

Inverse Psychologism in the Theory of Judgment

Reply to Anderson, Sluga and Zöller

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Outline:

1. Why Judgment?
2. Inverse Psychologism: General Issues
3. Inverse Psychologism in the Phenomeno-Logic of Judgment
4. Judgment and Language
5. [De-]stabilizing Kant's Inverse Psychologism

§1: Why Judgment?

When Jean-Jacques Rousseau was busy completing his first draft of *Émile*, he stopped work on the project long enough to read a new book that had recently appeared bearing the title *De L'Esprit* (*Of Spirit, or On the Mind*). *De L'Esprit* is not now a well-known book, but in its day it was notorious. Within a few weeks of its appearance it had been condemned by the Sorbonne, by the Pope and by the Parliament of Paris; copies of the book were subsequently burnt by the public executioner. It was denounced by its many critics as atheistic, materialistic, sacrilegious, immoral and subversive, and the author's personal safety was secured only after he issued three successive renunciations and was aided by the intervention of Madame de Pompadour, who was a medical patient under the care of his father. The author of *De L'Esprit* was an acquaintance of Rousseau's: Claude Adrien Schweitzer, who wrote under the penname Helvétius. Helvétius belonged to a circle of radical naturalistic philosophers that met regularly at the Parisian home of the Baron d'Holbach, where Rousseau often attended dinner parties and discussions. D'Holbach and his circle were committed to a common agenda: materialism in metaphysics, the rejection of dualism in the philosophy of mind, atheism in theology and cosmology, and the insistence on a fundamental continuity between philosophy and the natural sciences. The human animal, they held, is an intricate machine; to understand man and human society is to understand both as complex causal mechanisms.

There may well have been a time when Rousseau was sympathetic to the d'Holbach programme. But when he read the pages of *de L'Esprit* he was provoked and outraged. He filled the margins of his personal copy with comments, and made plans to publish a rebuttal. But as the hysteria over *De L'Esprit* grew, Rousseau abandoned these plans, reluctant to join the dubious company of the scandalized critics. He decided instead to revise the manuscript of his *Émile* so as to incorporate his response to Helvétius. What most provoked Rousseau about *De L'Esprit* was also its most basic doctrine – a doctrine, as it happens, in the theory of judgment. In its pithiest form, Helvétius' thesis was summed up in just five words, announced in the opening pages: "Judgment," he claimed, "is nothing but sensation." In advancing his sensationalist thesis about judgment Helvétius was attempting to appropriate cutting edge results in natural science. In particular he drew on Albrecht van Haller's recent theory of the irritability of matter in order to advance a materialist, anti-dualistic position in philosophy of mind. If judgment is nothing but sensation, and if sensation can itself be understood as a form of irritability, and if, as van Haller held, irritability is an attribute of matter, then one might finally overcome the dominant Cartesian insistence that judgment requires the action of an immaterial soul.

The published text of *Émile* shows everywhere the traces of Rousseau's revision, and his insistent rejection of the Helvétius thesis. Again and again Rousseau emphasizes the fundamental difference between judgment and sensation – a point that is most fully developed in the portion of the text known as the Creed of the Savoyard Vicar. Allow me to quote one particularly fertile passage.

Judging and sensing are not the same thing. By sensation, objects are presented to me separated, isolated, such as they are in nature. By comparison I move them, I transport them. ... I superimpose them on one another in order to pronounce on their difference or their likeness and generally on all their relations. According to me, the distinctive faculty of the active or intelligent being is to be able to give ... sense to the word *is*. I seek in vain in the purely sensitive being for this intelligent force which superimposes and which then pronounces; I am not able to see it in its nature. This passive being will sense each object separately, or it will even sense the total object formed by the two; but having no force to bend them back on one another, it will never compare them, it will not judge them. [*Émile*, 270-271, emphasis added.]

