



Epistemic agency and the self-knowledge of reason: on the contemporary relevance of Kant's method of faculty analysis

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Received: 26 December 2017 / Accepted: 16 November 2018
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Abstract

Each of Kant's three Critiques offers an account of the nature of a mental faculty and arrives at this account by means of a procedure I call 'faculty analysis'. Faculty analysis is often regarded as among the least defensible aspects of Kant's position; as a consequence, philosophers seeking to inherit Kantian ideas tend to transpose them into a different methodological context. I argue that this is a mistake: in fact faculty analysis is a live option for philosophical inquiry today. My argument is as follows: Faculty analysis is a live option for certain kinds of philosophical theories if so-called "agentalist" views about the nature of belief are correct. There are good reasons for thinking that such views are correct. So faculty analysis should not be dismissed out of hand. Since the first premise in this argument bears a lot of weight, a large part of the paper is devoted to clarifying and defending it, in part by arguing that Kant himself holds a version of agentalism about belief.

Keywords Kant · Philosophical method · Epistemic agency · Belief Judgment · Self-consciousness · Capacity · Faculty psychology

No judging power moves itself to judge unless it reflects on its own action; for if it moves itself to judge it must know its own judgment. (Aquinas, *Summa contra Gentiles*, II. 48).

The concept of a faculty (*Vermögen*) plays a pivotal role in Kant's Critical philosophy. Each of the three *Critiques* aims to give an account of a principle governing a domain of thought. In each case, the account is arrived at by means of a method Kant characterizes

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as the “analysis” of a mental faculty.¹ For instance, in the *Critique of Pure Reason* Kant describes his procedure as the “analysis [Zergliederung] of the faculty [Vermögen] of understanding itself [...]” (A65/B90).² This method, however, is often regarded as among the least defensible aspects of Kant’s position. Accordingly, philosophers seeking to defend Kantian ideas tend to transpose them into a different methodological context. The aim of this paper is to argue that in fact the method of faculty analysis is a live option for philosophical inquiry today. My argument is simple, at least in outline: Faculty analysis is the appropriate method for certain kinds of philosophical theories if a particular view about the nature of belief, which I call agentialism, is correct. There are good reasons for thinking that agentialism is correct. So there are good reasons for thinking that faculty analysis is a viable method.³ The first premise obviously bears a lot of weight here. Consequently, a large part of the paper will be concerned with unpacking and supporting it.

Agentialism is the view that belief is spontaneous and constitutively self-conscious. Belief is spontaneous in the sense that a thinker is self-determining with regard to her beliefs. This means that, when her doxastic capacities are functioning properly, a thinker believes that p if and only if she thinks she should believe that p . Belief is constitutively self-conscious because the ability to have beliefs depends on the ability to regard one’s beliefs as subject to certain norms, or standards of correctness.

Note that **agentialism, as it is here understood, is a view only about rational belief.** This means that it is a view about the kinds of beliefs enjoyed by creatures capable of believing on the basis of reasons that are understood as such—typically, mature human beings.⁴ A number of contemporary philosophers who regard belief in such beings, at least in central cases, as a manifestation of epistemic agency take belief to be spontaneous and constitutively self-conscious in just this sense.⁵ I will argue that, if these philosophers are right, faculty analysis is a live methodological option, at least for accounts of rational belief. Although this paper is not the place to argue that they *are* right, **the mere fact that their views figure in ongoing debates is sufficient for showing that faculty analysis is of relevance to contemporary philosophy.**

¹ The *Critique of Pure Reason* offers an account of the faculty of theoretical reason (in its non-empirical use). The *Critique of Practical Reason* investigates the “practical faculty of reason” (*praktisches Vernunftvermögen*). The *Critique of the Power of Judgment* gives accounts of both the faculty of judgment (*Urteilsvermögen*) and the faculty of pleasure and displeasure (*Gefühl der Lust und Unlust*). Compare the chart Kant provides in the introduction to *KU* at 5:198.

² References to the *Critique of Pure Reason* use 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:

JL *Logik*, ed. Jäsche

KU *Kritik der Urteilskraft*

LM *Lectures on Metaphysics*

³ It is widely held that transcendental arguments form the most important part of Kant’s methodology (see Stern 1998 for an overview). I do not wish to dispute this. My claim is that another distinctive method can be found in the Critical Philosophy.

⁴ It might be objected that this limitation counts against the theory. I discuss this objection in section V.

⁵ These include Bilgrami (2006), Boyle (2009a, b, 2011), Marcus (2016), McDowell (1996 and subsequent work) and Moran (2001).

I think that Kant holds a variant of agentialism about belief and will provide some evidence for this claim. However, the aim of this paper is not to make the full case for this exegetical claim. Instead, my aim is to argue, first, that agentialism about belief makes faculty analysis a viable philosophical method; and second, that agentialism about belief is a live option in contemporary philosophy. Regarding the exegetical claim, my more modest aim is to argue merely that there is *some* basis in the text for attributing agentialism to Kant. But as far as my main argument is concerned, nothing rides on this. Those unconvinced by the exegetical claim are invited to interpret what I say about Kant's view of belief as concerning a view of belief inspired by Kant.

I begin by offering a preliminary characterization of faculty analysis and raising two concerns about it (Sect. 1). Next I offer an account of Kant's theory of judgment (Sect. 2). I then outline the main characteristics of faculty analysis and explain why Kant's view of judgment recommends this method (Sect. 3). This is followed by a discussion of some recent theories of belief. I argue that these theories share those commitments of Kant's theory of judgment—spontaneity and self-consciousness—that give the method of faculty analysis application (Sect. 4). Finally, in Sect. 5 I consider three objections to a view that shares these Kantian commitments.

