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The Appearance of Spontaneity

Kant on Judgment and Empirical Self-Knowledge

This paper aims to draw a connection between two issues in the interpretation of Kant, both of which have figured significantly in the work of Rolf Horstmann. The first issue concerns the status of the thinking subject as discussed by Kant in the *Critique of Pure Reason*, in particular the Transcendental Deduction and the Paralogisms. What, if anything, is the transcendental subject of apperception, the “I that thinks”? More specifically, how are we to make sense of Kant’s contrast between the transcendental self-consciousness expressed by the formula “I think” and the empirical self-knowledge which allows us to cognize ourselves and our mental states as part of the spatio-temporal world? The second issue concerns the relation of the *Critique of Judgment* to the rest of the Kantian system, and in particular to the views of the first Critique. The *Critique of Judgment* introduces what appears to be a new faculty with its own a priori principle, distinct from the faculties of understanding and reason, and it seems to do so in order to address a problem about cognition left unanswered in the first Critique. But what exactly is that problem and how is the principle of judgment supposed to address it? I have learned a great deal from Horstmann’s discussions of both of these issues. But as will emerge in what follows, I disagree with him on a number of points, the most general of which bears on the relation between the two issues. To the best of my knowledge, Horstmann does not see the faculty of judgment in the third Critique as playing any systematic role in Kant’s philosophy with respect to the notion of the thinking subject in the Deduction and Paralogisms, and in his own work he treats the two issues independently. But the hypothesis motivating this paper is that there is a deep connection between the two. In particular, as I shall go on to suggest, a philosophically satisfactory interpretation of Kant’s views on the thinking subject in the first Critique requires that we appeal to the resources of the third.

The starting point for the interpretive proposal I am offering is a claim with which Horstmann, at least officially, disagrees: that the *I* that thinks – the referent of the “I” introduced at §16 of the B deduction – must be identified with a particular human being in space and time, something which can be the object of empirical self-knowledge. Or to be a little more precise: that each of us, in entertaining the thought expressed by “I think” in the relevant sense, is referring to a particular human being, a human being of which we can acquire empirical

knowledge through both outer and inner sense.¹ Even though the transcendental self-consciousness invoked in the Deduction and the Paralogisms is not the consciousness of oneself as a human being or under any other empirical description, we must still, on this assumption, understand the “self” of which one is conscious as, in fact, a human being. For example, when the human being Rolf Horstmann says the words “I think”, intending to express what Kant calls transcendental self-consciousness, we must understand the expression “I” as referring to Rolf Horstmann, even though Rolf himself is not conceiving himself under that description. Failure to accept this point, it seems to me, makes the *I* that thinks mysterious, or worse, leads us to think of it as some kind of disembodied universal mind outside of space and time, distinct from the particular minds belonging to particular spatio-temporal human beings. Each of us, in going through the reasoning of the Deduction and Paralogisms, has to understand the “I” of the “I think” as referring to him- or herself.

But there is a difficulty standing in the way of this identification. This is that my knowledge of myself as a human being is knowledge of myself as an object, as embedded in a spatio-temporal causal order governed by natural laws. This knowledge seems on the face of it to be incompatible with understanding myself (the human being) as a thinking subject, endowed with the spontaneity characteristic of the *I* that thinks. It is in addressing this difficulty, I shall go on to argue, that the *Critique of Judgment* contributes to Kant’s account of self-knowledge. If we understand human beings as endowed with a faculty of judgment – which, I shall argue, is compatible with understanding ourselves also as part of empirically determined nature – then we can understand how the “I” of the “I think” can, for each of us, refer to a particular human being. For judgment, as I shall argue, is, in a sense, the appearance of spontaneity. The spontaneous subject can, in Kant’s words, “find itself in nature”² because nature includes human beings who are ca-

¹ Note that I want to remain neutral on whether or not Kant is an empirical dualist, leaving open that a human being might be composed of an object of outer sense (a human body) in some kind of association with an object of inner sense (a human mind).

² *Critique of Judgment*, Introduction VIII, 5:193. (Except in the case of the *Critique of Pure Reason*, which I cite according to the usual A and B page numbering, references to Kant’s works cite *Kant’s Gesammelte Schriften*, edited by the Prussian (now German) Academy of Sciences (1900–). All translations, including quotations from the German-language articles I go on to cite, are my own.) My use of Kant’s words in this context might seem like a stretch, since, on the face of it, the passage cited is concerned with the possibility of orienting ourselves in nature’s overwhelming diversity by bringing its objects under a system of empirical concepts. But as I will indicate in section IV, I take the ascription of judgment to human beings to be equivalent to the claim that human beings are capable of conceptualizing nature, or, equivalently, that nature is conceptualizable by human beings. So if the argument of this paper is correct, there is at least some philosophical warrant for

pable of judgment, and who can thus manifest, within the world of appearances in space and time, the spontaneity in virtue of which cognition of nature is possible for us.

The paper is organized in six sections. Section I offers a brief explanation and defence of the claim that the *I* that thinks must be identified with a human being. Section II considers how Kant’s view of cognition might allow for this identification, drawing on a suggestive line of thought offered by Béatrice Longuenesse. Sections III and IV raise an objection to Longuenesse’s view, illustrating the more general difficulty I see with the identification. Section V aims to show how appeal to the faculty of judgment addresses the difficulty, and section VI considers an objection to my approach.

1

In his critique of rational psychology in the Paralogisms, Kant argues that the mere representation “I think” does not afford any cognition of what it is that thinks. This representation does afford consciousness of a certain unity among the representations which it accompanies, and it allows me to think of these representations as belonging to a single subject. But because the representation contains no intuition it does not constitute cognition of an object, nor, a fortiori, of myself as an object. Descartes was wrong, then, to suppose that I have a priori cognition of myself as a thinking substance in which my representations inhere. Even though I can think of myself as numerically identical from one representation to another, this identity pertains to me only as a subject of thought. That I can think the manifold of representations as all belonging to the same thinking subject does not allow me to infer the existence of a single enduring substance in which those representations inhere.

Does this leave any room for an answer to the question “What is the *I* that thinks”? That is, even if this representation itself affords nothing which could qualify as knowledge of a particular self, could it still be that the expression “I” picks out or refers to some entity, perhaps an item which could be cognized otherwise than through the mere consciousness of thinking? In an article from 1993, Rolf Horstmann argues that the answers depend on whether we appeal to the first or to the second edition of the *Critique*. In the first edition, according to Horstmann, the representation of the *I*, for all its emptiness, is still referred to what

interpreting Kant’s talk of the understanding’s “finding itself” in nature in the terms suggested here.

Kant calls a “substrate”.³ The point of the Paralogisms, as far as the first edition goes, is not to deny that the representation is related to an object (*gegenstandsbezogen*) but simply to argue that this object is not knowable for us. In the B edition Paralogisms, by contrast, Kant offers an understanding of the *I* as simply an activity or action (“*dass das Ich als etwas gedacht werden muss, das als Aktivität, als Handlung zu beschreiben ist*”). Here Kant’s account, according to Horstmann, is of a piece with his characterization of the representation “I think” in the B deduction as an “act of spontaneity” (§ 16, B 132). On this account it is a mistake to suppose that there is any entity picked out by the *I* of apperception: to represent the *I* is simply to represent the spontaneous activity of thought. Horstmann’s view of the Paralogisms has been challenged, in different ways, by Tobias Rosefeldt and by Michael Wolff. For Rosefeldt, we must understand the “I” in both editions as picking out an object, but where this object is, in Kant’s terms, a kind of “non-real” object, a *Gedankending*, something of which we lack intuition but which still qualifies as an object.⁴ Wolff is less clear about whether the “I” of the “I think” unambiguously refers to an object, but in contrast to both Horstmann and Rosefeldt, he holds that if it refers to an object, then that object is nothing other than a human being in space and time. “[If] the little word ‘I’ in the sentence ‘I think’ [...] can be referred at all to an intuitable object (distinct from my state of thinking), this object can be nothing other for Kant than me as this human being here, which I can intuit both through my inner and my outer sense”.⁵

Following Wolff’s suggestion, although perhaps taking it further than he intended, I want to claim that the “I” should in fact be understood, at least if we are aiming for a sympathetic reading of Kant, as referring to a human being. I agree with Horstmann that the consciousness expressed by the “I think” is in the first instance consciousness of the activity of thinking and that, through this consciousness alone, we learn neither that there is anything which performs this activity or, if there is anything, what it is. But this does not rule out that the activity of which we are conscious is performed by, or in some more general sense is attributable to, an entity which is cognizable through other means, in particular through empirical means: namely by a human being of whom we can come to be aware both through inner and outer sense. And if it does indeed belong to a human being, then there is a sense in which the little word “I” refers to that hu-

³ Rolf-Peter Horstmann, “Kants Paralogismen,” *Kant-Studien* 83 (1993): 408–425, p. 418.

