

The Nonconceptualist Reading of Kant and the Transcendental Deduction

Thomas Land

(Corpus Christi College, Cambridge)

Every interpreter of the *Critique of Pure Reason* faces the difficulty that Kant appears to be committed to the following three claims:

*Sensible Intuition:* All our intuitions are sensible.<sup>i</sup>

*Synthesis Dependence:* All our intuitions depend on acts of synthesis.<sup>ii</sup>

*Spontaneity:* All acts of synthesis are spontaneous.<sup>iii</sup>

Although there is no formal inconsistency here, to many commentators it seems that these three claims cannot all be true, since they jointly entail that intuitions are both sensible and depend on acts of spontaneity. And if we put it this way, it can easily look as if this claim clashes with one of the Critical Kant’s most fundamental commitments, viz. his insistence that intuitions and concepts constitute two irreducibly distinct kinds of representation. Call this the thesis of Heterogeneity:

*Heterogeneity:* Intuitions and concepts are distinct species of representation.

In what we can regard as a way of unpacking Heterogeneity, Kant attributes intuitions to the faculty of sensibility and concepts to the faculty of understanding. The former is characterized as receptive, the latter as spontaneous. A faculty is receptive just in case it is a capacity “to receive representations insofar as it is affected in some manner” (A51/B75), and it is spontaneous just in case it is a capacity “to bring forth representations from itself” (ibid.). It therefore looks as if there is an exclusive alternative between, on the one hand, sensible intuitions, which depend on

affection, and, on the other, the concepts of the intellect, which depend on acts of spontaneity. In light of this, we seem to be able to attribute to Kant the following principle:

*Incompatibility:* A representation is sensible just in case it does not depend on acts of spontaneity.

Jointly, Sensible Intuition, Synthesis Dependence, Spontaneity, and Incompatibility are inconsistent.

Since Heterogeneity is commonly taken to be non-negotiable and to entail Incompatibility, commentators wanting to save Kant from inconsistency face the difficulty that they cannot ascribe to him a commitment to all three of Sensible Intuition, Synthesis Dependence, and Spontaneity. An obvious strategy is to argue that Kant is not in fact committed to one or more of these. The version of this strategy that denies Kant's commitment to Spontaneity has recently attracted a following.<sup>iv</sup> I call this the Nonconceptualist Reading of Kant (NCR), and my aim in this paper is to show that NCR fails, but that its failure is instructive in that it points the way to a more acceptable solution.<sup>v</sup> The reason NCR fails is that it cannot give a convincing account of Kant's strategy in the Transcendental Deduction of the categories.<sup>vi</sup> In particular, I shall argue that NCR has to choose between two equally unacceptable readings of the Transcendental Deduction: Either it construes the Deduction as being concerned with a question of fact rather than a question of legitimacy, despite Kant's explicit avowals to the contrary; or it ascribes to Kant a position he criticizes as a form of skepticism.<sup>vii</sup>

I proceed as follows. I begin by motivating NCR (§I). Next, I raise two objections for NCR's construal of the Transcendental Deduction, one straightforwardly textual and one concerning the distinction between a question of fact and a question of legitimacy (§II). I then consider a possible response that advocates of NCR could make and argue that this response runs into the other horn of the dilemma just sketched (§III). I conclude by outlining an alternative reading, which avoids the shortcomings of NCR while preserving the genuine insight motivating it (§IV).

## I. The Nonconceptualist Reading

Since an important part of the motivation for NCR derives from the fact that it avoids problems faced by the other two obvious alternatives for resolving the inconsistency with which I began (viz. those of denying Kant's commitment to either Sensible Intuition or Synthesis Dependence), I wish briefly to introduce these. Proponents of all three alternatives agree that the following commitment is central to Kant's overall position:

*Concepts:* A representation is about substantial objects only if it involves the application of concepts.

By saying that a representation is *about* substantial objects I mean that these form part of the intentional content of the representation. By saying that it is about *substantial* objects I mean that it represents objects that persist through changes of their properties and stand in causal relations. Exactly what a concept is for Kant, and what it takes to apply concepts, need not concern us for now. The point is simply that concepts must in some way be involved for a representation to be about substantial objects.

Given Kant's commitment to Concepts, we can ask whether intuitions are about substantial objects and distinguish different readings by reference to how they answer this question. Merely Receptive Intuition Readings (as I will call them) return a negative answer. On this type of reading, intuitions amount to sensory data, which do not as such have any intentional content and so are not about objects. Merely Receptive Intuition Readings seek to resolve our inconsistency by rejecting Synthesis Dependence: They deny that intuitions depend on synthesis. Synthesis (and so spontaneity) enters the picture only when concepts are applied in judgment, and making a judgment is distinct from having an intuition.<sup>viii</sup>

A serious problem for Merely Receptive Intuition Readings is that there is strong textual evidence in favor of Kant's commitment to Synthesis Dependence.<sup>ix</sup> Accordingly, many commentators seek to avoid this strategy and instead accept that intuitions depend on synthesis. They attribute to Kant the following position: Intuitions are about substantial objects. But

according to Concepts this requires the application of concepts. Synthesis Dependence captures precisely this. Accordingly, the acts of synthesis on which intuitions depend are acts of concept application. Just like a judgment, an intuition depends on the application of concepts. I call a reading of this type a Strong Conceptualist Reading.<sup>x</sup>

NCR tries to chart a middle course between Merely Receptive Intuition Readings and Strong Conceptualist Readings, seeking to appropriate the virtues of each, while avoiding their mistakes. From NCR's point of view, Merely Receptive Intuition Readings appreciate the heterogeneity of intuitions and concepts. But they go too far in denying that intuitions are about objects. By contrast, Strong Conceptualist Readings appreciate that intuitions are about objects. They go too far in taking this to imply that intuitions depend on the application of concepts. In the view of the Nonconceptualist, this amounts to denying the heterogeneity of intuitions and concepts. Accordingly, for the Nonconceptualist the challenge is to find a way of preserving the Strong Conceptualist's insight without undermining the heterogeneity of intuitions and concepts.

This challenge can be met, the Nonconceptualist argues, if we attribute to Kant a distinction between two kinds of objective purport, that is, two ways in which a representation can be about objects. One of these is characteristic of judgments, the other is characteristic of intuitions. The thesis of Concepts applies only to the kind of objective purport characteristic of judgments. This leaves open the possibility of a kind of objective purport that is not tied to the application of concepts. Call this sensible intentionality.

What accounts for sensible intentionality? On the version of NCR developed by Lucy Allais, which is helpfully clear on this issue, it is the immediacy of intuition in conjunction with Kant's doctrine of the pure form of intuition, space.<sup>xi</sup> According to Kant, an intuition relates to its object immediately, and Allais interprets this as saying that intuition is object-dependent.<sup>xii</sup> But although object-dependence is necessary, it is not sufficient.<sup>xiii</sup> The spatial character of intuition is also required. Thus, in intuition the perceiver is aware of a particular object at a particular location, according to Allais. An intuition is thus fundamentally a representation of something that is distinct from oneself – an object – because it is in a distinct location in space.