1 Concerns about faculty analysis

Let me begin by offering a preliminary characterization of faculty analysis.⁶ It is, first of all, aimed at giving an account of the nature of a mental power.⁷ Since it is, in Kant's view, a general truth about powers that for every power there is a set of laws that governs its operations, such an account is aimed at identifying the relevant laws (which Kant also refers to as 'principles'). Second, faculty analysis is intended to support conclusions regarding the normative status of certain concepts or claims. Thus, Kant is explicit that he seeks, *inter alia*, to delimit the *correct* use of certain capacities and to establish that certain concepts have a *legitimate* use.⁸ Third, the laws governing the power are to be identified, not by means of observation and inductive generalization, but instead by means of a method (*viz.* faculty analysis) Kant regards as non-empirical. This method is appropriate because the knowledge Kant's discussion aims at is a kind of self-knowledge. Thus, he says that in the inquiry undertaken in the *Critique of Pure Reason*

⁶ I will expand on this in Sect. 3.

⁷ Throughout this paper I use the terms 'faculty', 'capacity' and 'power' interchangeably. Although in his lectures on metaphysics Kant draws a terminological distinction between these (*Vermögen*, *Fähigkeit*, and *Kraft*, respectively; see e.g. *LM*, 28:434 and 29:823), in the *Critique of Pure Reason* he is less strict, referring to sensibility and understanding sometimes as capacities (e.g. A19/B33), sometimes as faculties (e.g. A51/B75), and sometimes as powers (e.g. A261/B317). Thanks to an anonymous referee for requesting clarification here.

⁸ Kant's frequent use of juridical metaphors attests to this, most famously his claim that the Transcendental Deduction is concerned, not with a question of fact, but with a question of "lawfulness" (A85/B117).

[...] I have to do merely with reason itself and its pure thinking; to gain exhaustive acquaintance with them I need not seek far beyond myself, because it is in myself that I encounter them [...] (Axiv)⁹

The context makes it clear, moreover, that the self-knowledge Kant has in view here is non-observational. It is knowledge of “conditions of the possibility of experience,” which are themselves known non-empirically.¹⁰

This preliminary characterization of faculty analysis already allows us to get into view two important reasons for skepticism about its viability. **The first is that Kant seems illegitimately to be deriving ‘ought’ from ‘is’.** More specifically, it looks as if he derives normative conclusions regarding the correct use of a capacity from descriptive premises regarding the laws according to which the capacity operates.

The second reason concerns the transcendental status Kant claims for his conclusions in the *First Critique*. The acts of certain mental powers are said to play a constituting role for experience. If this is so, the thought is, then these acts cannot themselves be part of experience and, as a consequence, are not accessible by empirical means (which is of course in keeping with the method’s non-empirical status). At the same time, it looks as if these claims cannot be purely conceptual either, since they seem to involve claims about the operations of certain powers, hence actual mental acts. So, **Kant appears to be making claims that can be the result neither of conceptual analysis nor of empirical psychology.** It is hard not to conclude, as Strawson memorably did, that such claims “belong to the imaginary subject of transcendental psychology.”¹¹

It will emerge that both of these concerns are misplaced. The first is misplaced because faculty analysis properly understood does not start from premises that are merely descriptive. The second is based on a list of alternatives that is not exhaustive. Furthermore, it misconstrues the experience-constituting role of the acts in question. To make the case for this, however, I first need to lay out Kant’s conception of judgment.¹²

2 Kant’s view of judgment

I wish to argue that, when understood against the backdrop of Kant’s theory of judgment, faculty analysis can be seen to be a viable philosophical method. The goal of this section is to bring into view the relevant features of this theory. To prepare the ground for this, I will first clarify the terminology.

⁹ Compare similar passages at Axi, B25, A680/B708, and 9:14.

¹⁰ A referee for this journal suggested that the self-knowledge Kant aims at consists in reason’s coming to know, in the Transcendental Dialectic, where it oversteps the bounds of sense. This sounds right to me, but there is no conflict here, since self-knowledge of this sort presupposes the self-knowledge in my sense that is articulated in the Transcendental Analytic.

¹¹ Strawson (1966: p. 97). For discussion of whether Kant employs problematic psychological premises see Guyer (1989).

¹² My account of this conception follows Boyle (unpubl.), Engstrom (2006, 2016), Longuenesse (1998) and Smit (1999). Although I will offer some textual support for it, I cannot properly defend it against rival interpretations here.

Contemporary philosophers typically draw a distinction between belief and judgment, where belief (or believing) is said to be a state (which may be dispositional or occurrent) and judgment an act or action.¹³ For the purposes of this paper, I will proceed on the assumption that Kant does not draw this distinction, but instead uses the term ‘judgment’ to cover both sides of it.¹⁴

Moreover, since Kant’s account of judgment is embedded in an approach to the mind that takes as its starting point the notion of a capacity and its acts (that is, its actualizations, or exercises), Kant conceives of judgment as an act; specifically, as the actualization of a capacity he calls the understanding.¹⁵ The concept of an act, too, is used here in a wider sense than is common today, viz. one that encompasses both what we tend to call states of believing and what we call acts of judging. Accordingly, I will frequently speak of the act of judgment, understood in the wide sense.

It might be objected that Kant does not apply the term ‘judgment’ to acts that carry assertoric force, since he uses a different term, ‘holding true’ (*Fürwahrhalten*), for these.¹⁶ Although I cannot make a full case for this here, I follow Michael Wolff in holding that, for Kant, a judgment is not merely the entertaining of a proposition, but rather an act that involves the taking of an attitude regarding the truth of the proposition.¹⁷ This is supported by the fact that Kant includes among the formal features of judgment what he calls its modality: every judgment is either problematic, assertoric, or apodictic.¹⁸ The modality “contributes nothing to the content of the judgment” (A74/B100), but instead concerns the thinker’s attitude towards this content:

Problematic judgments are those in which one regards the affirmation or denial as merely possible (arbitrary). Assertoric judgments are those in which it is considered actual (true). Apodictic judgments are those in which it is seen as necessary. (A74f/B100)¹⁹

This suggests that what corresponds to the contemporary notions of belief and judgment in Kant’s framework comprises, at least, assertoric and apodictic judgments.²⁰

¹³ For discussion, see Boyle (2009b).