⁴ Tobias Rosefeldt, “Kants Ich als Gegenstand,” *Deutsche Zeitschrift für Philosophie* 54 (2006): 277–293.

⁵ Michael Wolff, “Empirischer und transzendentaler Dualismus,” *Deutsche Zeitschrift für Philosophie* 54 (2006): 265–275, p. 268.

man being, even though there is, so to speak, no descriptive content associated with that word which would allow me, through entertaining that content alone, to represent myself as a human being. In other words, the mere fact that I cannot claim *a priori* that the “I who thinks” is a human being does not mean that it is not a human being: as Henry Allison puts it, “one can always find a perfectly good *empirical* answer to the question [“what is the I that thinks?”]; for example, Henry Allison”.⁶ Moreover, if we do not make this identification, it is hard to see how Kant’s account of the conditions of cognition in the first Critique can have any bearing on cognition that is “human” in the ordinary sense, namely such that we can ascribe it to individual members of the human species. This might explain why many commentators in fact tacitly make this identification, for example Horstmann himself in a recent attempt to explain the activity of thinking as it figures in Kant’s account of the unity of apperception.

While walking absentmindedly to the station I have [...] visual, acoustical, olfactory and tactile impressions [...] I am aware of all of them without noticing any one of them in particular [...] Suddenly I realize that on the left side of the street in which I am walking, there is a house with a blue door [...] what has happened is that in focusing for reasons normally beyond my grasp on a particular collection of my impressions, I end up being in a propositionally structured state (i.e. that this house has a blue door).⁷

This state, Horstmann goes on to explain, is “the outcome of an activity of mine, of my bringing together into a specific relation certain elements I have not been aware of in a determined manner until then”.⁸ In this explanation “I” clearly refers to Rolf Horstmann, since it is unquestionably Rolf Horstmann who walks to the station, who has visual impressions, who realises that there is a house with a blue door, and who ends up in a propositionally structured state. But since there is no indication of a change in referent, the passage suggests that it is also Rolf Horstmann who performs the activity responsible for this propositionally structured state, that is who brings the elements of the sensory manifold into the unity of apperception. So it seems that Horstmann himself cannot accept without qualification his own official claim, in the same article, that “the self-conscious I is not a self-standing entity”:⁹ there is a perfectly straightforward sense in which Rolf Horstmann is the entity Rolf Horstmann refers to with “I” when he entertains the thought “I think.”

⁶ Henry Allison, *Kant’s Transcendental Idealism* (Yale: Yale University Press, 1983), p. 290.

⁷ Rolf-Peter Horstmann, “The Limited Significance of Self-Consciousness,” *Revue de Métaphysique et de Morale* 68 (2010): 434–454, pp. 446–447.

⁸ *ibid.*, p. 447.

⁹ *ibid.*, p. 453.

2

I have indicated the desirability of identifying the *I* that thinks or the *I* of apperception with a human being, and I have also cited some commentators who seem to endorse – explicitly or implicitly – that identification. Now I want to ask whether this identification is consistent with the overall view of cognition offered by Kant in the first Critique. It might seem that it is simply ruled out by Kant’s transcendental idealism, especially when that idealism is understood along strongly phenomenalist lines. For example, on a common – if not always clearly articulated – reading of the Transcendental Aesthetic and the Transcendental Deduction, the “I” of apperception expresses the standpoint of a being in some sense “outside of” space and time which is responsible for the constitution of spatio-temporal objects – appearances, or phenomena – through an activity of unifying representations given from a source which is also outside of space and time. Both the processes through which the representations are given and the activity of synthesis through which they are unified must, on this interpretation be understood as non-spatial and non-temporal and in a sense prior to space and time. If this is how we understand Kant, then the human being Rolf Horstmann with its representations of a blue door is, along with the blue door and all other objects in space and time, something constructed by the *I* of apperception, albeit out of materials possibly given from elsewhere. So we cannot possibly identify the *I* of apperception with, say, Rolf himself. However, some commentators seem to adopt a less phenomenalist reading of Kant’s idealism, on which the activity of the *I* does not literally constitute spatio-temporal objects out of representations given to it, but rather confers objectivity on those representations, bringing it about that they are intentionally directed towards an objective spatio-temporal world. The activity of the *I* on such a reading serves to generate, not the spatio-temporal world as such, but a representation which has such a world as its intentional object. A reading of this kind is suggested by Béatrice Longuenesse, for whom spatio-temporal objects are made possible by the activity of the *I* in the sense that they could not be “represented objects” without that activity, although the *I* is not responsible for their existence, which depends on the in-itself. They are thus in a sense “internal” to our representations – as she puts it, albeit tentatively, “mental intentional correlates of our representational capacities and activities”¹⁰ – although there re-

¹⁰ Béatrice Longuenesse, *Kant and the Capacity to Judge* (Princeton: Princeton University Press, 1998).

mains a sense in which they exist independently of those activities.¹¹ This seems to leave room for the possibility that the *I* might identify itself with one of those spatio-temporal objects, specifically one of the human beings in the world whose representation it generates. The *I* would thus correspond to the standpoint of a human being whose existence does not, *per impossibile*, depend on its own activity of thinking but which can, however, be represented to itself as a spatio-temporal object only in virtue of this activity. That activity, in other words, would make possible the representation of a world of objects, including human beings, one of which the *I* can recognize as itself, that is, as the very *I* whose activity makes possible the representation of a world of objects in the first place.

Longuenesse suggests something like this conception of self-knowledge in her discussion of the Analogies of Experience. On her reading, the Third Analogy in particular shows how, by drawing on the forms of judgment under the heading of relation, we – and here the “we” is in the first instance the plural of the “I” of apperception – generate the representation of a unified space and time in which all empirical objects may be cognized through their relations of interaction with one another. Kant’s argument has, she says, a “particularly striking aspect”: namely the claim that, in cognizing these causal interactions, “we also situate ourselves, as empirical unities of consciousness associated to a body we represent as our own, in the unified empirical space and time whose representation we thereby generate”.¹² This is because, as she puts it in her discussion of the Anticipations of Perception, “our awareness of the universal ‘community or interaction of the objects we perceive in space [...] includes an awareness of their interaction with *our own body*, and thus of their *causal* determination of the ‘matter of our perceptions, [namely] sensations”.¹³ We synthesize a given sensory manifold so that it comes to represent – to be intentionally directed towards – a spatio-temporal world of interacting substances. And among the substances we thus represent are our own bodies, which we recognize both as causally interacting with other bodies, and as causally related to our mental states, in particular our sensations, and, more specifically, the sensations which serve as the material of our synthesis. So, for Longuenesse, the very sensations from which we generate the representation of an objective world, and which thus come to be intentionally directed towards objects

¹¹ See especially the section on the “internalization within representation of the relation between representation and its object” at pp. 20–26 of her *Kant and the Capacity to Judge*. I have some doubts, independent of the worry I go on to raise for her account of self-knowledge, about the coherence of the account Longuenesse presents in that section. But I leave these aside for the purposes of the present paper.