However, the notion of object involved here is a very thin one. This becomes clear when we contrast sensible intentionality with the intentionality of judgment, which involves a thicker notion of objects. Here is how Allais characterizes the difference:

We can distinguish between perceiving a particular (having a singular representation of an individual thing outside me) and representing a particular *as an object* in the full blown sense of something that is grasped as a causally unitary, spatiotemporally persisting substance whose present complex of interrelated properties are a function of its causal nature and its causal history, which is in thoroughgoing law-governed community with other objects, and which is made of stuff that cannot come into or go out of existence absolutely. (405)

According to the Nonconceptualist, recognizing that sensible intentionality constitutes a distinct kind of intentionality is the key to doing justice to the heterogeneity of sensibility and understanding. Part of what it means to say, in her view, that these are two irreducibly distinct capacities is that the intentionality of intuition cannot be understood in terms of the intentionality of judgment.<sup>xiv</sup> So the recognition of sensible intentionality helps one avoid, in one fell swoop, both the mistake of the Merely Receptive Intuition Reading and the mistake of the Strong Conceptualist Reading.

Before I present my objection to the Nonconceptualist position, let me briefly locate it vis-à-vis the four inconsistent theses with which I began. We can think of Synthesis Dependence and Spontaneity as jointly expressing the commitment that the Strong Conceptualist takes to be central to Kant's position: the idea, namely, that Concepts commits Kant to holding that intuitions have objective purport only to the extent that they depend on the application of concepts. Since the Nonconceptualist rejects Strong Conceptualism, she needs to reject either Synthesis Dependence or Spontaneity (or both). Allais rejects Spontaneity. She thinks that there is a kind of synthesis that does not depend on the spontaneity of the understanding. Just like there are two kinds of intentionality, according to her there are two distinct kinds of synthesis in Kant: one that goes with

concepts and spontaneity and one that goes with intuitions and sensibility. The latter does not in any way depend on concepts. It is, rather, an act of the imagination, which, according to the nonconceptualist, is a capacity whose operations do not involve the application of concepts.<sup>xv</sup> Accordingly, the Nonconceptualist will insist on two different senses in which Synthesis Dependence can be understood. If it is understood as requiring conceptual synthesis, she denies the thesis. But if it is understood as requiring sensible (that is, non-conceptual) synthesis, she affirms it. The Nonconceptualist thus resolves the inconsistency by accepting a kind of synthesis of which Spontaneity does not hold.<sup>xvi</sup>

## II. The Objective Validity of the Categories

I now wish to argue that although Allais's rejection of Strong Conceptualism is motivated by a genuine insight, she ends up seriously distorting Kant's position. To substantiate this charge, I shall focus on her interpretation of the Transcendental Deduction of the categories. In particular, I am concerned with how NCR understands the strategy Kant pursues in the Deduction. According to Kant's own official characterization, the goal of the Deduction is to establish the objective validity of the categories, or pure concepts of the understanding, and he seeks to do this by showing that these concepts are "conditions of the possibility of experience" (A94/B126). Roughly, this means that the goal is to show that all objects of which we can in principle have empirical knowledge instantiate the categories.

In making his case for this claim, Kant appears to argue that intuitions depend on synthesis and that synthesis is concept-guided; in particular, synthesis is guided by, and therefore involves an application of, the categories.<sup>xvii</sup> But as we just saw, according to the Nonconceptualist this must be a mere appearance. According to her, what Kant is concerned with here is not intuition and its intentionality, but what he calls experience and the kind of intentionality that pertains to it.<sup>xviii</sup> Experience, in Kant's technical sense, is empirical cognition, which takes the form of judgments. So the idea is that when Kant claims that the categories are conditions for the possibility of experience, he is not concerned with what we call perceptual experience, but with empirical cognition, hence judgment. But from the fact that the categories are required to account for the

intentionality of judgment, the Nonconceptualist argues, it does not follow that the categories are required to account for the intentionality of intuition.

What then, according to Allais, is Kant's strategy for showing that the categories are valid of all objects of which we can have empirical knowledge? The following passage gives the flavor of her reading:

Kant thinks that the a priori concepts of an object in general determine what counts as an object for me (B128-129), and this is necessary for me to have *thought* about the object, and to attribute properties to it in empirical concept application. Notice that this gives us a perfectly clear sense in which the categories are necessary for anything to be *an object for me*, which is distinct from thinking that the categories are necessary for me to be perceptually presented with a particular. (Allais 2011: 104)

The categories, the passage says, are necessary for the ascription of properties to objects in empirical judgment. The idea is that in representing an object as a bearer of properties I *ipso facto* represent the object as instantiating the categories. But properties are ascribed to objects in thought (that is, judgment, in Kant's terminology). Accordingly, the categories are conditions of the possibility of experience because they are conditions of the possibility of judgment. The Transcendental Deduction, according to Allais, is intended to show that this is so.

I now wish to argue that Allais's account of Kant's strategy in the Deduction faces two problems. First, consider that Kant's own characterizations of the goal he pursues in the Deduction strongly suggest that, for him, showing that the categories are conditions of the possibility of experience involves more than showing that they are necessary conditions of judgment. This comes out especially clearly in the B-Deduction.<sup>xix</sup> Here, the argument is famously presented in two distinct steps.<sup>xx</sup> And when he explains why the second step is needed, Kant says that the goal of the Deduction will only be "fully attained" if the validity of the categories for "all objects of our senses" is demonstrated (B145). This, he says, will be done by "[showing], from the way in which empirical intuition is given in sensibility, that its unity is none other than that which the category prescribes

to the manifold of a given intuition in general” (B144f). Clearly, the suggestion here is that the categories have a role to play in intuition itself, not just in judgment.

This suggestion is confirmed when Kant characterizes the conclusion he has reached at the end of the Deduction, in §26. Here he says (in a passage already quoted above, in note 17):

Consequently, all synthesis, through which even perception itself becomes possible, stands under categories, and since experience is cognition through connected perceptions, the categories are conditions of the possibility of experience, and are thus also valid a priori of all objects of experience. (B161)

The claim here seems to be twofold: first, that perception (that is, empirical intuition)<sup>xxi</sup> depends on an act of synthesis, which “stands under” the categories; secondly, that the categories are conditions of the possibility of experience (at least in part) *because* this act of synthesis is one that is required for the possibility, not of judgment, but of perception.<sup>xxii</sup> If this is right, Allais is simply wrong to see the main thesis of the Deduction as one exclusively concerning the role of the categories in judgment.<sup>xxiii</sup>

The second problem can be approached by asking what the problem is for which the Transcendental Deduction is intended to provide a solution. At one point, Kant characterizes it as the problem of how “subjective conditions of thinking should have objective validity, that is, function as conditions of the possibility of all cognition of objects” (A89f/B122). The issue here is that because the categories are not derived from objects, by way of experience, but are rather possessed by a thinker independently of experience, simply in virtue of being a thinker, it is not clear that there is any reason for believing that objects of experience instantiate the categories. And since our cognitive access to objects of experience (what Kant calls ‘appearances’) is through intuition, this worry can also be expressed as a worry about the right kind of “fit” between the pure concepts, on the one hand, and what is given in intuition (that is, appearances), on the other. Absent such a fit, “appearances may well be so constituted that the understanding would not find them to be in accordance with the conditions of its unity” (A90/B123).<sup>xxiv</sup> If this were the case, the



categories would be “empty, null, and without meaning” (ibid.). It is the task of the Transcendental Deduction to demonstrate that this is not the case.