¹⁴ In support of this, consider that if Kant did draw the distinction, the capacity responsible for beliefs would have to be the understanding, or intellect—one of the two “stems” of human cognition (cf. A15/B29). But the understanding is “a faculty for judging” (A69/B94). Indeed, for Kant, all thinking is judging, since “[t]hinking is cognition through concepts” (ibid.), and “the understanding can make no other use of [...] concepts than that of judging by means of them” (A68/B93). It might be objected that thinking is distinct from believing, since the latter does, while the former does not, involve commitment to the truth-value of a thought. I will address this point shortly.

¹⁵ Kant distinguishes between a wide and a narrow sense of this term, where understanding in the wide sense comprises the understanding in the narrow sense as well as the power of judgment (*Urteilkraft*) and reason. For the purposes of this paper, we can abstract from these complexities. I will throughout be talking about understanding in the wide sense.

¹⁶ See A820/B848–A831/B859 and Ak. 9:65–75, where different modes of *Fürwahrhalten* are distinguished.

¹⁷ Wolff (1995: pp. 124–128 and 275–279).

¹⁸ See A70/B95.

¹⁹ Following tradition, by affirmation Kant means the ascription of a predicate to a logical subject (‘S is P’), by denial the “oppos[ing]” (A72/B97) of predicate to subject (‘S is not P’).

²⁰ Where does this leave *Fürwahrhalten*? Kant’s doctrine of *Fürwahrhalten* is complex; discussing it here would lead too far afield. For our purposes it suffices to note the following: Like the modality of judgment,

Central to the conception of judgment that underwrites the method of faculty analysis is the idea that judgment is spontaneous and constitutively self-conscious. My aim in this section is to unpack this idea. I do so in two steps. First, I briefly discuss Kant's conception of the science that studies judgment, viz. logic. This reveals that judgment is governed by norms. Second, I argue that judgment is guided by these norms and explain this idea. This allows me to make more precise the sense in which judgment is self-conscious.

2.1 Judgment and logic

Logic, according to Kant, is concerned with the laws of thought or, equivalently for my purposes, the rules of thinking.²¹ Thinking is the act of the understanding, and like any power the understanding operates in accordance with certain rules. Logic seeks to identify these. Since the paradigmatic act of thinking is judgment, logic seeks to identify rules that govern judgment.

In so doing, it focuses on rules that apply to all acts of judging simply in virtue of being acts of judging. It thus abstracts from the particular subject-matter a judgment is directed at. Kant expresses this point, in the hylomorphic terminology he employs, by saying that logic is a formal science: It is concerned only with the form of thinking, as opposed to thinking insofar as it is about some particular subject-matter or other.²²

However, Kant distinguishes between different branches of logic. These include Pure General Logic (PGL) and Transcendental Logic (TL). Only PGL abstracts completely from the subject-matter of thought and regards thinking merely insofar as it is thinking. By contrast, TL is officially concerned with “the rules of the pure [=non-empirical] thinking of an object” (A55/B80). It turns out, however, that the rules of the pure thinking of an object are rules that govern thinking insofar as it amounts to what Kant calls (theoretical, as opposed to practical) cognition.²³ A cognition, in the sense relevant here, is a representation that purports to be about an object that can in principle be given in sensibility.²⁴

Given that judgment is the paradigmatic act of thinking, this implies that PGL considers judgments insofar as they meet the conditions for thinking, which are relatively less demanding, whereas TL considers judgments insofar as they meet the conditions

Footnote 20 continued

Fürwahrhalten concerns the thinker's attitude towards the truth-value of a proposition. But unlike the former, it also considers the “subjective causes” (A820/B848) of taking such an attitude and therefore introduces additional distinctions. This suggests that the doctrine is compatible with the claim that Kant's theory of judgment covers at least part of the same ground as a contemporary theory of belief and judgment. For discussion see Chignell (2007) and Watkins and Willaschek (2017). Thanks to an anonymous referee for requesting clarification of this point.

²¹ See e.g. A52/B76 and Ak. 9:11–12.

²² “General logic [...] considers only [...] the form of thinking [...]” (A55/B79). See also A52/B76.

²³ I cannot defend this claim here, but it is relatively uncontroversial. See Tolley (2012) for discussion. Very roughly, pure thought is thought involving the categories, which, as “concepts of an object in general” (B128) determine, in their schematized version, the conditions that any thought that amounts to cognition must meet.

²⁴ See B137 and A320/B376f. Exegetically, the situation is more complex, as Kant's use of ‘cognition’ (*Erkenntnis*) presents some difficulties of interpretation. But we can ignore these here. For a recent discussion see Watkins and Willaschek (2017).

for cognition, which are relatively more demanding. For short, PGL is concerned with the form of thinking, TL with the form of cognition.²⁵

As Kant conceives of it, logic (in both of these branches) sets out the rules of *correct* thinking.²⁶ Not all acts of thinking need conform to these rules, or conform to them fully. There can be thinking that is in various respects imperfect or incorrect; as Kant puts it, these are acts in which the understanding does not agree with itself.²⁷ But this can occur only at the level of individual *exercises* of the capacity. From this must be distinguished the *capacity* itself, the understanding as such. The rules of correct thinking, which logic sets out, characterize the understanding as such. In other words, the identity of the capacity is specified by the rules that describe its correct, non-defective actualization. By contrast, individual exercises may or may not realize the capacity fully, and so may fail fully to conform to these rules.²⁸ So, for instance, the understanding is the capacity for judging on the basis of objective grounds; that is, grounds that are truth-conducive. But this does not mean that every actualization of this capacity is a judgment resting on objective grounds. Individual judgments may be defective because they rest on grounds that are merely subjective.²⁹

This yields a straightforward sense in which the rules of thinking are normative: they function as standards by reference to which particular exercises of the capacity are assessed as defective or non-defective.

