep room for the idea that we can entertain something which is a perfectly well-formed sentence in the relevant formal language (a “wff”), but then go on to make a mistake by assuming that a certain move from this sentence to another “wff” is licensed by an inference rule, when in fact we have no such license. Such a case is not typically described as a *failure* to infer, but rather a “bad” or “invalid” inference, because, as was noted in the introductory section, most contemporary logic textbooks teach that logic is a normative discipline.

Now, for his part, Kant would agree that we can link together well-formed judgments in non-inferential sequences. Yet Kant also takes *inferences as such*, and not “good” or correct inferences, to be identifiable through the traditional set of syllogistic forms and a handful of schemata for “immediate” inferences such as “conversion” and subalternation. This comes out perhaps most clearly in Kant’s early 1762 essay, “The False Subtlety of the Four Syllogistic Figures.” In this essay, Kant gives an account of inference in which what are traditionally called the second, third, and fourth figures of the syllogism are all demoted to cases of “hybrid inference [ratiocinium hybridum]” (2:50). Kant thinks that, in cases of “hybrid” inference, the capacity for these sequences of thoughts to count as inferences “depends on the tacit addition [Dazufügung] of an immediate inference, which one must have at least in thought [in Gedanken]” (2:51), even if it is not written out or stated explicitly or “really expressed [wirklich ausgedrückt]” (2:50). In Kant’s mind, “what is important here is not what one says [sagt] but what is indispensably necessary for one to think [denken] if a valid inferential sequence [richtige Schlussfolge] is to be present [vorhanden sein]” (2:50).

Hence, Kant holds that what is “said” or “expressed” in a hybrid inference is such that it does not yet make “a valid inference present.” Of course, this not to deny that the relevant sequence of judgments might be such that it “contains [enthält] . . . the *materials* for a conclusion,” even if it itself “does not have the *form*, in accordance with which an inference is to be drawn [wornach geschlossen werden soll]” (2:54–55; my ital.). Yet Kant is quite explicit about the failing of the “hybrid” syllogism: the relevant immediate inference (e.g., conversion *per accidens*) “must, therefore, be tacitly thought [in making the mediate inference], for otherwise my propositions *do not follow inferentially* from one another [schließen meine Sätze nicht]”; i.e., an “inferential sequence [Schlussfolge] is *not possible*” (2:52; my ital.). Thus, in the end, hybrid inferences are not really “inferences” after all, because they fail to express one of the “forms” of inference.<sup>56</sup> But then if Kant judges cases such as these, which are at least “implicitly” or “mediately” connected to actual forms of inference, not to be themselves inferences, we can only conclude that Kant will be more dismissive of those sequences which have no hope of being rearranged or

transformed so as to accord with a syllogistic figure, even if each of the individual elements in the sequence is itself a perfectly “well-formed” thought.

For Kant, then, “Barbara,” “Celarent,” rules such as *nota notae ist nota rei ipsius*, *modus ponens*, etc., simply *define* what thought *qua* “inference” *is*. These rules provide the canon for distinguishing inference from *non*-inference. This is because, in general, the forms of judgment and inference and the laws which govern them do not sort acts of understanding into good and bad thoughts or good (valid) and bad (invalid) inferences. Rather, things which cannot be seen to fit the logical forms of thinking and reasoning are simply not thoughts or inferences at all (just as no act of practical reason could consist in undertaking an immoral maxim). If we seem to “think,” or appear to “infer,” and yet fail to do anything that accords with either judgmental or syllogistic stricture, then no thought or inference has yet been achieved. At best, perhaps we have managed to link together representations or judgments according to empirical-psychological rules for association.

It is important at this point to emphasize, however, that what we *can* do is *take ourselves* to have made a judgment, or inference, when in fact we have done no such thing. We can, that is, succumb to what James Conant has usefully dubbed “the illusion of thought.”<sup>57</sup> Moreover, we can also *take ourselves* to have identified the logical “canon” of thought (i.e., to have identified logical law and the canonical forms of thinking), when in fact we have failed to make a correct identification. But in both of these cases it must be emphasized that we are making *second-order*, reflective judgments, such as “*x* is a judgment (thought),” or “the principles *p*, *q*, *r* . . . provide the canon of understanding.” It seems clear that these (higher-order) judgments themselves can still go on to contradict (fail to correspond to) their (second-order) “object,” since we can be mistaken in our estimations in this regard. (In the 1762 essay discussed above, Kant himself writes of the “*false subtlety*” of traditional presentations of the syllogism.) It will still be necessary, of course, for each of *these* judgments (considered as first-order judgments in their own right) to be in accord with logical form and not conflict with logical principles in order to count as a thought (judgment) in the first place.

In a similar fashion, we might also be said to “fail” with respect to inference when a *non*-inference is passed off as something with the logical form of an inference, due to a failure in its formalization—say, because we have used the same term in both premises without recognizing an ambiguity across its uses (as occurs, for example, in the “inferences” which generate the Antinomies of the first *Critique*’s Transcendental Dialectic, cases of what Kant calls a *sophisma figurae dictionis* [cf., A402; B411]). This occurs when the true form of the movement of thought is masked by the fact that the material involved has been given the “appearance” of an inference (e.g., by the silent transition from a negative to a (superficially similar) infinite judgment, etc.). Here we have the faulty determination of the form of the relationship that obtains among some of the expressions involved in a judgment. Here again, though, we only misjudge what form *x* has (i.e., that it *is* an inference), and should not be said to “make” a faulty inference.

These last, second-order mistakes are cases of succumbing to what Kant himself labels logical *illusion*: “Logical illusion [Schein] . . . consists in the mere imitation [Nachahmung] of the form of reason (the illusion of fallacious inferences)” (B353). With illusion comes the possibility for error, but we can succumb to such illusion only by *taking* the relevant sequences of representations as of such and such form—that is, by taking up the position of reflective consciousness, and so implicitly raising the question of whether what “appears” to us to be *x*, actually *is* an *x*. For here we are given room to take ourselves to have inferred or judged, whereas what we have actually done is something that gives only an illusion of inference or judgment.

At this point, though, we should recall a point made in Part VI—namely, that all concern for true cognition, even at this reflective level, represents an *interest* of ours, and not a condition upon the activity of thinking or inferring itself. These sorts of questions about whether we have merely appeared to judge or infer, or have actually done so, are questions which only will arise if we have placed ourselves in a sphere in which we take an interest in the cognition of our own mental activities (i.e., an interest in “self-cognition”). That is to say, these questions will only become relevant when we take up an interest in deciding when we are truly, rather than apparently, engaged in thinking, judging, and inferring, when we make “self-knowledge” into an “end” for our mental activity, that we can bring in the possibility of a “failure” to achieve that end.

## IX.

This last distinction between “logical” failure (which Kant takes to be impossible) and logical “illusion [Schein]”—or second-order judgments which mistake something being, or falling under, a logical concept or rule—as well as the point of view which takes an “interest” in avoiding logical illusion, will both be of use as I turn now to the hitherto looming challenge of reincorporating the original passage from Jäsche’s text (from Part I) into my constitutivist account, since it was this passage that provided the motivation for a normative interpretation in the first place. For up till now, we have left the following question unanswered: how can the constitutivist interpretation of Kant’s views on logical law deal with the Jäsche passage, which so obviously suggests the normative interpretation? For, as was noted above, we undeniably *do* see a use of “sollen” in Kant’s logic lectures and *Reflexionen*, and it is surely this fact which must have been behind Jäsche’s choice to include the oft-cited remark in his textbook. So, can the constitutivist interpretation of the relation between logical law and thinking account for, or at least accommodate, this obvious intrusion of normative language—and if so, how?