Now, Kant famously connects this issue with a distinction between a question of fact (*quid facti*) and a question of legitimacy (*quid iuris*).<sup>xxv</sup> The question of fact is whether or not we possess certain concepts. The question of legitimacy is whether or not it is legitimate to apply these concepts in judgments that purport to be true of objects.<sup>xxvi</sup> It will be legitimate so to apply them if the objects to which they are applied in fact instantiate them.<sup>xxvii</sup> Clearly, the question of fact does not by itself settle the question of legitimacy. If we connect this point with the previous point, it looks as if for Kant the *quid iuris*-question regarding the categories has to be answered, at least in part, by showing that there is the right kind of fit between the pure concepts, on the one hand, and what is given in intuition, on the other. If this is right, then showing that the categories are legitimately employed in judgments that purport to be valid of objects of experience will at least in part depend on a claim about what is given in intuition.

We can now put the second objection to Allais’ proposal by saying that it addresses the question of fact, but not the question of legitimacy. Recall that, according to that proposal, Kant argues that the categories are conditions for the possibility of experience because they are necessary conditions of judgment. Now, it might be thought that this argument is in fact concerned with a question of legitimacy rather than a question of fact. For it is concerned not with the question of whether we in fact possess the categories, but whether the categories are *necessary* for representations of a certain kind. And one might think that showing that the categories are necessary in this sense confers legitimacy on their employment. In fact, however, it does nothing of the kind. For as far as the problem motivating the Deduction is concerned, an act of judgment is just as much a “subjective condition of thinking” as a pure concept is. What needs to be shown is that it is legitimate, or appropriate, to make judgments about appearances (and thereby apply categories to them); that appearances have the kind of unity that makes category-involving judgment the appropriate manner of representing them. Claims about what it takes to make a judgment do not address this issue. The second objection to Allais’ account, then, is that her commitment to NCR forces her to misconstrue the task of the Transcendental Deduction.<sup>xxviii</sup>

### III. Objective Validity and Necessary Agreement

I have raised two objections for Allais's version of NCR. I now wish to consider possible responses Allais might make to these. As regards the first objection, she could respond that I infer from Kant's claim that the aim of the Deduction is to demonstrate the validity of the categories for "all objects of our senses" that the categories must be applied in perception itself (specifically, in perceptual synthesis). But while Kant's claim is that the objects we perceive must be shown to *instantiate* the categories, the objection ascribes to him the view that, in perceiving them, we must *represent* these objects *as* instantiating the categories. Clearly, however, the former does not imply the latter. So the textual evidence does not in fact support the objection.

That said, Allais concedes that synthesis is in fact required for perception, on Kant's view.<sup>xxix</sup> She insists, however, that this synthesis does not involve the application of categories, but is rather an act of the imagination, "a blind, but indispensable function of the soul" (A78/B103), which is distinct from the capacity for conceptual thought. When Kant says, in §26 of the B-Deduction, that "all synthesis, through which even perception itself becomes possible, stands under categories" (B161), what he means according to Allais is that the synthesis required for perception yields representation of objects which "stand under" (that is, instantiate) the categories. But again, this implies neither that in perception these objects are represented as instantiating the categories nor that the synthesis required for perception involves an application of the categories.

However, this response to my first objection is not conclusive. What it shows in the first instance, I think, is that passages such as B161 are open to a number of different readings, each of which possesses at least some *prima facie* plausibility. This suggests that it will not be possible to resolve the dispute by textual considerations alone. Rather, we have to combine textual considerations with a discussion of the philosophical issues at stake. For this reason, I think our focus should be on the second objection, and the response to it, because it is here that the philosophical issues come to the fore.

That said, I do want to register my sense that the reading of B161 I have sketched on Allais's behalf seems to me to be a stretch. Here I can only support this contention by throwing

another passage into the mix.<sup>xxx</sup> Just a few lines further on in the text, at B162, Kant says that the synthesis of apprehension “must be thoroughly in accordance with” the category of quantity. To this claim he appends the following footnote:

In this manner it is proved: that the synthesis of apprehension, which is empirical, must necessarily be in accordance with the synthesis of apperception, which is intellectual and fully contained a priori in the category. It is one and the same spontaneity, which in the one case, under the title of imagination, and in the other case, under the title of understanding, brings combination into the manifold of intuition. (B162n)

It seems to me that if the capacity responsible for the synthesis of apprehension is spontaneity, albeit “under the title of imagination,” then this strongly suggests that the claim at B161, to the effect that the synthesis of apprehension “stands under” the categories and “must be thoroughly in accordance with” them, should be read in my sense rather than Allais’s.

Let me now turn to my second objection, to which Allais might respond as follows: The objection is right, the response goes, to draw attention to the fact that, especially in the B-Deduction, Kant is concerned not only with showing that the categories are necessary for judgment, but also with showing that the objects which we represent in judgment in fact instantiate the categories. However, his argument in support of the latter claim does not pivot on the idea that perception depends on a category-guided synthesis. Rather, the argument is roughly this: As demonstrated in the Transcendental Aesthetic, we know a priori that objects of experience are in space and time. But space and time have a certain kind of unity, on account of which everything that is in space and time stands in spatio-temporal relations to everything else. If this is right, then objects of experience have the kinds of properties and relations, whatever they are, which are necessary for standing in spatio-temporal relations to other objects of experience. And now the idea is that these are just the properties and relations that are represented by the categories.<sup>xxxi</sup> Consequently, the objects given in sensibility instantiate the categories, and they do so in virtue of their spatio-temporal form. Moreover, it is open to Allais to insist that this argument

fits the description of “[showing], from the way in which empirical intuition is given in sensibility” that the unity of objects given in sensibility is “none other than that which the category prescribes to the manifold of a given intuition in general,” viz. categorial unity (B144f). It follows that it is simply not true that NCR cannot account for the fact that the Deduction seeks to answer a *quid iuris* question.

I now wish to show that this response to my second objection runs into a problem that Kant himself discusses, viz. that a position of the kind sketched in the response amounts to a form of skepticism. More precisely, the position I have sketched on Allais’s behalf is an instance of a type of view which Kant dubs “a kind of preformation-system of pure reason” (B167) and against which he argues as follows: Another way of saying that the categories are valid of all objects of experience is to say that there is what Kant calls a “necessary agreement” between experience and the categories. I take him to mean that the fact that experience conforms to the categories is non-accidental, not simply a brute fact. He then argues that there are only two possible ways for experience and the concepts of its objects to stand in necessary agreement with each other. Abstractly put, the point is that if there is necessary agreement between A and B, then either B depends on A, or A depends on B. In Kant’s own words:

There are only two ways in which a necessary agreement of experience with the concepts of its objects can be thought: either the experience makes these concepts possible or these concepts make the experience possible. (B166)

Notice that ‘experience’ here cannot simply mean ‘empirical judgment’ (as the Nonconceptualist would likely argue). For if that were the case, then showing that there is a necessary agreement between a concept, on the one hand, and a judgment in which this concept is employed, on the other, is either trivial or bizarre.<sup>xxxii</sup> Rather, what must be at issue here is the agreement between the concepts of the objects of experience and these objects themselves; in other words, what must be at issue is the claim that the objects of experience (i.e. the objects that

are represented in objectively valid judgments) instantiate the relevant concepts; not just the claim that they are represented as instantiating these concepts.