¹² *ibid.*, p. 378.

¹³ *ibid.*, p. 322.

in that world, are also cognized by us as caused by those objects. She sums up the view towards the end of her discussion of the Third Analogy:

The ‘objects of sensation,’ that is, to which sensations are intentionally related are the substrates of changing determinations [that is, substances] in relations of community with all other substances in space. We cognize these objects only through their rule-governed relations, among which are their relations to our own body. The objects are the ‘causes of the sensations we cognitively relate to them in experience, insofar as between the objects and the sensations we empirically cognize the temporal relation that is the schema of causality: for instance, the regularly repeated succession between my body’s carrying another body and my feeling of weight [...]. The subjective manifold of our empirical representations is itself temporally determined in causal relation to the universal temporal order of the objects of experience [...].¹⁴

As she puts it in conclusion:

the astonishing edifice of Kant’s Analogies of Experience comes to completion [...] by the location of ‘us’ in the empirically given world [...] an ‘us’ [...] consisting of unities of empirical consciousness associated with a phenomenal body of our own, unities of consciousness both passive (receptive, capable of conscious sensation and associative imagination) and active (spontaneous, intellectual, capable of judgment and *synthesis speciosa*). And, as such, the authors of the representation of the very world in which ‘we’ locate ‘ourselves’: transcendental subjects.¹⁵

Longuenesse does not speak explicitly here of the identification of the *I* of apperception with a particular human being in space and time. But I take this identification to be implicit in her claim that, through its spontaneous activity the *I* locates itself as a unity of empirical consciousness associated with a phenomenal body.¹⁶ So I take it to be a consequence of her reading of the Analogies that the word “I” in the expression “I think” refers to, or picks out, a human being which can thus be understood both as a transcendental subject, responsible for generating the representation of the spatio-temporal world, and itself an object located in that world.¹⁷ And as I understand her view, this is possible because the sensations

¹⁴ *ibid.*, p. 393.

¹⁵ *ibid.*

¹⁶ See note 1.

¹⁷ This identification is also implicit in the example of seeing a tower in Béatrice Longuenesse, “Kant’s ‘I think’ versus Descartes’ ‘I am a thing that thinks’” (in D. Garber and B. Longuenesse (eds.) *Kant and the Early Moderns* [Princeton: Princeton University Press, 2008], 9–31), p. 15, and the examples of seeing a tree and carrying out a mathematical proof in Béatrice Longuenesse, “Two Uses of ‘I’ as Subject?” (in S. Prosser and F. Recanati (eds.) *Immunity to Error through Misidentification: New Essays*, [Cambridge: Cambridge University Press, 2012] 81–103), pp. 89–93.

from which the transcendental subject generates its representation of the world, and which thus come to have the spatio-temporal world as their intentional object, are also themselves part of that spatio-temporal world.¹⁸ The transcendental subject receives sensations, including, for example, sensations of weight, which it synthesizes to form the representation of a spatio-temporal world containing such things as bodies endowed with properties such as weight. But the spatio-temporal world thus represented includes a human body, which sometimes lifts other bodies, and a temporal series of sensations and other mental states which are correlated with changes in that human body. For example, it includes sensations of weight whose occurrence is correlated with occurrences of the human body lifting another body. Because these sensations are the very same sensations out of which the transcendental subject synthesizes its representation of the spatio-temporal world, the transcendental subject can identify itself with the human being – the object comprising the human body and its correlated states of mind – thus locating itself in the world whose representation is made possible by its own activity of synthesis.

I shall try to elaborate Longuenesse’s suggestion in terms of an example. How do I – in the sense of “I” corresponding to the apperceptive “I think” – identify myself with the particular human being now forming the ink marks which are responsible for the words you are now reading? In order not to beg the question, we need to think of “I” here as referring in the first instance only to the transcendental subject, leaving open whether it also picks out the (or for that matter any) human being. So while we agree that there is a spatio-temporal human being – call her HG – writing with a pen and sometimes uttering words like “I think”, and a transcendental self-consciousness aware of itself as generating the representation of a world which includes pens, human beings and utterances of “I think”, we are leaving unsettled whether the “I” of the “I think” which expresses the transcendental self-consciousness refers to anything spatio-temporal, and in particular whether it refers to HG. From the point of view of the transcendental subject – that is, from “my” point of view, on the usage being employed in the example – HG is just another object of cognition, along with the pen, the table at which HG is writing, a cup on the table, and other human beings sitting at tables in HG’s vicinity. I cognize HG through synthesizing a manifold of sensations, for example

In each of these examples Longuenesse intends us to understand the pronoun “I” both as the “I” of the Kantian “I think” and as referring to a specific human being in a determinate empirical context.

¹⁸ She does not say this explicitly, but I think it is implicit in her discussion, at (1998) *Capacity to Judge*, 322, of the “shift in point of view” regarding the relation of sensation to the real in appearance.

visual sensations of the colour and shape of a hand, an arm, and part of a torso; in synthesizing these sensations I represent the hand, arm and torso as integrated into a larger scene which incorporates the pen which the hand is holding, the tables, and the other human beings. And it is part of the upshot of this synthesis that I cognize correlations between observed changes in HG's body and other observed changes: for example, between the movement of HG's hand when it is in contact with the pen and the movement of the pen.

But HG plays a special role in my experience, because I also cognize correlations between changes in HG, observed through outer sense, and other occurrences of which I am aware only through inner sense: correlations which distinguish HG from other objects of my experience, including other human beings. For example I cognize that HG's lifting a cup is correlated with the occurrence of a sensation of weight, whereas I find no such correlation between sensations of weight (at least as perceived through inner sense) and cups' being lifted by other human beings. More generally, it is only in the case of HG, as opposed to other objects observed through outer sense, that I come to discover predictable regularities in the occurrence of sensations and other mental states relative to changes in the observed object. The close association between the occurrence of mental states, observed through inner sense, and changes in HG, observed through outer sense, allows me to label these mental states as belonging specifically to HG as opposed to any other object of my outer experience, and thus to regard HG as an object of both inner and outer sense (whereas other human beings, the pen, the cup and so on are objects only of outer sense).¹⁹ I can regard my outer perception of this hand, and my inner perception of a feeling of weight, as relating to one and the same object: a "unity of empirical consciousness associated with a phenomenal body," as Longuenesse puts it, or, as it might also be put, a human being. But – and this is the crucial element in the present discussion – I can also, in Longue-

¹⁹ This explanation of why HG (in the example) plays a special role in the experience of the transcendental subject represents my own attempt to flesh out Longuenesse's account, since Longuenesse herself does not offer an explanation of why it is HG, rather than some other human being, which the *I* identifies with itself. I suspect that the explanation I have offered on her behalf is inadequate, because I doubt that we can make sense of the contrast between inner and outer sense without smuggling in the assumption that the "I" of the "I think" already refers to a human being. Without this contrast, however, it is hard to see why HG's mental states have a privileged role over the mental states of the other human beings which I represent as a result of my synthesis of the given manifold. For the intentional objects of my experience are not restricted to objects of immediate perception but include, for example, mental states whose occurrence can be inferred from my perception of other people's bodies. This might constitute a reason, independent of the difficulty I go on to raise in sections III and IV, to question Longuenesse's account, but I will not pursue it further here.

nesse's terms, "locate" or "situate" myself in the empirical world by identifying HG's body as my own, that is, as belonging to me *qua* subject of apperception and not just *qua* object of inner sense. For I can recognize, on philosophical reflection, that the very sensations of which inner sense makes me aware, and which I can consequently label as HG's sensations, are the material out of which I generate, through my synthetic activity, my representation of the empirical spatio-temporal world. The sensation of weight caused in HG by her hand lifting the cup is identical with the sensation of weight which provides the material for my objective experience of the body as heavy. And this allows me – the "me that thinks" – to identify myself with the HG who is an object of the experience made possible through my activity of thinking.