In Rousseau's reaction to Helvétius I see the outline for a broad philosophical program in the theory of judgment. It is worth distinguishing several of its strands. There is, first of all, a **psychological** hypothesis here: judgment is a psychological faculty, one that involves what Rousseau here calls 'superimposition, intelligence, and pronouncement.' But judgment has an **ontological** dimension, according to Rousseau, in something very like Heidegger's sense: judgment, as he has it here, is the faculty with which we express our understanding of the word *is*. Thirdly there is what we might call an **anthropological** program here. Rousseau is no naturalist in the sense preferred by d'Holbach and Helvétius. But he *was* a naturalist in another sense: concerned to understand what is distinctive about human nature, and to use that understanding as a guide in moral and political endeavor. He was, we might say, a **natural historian** of the human condition. Here again the theory of judgment figures centrally. For judgment, Rousseau holds,

is “the distinctive faculty of the active or intelligent being.” Finally, there is a **metaphysical** dimension to Rousseau’s outline here, as becomes clear in the continuation of the passage I have been considering:

And what is the cause which determines his will? It is his judgment. And what is the cause which determines his judgment? It is his intelligent faculty, it is his power of judging: the determining cause is in himself. Beyond this I understand nothing more. (*Émile*, 280).

It is here that Rousseau marks his most fundamental break from the French Materialism of his day. To engage in judgment, to think of myself as a judge, involves a distinctive self-conception. And moreover: to think of **Others** as judges, and to **treat** others as judges, involves and requires a specific mode of relation with them. In particular it involves and requires treating them as the authors and agents of their judgments. In short, for Rousseau, we cannot think of judges as mere causal mechanisms, reacting to the stimuli of their environment. To make room for judgment, to **leave** room for judgment, requires that we find room for freedom in our metaphysical and political order.

OK, enough about Rousseau. I introduce his voice here mainly in order to answer Hans’ first question. What is the broader philosophical setting for my work on the theory of judgment? It is, to a close approximation, Rousseau’s agenda. This is not to say that I want to take over Rousseau’s position wholesale. But I follow Rousseau in thinking, first, that we can learn something about human *being* – about the kind of being that we ourselves are – by learning something about the character and event of judgment. Like Rousseau, I find that the theory of judgment implicates topics in psychology, in ontology, in metaphysics, and in politics. And like Rousseau, I am tempted by the thought that the theory of judgment marks a principled limit for the bio-mechanical self-conception that was emerging in Rousseau’s time and has become so powerful in our own. So if you find yourself toe-to-toe with the Baron d’Holbach and his French Materialist allies, follow Rousseau’s lead and choose judgment as your theme.

§2 Inverse Psychologism

But if we are tempted to follow Rousseau’s lead then we will need something that Rousseau himself arguably lacked: a systematic method for the study of judgment. Here I would like to introduce a bit of jargon that I have found useful in thinking about these matters. The theory of judgment, I want to propose, should adopt the method that I shall call **inverse psychologism**. Allow me to explain briefly what I mean by this.

Over the past century or so, the history of logic has been regularly punctuated by a heated debate over the virtues and vices of what has come to be known as *psychologism*. The term seems to have been coined around the end of the 19th century, at a time when empirical psychology was coming into its own as an independent science, and when a number of logicians sought to use the new psychology to reform traditional approaches in logic. Rather than simply reiterating and rehashing the traditional syllogistic logic

handed down from Aristotle, the psychologistic logicians proposed to develop a new logic that would be firmly grounded in the empirical study of reasoning and inference. A scientifically respectable account of inferential processes must not, on this view, be developed in splendid a priori isolation from the empirical facts about reasoning; on the contrary, it must be responsive and ultimately responsible to them.

As is well known, the psychologistic program in logic immediately spawned a virulent counter-movement -- *anti-psychologism* -- which argued equally vigorously that logical results cannot and should not have empirical status, and that any appeal to psychological results must be a corruption rather than an enhancement of logic. Logic, on the anti-psychologistic view, does not seek to uncover the empirical facts about how we *actually* think and reason; its concern is with how we *ought* to think and reason, with what *valid* reasoning consists in. Moreover, the results of empirical psychology are inevitably local and contingent, and this makes them ill-suited as foundations for logical principles, which are meant to hold necessarily and with absolute generality. Finally, the appeal to psychological results in establishing the norms of inference was said to be viciously circular, insofar as the scientific practice of the psychologist itself presupposes their validity.