Before I propose such a reconciliation, I want to note that, even though few interpreters these days have opted for a more substantial inquiry into the viability

of the position expressed in Jäsche's text, I am not altogether alone in being suspicious of the simple appearances given off by this remark. For in fact, in the "Prolegomena" to Edmund Husserl's *Logical Investigations*,<sup>58</sup> we find the beginnings of such a reading—one even introduced by an outright claim that the passage from Jäsche's text gives the wrong impression about Kant's true views:

Kant himself—though he opposes logical laws, as "necessary rules" which say "how the understanding ought to proceed in thought," to psychological laws, which say "how the understanding is and does think," (cf. *Jäsche Logic*, §1)—*did not ultimately have the intention to regard logic as a normative discipline* (in the sense of one that measures adequacy [Angemessenheit] in relation to set ends). This is decisively shown by his coordination of logic and aesthetic to accord with the two "basic sources of the mind" . . . His logic, no more than aesthetics in this Kantian sense, is to be counted [gelten] as a discipline guided by ends [nach Zwecke regelnde Disziplin]. ("Prolegomena," §13, 37 n. 1)

Husserl recognizes that Kant's commitment to the "self-sufficiency [Eigenberechtigung] of a pure logic" entails that it will not analyze thinking *qua* directed toward this or that end, and so recognizes as well that to "posit normative character . . . as something which belongs essentially to its concept" is something that would lead to an "obvious inconsequence, indeed even a contradiction," since "the relation [Beziehung] to a guiding end and to activities subordinated to this end lies in the concept of normativity [Normierung]" (§13, 35–36). By contrast, pure general, or formal, logic, in Kant's sense, treats thinking in abstraction from any interests which it might subserve, as we have seen above. The parallel Husserl points to between logic and aesthetics is particularly striking in this regard, since there is perhaps less temptation to take a passive capacity like sensibility to be one which on its own is oriented toward "ends" with respect to which it could meaningfully be said to fail to achieve.<sup>59</sup> Indeed, as Kant claims explicitly in the passage quoted above from the first *Critique's* Transcendental Dialectic, the senses too, considered on their own, "do not err"—a fact which he derives from the very same general claim he uses to support the absence of "error" within understanding itself: "no force of nature can of itself depart from its own laws" (B350).

What is even more striking about Husserl's remarks about Kant's position is that they are put forward in the course of a general argument in Husserl's "Prolegomena" for the conclusion that *every* normative discipline *presupposes* a non-normative, theoretical discipline:

[E]very normative and likewise every practical discipline *rests on* [beruht auf] one or more theoretical disciplines, inasmuch as its rules must have a theoretical content [Gehalt] *separable from* the thought of normativity (of the "ought" [Sollen]), whose scientific exploration lies with these theoretical disciplines. ("Prolegomena," §14, 40; my ital.)

Husserl himself goes on to argue later in the "Prolegomena" that, far from being a normative discipline, pure logic is instead the most fundamental sort of theoretical

discipline, so much so that it is in some sense presupposed by *all* disciplines, including all normative disciplines, and in particular any discipline which purports to give norms for thinking. In effect, I have argued above that Kant holds a quite similar point of view, insofar as he, too, takes the non-normative discipline of pure logic to be presupposed by any discipline which hopes to provide norms for the achievement of ends or realization of interests by means of the “free” interaction of understanding and reasoning with other “external” forces (such as sensibility or inclination).

Hence there is at least some historical precedent for a constitutive interpretation of Kant’s logic. But, to return now to the task at hand, we need to find a way to make sense of the passage from Jäsche’s *Logic*, insofar as it provides the one well-known piece of textual evidence which lends fairly direct support to the normative interpretation. Now, were this the only text in which an “ought” was connected to logic, then we might attempt to belittle the passage by appealing to the peculiar status that Jäsche’s text has within Kant’s corpus.<sup>60</sup> We might simply insist that, since Jäsche’s text lacks the *full* “imprimatur” of Kant’s authorship, no decisive conclusion ought to be drawn from Jäsche’s manuscript alone.

Belittling Jäsche’s text will not help us here, however, since (as I have noted above) similar sentences show up throughout the other extant lecture transcripts as well as in the so-called logic *Reflexionen* from the Critical period.<sup>61</sup> Still, to my knowledge, no such claim appears in those works which Kant himself prepared for publication. And, as we have seen, there might be a clear reason *why* no similar statement found its way into Kant’s published writings—namely, because it is *incompatible* with other published doctrines. Perhaps the phrase simply persists in the notes as an unreconstructed trace of Kant’s intellectual heritage.

In any case, what we should at least attempt to do is determine whether or not the viewpoint expressed in Jäsche’s text (and elsewhere) might somehow nevertheless be interpreted in such a way that *is* compatible with published doctrine, with a minimal amount of mutilation or gerry-mandering. For we have already found it appropriate to ask the normative interpreters to give general, systematic (“architectonic”) grounds in support of their claim that Kant takes the laws of formal logic to be normative for thinking—even if, as we have seen, there are no straightforward grounds upon which to base such a claim. Is there, by contrast, any way of making the Jäsche passage compatible with the alternative, constitutive interpretation?

## X.

Let me end this essay by considering several possible paths for such an interpretive reconciliation:

- (i) We might take Kant to be referring implicitly in the Jäsche passage to the special branch of logic named “applied [angewandte]” logic, which Kant thinks *does* deal with, among other things, “the cause of error” (B79). (Recall



our above distinction (end of Part III) between pure and applied morals.) Perhaps, then, it is this kind of logic which is being described as giving rules according to which we “ought” to (but might not) think, if we are to avoid errors?

The main problem with this suggestion is that reference to “applied” logic is not only absent from, but is actually *prohibited* by, the context of the passage in question. Applied logic, according to Kant, deals with the use of the understanding “under the contingent conditions of the subject, which can hinder or promote this use, and which can all be given only empirically” (B79). In the passage at issue, however, Kant is drawing a *contrast* between the way thought is treated by logic as a *pure* (non-empirical) science and how it is treated in empirical psychology or in sciences which depend on psychology’s findings (cf., 9:14).

- (ii) To pick up on in our discussion at the end of Part VIII, we might argue that, in the Jäsche passage, what Kant means to be claiming is that it is when we consider logic’s laws *themselves* as possible “objects” of reflective thought that they become “normative,” in the same sense that *any other truth* is normative for cognition: cognition *aims at* the true, and so *ought* to have truths rather than falsities as its object.<sup>62</sup> Certain laws, and not others, are laws which we “ought” to take as expressive of the necessary forms of thought.

On this account, if (for whatever reason; e.g., prejudice) we fail to identify the (true) laws of thought, or if we count (or discount) certain things as thoughts by reference to the wrong set of laws, then we are making a mistake, albeit a second-order one. We are not, however, failing to do what we “ought” to do because we are thinking a first-order illogical thought.

Yet though it is perhaps more plausible than the first, this interpretation forces us to see Kant as departing from his typical use of this sort of contrast—between how one *happens* to *x* and how one *ought* to *x*. For the “*x*” in question here (“think”) must then be taken as referring ambiguously to both first-order thinking and a second-order sort of thinking *about thinking* (or about its laws), rather than just to thinking *simpliciter*. Even so, it allows for a reading of the “*sollen*” passages that enjoys greater consistency with the position we have found elsewhere in Kant’s published doctrines.<sup>63</sup>

I want to conclude, however, by exploring a third, somewhat more indirect interpretive route, one which draws on Kant’s well-known claim that practical reason has a kind of *priority* among our higher faculties. Kant claims in the second *Critique* that “all interest is ultimately practical and even that of speculative reason is only conditional and is complete in practical use alone” (5:121).<sup>64</sup> In this light, I would like to offer the following suggestion:

- (iii) An element of normativity can be conferred upon logical law *from without* (“accidentally,” so to speak), if we consider thinking and reasoning as a necessary “means” for the fulfillment of our moral end. That is, insofar as practical

philosophy shows us that we are categorically obligated (i.e., one *ought* unconditionally) to have volitions that take such-and-such form, and insofar as we have to think (rather than not-think) in order to will according to such forms, it would follow that we would be categorically obligated to think. If logic tells us what thinking is, and gives us criteria by which we can tell whether we are thinking or not, then it thereby tells us which mental states we *ought* to be in.