3

I have elaborated Longuenesse's view because it represents an unusually explicit attempt to confront the question how a transcendental subject, conceived initially as independent of the spatio-temporal world, can be "located" or "situated" within that world. In this section I will raise what I think is a difficulty for Longuenesse's answer. Let us suppose that Longuenesse's view is correct at least up to this point: the transcendental subject synthesizes, out of a given manifold of sensation, and in accordance with the categories, the representation of a spatio-temporal world containing human beings with mental states caused by the impingement of other bodies on their bodies. So, to go back to our example, let us suppose that I – here, again, the I that thinks, conceived initially in a way which leaves open the question of its identification with an object in the spatio-temporal world – come, through the synthesis of a given manifold of representation, to have objective cognition of a human being HG, of a cup in HG's hand, and of a feeling of weight which belongs to HG and is caused by HG's lifting the cup. Is Longuenesse right to claim that I – the I that thinks – am in a position to identify myself with HG? It does indeed seem plausible that if I am in a position to identify myself with any object of my experience, that object can only be HG. For, as noted, HG plays a special role in my experience: it is only the mental states associated with HG's body, and not those associated with the body of any other human being, that I cognize directly through inner sense. However the question is not whether I can identify myself with HG as opposed to some other object of my experience, but whether I can identify myself with HG as opposed to being unable to locate myself in the empirical world at all. And there seems to be an obstacle in the way of that identification: namely that there is a difference between my own relation to the objects which I cognize, and the relation which I represent HG as having to

those same objects. My own relation to the cup is a cognitive one: the cup is the intentional object of my experience, and, in experiencing it, I ascribe properties to it: for example, I cognize it to be heavy. By contrast, the relation I represent HG as having to that same cup is not, at least on the face of it, cognitive, but rather merely causal. Through my synthesis of the sensory manifold in accordance with the categories I come to represent the cup as standing in a causal relation to HG, in particular as causing her to have a sensation of weight. But that does not amount to my representing the cup as an intentional object of HG's mental states, and in particular, to my representing her as cognizing the cup to be heavy. It would seem, then, that I cannot identify myself with HG, or more generally "locate" or "situate" myself at HG's position in the spatio-temporal world, since HG's point of view on the cup is different from mine. Better put, perhaps, she has no point of view on the cup at all. The cup indeed causes sensations in her, but it does not present itself to her, the way it presents itself to me, as a determinate object endowed with specific properties: it is not "in her view" the way it is in mine.

It might be objected that this underestimates my resources for representing HG's relation to the cup. For one thing, it might be pointed out, I recognize that the cup's causing the feeling of weight in HG is not an isolated occurrence. Rather, I recognize it as happening in accordance with an empirical natural law on which one kind of event – a body lifting another body – is correlated with another kind of event – a sensation belonging to the empirical unity of consciousness associated with the first body. So I represent HG's sensation at the very least as indicating the presence of weight in the cup, and this might be thought to be sufficient for my taking HG to represent the cup as heavy. For another thing, I am not restricted to ascribing sensations to HG, but can also ascribe to her an imaginative activity through which she organizes and processes those sensations, to arrive at more complex mental states which might more plausibly be thought of as intentionally directed towards objects like the cup. I can represent HG, that is, as carrying out a kind of cognitive processing, and this might again be thought to support the idea that HG is not merely passively affected by the cup, but also actively synthesizes her representations to arrive at cognition of it. But these resources are insufficient to allow for the representation of HG as cognizing the cup, at least given Kant's understanding of cognition. A quick way to see this is to note that the same resources could be used to represent a non-human animal as cognizing the cup, since the sensations of animals are no less nomologically correlated with the corresponding properties than in the case of humans, and animals no less than humans can be understood as engaging in the kind of imaginative processing through which sensations can be incorporated into more complex representational states. Since, for Kant animals are not capable of cognition in the relevant sense, whatever psychological activity I ascribe to HG cannot be sufficient to establish that her relation

to the cup is cognitive. The fact that the state of mind caused in HG is nomologically correlated with her lifting heavy things, and that it might be the outcome of a psychologically complex operation, does not take away from the fundamental difficulty, that the relation between HG's state of mind and the cup is conceived of as governed by causal laws, and hence as falling short of the spontaneity which Kant takes to be required for cognition. To state the point briefly in Kantian terms: I – the I of the "I think" – conceive HG as passive with respect to the cup, as capable only of combining the sensations it causes in her according to empirical laws of association. But if I am to identify myself with HG, I must be able to conceive HG as also engaged in some kind of genuine activity with respect to the cup: not only responding to it but also making judgments about it. And there is nothing so far in my resources for thinking about HG which allows me to do this.

The difficulty identified here is in the territory of familiar, and more general worries about what Quassim Cassam describes as the "elusiveness" of the self: in Kant's case the worry that, as Horstmann puts it, "the self-conscious I can [...] never be an item of which I can be conscious as an object".²⁰ Dina Emundts raises a version of this difficulty when she says that what we perceive as spontaneous, we cannot see as object-like: "if we wanted to determine the I as being present [*daseiend*] [...] the I would be determined as appearance. But then it is represented not as determining [*das Bestimmende*] but as determined [*das Bestimmte*]"²¹ The

²⁰ Horstmann "Limited Significance", p. 449. See for example Quassim Cassam, *Self and World* (Oxford: Oxford University Press, 1997), Chapter 1. My understanding of the issues concerning self-knowledge for Kant is very much indebted to Cassam's illuminating treatment in this book. However, whereas Cassam sees Kant as committed to the elusiveness of the self and the related "exclusion thesis" according to which the self is not an item in the phenomenal world (*ibid.*, p. 10), this paper starts from the assumption that a sympathetic reading of Kant must find a way to avoid committing Kant to the exclusion thesis. The aim of this paper is to show how the Kantian thinking subject can, *pace* Cassam's reading of Kant, "make itself the object of its own thought and intuition" (*ibid.*, p. 22). Indeed, I see Kant in the *Critique of Judgment* as holding something like the position which Cassam identifies with the "robust response" to the exclusion thesis, namely that subjects of thought and experience are human beings, and as such can certainly think of themselves as objects among others. It should be noted, though, that whereas Cassam's own development of the robust response appeals in part to a conception of awareness of one's self *qua* subject in terms of the notion of immunity to error through misidentification, I do not think that this does justice to Kant's own notion of the subject's self-awareness, which requires that one be aware of oneself as a thinker and judger, and not just (for example) as passively undergoing experiences. Here I am in partial agreement with Béatrice Longuenesse, "Self-Consciousness and Consciousness of One's Own Body: Variations on a Kantian Theme," *Philosophical Topics* 34, (2006): 283–309, and Longuenesse "Two Uses".