The debate between these rival approaches has been a recurring theme for well over a century, and was one of the familiar dividing lines in the philosophical movements of the 20th century. Permutations on the logical debate played out in epistemology and ethics, and skirmishes over these issues broke out on both sides of the 20th century schism between the so-called “analytic” and “continental” traditions. But in the heated debate between the psychologizers and their critics, we tend to lose sight of a third possible position. Remember that on the psychologistic strategy, logical theory must borrow from results in the empirical study of experience. On the anti-psychologistic position, there is to be no such loan. What is left out of these alternatives is the possibility that the indebtedness runs in the other direction -- the possibility that our study of experience, whether psychological or phenomenological, might itself be informed and guided by results from logic. It is this position that I propose to dub ‘inverse psychologism.’ The idea here is that one might use results from logic – from the theoretical study of inferential structure – as a guide in psychological and phenomenological research into the structures of experience.

In recent times this third position has been more-or-less submerged, but when we take a broader view we see the pattern repeated again and again: Fichte’s *Wissenschaftslehre* derives the basic principles of human subjectivity from the principles of identity and contradiction; Hegel’s *Encyclopaedia* uses logic as the foundation for a phenomenology of consciousness; Husserl uses a logical analysis of assertion to forge his so-called ‘breakthrough to phenomenology’; Carnap uses the resources of the “new logic” to reconstruct the foundations of our experience of an objective world. Even Hume uses logical results to inform and constrain his psychological and phenomenological investigations. In all these examples we can see the pattern of inverse psychologism at work.

The passion which has characterized the debates over psychologism might well suggest that inverse psychologism is a program on which one must take a principled stand -- for or against. Certainly

there is no shortage of general considerations which might be brought to bear on the issue. On the negative side, one can point to a rather impressive list of failures of inverse psychologism: Carnap's *Aufbau*, Strong AI, Husserlian Phenomenology, and Kant's Metaphysical Deduction of the Categories. These are all cases where we find a close reliance on the resources of logic in modeling human experience; but these are also some of the celebrated losing sides and failed research programs in the history of philosophy. In addition, there are those who advance principled reasons for resisting inverse psychologism: according to one long-standing tradition, the study of human experience should be radically descriptivist, renouncing any reliance on theoretical precommitments in favor of a pure account of the facts of experience as they are discovered. ('To the things themselves!') If theory is to be renounced in phenomenological investigation then there would seem to be no grounds for exempting logical theory from this general exclusion. On the positive side there is at least one line of reasoning which would seem to speak in favor of inverse psychologism. Human experience is, after all, an evidentiary structure: some experiences provide evidence for others. My experience of this side of the cup not only *occasions* but *warrants* my expectation that I shall see the other side as I turn it around. Where there is evidentiary structure there must surely be logical structure. So it seems that in some way phenomenology and logic must be coordinated, and indeed that the structures of experience must answer to the demands of logic.

But I do not want to enter this debate at the general level. My aim in this research has been rather to bring the inverse psychologistic strategy back into focus – both historically and systematically -- so that we might consider its workings in some particular instances. My hunch has been that inverse psychologism is where the action is to be found in the theory of judgment. In the book I also explore both psychologistic approaches to judgment and the logicist approach found in Frege and the very early Heidegger. But the most fertile research program in the theory of judgment, I try to show, is to be found in the tradition which has used logical theory to guide phenomenological and psychological investigations.

§3: The Phenomeno-Logic of Judgment

Now the strategy of inverse psychologism can be deployed in a number of different ways. One configuration I consider is the use of logical resources to guide specifically psychological investigations. One example of this is found in connection with Hume's Content Identity Condition – the principle that the content of a belief or judgment must be such that it can remain constant while the assent or dissent from that content varies. So for instance if I believe in God and you deny God's existence and yet a third person is agnostic on the question, there must be some content which is constant across the three cases, otherwise we have difference of opinion but not disagreement. For Hume this condition on the possibility of judgment is rooted in its logical function: the content of a judgment must remain the same through its several occurrences in a proof. Since Quine it has been unfashionable to talk about strict sameness of

meaning – synonymy. But it is worth remembering that we insist on sameness of meaning in the construction of a logical proof. It is constraint at work in the very basic logical demand for univocal symbols. The key point for our purposes, however, is the way in which this natively logical demand guides Hume's investigation of the psychology of belief. It is this pattern that I call inverse psychologism. In Hume's case the project ends in shipwreck, since Hume's psychology is ultimately inadequate to satisfy the Content Identity condition – or so I argue. The pattern of borrowing from logic is not to be blamed for Hume's failure.