We can elaborate this proposal as follows. Suppose we can imagine that we as humans possess the freedom *not* to think—perhaps, to indulge in (e.g., hallucinatory) mental states which are “less than a dream” (A112). In this case, it might be argued that logical laws could function in hypothetical imperatives of the form: “if it is your intention to think, then you ought/must *x*.” Now, according to Kant, the moral law itself functions as a categorical imperative, as it sets forth an “end in itself” for us as humans, an end which binds all of our acting and willing unconditionally. Yet thinking is surely a “condition” for such acting/willing, by virtue of the fact that it enables the formation (representation) of the requisite maxims. Since Kant takes it as axiomatic (“analytic”) that, in being necessarily obligated to will the end itself, we are likewise necessarily obligated to will all of the means (here: thinking) necessary to arrive at that end,<sup>65</sup> this would therefore imply that the intention to think is itself one that would become categorically imperative for us to maintain.

Yet even if we find an argument of this sort to provide a convincing way to confer a sort of normativity upon logical laws, it does little to resolve the suggestion in Jäsche’s passage that we might *think* otherwise that we *ought*, rather than merely *be* in other mental states than we ought. We would therefore still need to broaden the sense of “thinking” at issue in Jäsche’s text beyond the technical “logical” sense that we have hitherto explored, so that “thinking” could be used here to denote simply “being” in various kinds of mental states, states which (on this hypothesis) might not even possess discernible logical structure.

In this regard, however, it might be of interest to note that the sphere of possible thinking in the *logical* sense appears to coincide with the sphere of possible *conscious* mental states—or at least this is the tenor of Kant’s remarks in the B-Deduction (§16): if the “I think” cannot accompany a representation, then it is “nothing for me” (B132). If we take logical laws to tell us which types of mental states we *ought* to occupy, and these are those states which are “thoughts” in the logical sense, then (by the above argument) it would seem that Kant should take the intention to be conscious rather than unconscious as something that is categorically imperative for us. But in any case, it seems difficult indeed to make sense of our *understanding*, rather than simply our *mind*, being in such unconscious states, with this being something that the understanding can “do,” but “ought” not to.

Perhaps no fully satisfactory reconciliation between these passages and the constitutive reading is possible. Let me conclude, then, by reiterating my claim that these

difficulties are less substantial than those brought about by the straightforward acceptance of the normative interpretation of Kant's logic that is *prima facie* suggested by the Jäsche passage. For it would seem that the constitutive reading alone makes good sense of why it is that (as we noted above at the beginning of Part V) throughout the Critical period, Kant consistently *distinguishes* between logic and all practical-normative disciplines, classifying logic under the heading of formal philosophy, and classifying practical philosophy (along with ontology) under the heading of material philosophy. Ethics in general counts as "material" because it deals with "objects" of free volition. For humans it counts as normative as well, because it has to take into account something which lies outside of the forms of thought or reason itself—namely, our capacity for free choice [Willkür]. Logic, on the other hand, is "formal" it deals solely with reason or thinking "in itself," without reference to its cooperation or application to anything "beyond" itself. Most importantly, it does not refer to any particular "end" we might hope to bring about, or to any "interest" we might hope to satisfy, by deploying our capacities for thought. In fact, given such considerations, it might well be argued, instead, that we should be much more surprised by the suggestion (implicit in Jäsche's text) that the relation which obtained between logic's laws and its subject matter *is* to be characterized in precisely the same terms as that which obtains between "material" philosophical principles and their subject matter.

In any case, I have argued here against something that I have called the "normative interpretation" of Kant's views on the nature of logical laws. Though widespread, I have contended that it runs the risk of wrongfully assimilating Kant's conception of the relation between logical laws and thinking to his views on the bindingness of the laws involved in the practical domain. More generally, I think it remains to be shown that there exists a way to view logic as dealing with a capacity which enjoys "freedom" of the sort that would seem to be required if there is to be a normative dimension (in the sense specified above) to the laws which govern the capacity at issue.

In fact, I take one of the outstanding merits of Kant's position to lie precisely in the care with which he *distinguishes* logic from other disciplines, and so distinguishes the form of specifically *logical* bindingness (or governance) from that which characterizes other sorts of (e.g., ethical, but also natural-empirical) laws. In effect, for Kant, logical laws (and their "bindingness") are *sui generis*. And I suspect that such a careful disentanglement is possible for Kant only because, unlike many of us working on such foundational questions in the philosophy of logic today, Kant takes it to be a necessary condition of having a philosophically adequate conception of logic (indeed, of any "part" of philosophy) that this conception cohere with a *universal system* of philosophy. Because of his commitment to the demands of philosophical "architectonics" (part and parcel of his view that philosophy represents a "*rational*"—i.e., inferentially unified—form of "cognition through concepts" [B741]), Kant is forced to show how each of his extraordinarily nuanced accounts of the various disciplines can be made to fit with, yet still be distinguished from, one another, such that everything is accorded its rightful place, subsumed under a

systematic division of the concept of philosophy itself.<sup>66</sup> And this last point offers us hope that one upshot of a recovery of a Kantian position within the philosophy of logic might be a renewed ability to reincorporate even such an apparently austere discipline as formal logic into a rich yet rigorous *philosophical anthropology*,<sup>67</sup> i.e., a systematic account of the basic forms of a recognizably *human* existence—an account which Kant himself projects as the very culmination of philosophy.

## NOTES

In September 2005 a much earlier (and much briefer) version of this essay was read at the Tenth International Kant Congress in Sao Paolo, Brazil, as well as at the Franke Institute (Chicago) in April 2006. (That version will be published in the Congress *Proceedings* [Berlin: De Gruyter, 2007].) I want to thank Patrick Frierson for his comments during the Brazil presentation, and would also like to take this opportunity to thank Michael Kremer, Robert Pippin, James Conant, Charles Larmore, and Karolina Hübner for their comments on subsequent drafts. Let me thank as well Karl Ameriks, Andy Reath, Pierre Keller, Patrick Kain, and Sean Ebels Duggan for recent discussions of the concept of normativity in the moral and theoretical spheres, and of the difficult notion of a divine (holy) will. Finally, I want to express a special debt of gratitude to Thomas Land for joining me over the past seven years in countless hours of Kant analysis, about all of the topics in this paper and plenty others besides.

1. “In der Logic aber muß man denken, als habe man gar keinen Willen, es würde [sonst] daraus eine praktische Wissenschaft werden, wir haben daher die Wissenschaft des Denkens, und nicht des Wollens.” I will cite Kant’s works by way of the pagination of the “Akademie” edition, in the standard (volume #: page #) format, except in the case of the *Critique of Pure Reason*, which I will cite according to the 1787 B-edition (save for passages which are only present in the 1781 A-edition). All translations are my own, though I have consulted (and usually followed) the Cambridge editions, where available (ed. P. Guyer and A. Wood [Cambridge: Cambridge University Press, 1992–]).
2. In *The Cambridge Companion to Kant and Modern Philosophy*, ed. Paul Guyer (Cambridge: Cambridge University Press, 2006), 129–68.
3. Kant died in 1804. He had retired from teaching in 1796, and by 1800 was far from being in full possession of his philosophical powers, which, by all accounts (including his own), seemed to be failing him as early as 1798–99. See Manfred Kuehn, *Kant: A Biography* (Cambridge: Cambridge University Press, 2001), 413ff.

In producing this text, Jäsche apparently had access to several transcripts of Kant’s lecture notes, as well as the marginalia from Kant’s copy of Georg Meier’s 1752 *Auszug aus der Vernunftlehre*, the logic textbook from which he lectured throughout most of his forty-year teaching career. It is Jäsche’s text which is typically referred to as Kant’s *Logic*, though there are many questions surrounding the degree to which the views presented in this work are actually faithful to Kant’s “considered” or “mature” (“Critical”) position. For one thing, as J. Michael Young notes, in his “Translator’s Introduction” to the Cambridge Edition of the logic lectures (*Lectures on Logic* [Cambridge: Cambridge University Press, 1992]), “we have no evidence that Kant took any role in the preparation of the manual or that he reviewed it” (xviii). Secondly, as will be evident to anyone who takes even the most cursory of looks at Akademie volume 16, which contains Kant’s marginalia, a major problem with Jäsche’s so-called manuscript (as Jäsche himself intimates) is that it consists in a hodge-podge of originally undated remarks, often of a quite fragmentary nature, entered into Meier’s textbook throughout all stages of Kant’s forty-year career as a logic lecturer. Given Kant’s continuous development as a philosopher throughout this time, the difficulties in constructing a single text from these entries which is both internally consistent and accurately representative of any particular moment in Kant’s thought are both obvious and considerable. Compare Terry Boswell, “On the Textual Authenticity of Kant’s *Logic*,” *History and Philosophy of Logic* 9 (1988): 193–203.