Having put forth this alternative, Kant then considers a potential objection, which is that there is a third option. The third option is that there is no dependence in either direction. Rather, experience and the categories are independent of one another, yet nonetheless in agreement. What this means is that on the one hand there are “the laws of nature along which experience runs” (B167), and on the other hand there are dispositions for thinking in certain ways, which capture those laws. However, to this proposal Kant objects that, although there is agreement here, the agreement is accidental. It is accidental because the ways of thinking would remain the same even if the laws of nature were different. This follows from the fact that what explains the way we think (in this scenario) is the fact that we have a psychological disposition to think this way. But that is just to say that we would think in this way whether or not it agreed with the way nature is. And if this is so, then it is only an accident that there is agreement rather than disagreement.

Kant calls this a “kind of preformation system of pure reason” because the dispositions for thinking in certain ways are envisaged as being implanted in us by our maker, who sees to it that they agree with the laws of nature. But the crucial point is that our forms of thinking are independent of the laws of nature. Adding the maker into the mix does not alter that. For neither do the forms of thinking depend on the laws of nature, nor is there a dependence running in the opposite direction. We can therefore abstract from the reference to the creator.

Now, of the preformation-system Kant says that it is “what the skeptic most desires” (B168). Why is that? Here is what Kant says:

[...] in such a case the categories would lack the necessity that is essential to their concept. For, e.g., the concept of cause, which asserts the necessity of a consequent under a presupposed condition, would be false if it rested only on a subjective necessity, arbitrarily implanted in us, of combining certain empirical representations according to such a rule of relation. I would not be able to say that the effect is combined with the cause in the object (i.e. necessarily), but only that I am so constituted that I cannot think of this representation

otherwise than as so connected; which is precisely what the skeptic most desires, for then all of our insight through the supposed objective validity of our judgments is nothing but sheer illusion [...]. (B168)

The point Kant makes here is this: A causal judgment to the effect that A causes B asserts a necessary connection because it says that, given A, B cannot fail to obtain. And in saying this, the judgment represents the necessary connection between A and B as an objective fact about them. If, however, the concept of 'cause' reflected merely a psychological disposition to combine representations of As with representations of Bs, then we could not legitimately claim that a causal judgment represents a necessary connection as obtaining in nature. All we would be entitled to assume is that we cannot help but think this way. But the fact that we cannot help but think that A causes B is not a good reason for holding that A causes B. Therefore, if the skeptic about causation can show that our concept of cause expresses nothing but a psychological disposition, he will have no difficulty in showing that it is illegitimate to think that there are causal relations in nature.

It is Kant's view, then, that a "preformation" account of the applicability of the categories to objects of experience leads directly to skepticism. I have discussed this account because I wish to claim that the position I attributed to the Nonconceptualist in response to my second objection above is of exactly this kind. That position construes Kant's argument in the Transcendental Deduction as resting on an appeal to the character of the forms of intuition, space and time. The claim is that it is in virtue of certain facts about space and time that the categories apply to what is given in space and time; specifically, in virtue of the fact that space and time have a certain kind of unity, such that everything that is in space stands in determinate spatial relations to everything else etc. But these facts obtain in complete independence of the categories. They would obtain even if we possessed no categories or completely different ones. Conversely, the categories would constitute our forms of thinking whether or not the relevant facts about space and time obtain. This, however, is just the kind of scenario that Kant thinks is characteristic of a preformation-system. Accordingly, the skepticism-charge made against the latter applies here as well.

If this is right, then a view on which the objective validity of the categories ultimately rests on certain (independently obtaining) facts about space and time is one that is committed to regarding the categories as having merely subjective necessity. On such a view, the categories turn out to be merely psychological dispositions that we are bound to actualize whether or not they agree with their objects. For this reason, there is no necessary agreement between the categories and their objects, on such a view. As a consequence, the categories do not “make experience possible” and fail to be objectively valid.

Clearly, a reading of the Deduction on which the categories end up being merely subjective dispositions is unattractive because it must assume that Kant was deeply confused about his own argument. Other things being equal, this ought to be sufficient reason for rejecting such a reading. I conclude, then, that the Nonconceptualist’s response to my second objection fails because it is forced to interpret the argument of the Deduction in a way that commits Kant to a view he himself thought amounted to skepticism.

Above I presented this response as a reaction to the objection that Allais’s version of NCR is unable to account for Kant’s claim that the Transcendental Deduction addresses a question of legitimacy rather than of fact. I can now summarize the discussion so far by saying that, on the issue of the Transcendental Deduction and the objective validity of the categories, Allais is faced with a dilemma: Either she construes the Deduction as being addressed to a question of fact rather than one of legitimacy; or she attributes to Kant a preformation view of reason. Neither horn is acceptable.<sup>xxxiii</sup>

#### IV. The Heterogeneity of Understanding and Sensibility

If what I have argued so far is on the right track, then NCR should be rejected on the grounds that it cannot account for the Transcendental Deduction. This invites the question what an alternative reading should look like. Although developing such a reading would go beyond the scope of the present paper, in the remainder I would like to present an outline for one.

From my discussion of the preformation charge we can extract a requirement that a more promising alternative must meet. To avoid this charge, such an alternative must make room for a

robust dependence of the objects of experience on the categories, such that the latter “make possible” the former in the sense required for the necessary agreement Kant wants. How could this requirement be met? Large questions about Transcendental Idealism loom here, which I obviously cannot address in this paper. But I think the following is relatively uncontroversial: Kant wants a kind of idealism according to which what is mind-dependent is not the existence of objects, but only the form of objects. The form of objects is mind-dependent in the sense that it is constituted by the form of representation.<sup>xxxiv</sup> Since there are two kinds of representation that are relevant here, viz. concepts and intuitions, the form of objects is constituted jointly by the form of conceptual representation and the form of intuitive representation. The question then is what this entails, and it is here that we enter more contested territory. My own view is that the preformation charge makes it clear that Kant holds the following position: If the categories make possible the objects of experience, then not only the form of *conceptual* representation depends on the categories, but also the form of *intuitive* representation. Accordingly, the categories must be understood to be required not just for judgment, but also for intuition.

Although making a proper case for this contention would require more than I can provide here, the following passage offers some textual support:

But appearances are only representations of things [...]. As mere representations, however, they stand under no law of connection at all except that which the connecting faculty prescribes. Now that which connects the manifold of sensible intuition is imagination, which depends on understanding for the unity of its intellectual synthesis and on sensibility for the manifoldness of apprehension. Now since all possible perception depends on the synthesis of apprehension, but the latter itself, this empirical synthesis, depends on the transcendental one, thus on the categories, all possible perceptions [...] stand under categories [...]. (B164f)

Kant says here that the synthesis responsible for the unity of an intuition, which is an act of the imagination, itself depends on the understanding. Clearly, there is a suggestion here that



intuition itself depends for its unity on the understanding. It seems, therefore, that the way in which the understanding “makes possible” the objects of experience has to do with its being responsible for the unity of intuition. What this suggests is that at least part of the reason why nothing can be given in sensibility that does not conform to the categories is that the categories themselves account for the unity of intuition.

At this point it will be helpful to recall the problem I raised at the beginning, which was that readers of Kant are faced with the difficulty that he appears to be committed to the following four inconsistent claims:

*Sensible Intuition:* All our intuitions are sensible.

*Synthesis Dependence:* All our intuitions depend on acts of synthesis.

*Spontaneity:* All acts of synthesis are spontaneous.

*Incompatibility:* A representation is sensible just in case it does not depend on acts of spontaneity.