²¹ Dina Emundts, "Die Paralogismen und die Widerlegung des Idealismus in Kants 'Kritik der reinen Vernunft'," *Deutsche Zeitschrift für Philosophie* 54 (2006): 295–309, p. 306.

version we have arrived at emerges as a consequence of our attempting to identify the *I* with a particular appearance, namely with a human being. If we think the candidate human being – HG in my example – solely as an element in causally determined nature, then we would seem to be debarred from thinking it as spontaneous, and hence from being identical with the self-conscious *I*.²² A related version of the difficulty is raised by John McDowell when he asks how the referent of the ‘I’ in the ‘I think’ can also be “a third person, something whose career is a substantial continuity in the objective world”,²³ and more specifically how something which “starts out conceiving itself as a merely formal referent for ‘I’” could come to “identify itself with a particular living thing”.²⁴ McDowell describes this identification as a matter of the subject’s “appropriating a body” in that the subject might “register a special role played by a particular body in determining the course of its experience”,²⁵ and this sounds like Longuenesse’s answer, at least on the sketch I have given so far. But, McDowell says, we can only “pretend to make sense of” the idea that the subject could, in this way, identify itself with a living thing, for the idea “would not provide for it to conceive itself, the subject of its experience, as a bodily element in objective reality – as a bodily presence in the world”.²⁶ For McDowell, the difficulty is insoluble. Kant is unable to “accommodate the fact that a thinking and intending subject is a living animal” because of “his firm conviction that conceptual powers are non-natural, in a sense which equates nature with the realm of law”.²⁷ According to McDowell it is because Kant does not recognize what McDowell calls “second nature,” a responsiveness to reasons arrived at as a result of inculcation into human practices of language-use, but which still qualifies as natural, that he is blocked from identifying the standpoint of the *I* with that of a living organism.

²² Cf. also Allison’s suggestion that the act of thinking is incapable of grasping itself as object because “the conceptual activity through which the mind represents an object, including itself as object, cannot itself be given to it as an object. Insofar as one objectifies thinking, that is, treats it merely as a psychological occurrence, one *eo ipso* destroys its character as thinking” (Allison *Transcendental Idealism*, p. 278).

²³ John McDowell, *Mind and World* (Cambridge, Mass.: Harvard University Press, 1994), p. 102.

²⁴ *ibid.*, p. 102–103.

²⁵ *ibid.*, p. 103.

²⁶ *ibid.*

²⁷ *ibid.*, p. 104.

4

A simple way of putting the problem I have identified, one suggested by McDowell’s formulation of it, is just to say that the “I” of the “I think” cannot pick out a human being because a human being is part of the natural causal order and the *I* is spontaneous. But once it is put in this way, the problem might seem to admit of an equally simple solution. Can’t it just be insisted that being spontaneous in the sense of the first Critique is compatible with being part of the natural causal order, so that HG is not only passively affected by the cup, but also capable of a spontaneous activity which allows her to cognize it? And indeed perhaps this is just what Longuenesse has in mind when she describes the “us” that we locate in the empirical world as “unities of consciousness both passive (receptive, capable of conscious sensation and associative imagination) and active (spontaneous, intellectual, capable of judgment and *synthesis speciosa*)”.²⁸ I – the *I* of the “I think” – can identify myself with HG, on this suggestion, because I conceive HG as endowed not just with sensibility and the related capacity of empirical imagination, but also with understanding and the related capacity of transcendental imagination. Admittedly, I have no empirical warrant for ascribing understanding to HG: I as a thinker do not have empirical cognition of HG’s spontaneity, since I as a thinker am not presented to myself as an object. But I do have empirical warrant for judging that if any one of the intentional objects of my cognition is identical with me, that object can only be HG. HG’s special role as an object of my inner as well as my outer experience makes her the only thing in the spatio-temporal world which could be identified with me, or more generally, understood as occupying my own standpoint on the world. And if it can be argued that a full account of the possibility of cognition requires that I be capable of locating myself in the spatio-temporal world, then that would constitute a transcendental justification for ascribing understanding to HG. Once it is allowed, then, that the spatio-temporal character of an object does not debar it from being capable of spontaneous thought, then there is nothing to stop me representing HG as having just the same capacity that I do. I can represent her as identical with me simply by, so to speak, projecting my own spontaneity on to her: by ascribing to her my own spontaneous capacity for synthesizing a given manifold of sensible intuition so as to generate a representation of a world of objects in space and time.

Now, I do think that this suggestion is on the right track, insofar as it recognizes that HG’s spatio-temporal character need not rule out the ascription to her of spontaneity. However, in its present form it is inadequate. As it stands,

²⁸ Longuenesse *Kant and the Capacity to Judge*, p. 392.

the suggestion is that I – the *I* that thinks – simply ascribe to HG the same spontaneous understanding which (on transcendental reflection) I ascribe to myself. That is to say, I ascribe to HG a capacity not only of being affected by things so as to undergo sensations, but also of spontaneously synthesizing those sensations, in accordance with the categories and forms of judgment, so that they come to form a unified representation of a spatio-temporal world of causally interacting substances. I conceive of her as coming to cognize objects, such as the cup she is lifting, by generating, out of the material provided by the cup's affecting her senses, a representation with that cup as its intentional object. And I conceive of the activity through which the representation is generated as amounting to, or resulting in, her cognition of the cup as having determinate properties. For example, I represent her as combining the sensation of weight caused by her lifting the cup with her other representations in a way which is governed by the categories: she relates her sensation of weight to her other representations in what Kant calls an objective unity, something which can be expressed by her saying not just "if I lift a body, I feel an impression of weight" but "it, the body, is heavy" (*Critique of Pure Reason* § 19, B 142). At first sight this might seem to solve the problem. HG, as I represent her, is not merely responding causally to the cup but cognizing it: she is judging it to be heavy. And if that is what HG is doing, then I can identify myself with her, for she, like me, stands in a cognitive relation to the cup.

But the solution is illusory. The problem is that HG on this conception, does not in fact cognize the cup in the example: more specifically, she doesn't cognize the very same cup which I cognize. The cup which I cognize plays, for HG, the role that the unknowable thing-in-itself plays for me: it is not the intentional object of her representations, but rather their unknowable ground. HG does indeed cognize a cup: she synthesizes her representations, including her sensation of weight, so that they come collectively to stand in an objective unity, which she can express by saying (among other things) "the cup is heavy." But I cannot represent her as referring to the very same cup which I cognize, that is to say, to the cup which I represent as affecting her senses so as to produce the impressions which she synthesizes. That cup is no more the intentional object of her experience than the unknowable thing in itself is the intentional object of my experience. So while my ascription of a spontaneous synthesizing understanding to HG allows me to represent her as a judging and cognizing subject rather than a mere animal, it does not allow me to represent her as the same judging subject which I am. In order to do that, I need to represent her not just as cognizing objects as a result of having her senses affected, but as cognizing the very objects which affect her senses, which is to say, the very same objects which I cognize and which are the intentional objects of *my* experience. It is not enough for her to respond to the cup by making a judgment with a content expressible by "the cup is heavy": she must judge, of

the very cup which causes her impression of weight, that it is heavy. Otherwise I cannot conceive her as cognizing the same spatio-temporal world which I cognize, namely the spatio-temporal world in which she is located.

5

The argument so far is that I – the *I* that thinks, as conceived, roughly, on Longuenesse's model – can identify myself with a particular human being in the world only by conceiving that human being as endowed with spontaneity. But I cannot do that by what we might call "doubling the understanding,"²⁹ that is, by regarding the candidate human being as standing in the same spontaneous relation to her sensory manifold as I take myself, in transcendental reflection, to stand to my own. What I need to ascribe to HG is not my own spontaneous activity, conceived of as transcendental, but rather its phenomenal correlate, something which belongs to HG *qua* spatio-temporal appearance but which at the same time allows her to have cognition of, and not merely to be affected by, other spatio-temporal appearances in her environment. In short, what HG needs, in order to be me, is the *appearance* of spontaneity. The main proposal of this paper is that this role is filled by the faculty of judgment as characterized by Kant in the third *Critique*. The faculty of judgment can be regarded as the empirical or phenomenal correlate of the spontaneous activity of the *I* as invoked in the *Critique of Pure Reason*. It is – to speak metaphorically – what this activity "looks like" when viewed from the empirical perspective, in which the *I* is conceived of not as a transcendental subject in some sense prior to, or outside of, space and time, but rather as itself located in space and time and, moreover, subject to empirical causal laws. Alternatively – and perhaps preferably – to talk about the spontaneous activity of the *I* is simply to talk about human beings' exercise of judgment, but in a way which abstracts from our empirically determined, and more generally, our spatio-temporal character. On this way of thinking, the spontaneity of the *I* just is the faculty of judgment, viewed from the transcendental rather than the empirical perspective. Either way, though, appeal to the faculty of judgment makes possible the identification of the *I* of apperception with a particular human being. In terms of our example, I can identify myself with HG by regarding her not merely as responding psychologically to the cup which affects her senses, but as doing so in a way which involves the exercise of judgment.