It also, however, yields a sense in which the rules of thinking are constitutive: What it is for an activity to be an exercise of the understanding is for the rules of thinking to apply to it. However, that the rules apply, and that their applying is constitutive of the activity, does not entail that they are true descriptions of the individual act. Rather, that the rules apply means that they serve as standards for assessing the act.³⁰ Again, the act may be an imperfect actualization of the capacity. The rules are nonetheless constitutive of the act because its identity depends upon its being subject to these standards.³¹

²⁵ Rules of PGL include, among others, the Principle of Non-Contradiction as well as the principle that a judgment must be grounded in an objectively sufficient reason (see *JL*, 9:52–53). Rules of TL include, e.g., the Second Analogy (the principle that, among appearances, every event is caused in accordance with a law of nature).

²⁶ “In logic [...] the question is not [...] how we do think, but how we ought to think. [...] Logic is to teach us the correct use of the understanding, i.e., that in which it agrees with itself.” (*JL*, 9:14). See also A60/B84f.

²⁷ See e.g. A59/B84 and *JL*, 9:51. See also A294–295/B350–351, where Kant describes error as the understanding’s deviating from its own laws.

²⁸ This is why Kant speaks of various perfections of cognition; see *JL*, 9:36–80.

²⁹ See again A294–295/B350–351, where Kant discusses the case in which the understanding is made to “deviate from its own laws” because what “determines it to judgment” are merely subjective grounds deriving from sensibility. Thanks to an anonymous referee for requesting clarification here.

³⁰ It might be objected that this makes the constitutivity claim trivial: In *this* sense, any set of norms is constitutive of the activity for which it is normative. But this objection misfires. The fact that in some countries driving on the right is the correct way to drive does not make driving on the right constitutive of driving.

³¹ Following Rawls’s (1999 [1955]) classic distinction between what subsequently came to be called constitutive and regulative rules, it is sometimes thought that a rule cannot be both constitutive and normative; see the recent debate between Tolley (2012) and Dunlop (2014) for just this view in relation to Kant’s

2.2 Judgment as the act of a self-conscious capacity

Kant famously argues that the unity of self-consciousness is essential to cognition: “The principle of the synthetic unity of apperception is the highest principle of all use of the understanding” (B136). I believe that one central implication of this claim is that the understanding not only acts in accordance with the rules of thinking, but is guided by them, and my goal in this subsection is to explain what this means. But here I enter a highly contested area of Kant interpretation. Defending my reading of the role of self-consciousness in Kant’s theory of judgment would go well beyond the confines of this paper. As before, I will give *some* evidence, but the reader should bear in mind that my main goal is not exegetical. Instead, I aim to make visible the relation between the method of faculty analysis and the theory of judgment I am in the process of outlining. Whether this theory is in fact Kant’s, or merely Kantian, is of secondary importance.

To say that a thinker is guided by the rules of thinking is to say that she, for instance, judges that p (at least in part) because she comprehends that judging that p is what conformity to the rules of thinking demands. I take it that this is what Kant has in view when he argues that a judgment is a representation of a particular kind of unity, viz. the unity of cognition. Cognition is “a whole of compared and connected representations” (A97). Such unity requires that each new element that is added to the evolving whole that is cognition must conform to the principles that determine what counts as being “connected” in the right way. These are the rules of thinking at issue in Transcendental Logic, that is, the Principles of the Pure Understanding—“which principles are all derived from the principle of the transcendental unity of apperception” (B142).

They are derived from the unity of apperception, I wish to say, because of the specific way in which they function in bringing about the unity of cognition. All representations that are part of cognition—all “cognitions” in the sense in which the term can take the plural—are “representations related with consciousness to an object” (Ak. 9:91). I take this to mean that a thinker understands that such a representation purports to be objective. This understanding takes the form of grasping that there are rules to which a representation must conform if it is to figure in the whole that is cognition, and of regarding the representation in question as conforming to them.³² But to do this is to be guided by the relevant rules of thinking.

If a thinker is guided by the rules of thinking, then these rules are not only constitutive and normative for judgment, but also, in a particular sense, explanatory. That is, they play a causal role in bringing about actualization of the understanding.³³ So, mastery of the rules of thinking and of what they require on a given occasion is what explains (at least in part) why the understanding is exercised in a certain way.

Footnote 31 continued

conception of logic. But this is mistaken. As Kern (2006: pp. 212–218) argues, a rule can be both constitutive and regulative.

³² Readings along these lines, to which I am indebted, have been developed by Smit (1999), Engstrom (2006) and Kitcher (2015). Different readings have been proposed by, among others, Henrich (1976), Pereboom (1995) and Allison (2015).

³³ The notions of causation and explanation here are to be taken in a wide sense, which allows for the possibility that rational causation—the kind of causation involved in the actualization of a rational capacity—may be a distinctive kind of causation. See Marcus (2012) for discussion.

This kind of explanation exhibits a characteristic asymmetry, which is connected to the constitutive-normative status of the rules of thinking.³⁴ The rules of thinking enter the explanation of defective exercises of the capacity in a different way from that of non-defective exercises. The latter are fully explained by the fact that they are exercises of a capacity whose identity is specified by the rules governing judgment. I correctly judge that *p* because this is what the rules require. In other words, my judgment is as it, qua exercise of the capacity to judge, ought to be. By contrast, defective exercises of the capacity, which to some extent violate the rules of thinking, are not fully explained by the fact that they are exercises of this capacity. Additional factors are relevant, which account for the violation. These are external to the capacity.³⁵

The notion of guidance I have invoked in characterizing the way in which a thinker's relation to the rules of logic enters into the actualization of her capacity suggests that the thinker must have some kind of grasp, or mastery, or knowledge of these rules. But what does this amount to? Two aspects need to be distinguished, the *content* of such knowledge and the *manner* in which it is known. I will discuss these in turn.