I claimed that the most obvious strategy for addressing this difficulty is to argue that Kant is not in fact committed to one or more of these and presented NCR as an instance of this strategy, according to which Kant is not committed to Spontaneity. Furthermore, I suggested that NCR is motivated in part by the desire to avoid the shortcomings of the available alternatives. Strong Conceptualist Readings, which deny that Kant holds Sensible Intuition, are one such alternative. In light of what I just said about what is required to avoid Kant’s preformation charge, it may look as if the alternative to NCR I am offering is an instance of a Strong Conceptualist Reading. For I have argued that the categories are responsible for the unity of intuition. And since the categories derive from the logical forms of judgment, it is hard to see what this could mean if not that intuition is not after all independent of judgment. But to say *that* seems to amount to denying that intuitions are distinct in kind from conceptual representations. And that in turn amounts to denying Sensible Intuition.

Since the claim that intuitions are distinct in kind from concepts is the content of Heterogeneity, we can label this worry the Objection from Heterogeneity.<sup>xxxv</sup> It will be useful to give an alternative formulation of it in terms of the distinction employed by Allais, between representing an  $x$  that is  $F$  and representing an  $x$  as an  $F$ .<sup>xxxvi</sup> According to her, one applies a concept  $F$  to an object  $x$  just in case one represents  $x$  as being  $F$ . This contrasts with representing an object that is  $F$ , but is not represented as being  $F$ ; no application of concepts is required here. If now we think of the categories collectively as constituting the concept of an object, we get the thought that to apply the categories to an object is to represent this object as an object. But in perception, according to Allais, we do not represent objects as objects. Rather, we perceive objects – without representing them as this or that at all. Much like the savage in Kant’s famous example sees a house without seeing it as a house (since he does not possess the concept of a house).<sup>xxxvii</sup> From Allais’ point of view, then, to say that perception involves the application of the categories is to say that in perception we represent objects as objects. But this implies that perception exhibits the structure characteristic of predicative judgment. And this is, in effect, to turn perception into a species of conceptual thought and thus to deny Heterogeneity.

I believe that the Objection from Heterogeneity deserves serious consideration. The reason is that Heterogeneity forms a central pillar of the Critical Philosophy.<sup>xxxviii</sup> I therefore agree with the Nonconceptualist that doing justice to Heterogeneity is of paramount importance and should serve as a criterion of adequacy on an interpretation of Kant’s position.<sup>xxxix</sup> Still, I shall argue that the reading I have sketched, on which the categories are applied in intuition itself, has the resources to avoid the Objection from Heterogeneity.

I wish to begin by specifying what is required to avoid this objection in terms of our set of inconsistent claims. The objection is in part motivated by Incompatibility, the claim that a representation that is sensible cannot depend on acts of spontaneity. For the proposed reading is clearly incompatible with this claim: Since the categories are spontaneous, intuitions would depend on spontaneity if they depended on the categories. To make this reading viable, therefore, I need to show that we can reject Incompatibility. And this can be done, if, contrary to what is presupposed by the Objection from Heterogeneity, it can be shown that Incompatibility is not

entailed by Heterogeneity, the claim that intuitions and concepts constitute distinct species of representation. For recall that I was able to generate an inconsistency among the three basic Kantian commitments with which I began (i.e., Sensible Intuition, Synthesis Dependence, and Spontaneity) only by adding Incompatibility. But Kant's alleged commitment to Incompatibility depended on his commitment to Heterogeneity. Simply adding Heterogeneity to our three basic commitments, however, does not generate any inconsistency. It follows that if I can show that Heterogeneity does not entail Incompatibility, the Objection from Heterogeneity poses no threat to my proposed reading.

To take a step towards this goal, I would like to return to the way Allais fleshes out the Objection from Heterogeneity. As she presents it, the objection that an involvement of the categories in intuition itself would undermine Heterogeneity is premised on the idea that to apply categories is to make judgments. This is the thought Allais expresses by saying that the categories are required for representing an object *as* an object, and that representing-as requires the predicative structure of judgment. If she is right about this, the objection stands, for the upshot would be that empirical intuitions have the same predicative structure as judgment, and that would conflict with Heterogeneity. To rebut the objection, therefore, and thus to block the move from Heterogeneity to Incompatibility, I need to argue that there is way of applying categories that is not tied to judgment.<sup>xi</sup> This can be done by showing that the categories are required for a certain kind of self-consciousness, viz. one that is necessarily involved in exercises of the capacity to have intuitions.<sup>xii</sup> This idea would require considerable work to be developed properly, but the basic outline is as follows.

The first point to note is that the categories are formal rather than material concepts. They characterize a form of representation and do not serve to distinguish one instance of this form from another, as a material concept would. As a consequence, applying a category does not paradigmatically take the form that applying a material concept takes, viz. that of the explicit ascription of a predicate to an object in an act of judgment. Rather, categories are applied in every judgment, not in virtue of figuring in its material content (as the concept of being *F* figures in '*a* is

*F*'), but rather in virtue of its form; that is, in virtue of its being a representation of this kind, viz. a judgment.

To spell this out just a bit, the idea is that a judgment is by its nature a kind of representation that has objective purport; that is, something that purports to say how things are objectively.<sup>xlii</sup> But since the categories jointly constitute the concept of an object in general, this amounts to saying that a judgment by its nature represents its content as instantiating the categories – as having the kind of unity that is constitutive of elements of the world of appearances. And it does this simply in virtue of its logical form, and so regardless of its material content; that is, regardless of the material concepts it contains.<sup>xliii</sup>

Moreover, the fact that the categories are implicated in a judgment in this way is something that is known to the subject making the judgment. And, again, this is so in virtue of the nature of this manner of representation and thus a formal aspect of it: A judgment is essentially such that the subject making it knows that she is making a claim about how things are objectively, a claim that is truth-evaluable.<sup>xliv</sup> This kind of knowledge does not typically take the form of a conscious thought to the effect that the judgment lays claim to saying how things are. It is rather a kind of implicit understanding, which manifests itself, for instance, in the subject's readiness to withdraw her judgment when presented with countervailing evidence etc.<sup>xlv</sup>

Now, in the case of judgment, application of the categories is tied to the employment of the logical forms of judgment and thus to the presence of predicative structure. As a consequence, so is the consciousness of objective purport that I have just tried to sketch. However, it seems that it is possible in principle to divorce this consciousness from the presence of predicative structure. If we can form the idea of a kind of capacity whose exercises include, in virtue of their form, the kind of consciousness of objective purport just sketched, but without tying it to the presence of predicative structure, then we will have identified a way of applying the categories that is sufficiently independent from judgment to present no threat to Heterogeneity.<sup>xlvi</sup>

With regard to intuition, the idea would be that the application of the categories manifests itself in the fact that the subject has an understanding of the kind of representation that sensibility provides her with. In particular, she understands that, when all goes well, sensibility provides her

with representations of mind-independent objects; objects that instantiate the categories. Again, this will be a kind of understanding that manifests itself not in the explicit ascription of certain properties but, for instance, in the disposition to treat an intuition of, say, a red ball as a (defeasible) reason for judging that there is a red ball in front of her.<sup>xlvii</sup> Or, to give another example, one that brings to the fore the link between the categories and the notion of synthesis, possessing this understanding will dispose the subject to treat what from a certain perspective can be described as a momentary impression of a red facing surface as the perception of an enduring three-dimensional material object; say, a red ball.<sup>xlviii</sup>