²⁹ I owe this helpful formulation to Paul Guyer.

This proposal depends on a controversial understanding of the faculty of judgment, but I shall introduce it by making some relatively uncontroversial points. Kant defines the faculty of judgment as the capacity for “thinking the particular as contained under the universal” (*Critique of Judgment*, Introduction IV, 5:179), and distinguishes two ways in which it can be exercised, namely as determining and as reflective. Reflective judgment, which is exercised where “merely the particular is given, for which judgment is to find the universal” (ibid.) is the more fundamental in the context of the *Critique of Judgment*, for it is only in its reflective aspect that judgment shows itself as an autonomous faculty, distinct from understanding. So, in what follows, my references to “judgment” will be to the faculty of judgment in its reflective aspect. Kant describes reflective judgment as making various contributions to empirical cognition, in particular the systematization of particular empirical cognitions into overarching scientific theories,³⁰ but also, at a more fundamental level, the conceptualization of particular objects: for example, conceptualizing a stone as an instance of the general kind *granite*.³¹ And he also understands it as the faculty responsible for judging things to be beautiful, where this in turn is a matter of responding to them with a feeling of pleasure and, in so doing, taking it that all other perceivers of the object ought to respond the same way, or, equivalently, that one’s response is appropriate to, or normatively called for by, the object.³² A more general feature of the faculty of judgment which is rarely remarked on, but which is obvious enough that it should not be controversial either, is that it is ascribed in a context which does not abstract from the empirical spatio-temporal character of human beings. The beings who judge are human beings in an environment which includes other human beings, non-human animals, other natural objects and artefacts. So they are regarded not only as attempting to conceptualize and to understand the natural world, but also as themselves a part of nature: that is, as themselves belonging to the same empirical natural world which they attempt to conceptualize.

A further point, also rarely remarked on, but again not likely to be controversial, is that the possession of judgment distinguishes human beings from other animals in the natural world. Human beings and non-human animals share such psychological capacities as sensation, imagination (including memory) and de-

³⁰ See sections IV and V of the Introduction and sections II, IV and V of the First Introduction.

³¹ See especially section V of the First Introduction, where Kant defines reflective judgment as a “capacity to reflect on a given representation for the sake of a concept which is thereby made possible” (20:211) and describes it as “working with given appearances so as to bring them under empirical concepts of determinate natural things” (20:213). The example of granite is in the footnote at 20:215–216.

³² See in particular the Second and Fourth Moments of the Analytic of the Beautiful.

sire. But while there is a sense in which animals’ psychological capacities allow them to classify objects in their environment – they can discriminate objects of different kinds through responding psychologically to them in ways that are sensitive to, or register, the properties of objects in their environment – they do not conceptualize those objects: they do not represent them *as having* the properties registered, or *as being* of the kinds discriminated. A fortiori, animals do not construct systematic theories in an attempt to understand their environment. They are certainly capable of quite sophisticated patterns of response to their environment which reflect their having registered connections between the holding of different states of affairs (the connection, say, between the rustling of leaves in a tree and another animal’s hiding in the tree). But because animals do not conceptualize the relevant objects, they do not represent the states of affairs *as holding*, so they cannot be said to understand, for example, *why* the leaves are rustling, or to recognize *that* there are regular correlations between rustling leaves and other animals in trees. And while animals certainly feel pleasure in objects, they do not take it that other creatures should share the pleasure they feel, nor do they regard their own pleasure in normative terms, as appropriate to the object which causes it. So animals do not judge objects to be beautiful.

Now I come to something more controversial. I think that these various exercises of judgment can be unified by thinking of judgment, at the most fundamental level, as a capacity human beings have to respond to the objects around in us in ways that incorporate a claim to the normativity of those very responses with respect to those objects. In other words: for human beings to possess a faculty of judgment is for it to be possible for objects outside us to affect us in such a way that the resulting states of mind involve a legitimate claim to their own appropriateness with respect to those objects.³³ Animals lack judgment, not because

³³ “Legitimate” is important here. To regard a human being as capable of judgment is not just to make an empirical psychological claim about her – that she in fact takes (some of) her responses to objects to be appropriate to those objects – but to regard her, at least by default, as entitled to take those responses to be appropriate. The ascription of judgment itself makes a normative claim, and in particular implies that, at least by default, one endorses the judger’s own normative attitudes. The point is important in the context of my overall argument, since without it, (to return to the example) my ascription of judgment to HG would be just another empirical claim about HG’s psychological responses to her surroundings and would not put me in a position to recognize HG as having the same cognition of her environment as I do. In what follows the point is marked by reference to human beings as “aware of” the appropriateness of their responses – where “awareness” is meant to have a factive connotation. To say that I – the thinking subject – represent HG’s psychological response as involving “awareness of” its appropriateness to her circumstances is to say that I not only ascribe the attitude of appropriateness but endorse it. This endorsement is crucial to the possibility of my identifying myself with HG.

they have inferior sensory and imaginative capacities, but because they exercise these capacities without any awareness of a normative dimension to what they are doing, and, more specifically, without the awareness of what they are doing as appropriate. I take judgment, so understood, to be manifested paradigmatically in the case of judgments of beauty. For a judgment of beauty, as I understand Kant's account, is in the first instance a state of mind in which a human being is immediately conscious of her state of mind – the very state of mind which constitutes that judgment – as one which is appropriate to the object, or (equivalently) one which all perceivers of the object should, or ought to, share. But I also take judgment to be operative in cases where we conceptualize, and in turn come to devise theories which systematize, the particular objects which affect our senses. What makes it the case that human beings do not merely react to objects in our environment in a way which reflects sensitivity to their properties, but also conceptualize them, is that our reactions incorporate awareness of their own appropriateness with respect to those objects. It is in virtue of this awareness, on my understanding of judgment, that these reactions do not merely register the presence of the corresponding property, as in the case of an animal, but ascribe the property, or represent the object as having it.