Even so, as I note below (Part IX), with respect to the particular Jäsche-passage in question, similar sentences can be found in other lecture transcripts and in marginalia (“Reflexionen”), though these are hardly ever cited or consulted by such “normativist” interpreters.

4. In addition to Longuenesse, some other recent adherents of what I call the “normative interpretation” (though they each elaborate it with varying degrees of sophistication) include Robert Hanna, *Rationality and Logic* (Cambridge: MIT Press, 2006), chap. 7, as well as Hanna’s *Kant, Science, and Human Nature* (Cambridge: Cambridge University Press, 2006); R. Lanier Anderson, “Neo-Kantianism and the Roots of Anti-Psychologism,” *British Journal for the History of Philosophy* 13, no. 2 (2005): 287–323; Mary Tiles, “Kant: from General to Transcendental,” *Handbook of the History of Logic*, vol. 3 (Amsterdam: Elsevier, 2004), 85–130; and John MacFarlane, “Frege, Kant, and the Logic of Logicism,” *Philosophical Review* 111, no. 1 (January 2002): 25–65.
5. Later nineteenth-century representatives of a “normativist” position about logical laws include Friedrich Ueberweg (cf., his 1857 *System der Logic*, §6), Wilhelm Windelband (cf., his “Normen und Naturgesetze,” and “Kritische oder genetische Methode?” in his *Präludien* [Freiburg: Mohr, 1884]) and Christoph Sigwart (cf., his 1889–1893 *Logic* [2nd ed.] §§1–3, §39). For helpful discussion of these post-Kantian normative positions, as well as relation between these views and the late-nineteenth-century debates over logical “psychologism” and the nature of logical laws in general, see Lanier Anderson (op. cit.); Eva Picardi, “Sigwart, Husserl and Frege on Truth and Logic, or Is Psychologism Still a Threat?,” *European Journal of Philosophy* 5, no. 2 (1997): 162–82; Martin Kusch, *Psychologism* (London: Routledge, 1995); and Wolfgang Carl, *Frege’s Theory of Sense and Reference* (Cambridge: Cambridge University Press, 1994).

For two representatives of the “normative” approach in more recent logic textbooks, see Daniel Bonevac, *Deduction* (2nd ed.; Oxford: Blackwell, 2003), and R. M. Sainsbury, *Logical Forms* (2nd ed.; Oxford: Blackwell, 2001). Several philosophers have tried to provide a systematic, philosophical grounding for this sort of position, the most well known of which may be Robert Brandom; see his *Making It Explicit* (Cambridge: Harvard University Press, 1994), especially 12f and 113f.

6. I want to emphasize here that I do not in any way want to claim (now, or in Part II, or at any other point) that the *only* sense that the term “normative” has (or can have) is the one defined in Part II (i.e., the one that is put to work by those who put forward what I have called the “normative” interpretation).
7. In fact, it is a difficult question whether or not Kant is (or should be) willing to call “Willkür” a capacity or power in any sense. For instance, in *Metaphysics of Morals*, Kant writes that “only freedom in relation to the internal law giving of reason is really an ability [Vermögen]; the possibility of deviating [abweichen] from it is an inability [Unvermögen]” (6:226). I return to this point below.
8. I will not henceforth continue to add the qualifier contained in the parentheses, though it should be kept in mind throughout.
9. To continue the cautions from above: I do not mean to claim that every sense which might be given to the term “constitutive” is necessarily incompatible with every sense that might be given to the term “normative”—only that the senses presently at issue are incompatible.
10. This can be true of formal logic’s relation to the understanding *as such*, while still leaving room (as I note below [Part VI]) for the possibility that there is some *other* set of laws—such as those Kant would identify as “transcendental-logical,” “special-logical,” or “applied-logical” laws—which might function as norms for some composite of capacities.
11. This alleged contrast may, however, bring to mind a certain notorious interpretation of Kant’s understanding of relation between law and free action in moral sphere, in which (like my suggestion here that “logical” is equivalent to “thinkable”) morally “free” activity is simply *equated* with “rational” activity. This reading is put forward perhaps most famously by Sidgwick, in the sixth 1901 edition of his 1874 *The Methods of Ethics*, I.5 (“Free Will”), as well as in the appendix to this work (“The Kantian Conception of Free Will”; originally published in *Mind* 13.51 [1888]). To address the difficulties which face this sort of interpretation of the moral sphere would unfortunately take us too far afield; for some discussion, see Christine Korsgaard’s *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), 171f; and Allen Wood, *Kant’s Ethical Thought* (Cambridge: Cambridge University Press, 1999), 173f.

12. Douglas Lavin provides a substantial catalogue of relevant citations from prominent “normativity”-theorists (e.g., Robert Brandom, John McDowell, Christine Korsgaard) on this point—though with an emphasis on the nature of normativity in *practical* reasoning—in his “Practical Reason and the Possibility for Error,” *Ethics* 114 (April 2004): 424–57.
13. For alternative formulations of conditions (1) and (3), compare Lanier Anderson (op. cit.): “[1] Normative rules are such that their validity cannot *entail* the absence of exceptions; that is, the normative rule itself envisions the possibility of exceptions, even though we might find out later, on the basis of circumstances unforeseen in the rule, that the exceptions turn out not to be possible,” such that “even if “ought” implies “can” (in some sense of “can”), it cannot *imply* “does” . . . [3]. Normative rules, then, have standing, independent of the facts they cover. They retain their validity and remain binding, even when violated in fact” (293).
14. See his “How to Talk” (1952), reprinted in *Philosophical Papers*, 3rd ed., Urmson and Warnock, eds. (Oxford: Oxford University Press, 1979). For the “classic” expression of the concept (if not the phrase), see Anscombe’s contrast (*Intention*, 2nd ed. [Ithaca, N.Y.: Cornell University Press, 1963]), §32) of the direction of fit between a man shopping according to his wife’s list (purchases must fit list), and a detective making his own list of the man’s selections (list must fit purchases). In his “Kant’s Distinction between Theoretical and Practical Knowledge” (*Harvard Review of Philosophy* 10 (2002): 49–63), Stephen Engstrom argues that, because of the understanding’s active role in generating the very object of cognitions, the “direction of fit” model itself fails to fit Kant’s account of theoretical knowledge. But this would seem to underestimate the obvious sense of the *objectivity*—by which Kant means (at least) validity “for everyone at every time [für jedermann und jederzeit]” (cf., *Prolegomena* §§18–19)—of (true) Kantian cognitions.
15. I say “in typical cases,” since those which involve governance by laws which are freely self-imposed or due to convention (such as, e.g., political statutes) are norms which *can* be affected by the activities of those bound by these laws—namely, the activity of unbinding oneself from the specific law, rendering it null, or imposing a different law. It has been argued by a number of his readers that Kant’s “revolutionary” insight is that, at bottom, *all* laws are “self-given” in this way. Below, I caution against such radically self-authorizing interpretations of Kant’s language of “Selbst-gesetzgebung.”
16. To take another example: geometrical law is not something which shapes can either succeed or fail to live up to, but rather provides the explication of what it is to be a shape “as such,” and so separates shapes from *non*-shapes. A thought, say, is not a “failed” shape, no more than a triangle is a “failed” square. (Things might be different if we consider the relation of geometrical law to the material (technical) *production* of shapes by a geometer; cf., *Critique of Judgment* 5:172f.)  
 In his *Speech Acts* (Cambridge: Cambridge University Press, 1969), John Searle draws a closely related distinction between “regulative” and “constitutive” rules, such that the former “regulate antecedently or independently existing forms of behavior,” an “activity whose existence is logically independent of the rules,” while the latter “create or define new forms of behavior” (33–34). (A similar contrast is drawn in Rawls, “Two Concepts of Rules” [1955]; and for some discussion of both, see John Haugeland, “Truth and Rule-Following,” in *Having Thought* [Cambridge: Harvard University Press, 1998].) In our discussion here, I prefer “normative,” both because of the special senses given to “regulative” by Kant, and because of the current prevalence of talk of “normativity.” Lavin (op. cit.) also contrasts a position he calls “imperativism” with another he calls “constitutivism,” though the sense of the latter label in Lavin’s essay does not correspond to the sense that I give it in what follows.
17. Among many others who use the language of “normativity” in this context, see Allen Wood, *Kant’s Ethical Thought*, 51, 79–80, 172f; Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996), 92f; Korsgaard, *Creating the Kingdom of Ends*, 43f.
18. The language of “self-legislation” points to the fact that the objectivity of the moral law is wholly derived from its foundation in the “timeless” (apriori) concept of pure practical reason itself. Despite what many commentators appear to think, neither its content nor its bindingness depends upon, or takes its cue from, any *actual* human acts (of free choice, etc.), either individually or collectively. With “actual,” I mean to signal my agreement with Karl Ameriks against certain “constructivist” (conventionalist, or voluntarist) interpretations of Kantian moral autonomy; cf., his *Interpreting Kant’s Critiques* (Oxford: Oxford University Press, 2004), 263f. Ameriks argues that, for Kant, no “act” in *history* (in time) can institute the moral law, or confer bindingness upon it, because the “Selbst” in “Selbst-gesetzgebung” picks out not an individual human self, but rather