While the kind of grasp that a subject has of her capacity to have intuitions is typically implicit in this way, it can be articulated. When it is articulated, the Pure Principles of the Understanding, in which the categories are related to the form of inner sense, will figure in its articulation. Thus, one aspect of what a subject capable of intuiting objects implicitly understands is that, when a perceived object undergoes a change of qualities, there is a cause by reference to which this change can be explained.<sup>xlix</sup> The crucial point, however, is that while the categories figure explicitly in the articulation of the subject's understanding of her capacity for perception, this understanding can be (and typically is) operative in perception without an explicit deployment of the categories. The idea is that this opens the way for recognizing an application of the categories in intuition, which does not require us to attribute judgmental structure to intuition and is therefore fully compatible with Heterogeneity. In other words, sensible representations exhibit their own distinctive structure, which sets them apart from the discursive structure of judgments, while also being dependent on the categories. Using the notion of representing-as, we can put the point as follows: Because the categories are part of the implicit understanding of her own sensible capacity that a subject possesses, the act of representing something *as* an object need not take the form of making a judgment. Rather, objects are represented *as* objects in intuition itself. Instead of forcing us to attribute to intuition the predicative structure of judgment, what this requires is that the capacity for intuition essentially involves the kind of self-consciousness that I have described as the implicit understanding of what it is that an intuition is, in general, a representation of. This idea

allows one to preserve Kant's commitment to Heterogeneity, while also ascribing to him, without inconsistency, all three of Sensible Intuition, Synthesis Dependence, and Spontaneity.<sup>1</sup> <sup>ii</sup>

## Bibliography

- Allais, Lucy (2009), "Kant, Non-Conceptual Content, and the Representation of Space," *Journal of the History of Philosophy* 47, 383-413.
- Allais, Lucy (2011), "Transcendental Idealism and the Transcendental Deduction," in: Dennis Schulting, Jacco Verbrugg (eds.), *Kant's Idealism: New Interpretations of Controversial Doctrine*, Dordrecht/New York: Springer, 91-107.
- Allison, Henry (2004), *Kant's Transcendental Idealism: An Interpretation and Defense*, 2<sup>nd</sup> ed., New Haven; Yale UP.
- Baumanns, Peter (1991), "Kants transzendente Deduktion der reinen Verstandesbegriffe (B): Ein kritischer Forschungsbericht," parts I and II, *Kant-Studien* 82 (1991), 329-348, 436-455.
- Baumanns, Peter (1992), "Kants transzendente Deduktion der reinen Verstandesbegriffe (B): Ein kritischer Forschungsbericht," parts III and IV, *Kant-Studien* 83 (1992), 60-83, 185-207.
- Boyle, Matthew (forthcoming), "Active Belief," *Canadian Journal of Philosophy*
- Boyle, Matthew (ms.), "Sortalism and Perceptual Content"
- Ginsborg, Hannah (2006), "Kant and the Problem of Experience," *Philosophical Topics* 34, 59-106.
- Ginsborg, Hannah (2008), "Was Kant a Nonconceptualist?" *Philosophical Studies* 137, 65-77.
- Gomes, Anil (2010), "Is Kant's Transcendental Deduction of the Categories Fit for Purpose?" *Kantian Review* 15, 118-137.
- Griffith, Aaron (2012), "Perception and the Categories", *European Journal of Philosophy* 20, 193-222.
- Grüne, Stefanie (2009), *Blinde Anschauung: Die Rolle von Begriffen in Kants Theorie sinnlicher Synthesis*, Frankfurt am Main: Klostermann.
- Grüne, Stefanie (2011), "Is there a Gap in Kant's B Deduction?", *International Journal of Philosophical Studies* 19, 465-490.
- Guyer, Paul (2010), "The Deduction of the Categories", in: Guyer (ed.), *The Cambridge Companion to Kant's Critique of Pure Reason*, Cambridge/New York: Cambridge UP, 118-150.
- Haddock, Adrian (2012), "Meaning, Justification, and 'Primitive Normativity'," *Proceedings of the Aristotelian Society Supplementary Volume* 86, 147-174.

- Hanna, Robert (2005), "Kant and Nonconceptual Content", *European Journal of Philosophy*, 247-290.
- Hanna, Robert (2008), "Kantian Non-Conceptualism," *Philosophical Studies* 137, 41-64.
- Hanna, Robert (2011), "Kant's Non-Conceptualism, Rogue Objects, and The Gap in the B Deduction," *International Journal of Philosophical Studies* 19, 399-415.
- Henrich, Dieter (1969), "The Proof-Structure of Kant's Transcendental Deduction," *Review of Metaphysics* 22, 640-59.
- Henrich, Dieter (1989), "Kant's Notion of a Deduction and the Methodological Background of the First Critique," in: Eckart Förster (ed.), *Kant's Transcendental Deductions*, Stanford, CA: Stanford UP, 29-46.
- Kant, Immanuel (1902ff), *Kants gesammelte Schriften*, ed. Königlich Preußische Akademie der Wissenschaften, Berlin: de Gruyter and predecessors.
- Kant, Immanuel (1998), *Critique of Pure Reason*, transl. Paul Guyer and Allen Wood, Cambridge: Cambridge UP.
- Longuenesse, Beatrice (1998), *Kant and the Capacity to Judge*, Princeton: Princeton UP.
- McLear, Colin (2011), "Kant on Animal Consciousness," *Philosophers' Imprint* 11:15, 1-16.
- McLear, Colin (forthcoming), "Two Kinds of Unity in the *Critique of Pure Reason*," *Journal of the History of Philosophy*.
- McLear, Colin (ms.), "Form, Matter, and Relation to an Object," unpublished ms.
- Rödl, Sebastian (2007), *Self-Consciousness*, Cambridge, MA: Harvard UP.
- Rohs, Peter (2001), "Bezieht sich nach Kant die Anschauung unmittelbar auf Gegenstände?" in: Volker Gerhardt et al. (eds.), *Kant und die Berliner Aufklärung*, Berlin: de Gruyter, vol. II, 214-228.
- Strawson, Peter (1966), *The Bounds of Sense: An Essay on Kant's Critique of Pure Reason*, London: Methuen.
- Tolley, Clinton (2013), "The Non-Conceptuality of the Content of Intuitions," *Kantian Review* 18:1, 107-136.
- Van Cleve, James (1999), *Problems from Kant*, Oxford: OUP.



Walsh, W.H. (1975), *Kant's Criticism of Metaphysics*, Edinburgh: Edinburgh UP.

Wenzel, Christian Helmut (2005), "Spielen nach Kant die Kategorien schon bei der Wahrnehmung eine Rolle? Peter Rohs und John McDowell," *Kant-Studien* 96, 407-426.

Winkler, Kenneth (2010), "Kant, the Empiricists, and the Enterprise of Deduction," in: Guyer (ed.), *The Cambridge Companion to Kant's Critique of Pure Reason*, Cambridge/New York: Cambridge UP, 41-72.

---

<sup>i</sup> "Our nature is so constituted that *intuition* can never be other than *sensible*, that is, it contains only the manner in which we are affected by objects" (Kant 1998: A51/B75). – References to the *Critique of Pure Reason* will be to the A- and B-edition pagination; translations are from Kant (1998), tacitly modified where appropriate. References to other works of Kant's are by volume- and page-number of the Academy Edition (= Kant 1902ff), using the following abbreviations: *Anthr.* = Anthropology from a Pragmatic Point of View; *JL* = Logic, ed. Jäsche.