In the modern neuroscientific research tradition I have argued that Michael Shadlen's study of the neural implementation of decision in Macaque Monkeys shows the traces of an inverse psychologistic methodology. (Shadlen, by the way, is one my heroes in the book; I am worried that one of Günter's remarks may have given a different impression.) Shadlen is a neuropsychologist, but his argument is anything but psychologistic. In searching for the neural implementation of certain visual decisions, Shadlen's argument starts from a logical analysis of the phenomenological field that the monkeys are called to interpret. He then uses that logical structure as a tool to identify neurophysiological structure. The logical theory – in this case the logic of emergent probability – thus guides Shadlen's psychological research and in very fundamental ways constrains its results. No neural mechanism can count as making this particular decision unless it implements the logical functions that the decision requires.

But I am myself most interested in the use of inverse psychologism as a strategy specifically in phenomenology – for the study of the structures of the *experience* of judgment. Here the most important point of departure in the history of Inverse Psychologism is certainly Kant. Here, however, I want to correct a possible misapprehension. *Theories of Judgment* is really **not** a book about Kant. Indeed the direct discussion of Kant occupies a grand total of about 13 pages of the book, and is more-or-less exhausted by my discussion of a single technical puzzle in what Kant calls the general logic of judgment. Moreover, although my discussion of Kant's own position is perhaps unsympathetic, I was never under the illusion that one might topple the Kantian citadel with a single pot-shot at his logic. I will return at the end of these remarks to the very fertile remarks from Lanier and Günter about the resources of Kant's own approach to the logic of judgment. But I want first to spend a moment exhibiting the fertility of Kant's treatment of judgment for the strategy of inverse psychologism. At this stage – in order to skirt the most contentious matters – let me confine my attention to remarks about the way that Kant's treatment of logic **was understood** by his 19th century successors: first Fichte, then Herbart and Drobisch, later Lotze and Brentano. What we find there, I want to argue, are in fact three distinct and ultimately rival traditions of inverse psychologism, each of which trace their lineage back to Kant. Let me very briefly map these three alternatives. The first two of these are what I have been calling the synthetic and the thetic construals of judgment respectively. I don't have a good name for the third approach (which perhaps explains why it did not receive much attention from the commentators). But for now let's call it *the worldly construal of judgment*.

The construal of judgment as synthesis is certainly the approach that is most closely associated with Kant's own official position. Judgment as it figures both in inference and in the course of human experience is to be understood as a form of combination or syn-thesis: putting or placing together. This may be the combination of concepts in a categorical judgment; it may be the combination of categorical judgments into disjunctive or hypothetical unities; or it may be the synthesis of what Kant calls the manifold of intuition into experience with objective content. In each case combination or synthesis is held to be fundamental to the act of judgment. As Kant writes in a famous passage, "Synthesis of a manifold is what first gives rise to knowledge. ... Synthesis is that which gathers together the elements of knowledge, and unites them to form a certain content. It is to synthesis, therefore, that we must first direct our attention, if we would determine the first origin of knowledge." To follow the Kantian lead in inverse psychologism would, on this approach, be to investigate the ways in which judgment emerges out of the combination of some kind of pre-judgmental units. For reasons that have been pointed out, these pre-judgmental units cannot themselves be concepts, on Kant's account. Ultimately, I think, they would have to be found in the manifold of given intuitions, combined by the synthetic activity of the understanding.

But as the commentators have noted, Kant's writings also gave rise to a rival construal of judgment in which synthesis played a much less central role. In the 19th century logical tradition this rival Kantian approach came to be associated with the notion of thesis or positing. To judge, on this view, is either to posit the existence of something or to deny that something exists. To say that some men are mortal is to posit at least one mortal man; to say that that all men are mortal is to deny the existence of non-mortal men. Though it was to emerge as the chief 19th century rival to the orthodox Kantian account of judgment, the thetic approach was also rooted in Kantian logic – in this case the Kantian treatment of existential judgment as a form of what Kant himself called 'absolute positing.' It was this approach to judgment that was taken up by Fichte and the Herbartian School, and which reached a culmination in Brentano, who rather boldly proclaimed that "synthesis forms no part of the essence of judgment."