“Vernunft” *itself*. As I suggest above, the idea that reason gives itself its own law can be understood as referring to something like the explanatory self-sufficiency of purely “rational” principles for rational behavior, principles that the concept of practical reason contains within itself.

19. As Korsgaard argues in “The Normativity of Instrumental Reason” (in *Ethics and Practical Reason*, eds., G. Cullity and B. Gaut [Oxford: Clarendon Press, 1997]), “even a perfectly rational will cannot be conceived of as *guided* by reason unless it is conceived as capable of resisting reason” (240 n. 52). Korsgaard, however, assumes that a perfectly rational will is “guided by” reason despite an “absence” of any temptation to resist such guidance, and so concludes that these laws can still function as norms (“oughts”) for the holy will, since “it is not imperfection which places us under rational norms, but rather *freedom*, which brings with it the needed possibility of resistance as well as compliance with those norms” (ibid.; my ital.). By contrast, what I am arguing here is that there is no room to read into Kant’s description of the holy will either a presence of temptation or *any* sense of “freedom” to resist despite such absence, since its “willing” is essentially (universally and necessarily) defined by non-resistance. For related criticisms of Korsgaard’s understanding of the Kantian holy will, see Lavin (op. cit.), §VII.
20. In the student transcripts from Kant’s 1794–95 metaphysics lectures (*Metaphysik Vigilantius*, cited in the next paragraph) Kant calls this condition the “subjective contingency [Zufälligkeit]” of a law that is a norm: “it is connected in its determination with the *possibility for the subject to deviate* [abweichen] *from the rule and to do the opposite* [Gegenteil]” (29:1016); the categorical imperative is thus an *imperative* for humans precisely because human beings have “a subjective possibility for the observation [Befolgung] of the law as well as the transgression [Übertretung] of it” (29:1018).

In her “Kant on the Objectivity of the Moral Law” (in *Reclaiming the History of Ethics: Essays for John Rawls*, Reath, Herman, Korsgaard, eds. (Cambridge: Cambridge University Press, 1997), 240–69), Adrian Piper offers an interpretation of the moral law which is in some ways closer to the one put forward here, insofar as it takes seriously the thought that (as Piper puts it) “Kant’s moral theory explicates substantive ethical principles in terms of “the universal concept of a rational being in general. . . i.e., entirely as metaphysics” (*Groundwork* 4:412), and so as categorical principles in the indicative mood” (263). Yet I cannot agree with Piper’s general claim that Kant’s main reason for these contentions is because “his moral theory is fashioned *primarily* with an eye to its application to rational beings in general,” and especially disagree with her claim that such universal applicability is “true for Kant’s metaphysics *more generally*” (264; my ital.). It would seem rather that Kant’s main aim, in both the theoretical and practical domains, is to provide an account that adequately captures specifically *human* experience. It is extremely difficult (to say the least) to see how the (less-“proud”) “ontology” that is generated out of the Transcendental Analytic of the understanding could be “fashioned” in such a way as to be applicable—first and foremost—to anything like what might be seen from the point of view of the divine intellect. Nor do we find any claims that the forms of objects provided by the categories would be valid of an intuitive (or infinite) intellect.

In this regard the moral domain may be more complex, since we are supposed to occupy the very same sphere or realm (“Reich”) as God, and stand under the very same laws of identical form (*GMM* 4:389, 414, 434). (Thanks to Karl Ameriks for raising this worry.) For an excellent discussion of how this point provides the key to the “anti-voluntarism” of Kant and some of his predecessors (like Leibniz and Clarke), see chapter 23 of J. B. Schneewind’s *The Invention of Autonomy* (Cambridge: Cambridge University Press, 1998). I cannot see, however, what moves Schneewind to claim that Kant thinks that the moral law “constitutes a *synthetic* necessity in all rational wills, God’s as well as our own” (521; my ital.), since (as noted above) Kant states to the contrary that the moral law follows “analytically” from the concept of a purely rational will.

21. Compare H. J. Paton, *The Categorical Imperative* (Philadelphia: Pennsylvania University Press, 1971): “In his later works . . . Kant makes a distinction between will (Wille) and *arbitrium* (Willkür). Will in this technical sense is concerned only with the law and so seems to be equivalent to pure practical reason: it is said to be neither free nor unfree” (213).
22. This denial that Wille is “free” might seem to raise questions about the aforementioned (quasi-Leibnizian) sense of “freedom” that Kant does seem to ascribe to a being who consists solely of rational capacities (i.e., a holy will), though the context suggests that what Kant has in mind in this denial is the “freedom” that characterizes our capacity for “free choice.”
23. As the third *Critique* puts it (§76), the moral law takes an indicative form (says what “is”) when

“reason is considered without sensibility,” such that “its causality” would be in “thoroughgoing correspondence with the moral law, where there would be no distinction between what should be done and what is done [zwischen Sollen und Tun]” (5:404).

24. This would be part of the task of a philosophical anthropology. Compare Kant’s May 4, 1793, letter to Carl Friedrich Staudlin, in which Kant claims that the traditional branches of philosophy (metaphysics, ethics, and religion) are organized around certain fundamental questions—namely, what can I know [wissen]?, what ought [soll] I to do?, and what can I hope for?—such that a fourth question should follow: what is man? [Was ist der Mensch?] (11:429). The burden of answering this question would fall to a fourth discipline (anthropology), which would represent the ultimate discipline. For Kant, part of the philosophical worth of these three traditional disciplines, then, lies in their *instrumental* value, insofar as their findings further the goal of the construction of an answer to the question of humanity. The identification of the special significance of these four questions, along with the derivation of a similar relation between them, is repeated in Jäsche’s *Logic*, “Introduction” §III (9:25); compare also the so-called Pölitz, 1790–91 *Vorlesungen über die Metaphysik* (28:533–34). For some discussion of what a Kantian philosophical anthropology might look like, as well as an inquiry into the role that these four questions might play in Kant’s work, see especially Heidegger’s 1929 “Kant-Buch,” *Kant and the Problem of Metaphysics*, tr. R. Taft (Bloomington: Indiana University Press, 1997), §§36 et seq.
25. The point at issue is stated nicely in *Metaphysics of Morals*: “a metaphysics of morals cannot be based [gründet] upon anthropology but can still be applied [angewandt] to it,” such that the application yields a “moral anthropology” as the “counterpart [Gegenstück]” to metaphysics (6:217).