grasp of rules:
manner &
content

As regards content, the thinker must first of all represent herself (as herself). For the rules of thinking to guide her activity, she must think of the activity as one she is engaged in. She must think of it first-personally. Second, it is already implicit in this that she must represent her activity. More precisely, she must represent her activity under a description that gives the rules of thinking application. But what form does this take? The Kantian answer, I think, is that it takes the form of representing one's activity as being subject to these rules—whether or not the activity is framed as that of judging. That is, a thinker must understand that the activity she is engaged in is subject to rules that set a standard of correctness for it, and she must know (to some approximation) what these rules are. Put differently, to take these rules to apply to her activity is what representing herself as judging consists in.³⁶ Third, in the normal case she must represent her exercise of the capacity as a correct exercise, as conforming to the rules of thinking. For to say that her activity is guided by these rules implies that she understands their normative status and seeks to regulate her activity so as to conform to these rules. It implies, furthermore, that in non-defective cases her representing a particular actualization as conforming to the rules of thinking (e.g., representing *p* as to be affirmed) is explanatory of this actualization (her act of affirming *p*). As a consequence, her representing *p* as to be affirmed is both necessary and sufficient for her affirming *p*.

However, things can go awry, so the qualification 'non-defective cases' is essential. But, as Kant emphasizes,

³⁴ Failure to appreciate this leads some commentators to hold that the rules of thinking are either normative or causal, but not both—so that it looks as if Kant is being inconsistent. See e.g. Willaschek (2010: p. 169f).

³⁵ Thus, Kant says that error, which is an exercise of the understanding that fails to conform fully to the rules of thinking, is caused by the "unnoticed influence of sensibility on understanding" (A294/B350). See also the discussion of the "subjective causes" of judgment that is part of the doctrine of *Fürwahrhalten* (see p. 5 above). Thus, "persuasion" is defined as the case where one's assent "has its ground merely in the particular constitution of the subject" (A820/B849). The *particular* constitution of the subject is clearly external to the capacity for understanding, which is shared among subjects. Thanks to an anonymous referee for pointing this out.

³⁶ This is helpfully brought out in Smit (1999).

while [the understanding] acts merely according to its own laws, its effect (the judgment) must necessarily agree with these laws. (A294/B350)

If the laws in question relate to the capacity in such a way that they *guide* its exercises—that is, if they cause the capacity to be exercised in virtue of being represented in this very exercise—then this must be because they are represented *in* its exercises as norms to which these conform. Were an exercise to be represented as failing to conform, it would fail to occur.³⁷

In defective cases matters are different. One way in which things can go awry is that the normative status of an exercise comes apart from the thinker's assessment of it. For instance, I may persist in believing something that I take myself to have excellent reasons not to believe. In such a case I represent my belief as violating standards that are normative for it, but this by itself is not sufficient for my ceasing to have the belief.

defective cases

Another way in which things can go awry is for me to be wrong in taking an exercise of my capacity to be rule-conforming. A straightforward instance of this is my falsely taking my belief to meet the truth-norm. Nonetheless, if I am guided by the rules of thinking and my current exercise is not defective in further ways, then in this case too I take my exercise to be rule-conforming—and were I to come to see it as non-conforming I would abandon the belief.

If this is right, a thinker's mastery of the norms governing judgment is constitutive of exercises of the capacity to judge. In the hylomorphic terminology he employs Kant refers to these norms collectively as the *form* of the understanding. So the point can also be expressed, in more Kantian language, by saying that the understanding is a capacity whose operations constitutively depend on a consciousness of its form.³⁸ This serves to bring out that Kant's conception of judgment is committed to a Self-Consciousness Assumption:

SCA

Self-Consciousness Assumption (SCA): Judgment is constitutively self-conscious.

Judgment is self-conscious in the sense that an act of judging is the exercise of a capacity to whose nature it belongs that its form is represented in its exercises. More precisely, the form of the capacity is represented as a standard that is normative for the exercise and as constituting, at least in part, the thinker's reason for exercising the capacity in a particular way.

But what does it take to “represent the form of the understanding”? In particular, how explicit does this need to be? This is the second question distinguished above, concerning the *manner* in which the rules of thinking are necessarily known to the thinker.

To begin with, a phrase like ‘representing an act of judging as conforming to the rules of thinking’ can be heard as referring to a second-order judgment to the effect that the first-order judgment meets the rules. But this way lies a regress. Instead, Kant holds that the consciousness of norm-conformity is an aspect of the *form* of judgment.

not second-order

³⁷ See Coope (2013) for helpful discussion of this point in relation to Aquinas, whose position is close to Kant's here.

³⁸ Compare the following passage: “Matter and form. These are two concepts that ground all other reflection, so inseparably are they bound up with *every use* of the understanding” (A266/B322, emphasis added).

This means that it is, in more familiar terminology, an aspect of taking the attitude of believing to a propositional content, as opposed to an aspect of a different content. It is only if we think of the consciousness of norm-conformity as a relation to a different judgeable content that the regress arises.³⁹

As to the question of explicitness, consider the following passage:

[T]he common understanding is the faculty of comprehending the rules of cognition *in concreto*. Logic, however, is supposed to be a doctrine of the rules of thinking *in abstracto*. (*JL*, 9:19)

To comprehend the rules *in abstracto* is to comprehend them explicitly and in isolation from their application to particular cases. To comprehend them *in concreto* is to be able to apply them in particular cases. Since Kant thinks that the common understanding does not depend on knowledge of logic, he does not think that knowledge *in concreto* of the rules requires knowledge of them *in abstracto*. I think we can take this to imply that mastery of the rules of thinking requires only that one be able to apply them in practice, where this must mean that one's judging activity is sensitive to whether or not it is in conformity with the rules. But this can be "blind" or "un-thinking", in a way in which following the grammatical rules of one's language often merits these characterizations. It does not require that one be able to articulate the rules. It does require that one generally be able to tell, more or less reliably, whether or not one's activity is rule-conforming.⁴⁰