But the third and I think most fertile strategy for inverse psychologism is what I am calling the worldly construal of judgment. The Kantian point of departure here is one of the passages disputed by Günter – the idea, as I have had it, that in judging that God exists I effectively use the notion of existence not as a predicate but as a subject. Let me illustrate this approach with an example I use in the book. Suppose we are walking across campus with a prospective graduate student and I say: 'There is an interdisciplinary program in cognitive science at UC San Diego.' According to Kant it would be a mistake to suppose that in such a judgment I am attaching a predicate (existence) to the subject concept (UCSD Cognitive Science Program.) But then the question naturally arises: how is it that I have just managed to convey useful information to our visitor? The answer is not that I have conveyed information *about a particular program* (namely that it exists) but rather that I have conveyed information *about UC San Diego* (namely, that a particular program is included among its formal offerings). It is easy to see that this strategy very naturally scales up to totality. For how do I now say that UC San Diego exists? Certainly not

by predicating existence of it, but rather by saying of the University of California system, for instance, that it includes a campus in San Diego. And how do I then say that the UC system exists? Before long I arrive at a point of maximal totality: The totality of existent things includes California, and its Higher Education system, and that UCSD interdisciplinary program in cognitive science. In the 19th century it was once Lotze who most explicitly embraced this solution to the vexed problem of existential judgment. In the ‘little logic’ of 1883, he offers the following account of the much-discussed and contested judgment ‘*es blitzt*’ [There is lightening.]: “Instead of saying ‘*es blitzt*’ one could therefore say ‘*das Sein ist (jetzt) blitzend*’”. That is, the whole totality of things that exist includes an instance (now) of lightening. And in the major logic he says of the ‘*es*’ in such statements that it refers to ‘the all-embracing thought of reality, which takes now one shape, now another’.¹

Which of these three logical approaches one chooses makes a big difference to the path of one’s Inverse Psychologism. Kant’s own account of judgment, which itself has important phenomenological dimensions, follows the lead of the synthetic construal of judgment. In rather different ways, Fichte and Brentano take up the lead of the thetic construal. And it is in Heidegger, I think, that the worldly setting of judgment is most fully developed and articulated. But in each case, I have tried to argue, the sources can be traced back to Kant.

§4. Judgment and Language

I want to return to reconsider the stability Kant’s own position in these matters. But before doing so I want to address a second issue raised by Hans, namely, the relationship between judgment and language. As Hans indicates, there is a bad old view about this relationship, according to which judgment is an essentially private act of affirmation that is then ‘clothed in language’ in order to be expressed publicly and communicated to others. On this traditional view, language itself plays no essential role in judgment; it is necessary only in those circumstances where we seek to make the private public. Hans and I are in agreement in rejecting this old view, though I think our reasons for doing so differ in important ways. For Hans, the bad old view is bad because it fails to recognize that language is not an external addition to judgment. Judgments, as he puts it, are marinated and suffused by language from the outset. Accordingly his corrective is to think first of speech situations and then to locate what is distinctive about judgment by looking to what is distinctive about judgmental speech acts – i.e., assertions. In making this proposal Hans has some powerful allies. He himself brought out the Wittgensteinian credentials of the proposed corrective, but it is also a shift that we find in Heidegger’s work. After writing his doctoral dissertation on *The Doctrine of Judgment in Psychologism*, Heidegger more and more shifted his attention away from

¹ It is worth noting that on Maier’s account of negative judgment, this reference to totality is also required. I discuss this in chapter IV.

judgment and towards assertion – although for Heidegger, it should be noted, language is really only one possible medium of assertion. Sluga's proposed corrective also closely accords with what Michael Dummett once provocatively dubbed the fundamental commitment of analytic philosophy: the principle that the analysis of language must precede the analysis of thought and experience. In Dummett's case, the proposed corrective is explicitly anti-phenomenological.