Though I cannot pursue this here, it might be argued that the case involving the “free choice” of humans actually represents, for Kant, the *original* form in which normativity manifests itself, with the other cases (e.g., the teleological laws of animal behavior and development) being counted as normative only *derivatively* (i.e., only due to the regulative demands of *our* subjective capacities for systematic explanation, as discussed in the Transcendental Dialectic and the third *Critique*), on analogy with the distinction between original and derivative intentionality in Robert Brandom, *Making It Explicit* (Cambridge: Harvard University Press, 1994), 58f; and John Haugeland, “The Intentionality All-Stars” (1990), reprinted in *Having Thought* (Cambridge: Harvard University Press, 1998), 129f.
26. Or put more carefully: we can both make, and fail to make, accord with moral law the reason or ground for our acts.
27. Meier’s text is reprinted in volume 16 of the Akademie edition, which also includes the Reflections on logic. It has been argued that Kant used the complete *Vernunftlehre* (“Doctrine of Reason”) during his first two semesters (1755–56), before switching to the abridged version (*Auszug*) of Meier’s work for the remainder of his career. Cf. Riccardo Pozzo, “Prejudices and Horizons: G. F. Meier’s *Vernunftlehre* and Its Relation to Kant,” *Journal of the History of Philosophy* 43, no. 2 (2005): 185–202.
28. This, despite Kant’s apparent esteem for Christian Wolff’s—and by extension, Meier’s—teachings on logic in particular. In Jäsche’s 1800 edition of Kant’s notes on logic, we find the following judgment: “The general logic of Wolff is the best we have . . . Baumgarten, a man who has much merit here, concentrated the Wolffian logic, and Meier then commented again on Baumgarten” (§II, 9:21). This repeats a claim made in the 1790s *Vienna Logic*: “Among the moderns, Leibniz and Wolff are to be noted. The logic of Wolffius is the best to be found. It was subsequently condensed by Baumgarten, and he was again extended by Meier” (24:797).
29. It is worth pointing out that Meier’s use of “Erkenntnis” is somewhat broader than Kant’s own, as it is extended to include *all* representations (§11, 16:76), whereas Kant’s term is (officially) only meant to cover *objective* perceptions (B376). This difference is, however, largely irrelevant for the present discussion.
30. In the “Introduction” (§I) of the *Metaphysics of Morals*, Kant aligns the “will [Wille]” and our capacity for “free choice [Willkür]” with our “capacity for desire [Begehrungsvermögen]” (6:213). Cf., §I of the published “Introduction” to Kant’s 1790 *Critique of Judgment* (5:172). Kant’s own discussion of practical propositions in his lectures from Meier’s text typically introduce the idea of free activity; cf., *Vienna Logic*: “When a proposition is a proposition that commands, an imper-



*ativus*, and says that something *ought* to happen, then it is a practical proposition[;] it says which free actions [freie Handlungen] would be good for a certain purpose” (24:900). Compare also the sections entitled “Psychology” in the student transcripts of Kant’s lectures on metaphysics.

On the difference between capacity and force or power (“Vermögen” and “Kraft”), compare the following comment by Kant’s student, Johann Christian Kiesewetter, in a “Remark” to §12 of his *Grundriß einer allgemeiner Logic nach kantischen Grundsätzen* (Berlin: La Garde, 1791; 4th ed., 1824): “A capacity [Vermögen] is the inner ground of the possibility of a thing [Sache]; a power [Kraft] is the inner ground of its actuality [Wirklichkeit]” (12). (This text, by the way, is at the center of a particularly interesting episode in the history of Kantian logic: Kant [apparently] thought that, in this text, Kiesewetter is guilty of plagiarizing his own lectures [or lecture notes]. See G. Lehmann’s “Bemerkungen zu dem Brief Kants an Kiesewetter vom 27. März 1790” [in *Kant-Studien* 55, no. 2 (1964): 244–49].)

31. Compare, e.g., 1780s *Vienna Logic*: “there is no practical part in logic” (24:794); 1790s *Dohna-Wundlacken Logic* (24:700, 751); in Jäsche’s *Logic*, §II (9:17).
32. For the preface to the *Groundwork*, cf. 4:387f; for the unpublished and published “Introductions” to the third *Critique*, see 20:195f and 5:171f respectively. For a discussion of the circumstances which caused the existence of the two versions of the “Introduction,” see Paul Guyer’s “Editor’s Introduction” to the Cambridge edition of the third *Critique* (Cambridge: Cambridge University Press, 1998), xlii–xliii. For the threefold distinction, see also the *Metaphysik von Schön* (28:468).
33. I will argue below in Part VI that Kant actually takes formal logic to be “prior” to pure morals in the order of dependence-relations among disciplines.
34. Claims about spontaneity are scattered throughout the first *Critique*’s “Transcendental Analytic”: cf., among other places, B74, B93, B129–30, B162n.
35. For McDowell’s construal of the spontaneity of the understanding as consisting in the more robust sense of freedom required of the normative interpretation, see both his *Mind and World* (Cambridge: Harvard University Press, 1996), and his 1997 Woodbridge lectures (*Journal of Philosophy* 95.9 [1998]). To take just one example from *Mind and World*: “When Kant describes the understanding as a faculty of spontaneity, that reflects his view of the relation between reason and freedom: rational necessitation is not just compatible with freedom but constitutive of it” (5).
36. That a certain sort of “freedom of thought” is possible is crucial to Kant’s famous 1784 call to “Aufklärung” (8:41–42).
37. Relevant passages include (1) the 1770s Pölitz lectures (28:266–69); (2) the 1783 review of Schulz (8:13f); (3) the 1785 *GMM* (4:448). This “short” argument has been discussed in, e.g., Karl Ameriks, *Kant’s Theory of Mind*, 2nd ed. (Oxford: Oxford University Press, 2000), 190–210; Henry Allison, *Kant’s Transcendental Idealism*, 1st ed. (New Haven, Conn.: Yale University Press, 1984), 316–25; Robert Pippin, “Kant on the Spontaneity of Mind,” reprinted in *Idealism as Modernism* (Cambridge: Cambridge University Press, 1997), 52–53. All three agree that Kant gave up hope in such a “proof” sometime after 1785.
38. The *Dohna-Wundlacken Logic* transcript weighs in somewhere between the *Vienna* and *Jäsche* positions, as it ties “freedom” [Freiheit] to suspension of judgment [*suspensio iudicii*], which occurs “by choice [willkürlich]” and is “the mean between holding-true [Fürwahrhalten] and rejecting [Verwerfen]” (24:736).  
 Note that Jäsche’s construal of Kant’s position puts fairly direct pressure on readings which want to extend this sense of “freedom,” here ascribed to the capacity for “holding-true,” to Kant’s talk of the “spontaneity” of judgment in general. In addition to Keller and McDowell (*opera cit.*), Korsgaard also seems to subscribe to this sort of reading in those works cited above. This, however, would align Kant’s position too closely with one that is more happily at home in the *Cartesian* framework. Recall the picture of judgment Descartes puts forward in the third and fourth *Meditations*, as a synthesis of intellect and will. For criticism of this sort of interpretation, see Adam Dickerson, *Kant on Representation and Objectivity* (Oxford: Oxford University Press, 2004), 36f; and for sharp criticism of this sort of position in general (with direct reference to McDowell and Korsgaard, and their versions of Kant), see David Owens, *Reason without Freedom* (London: Routledge, 2000).
39. Similarly, claims like the *Prolegomena*’s statement that, “when an appearance is given to us, we are

still quite free as to how we choose to assess the matter [die Sache beurteilen]" (4:290), need not automatically imply that we have any "freedom" or choice with respect to whether or not, say, the "form" of the thought about the appearance will be "in accord with" the logical functions of unity in judgment (whether or not, say, we can take the appearance to be determined by both a predicate and its contradictory).

40. A similar point is repeated in the Jäsche's own text ("Introduction," §I): "All rules according to which the understanding operates [verfährt] are either necessary or contingent. The former are those without which *no use of the understanding would be possible at all*" (9:12; my ital.).
41. The controversy with Eberhard takes places in an essay entitled: "On a discovery whereby any new critique of pure reason is to be made superfluous by an older one."
42. In *Journal of Philosophy* 78, no. 8 (August 1981): 458–82. I am indebted to Michael Hardimon for pointing me to this essay, in which Thompson argues for what he calls a "neo-Tractarian or neo-Kantian way of speaking about logic" (472).
43. From thought's point of view, this some "thing" which fails to meet the demands of logic is a *nilhil negativum*, an absolute *non*-thing "opposed to possibility" (B348; cf., B624n).