<sup>ii</sup> See the following two passages: "A manifold that is contained in an intuition that I call mine is represented as belonging to the *necessary* unity of self-consciousness through the synthesis of the understanding, and this takes place by means of the category. The ground of proof rests on the represented *unity of intuition* through which an object is given, which always includes a synthesis of the manifold that is given for an intuition [...]" (B144 and note). And: "We say that we cognize the object when we have effected synthetic unity in the manifold of intuition. But this is impossible if the intuition could not have been produced through a function of synthesis in accordance with a rule that makes the reproduction of the manifold necessary a priori [...]" (A105). – These passages are dense and stand in need of unpacking. However, since for present purposes we do not need to understand the precise content of the passages, I will not unpack them here. What matters is only the claim that intuitions depend on synthesis, and this claim is clearly discernible in both passages.

<sup>iii</sup> "However, the *combination* (coniunctio) of a manifold in general [...] is an act of the spontaneity of the power of representation, [...] which we would designate with the general title *synthesis* [...]" (B129f).

<sup>iv</sup> See Allais (2009, 2011), Hanna (2005, 2008, 2011), and McLear (2011, forthcoming, ms.), Rohs (2001).

<sup>v</sup> My discussion will focus on Lucy Allais' (2009, 2011) formulation of NCR. My objections to it apply to Hanna's, McLear's and Rohs's formulations as well, but showing this would take more work; see note 33 for more detail.

<sup>vi</sup> Another problem with NCR, equally fatal to my mind, is that it is based on a mistaken view of Kant's theory of spatial representation. I discuss this problem in [reference]

<sup>vii</sup> I am not the first to argue that NCR cannot make good sense of Kant's goal in the Transcendental Deduction, viz. to show that the categories are valid of all objects that can come before the senses (cf. B145, B159). Ginsborg (2006, 2008) and Griffith (2012) also make this claim, though on the basis of different arguments from the one I give here. Griffith focuses primarily on textual grounds, in particular on a close analysis of §26 of the Deduction. Ginsborg, on the other hand, musters not only textual considerations, but in addition presents an account of what concept-application in perception consists in for Kant. According to this account, applying a concept in perceptual experience does not involve the making of a judgment, but rather consists in a "primitive" consciousness of normativity, which accompanies the actualization of certain associative or behavioral dispositions. Although I cannot discuss this in detail here, I believe this account fails. For either the associative disposition fully explains the relevant mental act or the primitive consciousness of normativity also has an explanatory role. In the former case, any reference to conceptual capacities is idle, since the relevant dispositions are explicitly introduced by Ginsborg as being available in the absence of conceptual capacities. In the latter case, the purported explanation fails to be explanatory, because the primitive consciousness of normativity, which consists merely in the consciousness that what I am doing is appropriate, is too indeterminate to carry any explanatory force. For helpful critical discussion of Ginsborg's central idea, as applied to a different topic, see Haddock (2012).

<sup>viii</sup> A prominent example of such a reading is Walsh (1975).

<sup>ix</sup> Cf. the passages quoted in footnote 2.

<sup>x</sup> There can be different kinds of Strong Conceptualist Reading: One might hold, for instance, that an intuition/intuition is a type of judgment, or that an intuition is a component of a judgment. If the term 'judgment' is used in a wide (Kantian) sense, so as to encompass what Frege would call grasping a thought, the position of

---

McDowell (1996, 1998) is an instance of the former. Prominent examples of the latter type of position are Strawson (1966) and Allison (2004).

<sup>xi</sup> See Allais (2009).

<sup>xii</sup> Cf. A19/B33.

<sup>xiii</sup> Mere sensations, which do not have objective purport, are also object-dependent.

<sup>xiv</sup> And that the intentionality of judgment cannot be understood, at least not fully, in terms of the intentionality of intuition, though the latter may well play *some* explanatory role. – Thanks to XYZ for forcing me to be clearer here.

<sup>xv</sup> One might think that Kant's discussion of the threefold synthesis in the A-Deduction makes it clear that there is no synthesis which does not depend on concepts, since each of the lower "folds" presupposes the higher ones, including the so-called recognition in a concept (see A98-104). This is pointed out e.g. by Griffith (2012: 206). As Griffith also notes, however, the Nonconceptualist's response to this is to point out that Kant's claim here may be read as being limited to judgment and so not apply to mere intuition; see Allais (2009: 396) and Hanna (2005: 259).

<sup>xvi</sup> Hanna (2005: 249) agrees with Allais that there is a specifically sensible kind of synthesis, but rather than denying that all synthesis is spontaneous, he prefers to attribute a distinctive kind of spontaneity to sensibility. This difference seems to be merely terminological.

<sup>xvii</sup> See e.g. the following two passages:

The synthetic unity of consciousness is therefore an objective condition of all cognition, not merely something I myself need in order to cognize an object but rather something under which every intuition must stand in order to become an object for me, since in any other way, and without this synthesis, the manifold would not be united in one consciousness. (B138)

Consequently all synthesis, though which even perception itself becomes possible, stands under the categories, and since experience is cognition through connected perceptions, the categories are conditions of the possibility of experience, and are thus also valid a priori of all objects of experience. (B161)

<sup>xviii</sup> See Allais (2009: 402).

<sup>xix</sup> However, there is strong evidence for this claim in the A-Deduction as well. See e.g. the "deduction from below" at A119-123, culminating in the following claim: "The objective unity of all (empirical) consciousness in a single consciousness (originary apperception) is therefore the necessary condition even of all possible perception [...]" (A123). Cf. also A103, A105, and A108.

<sup>xx</sup> The *locus classicus* for this claim is Henrich (1969). This paper spawned a significant debate over what the two steps are, and how they are related, for an overview of which see Baumanns (1991, 1992). My argument here does not require me to take a stand on the issue.

<sup>xxi</sup> Some commentators question the identification of 'perception' and 'empirical intuition', arguing that perception essentially involves awareness, while empirical intuition does not; see e.g. Wenzel (2005: 408) and Tolley (2013: 122-124). Since, on this view, it is possible to have an empirical intuition without thereby enjoying a perceptual experience, these commentators deny the legitimacy of the inference from 'perception depends on synthesis' to 'empirical intuition depends on synthesis' on which my reading of the passage relies. Although I cannot discuss the issue here, I think the textual basis of this view is ambiguous at best: besides passages that seem to suggest it (e.g. at B160), there are also passages in which Kant explicitly identifies perception and empirical intuition; see e.g. B402; *Anthr.*, §4 (Kant 1902ff: VII, 134n). Moreover, since the Nonconceptualists I am discussing do not hold this view, we can ignore it for present purposes.

<sup>xxii</sup> Unfortunately, the passage is unclear in an important respect. To say that synthesis "stands under" the categories may mean that the act of synthesis itself requires an application of the categories (in the sense, perhaps, that synthesis is a rule-governed activity and that the categories constitute the relevant rules). Or it may mean something weaker, viz. that synthesis instantiates the categories without, however, requiring an application of them. I briefly comment on this below, on p.11f.

<sup>xxiii</sup> The same objection, by appeal to these and related passages, is pressed against NCR by Ginsborg (2008), Griffith (2012), and Wenzel (2005).

<sup>xxiv</sup> Note that this passage is often cited by Nonconceptualists in support of their position, since, in their view, Kant says here that intuitions present objects to the mind independently of concepts; see Allais (2009: 387) and Hanna (2005: 259f, 2008: 45). Against this, defenders of a conceptualist reading convincingly argue that Kant is merely entertaining a possibility that it is the task of the Deduction to show is not actual; see Ginsborg (2008: 70f) and Griffith (2012: 7f).