I will not try to elaborate this account of judgment in detail here, since I have presented it elsewhere,³⁴ but I will try to offer enough clarification to indicate how I take it to address the difficulty under discussion. The account has as background the assumption – to which both Kant and other eighteenth-century philosophers, notably Hume, are committed – that our cognitive responses to objects are not just sensory but imaginative, and involve in particular both the integration of current sensations with one another to form unified perceptual images (as when current visual and tactile sensations of colour, shape and texture are unified in the perception of an individual physical object), and the imaginative recall of previous sensations and images (as when the perceptual image of a presented object calls to mind previous images of other objects of the same kind, or with similar properties). For both Kant and Hume, this kind of imaginative processing characterizes both human and animal responses to the world; but Kant, unlike Hume, holds that there is a difference in principle between its character in animals and its character in human beings. According to Kant, the activity is not merely imaginative but also conceptual: human beings do not merely associate their representations according to natural psychological laws, but combine them in accordance with con-

³⁴ In various places, but see especially Hannah Ginsborg, "Thinking the Particular as Contained Under the Universal" (in R. Kukla (ed.) *Aesthetics and Cognition in Kant's Critical Philosophy* [Cambridge: Cambridge University Press, 2006], 35–60).

cepts, both pure and empirical. But, against this relatively uncontroversial background, difficult questions emerge about what the conceptuality of human experience amounts to. Does combination of sensations "in accordance with" concepts presuppose a grasp of the relevant concepts antecedent to the activity of combining? If so, how are we to explain our possession of these concepts, in particular the empirical concepts? And if not, what content can we give to the idea that the activity is governed by concepts? My account of judgment in the third *Critique* aims to provide a particular understanding of the conceptual character of experience, one which does not require that the human being grasp concepts in advance of the imaginative activity which accords with them. As I see it, the difference between conceptualizing objects, as humans do, and merely discriminating among them, as animals do, can be made out without supposing that human beings must possess concepts prior to their conceptualizing activity. What makes our imaginative activity one of conceptualizing, as opposed to the merely associative use of imagination ascribed to human beings by Hume, is simply that it is carried out with an awareness of its appropriateness to the circumstances, an awareness which does not in turn depend on the recognition that this activity conforms to a concept.³⁵

To see this in the context of a simple example, consider an animal which picks up a heavy object in its mouth. An animal in these circumstances might not only experience a sensation characteristic of lifting heavy objects – the kind of sensation I have been labelling a "sensation of weight"³⁶ – but also, in some not necessarily conscious way, recall previous experiences which involved sensations of the same kind. This recall of prior experiences would account for the animal's behaving in certain ways after it has picked up the object, for example for the fact that it avoids dropping the object on its own foot. This behaviour would be explained in terms of the animal's registering the connection between its present sensation of weight and the sensation of pain involved in a previous experience where it did drop something heavy on its foot. Now the animal's tendency, on picking up a heavy thing, to recall previous experiences in which it had picked up

³⁵ The awareness is correspondingly, as I've put it elsewhere, "primitive": in particular, it is not the awareness that one is representing one's environment veridically. I discuss this primitive character in my "Thinking the Particular", pp. 54–58, and in more depth in my "Aesthetic Judgment and Perceptual Normativity," *Inquiry* 49 (2006), 403–437, pp. 415–417 and pp. 419–427.

³⁶ To say that it has a "sensation of weight" is in fact misleading, since the sensation as such lacks intentional content. It is "of" weight only in the sense that sensations of that phenomenological type are characteristically the effect of an object's weight. In the case of a human being, we can think of it proleptically as a sensation "of weight" in the intentional sense since, as a result of imaginative processing, carried out with awareness of its appropriateness to the circumstances, the human comes, in having the sensation, to represent the object as heavy.

a heavy thing (as opposed to any of its other experiences, say of picking up blue things or warm things), amounts in a sense to its classifying the thing as heavy. That is to say: the animal shows sensitivity to, or registers, the property of weight which the thing shares with the heavy things it previously perceived. But it does not represent or conceptualize the object as heavy, and on my view this is because it recalls its previous experiences – and as a result anticipates pain if the object is dropped – without any awareness of this imaginative response as appropriate to its present sensation.

Compare now a human being who, like the animal, lifts an object and feels the same, or a similar “sensation of weight”: that is, a sensation of a phenomenological kind typically associated with lifting heavy things. For her too the sensation will trigger an imaginative process involving the recall of previous sensations of the same phenomenological kind, and this might, as in the case of the animal, lead her to anticipate pain if the object is dropped on her foot. However, in contrast to the animal, that imaginative response involves the awareness of its appropriateness to her present circumstances. So, if she happens to recall the experience of some specific heavy thing she has lifted in the past, she will take this recollection to be appropriate to her present experiential state, in a way that recalling a previously perceived blue or warm thing is not.³⁷ And if she happens, as a result, to anticipate pain if the thing is dropped, she will take this imaginative association too to be appropriate to the present sensation of weight. This makes it the case, on my view, that what she does is not merely to classify the present object with other heavy things, and to anticipate pain if the object is dropped: it is also to bring the object under the concept *heavy*, and to make the inference, from her recognition that the object is heavy, to the judgment that, if dropped on her foot, it will cause pain. But this account of what makes her activity conceptual does not presuppose the idea of her grasping the concept *heavy*; nor, relatedly, does it imply that she needs to grasp the concept *heavy* in order to recall her previous experiences of

³⁷ The idea that the present experience of a heavy object leads us not only to call to mind previous experiences of heavy objects, but also, in so doing, to take the previous experiences to be appropriate to the present experience, might seem strained. It can come to seem more plausible, though, when we reflect on language-use. A less strained example would invoke the fact that a human being lifting a heavy object might express her experience by saying “it’s heavy,” where the word “heavy” both comes to mind naturally (in preference to other words like “blue” or “warm”) and (again in preference to “blue” or “warm”) is regarded by her as appropriate to her present circumstances. This can be seen as a manifestation of her tendency both to recall previous experiences of heavy things (since it was in connection with those previous experiences that she learned the use of the word “heavy”) and to do so with a sense of the appropriateness of what she is doing to her current situation.

heavy things. Rather, it portrays her as grasping the concept *heavy*, and as capable of using it in inferences, in virtue of the same kind of naturally determined exercise of imagination that we might ascribe to animals. The only difference³⁸ is that, unlike an animal, she carries out the activity with the awareness of its appropriateness to the circumstances, an awareness which does not in turn depend on a prior recognition that the object is, in fact, heavy. That is, if my interpretation is granted, her activity is an exercise of judgment, specifically in its reflective aspect.

How does this address the difficulty described in section III? It does so by offering a way in which a human being can be conceived as both passive and spontaneous, as part of nature, but also as standing in a cognitive relation to nature. To return to the example, it allows me to represent HG not just as affected by the cup she lifts, but as cognizing it – that very cup – to be heavy. So it removes the obstacle identified to my identifying myself with HG. Now, it was argued in section IV that this could not be achieved simply by my regarding HG as spontaneous in the same sense of spontaneity that emerges from transcendental reflection on my own cognitive activity. I could not conceive of HG as identical to me by simply grafting my own conception of myself as spontaneous on to a conception of HG as an empirically determined object. For that would have required me to conceive the objects of my own cognition – the objects affecting HG’s senses – as epistemically inaccessible to her. The cup which I judge to be heavy would not have been the object of HG’s cognition, but only the unknowable ground of her sensations. But the ascription of judgment to HG allows me to integrate a conception of HG as empirically determined with a conception of her as spontaneous, by understanding her empirical synthesis of the impressions she receives as incorporating a normative dimension through which it qualifies as cognitive, and more specifically as affording cognition of the very objects which affect her senses.³⁹ It allows me to

³⁸ “Only” here is something of an overstatement, because I take this difference to have far-reaching implications for the variety and sophistication of human imaginative responses in contrast to those of animals. Most importantly, the fact that human imaginative responses can involve this normative awareness makes possible the meaningful use of language, which in turn enables humans to refine their psychological responses to their environment in ways which are not available to animals (e.g. we can develop dispositions to respond not just to presented objects, but to other people’s utterances and also to our own linguistic tokens, so that we become capable of inferential and symbolic thought). But I take this contrast between the range of human and animal capacities, striking though it is, to derive from the more fundamental difference I’ve characterized here.

³⁹ In terms of the passage from Allison’s *Transcendental Idealism* quoted in note 22, the ascription of judgment as I have described it offers a way of “objectifying” thinking, that is, “treating it as a psychological occurrence”, without at the same time “destroy[ing] its character as thinking.” It does so by allowing us to consider something initially conceived of as a psychological occur-

conceive of HG both as responding psychologically to the cup's weight and as – in so doing – judging the cup to be heavy. And this means that I can represent her as making the very same judgment which I myself make when I judge that the cup is heavy. More generally – and to summarize the core thesis of this paper – the ascription of judgment in this sense to HG allows me to conceive of her not only as an object of my cognition, nor even only as an object of my cognition which is itself a subject of cognition; but as *the* subject of *my* cognition. It thus removes the obstacle to explaining how there can be such a thing, for Kant, as empirical self-knowledge.