Following up on the consequences of these points would require us to sort through Kant's doctrines concerning indirect (apagogic) proofs, and to see whether Kant would recognize anything like a purely "logical" *reductio*. In the Doctrine of Method, Kant actually cautions against the use of this proof indiscriminately; e.g., the proofs of "pure reason" must "never be apagogic" (B817); "Apagogic proof, however, can be allowed only in those sciences where it is impossible to substitute that which is subjective in our representations for that which is objective, namely the cognition of what is in the object" (B819)—"in *mathematics* this subreption is impossible; hence apagogic proof has its proper place there" (B820). The fact that this style of reasoning doesn't hold good for *all* contexts should entail that it cannot be counted as a purely formal-*logical* principle.

It might also be open for Kant to take a line similar to that put forward by Fred Sommers, in his reconstruction of "term-logic" in *The Logic of Natural Language* (Oxford: Clarendon Press, 1982), that *reductio* (and, more generally, various forms of negation) essentially involves a moment of "semantic ascent" (or in his words, involves a judgment of a higher semantic "valence" than the initial predicative unities, as does all *de dicto* negation in Sommers's account). Something of significance in this regard is the fact that, for Kant, logic is not in the first instance about language or a formal language or a symbolic system for the expression of thought, but rather about *thought itself*. Within a formal language, "*reductio*" proofs might be construed via semantic ascent as proofs of the inability of certain sign-strings to count as *expressions* of thought.

44. Again, Jäsche's text ("Introduction," §VII) includes similar statements (9:53–54); Cf., also, *Vienna Logic* (24:824). And among many *Reflexionen*, see R2142 [1776–78] (16:250).
45. It is perhaps in a science which investigated such a cooperative "plane" of cognitive activity that the normative rules for "holding-true" would be contained.
46. For the Leibnizian uses of "spontaneity" and "freedom" that I have in mind, see (among other places) his 1686 *Discourse on Metaphysics* §§32–33; his 1695 *New System of the Nature and Communication of Substances*; and his 1698 *On Nature Itself*, §10. My citations to Leibniz's work will be to Carl Immanuel Gerhardt's *Die philosophischen Schriften von Gottfried Wilhelm Leibniz*, 7 vols. (Berlin, 1875–90); cited as "G."
47. Leibniz discusses this principle of sufficient reason in a variety of places, including perhaps most famously his 1710 *Theodicy* and his 1715–16 correspondence with Samuel Clarke (see especially Leibniz's 2nd Letter, §1; 3rd Letter, §§7–8; and 4th Letter, §§1–5). Leibniz writes in II.21.13 of the *Nouveaux Essais* that the principle that "nothing happens without a reason [rien n'arrive sans raison]" is a "fundamental axiom" of his thought, "without which the existence of God and other great truths could not be properly demonstrated" (G v.164).
48. For the identification of God's nature, his understanding, and the source of the relevant "happy necessity" of reason, see *Theodicy*, §191: "This so-called *fatum*, which binds even the Divinity, is nothing but God's own nature, his own understanding, which furnishes the rules for his wisdom and his goodness; it is a happy necessity, without which he is neither good nor wise" (G vi.230). In his April 3, 1716, letter to Louis Bourguet, Leibniz makes the even more general claim that "ideas or essences are all founded [fondées] on a necessity which is independent of wisdom, convenience, and choice" (G iii.592). (The inclusion of "wisdom [sagesse]" here is possibly a slip, since

- in *Theodicy* §7, Leibniz identifies “wisdom” and “understanding [entendement],” and claims that God’s “understanding is the source of *essences*” (G vi.107.)
49. For Kant, however, there will be something essentially problematic in saying that the logical laws are “eternally” true, given, first, the inability to prove the immortality of the thinking subject, and secondly, Kant’s unwillingness to go along with Leibniz’s identification of the forms and laws which govern our understanding with those which will characterize God’s. For Kant, ours is a finite, discursive intellect, which requires acts of synthesis, while God’s intellect is infinite and intuitive. Nevertheless, these differences, though substantial, do not affect the point at issue.
  50. Pinkard, *German Idealism, 1760–1860*, (Cambridge: Cambridge University Press, 2002), 59.
  51. Charles Larmore’s stronger opinion (in his *Les pratiques de moi* [Paris: Presses Universitaires de France, 2004]) is that, where Pinkard sees a paradox, “I see a contradiction” (149n.1), since “there is not any place outside of normativity from which thought would be able to effect, by some inaugural gesture, its entrance into this domain” (149). (This comes after a comment about the efforts of Fichte to escape such a paradox, which lead to a conclusion that “tips over into nonsense” [ibid.].) Larmore takes this “contradiction” to afflict Kant’s own position, and, in a recent essay (“Back to Kant? No Way”) he criticizes Karl Ameriks for trying to defuse this sense of paradox in a manner similar to one I’ve suggested above. (For Larmore’s essay and Ameriks’ reply, see their exchange in *Inquiry* [June 2003]: 46.2.)
  52. Charles Parsons makes this point with regard to logic in his “Kant’s Philosophy of Arithmetic,” reprinted in *Mathematics in Philosophy* (Ithaca, N.Y.: Cornell University Press, 1983), 118. Recall in this regard, Keller’s construal of spontaneity (cited above): the capacity necessary for an individual to be able to “come to see him- or herself as *having chosen to be bound* by [certain principles] in his or her behavior” (op. cit.; my ital.).
  53. This tempers, perhaps, the extent to which Kant is (or means to be) fully “revolutionary” in his talk of the “self-legislation” of reason, though there can be no doubt that many writing in the “Kantian aftermath” would like to read such radical freedom into Kant’s language here, insofar as they see a more radical position as essential to the possibility of a true “break” with the Rationalist dogmatism of Kant’s predecessors. For the first word of what has surely become by far the most interesting, sophisticated, and careful attempt to read into Kant (at least) an anticipation of just this sort of understanding of the “self-binding” of reason by itself, see Robert Pippin’s *Modernism as a Philosophical Problem* (1st ed., 1991; 2nd ed., Oxford: Blackwell, 1999).
  54. This interpretation brings us close to aspects of Wilfrid Sellars’s position in his 1970 APA presidential address (“This I or He or It (the thing) which Thinks,” reprinted in his *Essays in Philosophy and Its History* [Dordrecht: Reidel, 1974]). There Sellars suggests (§57 et seq.) that the “spontaneity” of the understanding can be construed on the “model” of the functional determination of a computer process, as “following a routine” (§59). In her *The Unity of Reason* (Oxford: Oxford University Press, 1994), Susan Neiman likewise describes the understanding’s operations as “routine, automatic, and mechanical” (49), though I think she makes too much of the alleged “priority” of practical reason, and also fails to note Kant’s explicit insistence (in the second *Critique*, cited above) that there are logical conditions on having a capacity *at all*, which make no reference to ends or interests which the capacity can be used to attain.  
 In general, however, we have to be on guard not to make the understanding out to be too mechanical, in the sense of being “blindly” so; self-consciousness is essential. (On this point, compare *Metaphysik Volckmann* (28:449).) Doug Lavin (op. cit.) calls this insistence on the necessity of self-consciousness in distinctly “rational” activity the “participation requirement” (444). Yet I want to insist (with David Owen (op. cit), and against Korsgaard [*Sources of Normativity*]) that the self-consciousness at issue in the formal-logical analysis of thought—the sense in which we participate in and are conscious of the formation of judgments—need not imply any *control* over (or any ability to “guide”) the relevant activity.
  55. For a partial exploration of the connection between Kant and the *Tractatus* on this point, see Manley Thompson (“On *a priori* Truth”). Insofar as the early Wittgenstein, unlike Kant, does not flirt at all with the language of “oughts” in his discussion of logic’s bindingness upon thought, Eva Picardi might well be right in her claim (op. cit.) that “[t]he most thorough rejection of the conception of logic as a normative science is to be found in Wittgenstein’s *Tractatus*” (170).