This suggests that mastery of the rules of thinking, and thus the self-consciousness constitutive of judging, should not be thought of as involving the entertaining of a set of propositions, but rather as a kind of know-how or skill.⁴¹ Possession of such knowledge is manifested in, for instance, a thinker's recognition of certain questions or demands that thematize her act's conformity to a relevant norm as appropriate as well as in her readiness, in non-defective cases, to withdraw her judgment consequent on her coming to think that it violates a norm. In such cases, a thinker shows that she understands that the activity she is engaged in is subject to norms. And she can normally be brought to see that her understanding of these norms informs the way in which she conducts the activity—as it manifestly does in the second case.⁴²

3 The method of faculty analysis

I have argued that, in Kant's view, judgment is the act of a spontaneous and constitutively self-conscious capacity and explained what this means. I now wish to discuss

³⁹ For a contemporary version of this point, see Marcus (2016: pp. 392–393). In Kant, the doctrine of the Concepts of Reflection supports it, though I cannot argue this here. But see Smit (1999).

⁴⁰ Compare the discussion of skill and telling in Haugeland (1998).

⁴¹ The idea that the latter is distinct in kind from the former has been challenged recently (Stanley and Williamson 2001), but there are good reasons for thinking that the challenge fails (see Carter and Pritchard 2015; Kremer 2016).

⁴² The requirement that there be an understanding, if only partial, of the relevant norms and that this understanding inform the thinker's activity of judging distinguishes an activity that is self-conscious in my sense from one in which a creature revises her mental states in a way that merely de facto satisfies applicable norms. Exactly when a thinker counts as possessing this understanding is a question I do not address here.

the method of faculty analysis in more detail. This will put me in a position to argue that Kant's view of judgment makes this method applicable. It will also enable me to address the concerns about this method presented in Sect. 1, which in turn will pave the way for presenting the rest of my argument: viz. that this method is of relevance to contemporary philosophers because an agentalist view of belief, which shares the relevant features of Kant's theory of judgment, is a live philosophical option.

SCA entails that anyone who possesses the capacity of understanding also possesses knowledge *in concreto* of the rules of thinking. A philosophical account of these rules can take this knowledge as a starting point. The philosophical task then is to articulate this knowledge, to make it explicit. Kant characterizes this process as the understanding's coming to self-knowledge. Since logic in his view is the doctrine of the rules of the understanding, we may call this *logical self-knowledge*. Kant holds that logical self-knowledge requires no reliance on any particular body of empirical knowledge. In virtue of possessing the capacity for understanding every thinker is already in possession of all the materials needed for such knowledge.

This is of course not to say that every thinker is in fact in a position to arrive at logical self-knowledge, since this takes sophisticated conceptual skills. The point is rather that no additional "data", beyond what every thinker already possesses, is needed.⁴³ This implies that a certain sort of question does not arise for this method, which can arise for more familiar forms of conceptual analysis, viz. the question what our epistemic access to the relevant concept is. What, that is, are proposed analyses beholden to? Why, for instance, should the philosopher's intuitions be a reliable guide to the concept in question?⁴⁴

Faculty analysis does not confront *this* kind of question because what faculty analysis aims to articulate is something of whose possession we are assured. Possession of the very capacity to judge entails possession *in concreto* of the concept of judgment. This is of course not to say that no questions can arise here. It is just to say that a thinker's mastery in practice of the norms governing judgment provides the data to which a theoretical account of logical self-knowledge is beholden.

To get faculty analysis into clearer focus, it will be useful to articulate the contrast with conceptual analysis further. The precise nature of conceptual analysis is subject to controversy.⁴⁵ But on almost anyone's account it will have the characteristics that I allude to in what follows. Here, then, are three salient points of contrast.

First, just like conceptual analysis faculty analysis is aimed at an account of a concept, in our case the concept of a capacity for judgment. However, this concept is such that any possessor of the concept also, necessarily, instantiates it—in the sense that anyone who possesses the concept is a bearer of the capacity. This is not true of conceptual analysis generally.

Moreover, if SCA is correct, then, necessarily, any possessor of the concept also knows, at least implicitly, that she instantiates the concept. This follows from the fact

⁴³ Compare the passages in which Kant says that we find such knowledge in ourselves cited above on p. 4 and in note 9.

⁴⁴ This question is of course one of the forces driving the recent development of experimental philosophy. See Mallon (2016) for an overview.

⁴⁵ See Williamson (2007) for extensive discussion.

that, in making a judgment, a thinker must understand her activity as judging. Again, this is not true of conceptual analysis in general.

Finally, faculty analysis leaves no room for empirical discoveries about the nature of its object, such as the discovery that water is H_2O . Prior to the discovery of the chemical structure of water it was not known, either implicitly or explicitly, that water is H_2O . In particular, this was not known, even implicitly, simply in virtue of possessing the concept <water>, even if it can reasonably be taken to be part of its content (on an externalist view of conceptual content, say). By contrast, no discoveries of this sort are possible regarding the nature of judgment, on the agentalist view of judgment that underlies faculty analysis. The reason is that on this view possession of the capacity for judgment entails possession *in concreto* of the concept of judgment, and possession of this concept confers on its possessor an implicit grasp of the nature of judgment. This implicit grasp is complete in the sense that there is no aspect of the nature of judgment that cannot be discovered by means of articulating this grasp, and thus through reflection alone. This does not mean that a theory of judgment cannot go wrong. But it does mean that all the “data” to which such a theory is beholden are provided by the grasp of the concept of judgment that consists in a thinker’s mastery in practice of the norms governing judgment, which is required for possession of the capacity to judge.⁴⁶

We are now in a position to address the concerns about faculty analysis I presented in Sect. 1. The first concern is that Kant seeks to derive normative conclusions from non-normative premises. But this is not the case. Although the relevant premises are propositions characterizing the nature of the capacity to judge, these premises are not non-normative. They have normative import because the nature of the capacity is given in part by the standards to which exercises of it are beholden.