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Following Horstmann, Rosefeldt, Longuenesse and many other commentators, I have framed my discussion of empirical self-knowledge for Kant by assuming at the outset that the “I” of the “I think” cannot be taken unproblematically as referring to a human being, but must be understood in the first instance as playing some other role: for example, picking out a non-spatio-temporal activity of thinking, or a non-spatio-temporal subject or agent which carries out that activity. My discussion has been organized around the question of how to reconcile this understanding of the “I” with our ordinary understanding of “I” as referring to a human being, a reconciliation which, following Longuenesse more specifically, seems to require that the thinking subject be able to “locate” or “situate” itself in the spatio-temporal world by identifying itself with a particular human being in that world. I have argued that there is a difficulty standing in the way of this identification which can be overcome only by appeal to the faculty of judgment as introduced by Kant in the third Critique (and as understood on the interpretation sketched here).

However, it might be objected that this way of framing the discussion distorts the issues, and, further, that it is this distortion which is responsible for the difficulty I have described. The difficulty, on this objection, is nothing but an artefact of my initial, mistaken conception of the transcendental subject as something other than a human being. It disappears if we understand the “I” from the outset as referring to a human being, so that the “activity” of thought is understood not as taking place in some sense outside of space and time, but as the temporally successive psychological process through which a human being, after being causally

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 rence – the empirical synthesis of the manifold according to natural psychological laws – as, at the same time, an exercise of thought.

affected by spatio-temporal objects impinging on her sense-organs, comes to form cognitive representations of those very objects. Given this understanding of the thinking being and its activity, the question of how the thinking subject comes to pick out some human being to identify with itself – a question whose coherence is in any case open to doubt – might be thought simply not to arise. And in that case, so the objection goes, there is no need to appeal to the *Critique of Judgment* to make sense of the possibility of empirical self-knowledge.

I am sympathetic to the worry that my framing of the question represents a distortion. My aim in adopting it has been to make clear how the difficulty arises for the commentators I have mentioned, and I do not want to commit myself one way or another on whether it represents an accurate, or even a coherent, model of Kant's view. But I do not think that the difficulty disappears if we reject the model, and instead take the “I” of the “I think” to pick out a human being from the outset. For in that case we are confronted with the same difficulty in a different form: how can the empirically determined cognitive processing which takes place in a human being affected by spatio-temporal objects be thought of as involving the kind of spontaneity Kant means to capture with the “I think”? How are we to reconcile a view of human beings as part of a spatio-temporal world governed by causal laws, and in that sense passive, with a view of those same human beings as engaged in genuinely active thought and judgment with respect to the sensations caused in us by external objects? In short, the question which I dramatized above by asking how the transcendental subject in the example can identify itself with HG, can be asked less dramatically by asking simply how a given human being can be both empirically determined on the one hand, and endowed with spontaneity on the other.

I want to suggest in conclusion that the answer to this question is the same as the answer I gave to the question in its previous form. For a human being to respond psychologically to the objects affecting her senses in a way which is not only naturally determined, but a manifestation of spontaneity, is for her response to involve a legitimate claim to its own normativity, or equivalently – on the interpretation I have been suggesting – for it to be an exercise of the faculty of judgment. In the previous section I embedded this conception of human spontaneity within an account of how a thinking being, conceived of initially as a transcendental subject of experience, must conceive of a human being in order to identify itself with her. But we can dispense with this framing device, and think of judgment not as the appearance of spontaneity, but as spontaneity itself: that is, spontaneity in so far as it can be ascribed to human beings.⁴⁰ On this way of looking at things,

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 40 This is the approach which I took in my “Kant and the Problem of Experience,” *Philosophical*

the representation “I think” is simply what a human being is left with when she abstracts from her own spatio-temporal character and that of the objects in her environment. But that there is something for her to be left with, a representation of pure spontaneity, is a reflection of her status – from this empirical perspective, more fundamental than her capacity to entertain the thought “I think” – as not merely a sentient part of nature, but a sentient part of nature which is endowed with judgment.⁴¹

Topics 34 (2006): 59–106), where I argued that what it is for experience to involve understanding or spontaneity is for the empirical synthesis of the sensory manifold to involve awareness of its own appropriateness, that is (in the terms of the present paper) to amount to an exercise of the faculty of judgment as characterized in the third Critique.

⁴¹ I am grateful to the other participants at the conference where this paper was initially presented, and to the audience at a subsequent presentation at the University of Potsdam, for helpful comments and discussion. Thanks in particular to Dina Emundts, Stefanie Grüne, Paul Guyer, Béatrice Longuenesse, Tobias Rosefeldt, Ralf Stoecker, Bernhard Thöle, and Daniel Warren. I would also like to express my gratitude to Rolf Horstmann for many years of friendship, hospitality and intellectual stimulation.

Stefanie Grüne Kant and the Spontaneity of the Understanding

In the *Critique of Pure Reason* there are two chapters in which Kant talks about spontaneity. The first is the *Transcendental Analytic*, especially the transcendental deduction, where Kant characterizes the understanding as being spontaneous. The second chapter is the *Resolution of the Third Antinomy*, in which Kant tries to show that determinism concerning human actions is compatible with those actions being spontaneous. In the *Third Antinomy* Kant makes clear that by ‘spontaneity’ he means absolute spontaneity. Absolute spontaneity is the “faculty of beginning a state from itself” (*CpR* A 533/B 561), that is, the faculty of causing oneself or another substance to be in a state without being caused to do so. From what Kant says in the *Critique of Practical Reason*, it follows that according to him absolute spontaneity is not the only kind of spontaneity, but can be contrasted with something one might call comparative or relative spontaneity. Relative spontaneity is a property of human actions that are not caused by something external to the agent but rather by her own prior states.¹ Unlike the antinomy chapter, the text of the *Transcendental Analytic* is not very explicit about what kind of spontaneity is meant when the understanding is characterized as being spontaneous. For that reason there is an ongoing discussion among Kant scholars whether Kant conceives of the spontaneity of the understanding as absolute or as relative spontaneity.² The reason why Kant scholars are interested in this question usually is that they want to know whether acts of the understanding are caused by prior events or states, i.e., whether we can describe human cognition as a causally determined process. Since the assumption that such acts are absolutely spontaneous seems to rule out that they are caused by prior events or states, some Kant scholars argue

¹ I will give a more detailed analysis of absolute and relative spontaneity in section one of my paper.

² Allison, Henry (1996), “On naturalizing Kant’s transcendental philosophy”, in: H. Allison: *Idealism and Freedom*, Cambridge: Cambridge University Press, 53–66; Pippin, Robert (1987), “Kant on the Spontaneity of the Mind”, in: *Canadian Journal of Philosophy*, Vol. 17, No. 2, 449–476, and Willaschek, Marcus (2009), “Die ‚Spontaneität des Erkenntnisses‘. Über die Abhängigkeit der ‚Transzendentalen Analytik‘ von der Auflösung der Dritten Antinomie”, in: J. Chotas, J. Karásek, J. Stolzenberg (ed.): *Metaphysik und Kritik. Interpretationen zur ‚Transzendentalen Dialektik‘ der Kritik der reinen Vernunft*, Würzburg: Königshausen und Neumann, 165–183, for example, argue that the understanding is absolutely spontaneous; Kitcher, Patricia (1990), *Kant’s Transcendental Psychology*, Oxford/New York: Oxford University Press, argues that it is relatively spontaneous.