Note that, strictly speaking, Kant thus should deny us the ability to “hold-true” something

illogical as well, insofar as this capacity presumes that the item at issue is already a thought. By contrast, Frege at times—and despite his overt commitment to antipsychologism—seems to countenance a construal of logic as normative for our capacity for “holding-true,” and so by implication countenances the possibility of “holding-true” that which is illogical. See his 1897 “Logic” (in his *Posthumous Writings*, tr. Long and White, ed. Hermes, Kambartel, and Kaulbach [Oxford: Basil Blackwell, 1979], 145f), where he implicitly extends the scope of “thinking” to include *illogicalia*, precisely on analogy with the possibility of actual immoral behavior, writing that “thinking, as it actually takes place, is not always in agreement with the laws of logic any more than men’s actual behavior is in agreement with the moral law” (145).

In any case, a position which does not rule out illogical thought (allegedly held by Russell in the 1900s–1910s) is criticized (from a quasi-Kantian point of view) by the early Wittgenstein, who claims in the *Tractatus* (§5.5422) that “[t]he correct explanation of the form of the proposition “A judges *p*” must show that it is impossible to judge nonsense. (Russell’s theory does not satisfy this condition.)” (This point is made as early as the 1913 “Notes on Logic” [3rd MS]): “Every right theory of judgment must make it impossible for me to judge that this table penholders the book. Russell’s theory does not satisfy this requirement” (103, in the appendix to the 2nd edition of Wittgenstein’s *Notebooks 1914–1916*, ed. von Wright and Anscombe (Oxford: Basil Blackwell, 1979)).

56. Kant says as much in §5 of this essay: “now, it might at this point occur to someone to suppose that . . . the three [hybrid] figures would, at worst, be useless, but not actually false. But if one considers the intention which inspired their invention and continues to inspire their presentation, one will come to a different view of the matter” (2:55–56).
57. In his “The Search for Logically Alien Thought” (*Philosophical Topics* 20,1 [Fall 1991]: 115–80), Conant defines “an *illusion of thought*” as “the manufacturing of an appearance of sense where no sense has been made” (134). Conant’s essay brings out the importance of “illusion” as a technical, diagnostic category in both Wittgenstein’s *Tractatus* and in Kant’s own efforts to uncover transcendental illusion in the Transcendental Dialectic. Below I extend this analogy with a similar proposal for Kant’s understanding of *logical* illusion. Conant’s essay also contains a rich treatment of the historical development (from Aquinas, through Descartes, Leibniz, Kant, Frege, Wittgenstein, to Hilary Putnam) of some of the central themes involved in what I have been calling a “constitutive” understanding of logic—especially regarding the “problematic” status of “unlogical” thought within this tradition. Even so, Conant does not appear to find any of the tensions latent in Kant’s own writings—tensions, that is, between what I have called Kant’s “Leibnizian” prioritization of understanding to will and his commitment to the absolute impossibility of illogical thought, on the one hand, and the sentences from Jäsche which motivate the standard, “normative” interpretation, and its implicit commitment to the possibility of such *illogicalia*—that Conant puts on full display in his insightful treatment of this problematic through Wittgenstein’s discussions of logic in the *Tractatus*.
58. “Prolegomena,” vol. I, Halle: Max Niemeyer, 1900; *Investigations I–VI*, vol. II, 1901. J. N. Findlay’s 1970 translation of the “Prolegomena” can be found in *Logical Investigations*, Volume 1 (London: Routledge, 2001). Citations, however, will be to the original German pagination, and the translation here is my own.
59. That is, at least “sensibility” as it is treated in the Transcendental Aesthetic. Things will be quite different if we consider the treatment of sensibility in the third *Critique*. (It is “aesthetic” in this latter sense that Ueberweg, Frege, and others take to be “normative.”)
60. One thinks here as well of Klaus Reich’s well-known dismissal of Jäsche’s *Logic* in his 1932/48 *The Completeness of Kant’s Table of Judgments* (tr. J. Kneller and M. Losonsky [Stanford: Stanford University Press, 1992]), in which Reich claims that Jäsche’s text should be counted as a piece of secondary literature *on* Kant, rather than a work *by* Kant (117 n. 19). (For further discussion of Jäsche’s text, see the works cited in note 3 above.)
61. Cf. R1627 [1790s]: “Not according to which rules we do think—rather, *should think* [denken sollen]. Not psychology” (16:43); R1628 [1780s]: “[Logic] investigates, not how the understanding does think and what happens, rather (it teaches) *what should happen* [geschehen soll], i.e., how it *ought* to think [denken soll]” (16:46; my ital.); see also R1692 [1780s] (16:47); R1612 [1773–77] (16:36). In the lectures, see *Vienna Logic* [1780s] (24:791–92); *Dohna-Wundlacken Logic* [1790s] (24:694).

62. This is, roughly, the suggestion put forward by Anita Kasabova, one of the only recent commentators to attend to some of the obstacles which face any (robustly) normative interpretation. See her “Is Logic a Theoretical or Practical Discipline? Kant and/or Bolzano,” *Archiv für Geschichte der Philosophie* 84 (2002): 319–33. In this essay, Kasabova is (by and large) repeating points made by Rainer Stuhlmann-Laeisz in his *Kants Logic* (Berlin: de Gruyter, 1976). Both Kasabova and Stuhlmann-Laeisz construe this sort of normativity as “trivial.”
- On this, compare Frege’s remark in the “Preface” to *Grundgesetze* I (Jena: Pohle, 1893): “Every law, which says what *is*, can be taken as prescribing that one *should* think in accord with it [Jedes Gesetz, das besagt, was ist, kann aufgefasst werden als vorschreibend, es solle im Einklange damit gedacht werden]” (xv; my ital.).
63. A further option might be to finesse the translation of the Jäsche passage—along the lines of Gary Hatfield’s rendering of similar wording in *Prolegomena* §2—and make “sollen” read, not: how Verstand “should,” but: how it “is required to” think (cf., *Theoretical Philosophy after 1781* [Cambridge: Cambridge University Press, 2002], 65). But this seems somewhat desperate, and possibly an over-stretch of the German, a fact indicated by Guyer and Wood’s decision to translate the passage in the B-edition “Introduction” corresponding to *Prolegomena* §2 (which contains the very same “sollen”-wording) with “should.” (That the rest of the Cambridge Edition also follows the policy of translating “sollen” as “should” with near-uniformity also would make such a move appear very “ad hoc.”)
64. On the priority of the practical, compare also the “Appendix” to the “Introduction” to Jäsche’s *Logic*: “In the end everything comes down to the practical, and the practical worth of our cognition consists in this tendency of everything theoretical and all speculation in regard to its use. This worth is unconditioned, however, only if the end toward which the practical use of the cognition is directed is an unconditioned end. The sole, unconditioned, and final end (ultimate end) to which all practical use of our cognition must finally relate is morality” (9:87).
65. Kant claims that this end-means point is “analytical” in the *Groundwork*: “Whoever wills the end also wills (insofar as reason has decisive influence on his actions) the indispensably necessary means to it that are within his power. This proposition is, as regards the volition, analytic” (4:417).
66. For an excellent discussion of the pivotal, if problematic role of systematicity in Kant’s philosophy and especially in the “systems” of his German Idealist successors, see Paul Franks, *All or Nothing: Systematicity, Transcendental Arguments, and Skepticism in German Idealism* (Cambridge: Harvard University Press, 2005).
67. Kant’s own prioritization within philosophy of the “question of man” (“Was ist der Mensch?”), and with it, anthropology, can be seen in those passages cited above in note 24. For a more recent discussion of these topics, see Jonathan Lear’s analysis of the tensions inherent in any broadly Kantian, “transcendental” approach to “anthropology” (particularly as this is pursued by the later Wittgenstein) in Lear’s 1986 essay “Transcendental Anthropology,” reprinted in his *Open Minded: Working out the Logic of the Soul* (Cambridge: Harvard University Press, 1998), 247–81.