The second concern relates to Strawson’s worry that the acts by which the mind constitutes experience are accessible neither empirically nor via conceptual analysis. So Kant has no business postulating such acts. We can now see that this worry rests on a misunderstanding.⁴⁷ It is not the case that Kant postulates special acts, which constitute experience and must therefore “precede” anything that is empirically accessible. Rather, the experience-constituting role is played, not by a special set of acts, but by a particular aspect of the familiar acts that are part of experience. More precisely, the experience-constituting role is played by the norms that are self-consciously represented in exercises of the capacity. And as we have seen, saying that these norms are self-consciously represented in particular acts implies that the subject of these acts possesses a conception of the capacity whose acts they are. Faculty analysis can proceed by isolating and articulating this conception.

It should also be clear why faculty analysis is an appropriate method of philosophical inquiry given a view of judgment as spontaneous and constitutively self-conscious. First, the fact that, given this view, knowledge *in concreto* of the form of the understanding can be taken for granted makes the method a contender, as this provides the starting point for developing an explicit account of this form. Second, since such

⁴⁶ See the point about logical self-knowledge at the beginning of this section. Thanks to an anonymous referee for requesting clarification of the final point of contrast.

⁴⁷ My response to Strawson’s worry follows that offered by Smit (1999: pp. 208–209).

knowledge is constitutive of the capacity, only a method that is in a position to capture this characteristic can hope to yield an adequate philosophical account of it. **A philosophical account that purports to be knowledge of the nature of judgment, but swings free of that knowledge of the nature of judgment which is necessarily possessed by every bearer of the capacity, cannot hope to do justice to its subject-matter.** Faculty Analysis meets this desideratum precisely because it is from the start conceived, not as aiming to discover previously unknown facts, but as seeking to give explicit articulation to something already known, though in a different manner.⁴⁸

4 Contemporary arguments for a Kantian view of judgment

Since judgment in Kant's view is spontaneous and satisfies the Self-Consciousness Assumption, faculty analysis is available as a method for generating an account of judgment. Given this connection, the method is of relevance to contemporary philosophers if a conception of belief (in the contemporary sense) that is relevantly Kantian is a live option. I now wish to argue that the antecedent of this conditional is true. My strategy is to argue that the agentalist conception of belief defended recently by Richard Moran and a number of other philosophers embodies a conception of belief according to which belief is spontaneous and satisfies SCA.⁴⁹

According to the agentalist conception of belief, it is of fundamental importance that belief obeys what Moran calls the Transparency Condition. **The Transparency Condition says that, at least in a central range of cases, an agent can answer the question whether she believes that p by answering the question whether p is to be believed (that is, whether she should believe that p).** In such cases, a question concerning a matter of fact about the agent's psychology (does she believe p ?) is said to be "transparent to" a question concerning something entirely different: viz. a deliberative question; that is, a question about what the agent should do (by way of believing).⁵⁰

Proponents of the agentalist conception argue that this phenomenon is explained by the fact that a subject's relation to her beliefs (and other propositional attitudes) is an agental relation, in the following sense: **First, in non-defective cases it is a sufficient condition for agency in this sense that the thinker is self-determining with regard to her beliefs.** As will become clear in a moment, being self-determining with regard to one's beliefs is distinct from (and weaker than) being able to adopt beliefs at will and also from choosing what to believe by means of a process involving reflection and explicit deliberation. Consequently, the sense of agency at issue here is distinct from other, familiar senses of agency.⁵¹

⁴⁸ For this conception of faculty analysis I am indebted to Smit (1999) as well as Boyle (unpubl.).

⁴⁹ See note 5 above.

⁵⁰ Compare Moran (2001: p. 101). Moran here describes the phenomenon by saying that a question about the agent's psychology is transparent to a question about the world (as do many others). But this is compatible with my formulation in the text. In the case of belief (as opposed to other propositional attitudes), the deliberative question (what to believe?) is typically equivalent, from the agent's perspective, to the world-directed question 'what is the case?'

⁵¹ Thus, a distinction is often drawn between simply "finding oneself" with a belief, on the one hand, as when one unreflectively acquires beliefs, for example, on the basis of perception, and "actively making up

In the sense intended here a thinker S is self-determining with respect to a belief p just in case (i) S endorses her believing p and (ii) S 's endorsement of the belief that p is explanatory of S 's having the belief that p . To endorse one's belief that p is to regard p as to be believed. That is, the thinker regards her attitude of believing as appropriate towards the content p . Appropriateness is a function here of being in conformity with the norms germane to the attitude at issue. So, for a thinker to endorse her belief that p is for her to regard this attitude as taken appropriately in relation to p because it conforms to the norms that govern beliefs; e.g. the norm that one should believe only what one has sufficient evidence for.

Note that this kind of endorsement is not a second-order belief. Rather, the endorsement is internal to the first-order belief. Belief, on this view, is inherently self-reflective. It inherently involves the attitude of taking itself to conform to the relevant norm. But this attitude need not be occurrently conscious. Its presence may manifest itself, for instance, in being disposed to accept certain kinds of challenges to the belief's appropriateness as germane (e.g. the presentation of countervailing evidence).

Saying that S 's endorsement of her believing p is explanatory of her believing p entails that, other things being equal, S would not believe p if she did not endorse it and that, if she did not believe p , she would not endorse it. Moreover, this counterfactual holds because, in the normal case, S 's grasp of the norms for belief controls her belief-behavior. That is, the subject's understanding of the norms for the relevant behavior regulates this behavior: the behavior is norm-guided.

Proponents of the agential conception are happy to concede that, typically, human believers are not self-determining with regard to all of their actual beliefs. Sometimes—indeed, perhaps a lot of times—a thinker's belief persists even though the thinker regards it as a belief she should not have. Likewise, a thinker may come to regard a belief that p as one she should have and yet fail to have it. However, while they do not deny the existence of such cases, agentialists hold that they are defective cases. The view is that, when things are in proper working order, a thinker's actual beliefs are controlled by her endorsements, i.e. by her grasp of the relevant norms. When this is not the case, this means that things are not in proper working order.