<sup>xxv</sup> Cf. A84f/B116f. – Exactly what Kant's distinction comes to and, in particular, how it is related to the apparently similar distinction between the empirical deduction of a concept and its transcendental deduction

---

is a more complex issue than I can go into here. For helpful discussion see Henrich (1989) and Winkler (2010).

<sup>xxvi</sup> More precisely, of appearances; but I will ignore this complication from now on and simply speak of objects.

<sup>xxvii</sup> It might be objected that the question whether a concept *F* is instantiated is the question whether certain judgments in which it figures are true, while Kant's notion of objective validity concerns not truth, but truth-evaluability, that is, the capacity to be either true or false. So a concept may be objectively valid without being instantiated. I think this may well be correct as a general point about objective validity, but as far as the categories are concerned it makes no difference. Due to their character as formal concepts (which I explain below, in §IV), the relevant judgments have a truth-value only if the categories are instantiated.

<sup>xxviii</sup> Put differently, the issue concerns the difference between demonstrating the truth of 'we must apply the categories' and demonstrating the truth of 'the categories must apply', where the former expresses the requirement that certain concepts be used, while the latter pertains to the question of whether these concepts are instantiated. I borrow this formulation of the issue from Van Cleve (1999: 89). For discussion see Gomes (2010). – It is also worth noting that, as Paul Guyer has pointed out repeatedly, interpreters of the Transcendental Deduction face the difficulty of explaining how its task is distinct from that of the so-called Metaphysical Deduction. Allais's reading fares poorly on this count, since it is very plausible to think that the Metaphysical Deduction already establishes that categories are necessary for making judgments. See e.g. Guyer (2010).

<sup>xxix</sup> In fact, she says so: see Allais (2009: 394-7).

<sup>xxx</sup> But see Griffith (2012) for a detailed and convincing rebuttal of Allais' reading of the passage on textual grounds.

<sup>xxxi</sup> Furthermore, the Nonconceptualist might point out that in the Transcendental Deduction there is only a general argument to this conclusion. But the point is argued in greater detail in the chapter on the Pure Principles.

<sup>xxxii</sup> It is trivial if by 'x agrees with the concept of its object' we mean something like 'x involves an application of the concept of its object'. It is bizarre if by 'x agrees with the concept of its object' we mean something like 'x instantiates the concept of its object', where that would entail that judgments themselves are substances standing in causal relations. Now, perhaps what I am calling bizarre is what phenomenalist interpretations of Transcendental Idealism think is simply Kant's view. Be that as it may, since Allais rejects the phenomenalist interpretation, it is clear that she could not be happy with such a reading of the passage.

<sup>xxxiii</sup> Other proponents of NCR are aware that the Transcendental Deduction presents a *prima facie* problem for their position, but in confronting it they deploy different strategies. Thus, McLear (ms.) argues that the Deduction is concerned primarily with the requirements of a properly scientific theory and that Kant's arguments about category-guided synthesis pertain to these rather than to the unity of intuition. But this, it seems to me, is a close variant of Allais's claim that these arguments concern judgmental synthesis, as opposed to perceptual synthesis, and therefore faces the same objections; though making the case for this would obviously require more argument. By contrast, Hanna (2011) claims that Kant is simply inconsistent: According to Hanna, the B-Deduction presupposes the truth of conceptualism, while elsewhere Kant clearly endorses nonconceptualism. I cannot address this position here, but see Grüne (2011) for critical discussion.

<sup>xxxiv</sup> I take it that this is how the principle that "the conditions of the *possibility of experience* in general are at the same time conditions of the *possibility of the objects of experience*" (A158/B197) should be understood.

<sup>xxxv</sup> See p. 2 above.

<sup>xxxvi</sup> See the quote from Allais (2009: 405) in §I above.

<sup>xxxvii</sup> The example is from the Introduction to *JL* (Kant 1902ff: IX, 33). The savage, Kant explains, doesn't know what a house is and so does not possess the concept of a house. Nonetheless, when the savage sees a house, he sees the very same object as someone who does possess the concept of a house. The savage sees the house, but he does not see it *as a house*. His representational state involves an intuition of a house, but not the concept of a house.

<sup>xxxviii</sup> Without it, Transcendental Idealism, as Kant understands it, would not be an option. As a consequence, the solution of the dialectic of pure reason would be unavailable. Moreover, the possibility of synthetic a priori knowledge (and thereby the possibility of natural science) could not be explained. And, perhaps most important of all in Kant's mind, human freedom could not be secured against the threat of determinism.

<sup>xxxix</sup> For this reason, Strong Conceptualist Readings are unconvincing. – It is a virtue of the kind of conceptualist reading proposed by Ginsborg (2006, 2008) that she is clear about this and proposes an account on which concept-application in intuition is not tied to the predicative structure of judgment. The reasons this account nonetheless fails lie elsewhere (see note 7 above).

<sup>xl</sup> At least not in the direct kind of way envisaged by Allais.

<sup>xli</sup> It is also involved in exercises of the capacity to make objectively valid judgments.

<sup>xlii</sup> Cf. B140-142.

---

<sup>xliii</sup> To forestall the objection that the judgments of perception of the *Prolegomena* or the reflective judgments of the *Critique of Judgment* are counterexamples to the claim I make in this paragraph, I need to clarify, first, that I am concerned here only with cognitive judgments and second, that possession of the relevant logical form is not by itself sufficient for having objective purport. Rather, the idea is that in a cognitive judgment the logical form of the judgment makes a contribution to its content, which contribution can be characterized by saying that such a judgment represents its intentional object as instantiating the categories.

<sup>xliiv</sup> I take this to be part of Kant's doctrine that the capacity for judgment is tied to the kind of self-consciousness he calls apperception, as expressed in the famous claim that "The 'I think' must be able to accompany all my representations [...]" (B131).

<sup>xliiv</sup> Again, this would need a lot more spelling out. For helpful discussion see Boyle (forthcoming) as well as Rödl (2007).

<sup>xlivi</sup> Note that this kind of representation will be one which represents its content *as* an object, but in a way that is not directly tied to the logical structure of judgment.

<sup>xliiii</sup> The *Namenserklärung* (nominal definition) of the categories Kant gives at B128 arguably supports this kind of connection between judgment and intuition: The categories, he says, are "concepts of an object in general, by means of which the intuition of an object is regarded as determined with regard to one of the logical functions of judgment."

<sup>xlviii</sup> Notice that this will include the grasp of certain general facts about the ways in which objects may occupy (and move through) space such as those highlighted by Allais (2009: 399 and 407) (though again manifested primarily in certain dispositions and behavior). – I say more about the way in which spatial representation, in particular, involves application of the categories for Kant in [reference]. For helpful discussion see also Boyle (ms.).

<sup>xlix</sup> Cf. B232-4.

<sup>1</sup> The view I have sketched is an instance of a more general interpretative strategy, the central contention of which is that, at least with regard to the categories, Kant recognizes a kind of concept-application which does not consist in explicit predicative judgment, and whose role in the synthesis of apprehension is therefore compatible with the heterogeneity of sensibility and understanding. This general strategy is also pursued by Longuenesse (1998) and Grüne (2009). However, their positions differ significantly from mine (and from each other's) with regard to the way in which they implement this strategy, and for this reason face difficulties of their own. I cannot discuss this here.

<sup>ii</sup> [acknowledgements]