I reject the bad old view for what I think is a different reason, and accordingly I suggest a different sort of corrective. My main reason for rejecting the bad old view is that it leads to a famous phenomenological dead end. If we think of the judgment as a private act of consciousness then it is natural to ask what characterizes that act of consciousness as the act of consciousness that it is. What is it like to judge? How does this private experience of judgment show itself in our conscious experience? How does the experience of judging that *p* differ from the experience of wondering whether it is the case that *p*, or entertaining the hypothesis that *p* is true? The attempt to articulate the phenomenology of judgment by answering these questions has been a disaster, as I have tried to show in detail in the book. From David Hume to Franz Brentano to Benjamin Libet, theorists committed to the idea of judgment as a distinctive conscious event have either been reduced to phenomenological silence (treating judgment as some kind of unanalyzable phenomenological primitive, as in Brentano and Libet) or else have ended up falsifying the phenomenological facts – positing some supposed 'feeling of judgment' or characteristic vivacity of believed contents that answers to nothing in the real phenomenology, as in Libet and Hume. Accordingly, my proposal is to give up the idea that judgment is a private act of consciousness in the first place. If judgment is not private then we do not need language to make it public; hence the bad old view is abandoned.

My own alternative alternative to the bad old view is not, like Dummett, to renounce phenomenology. Instead I draw on a proposal from Theodor Lipps' – one of the logicians that Heidegger tries to refute in his doctoral dissertation. Lipps' strategy is to treat judgment not as a private act of the mind but a characteristic comportment – a proposal that enjoys a considerable afterlife in Heidegger's early phenomenological writings. To judge, on this view, is not to engage in a private act of consciousness but to comport oneself (to things, to evidence, and to others, to oneself) *in a judgmental mode*. This judgmental comportment may often, even typically, involve the use of language; but it need not. To take one of Heidegger's mundane examples: I might judge that a certain picture is crooked by saying – either to myself or out loud – "That picture is crooked." But I might just as well silently stand up and straighten it. In both cases, of course, my comportment requires interpretation in order to be recognized as what it is. But this is not because my judgment is an internal hidden act of subjectivity; it is because judgment is meaningful and hence interpretation is required to recognize it.

In the book I press this point in connection with the particular case of the judgment of Paris, who carries out his judgment by simply handing over an apple to a beautiful goddess. But let me here consider a different literary example. Consider Anna Karenina, trying to decide whether to abandon her husband. And as we know, she eventually decides to do so. She has reached a judgment. But now what is the

medium of her judgment? Is it a private act, confined in her private sphere of consciousness? I think it cannot be. For whatever we consider such an act to be, it seems clear that she might undergo it and yet not leave her husband. Suppose she says to herself over and over again: "I will leave him; I will leave him." But she does not go. Suppose she says the same thing, perhaps to her lover, or even to her husband. If she does not leave then the judgment has been entertained but has not been taken. The medium of judgment here is neither private consciousness nor public language; it is public interpretable comportment. If we want to understand what judgment is as a structure of experience, we should train our attention on intentional interpretable comportment.

But having distinguished my position from the Wittgensteinian position Hans has suggested, I want to come back to a point of agreement. In the final chapter of the book I do discuss language, albeit much too briefly, and I agree in the end that language is indeed essential to the *capacity* for judgment. But the essential role I find for language is not the same as the marinating role that Hans has proposed. I am perfectly happy to accept non-linguistic judgments. But while particular acts of judgment may indeed be silent, judges themselves cannot be. Or rather, let me put the point this way: particular acts of judgment may well be nonlinguistic; but the capacity for judgment requires the exercise of the capacity of speech. This is a point that might well be pressed with the help of Rousseau, for whom participation in the public deliberative practices of the Assembly is in the end an essential condition on the possibility of free judgment. In the book I do little more than sketch this idea in connection with my account of judgment as an ideal activity – a comportment that is partly constituted with reference to ideals. Judges, as I would like to put the point, are essentially bound to certain ideals. In particular, judges ought to be objective, judges ought to be reasonable, judges ought to be articulate, judges ought to be free. If this is right, then the use of language is no incidental accretion to judgmental comportment. Judgment is rather essentially oriented toward speech – in particular toward the forms of speech just like this: where one strives to articulate one's judgments and the reasons that inform them, and where one comports oneself towards others who question and challenge those judgments and their grounds. Notice however that on this view, it is not so much the content of judgment that requires language as its marinade; it is the characteristic comportment of judges.