The underlying idea is that the two kinds of case are not on par explanatorily.⁵² The good case (where endorsement controls actuality) is the default case, where this means that it is the case requiring no special explanation. In this kind of case, the thinker's doxastic apparatus is working as it should, and nothing further is required to explain why she holds the belief in question.⁵³ By contrast, cases in which a thinker's actual beliefs do not conform to her normative assessments do call for special explanation. The thought is that here the thinker's doxastic powers are not operating the way they should and, normally, would. So something must have prevented their proper operation.

proper
operation is
assumed

Footnote 51 continued

one's mind," on the other, as when one goes through an explicit process of reflection on what to believe and adopts a belief as a result of such a process. See e.g. Kornblith (2012: p. 86).

⁵² Compare the discussion of this point in connection with Kant in Sect. 2.2.

⁵³ So, for instance, that S takes herself to have sufficient evidence for p is, on this view, explanatory of S 's believing that p . We may of course challenge her assessment of the evidence. But this does not undermine the explanatory character of the claim, though it might indicate that S 's exercise of her powers was in some way deficient and that this calls for special explanation.

This calls for explanation. So the special explanation that is required in such cases must identify the factor that prevented proper functioning.⁵⁴

It can now be seen that the agential conception of belief is sufficiently similar to Kant's conception of judgment for faculty analysis to find application. The central point is that, according to the agentialist conception, a thinker must possess an understanding of the norms that govern belief in order to possess the capacity to have beliefs. Such an understanding includes a grasp of the status that these norms have; that is, an understanding, however implicit, of the fact that when a belief does not conform to one's endorsements, something is amiss doxastically. A philosophical theory of belief can then take this implicit, practical understanding as its starting point and proceed to make it explicit. In so doing it will assign the concept of a mental capacity a pivotal role, since a thinker's understanding in practice of doxastic norms amounts to a conception of the capacity for belief.

If all of this is right, the method of faculty analysis constitutes an aspect of Kant's Critical oeuvre that contemporary philosophers have reason to take seriously. Doing so need not take the form of looking to Kant's texts for some set of methodological precepts. Instead it may take the form of shaping one's conception of what one is doing in giving a theory of belief. Those who accept an agentialist theory of belief have good reason to conceive of such a theory as one that approaches its object not "from sideways on," but "from the inside."⁵⁵ As so often in philosophy, questions of method cannot be separated neatly from questions of substance.

5 Three objections

Although it is not my aim here to defend a theory of belief, it will nonetheless be useful to discuss three objections to the agentialist position I have been discussing—the position that sees belief in rational beings as spontaneous and constitutively self-conscious. Each of these objections amounts to a charge of over-intellectualizing the mind. The first is that agentialism takes the situation in which an agent engages in reflection and explicitly raises the deliberative question of whether to believe p to be the paradigmatic situation. But this is empirically false. Most of the time we come by our beliefs "automatically". It is very rare that we explicitly reflect on whether a candidate belief meets the relevant norms (e.g. evidential norms).⁵⁶

This objection rests on a misunderstanding. In fact, agentialism does not take explicit reflection as paradigmatic. Instead, it regards belief as inherently reflective and claims that this is distinct from the kind of explicit reflection the objection has in view. The idea is that a belief constitutively involves a normative attitude on the part of the subject, to the effect that the belief is appropriately held. The existence of this attitude neither consists in nor depends on the occurrence of explicit reflection. In fact, as Coope (2013: p. 16) points out, the inherently reflective character of belief partly explains why explicit reflection sometimes occurs, since explicit reflection is

⁵⁴ Compare the case of a masked disposition.

⁵⁵ I borrow this distinction from McDowell (1996).

⁵⁶ See Kornblith (2012: pp. 88–97).

typically addressed to the question whether a candidate belief has sufficient doxastic credentials. But the question of a belief's credentials only arises because belief is of its nature such that it requires a positive verdict on its credentials.

The second objection is that agentialism about belief over-intellectualizes the mind because, in requiring a thinker to have an understanding of doxastic norms it portrays ordinary believers as having views regarding the nature of belief. This is much too demanding to be plausible. I reply that the objection rests on a misunderstanding of the requirement. Rather than demanding a view regarding the nature of belief, agentialism makes only the more modest requirement that a subject of beliefs have an understanding *in practice* (or *in concreto*, as Kant puts it) of the relevant norms. This means, not that she is able to articulate such norms, but only that she is in a position to recognize as appropriate, e.g., a demand for evidence. Or that she is in a position to see that, when she believes p and comes across evidence for not- p , she is called upon to do something, and that happily accepting not- p along with p is not an available move.⁵⁷

The third objection says that agentialism places such high demands on belief that very young children and non-human animals cannot count as having beliefs. This, the thought is, counts against the view.⁵⁸ In reply, I wish merely to point out that it is not obvious that what we ascribe to very young children and non-human animals using the language of 'believe' and its cognates is the same thing as what we ascribe to mature human adults. It is open to advocates of agentialism to argue that the former sort of state has important commonalities with the latter sort, but also differs in respects significant enough to say that we are dealing with two different *kinds* or *species* of belief, which are distinguished by certain formal features. I cannot make the case for this here.⁵⁹ But for the purpose of showing that the objection is not decisive, it is sufficient to point out that this option is available.⁶⁰

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⁵⁷ Consider that someone who happily accepts not- p as well as p , and understands that these are contradictory, *thereby* calls into question the idea that her doxastic capacities are well-functioning.

⁵⁸ See Burge (2010) for a version of this objection.

⁵⁹ For more detailed proposals along these lines see Boyle (2012) and Marcus (2016).

⁶⁰ For helpful discussion and comments on earlier versions of this material I am grateful to Wolfram Gobsch, the participants of the conference 'The Current Relevance of Kant's Method in Philosophy', held at Goethe University Frankfurt in 2016, as well as three anonymous referees for this journal.

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