5. [De-]stabilizing Kant's Inverse Psychologism

Let me conclude with a few words about Kant. I hope it is clear by now that Kant has a leading role in the story I want to tell, although the story is not in the end really about Kant himself. In their comments, both Günter and Lanier challenge my claim that there is a fundamental instability in the Kantian position. I'll admit here that that claim was perhaps a bit rash, but I guess I still think there is some important truth in it. In one of my preferred metaphors Kantian philosophy is the citadel on the hill; as we have seen today it is exceptionally well-defended by a band of able and loyal archers. But I also think that

Kant's philosophy is a bit like tippy boat, and that it can be made to swing first one way and then another. In saying this I do not mean to be criticizing Kant, much less trying to refute him. Indeed as I have tried to indicate in these remarks today, this very feature of Kant's philosophy has been part of its extraordinarily fertile legacy. In the book I have mainly been concerned to trace some of the consequences of this rich legacy in the theory of judgment, following out in turn the thetic and the worldly construals. As I see it Lanier and Günter have each proposed ways of stabilizing Kant's boat in his own terms, rather than overturning, as many of his successors would have preferred. I am sympathetic to their suggestions, and indeed have profited enormously from their particular suggestions, both substantive and interpretative.

But is Kant's boat fully stable in the end? I will not be so foolish as to attempt an answer to this question here. But I'll confess that my sense of its rich instability persists. Let me try one last way of trying to articulate this sense of instability. As we have seen in detail this afternoon, Kant finds in judgment both an element of synthesis and an element of positing. In judgment I combine my representations and I posit something in the world. Kant's 19th century successors thought they faced a choice in following Kant, depending on which of these two aspects of judgment one chooses to emphasize. They may well have been wrong to think that we face such a choice. What *is clear*, however, is that Kant himself recognized two fundamentally different varieties of positing: what he called relative positing and absolute positing. When I judge that all Cyclops are monocular, I posit the concept of a Cyclops *in relation to* the concept of being one-eyed. That for Kant, is relative positing. But if I say that a Cyclops *exists*, I posit something in the world as answering to my concept of a Cyclops. That, for Kant, is absolute positing.

One of Kant's earliest deployments of this distinction comes in the 1763 essay on the ontological proof. It is worth noticing that in that context Kant first deploys the distinction in talking not about *our* acts of judgment but rather in talking about *God's* judgment. Allow me just one quote from Kant's text, in a passage where he is imagining God's original act of creation.

If I imagine God uttering His almighty '*Let there be*' over a possible world, He does not grant any new determination to the whole which is represented in His understanding. He adds no new predicate to it. Rather, He posits the series of things absolutely and unconditionally, and posits it with all its predicates; everything else within the series of things is posited *only relative to the whole*. (Ak 2:74)

On Kant's account here, God's original creative act is preceded by a lot of relative positing. Inside God's mind, so to speak, he combines a lot of representations. But in the act of creation God goes beyond merely relative positing to an act of absolute positing – positing the whole series of things absolutely and unconditionally, along with all their predicates, and positing particular individuals only in an essential relation to the whole. I think that Kant's creation myth is telling. In his story there are two kinds of divine judgment. Judgment as relative positing is a mind-side activity, wholly contained within the mind of God. But while absolute positing is also in some sense a mental act, it is a mental act that cannot be contained in the mind – even within the capacious mind of God. It is here, I think, that we find one of the tipping points in Kant's boat. To follow the synthetic construal of judgment is to think of judgment – ours as well as

God's – as a mind-side activity. But if absolute positing is indeed part of the very essence of judgment, then judgment is a mental act that essentially overflows the limits of the mind. I believe that this tipping point in Kant's project is related to other notorious tipping points in his thought, particularly in connection with the character of Kantian idealism. But I am going to exercise what is left of my good judgment, and leave that topic for another occasion.