Does Kantian mental content externalism help metaphysical realists?

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Abstract Standard interpretations of Kant's transcendental idealism take it as a commitment to the view that the objects of cognition are structured or made by conditions imposed by the mind, and therefore to what Van Cleve calls "honest-to-God idealism". Against this view, many more recent investigations of Kant's theory of representation and cognitive significance have been able to show that Kant is committed to a certain form of Mental Content Externalism, and therefore to the realist view that the objects involved in experience and empirical knowledge are mind-independent particulars. Some of these recent interpreters have taken this result to demonstrate an internal incompatibility between Kant's transcendental idealism and his own model of cognitive content and the environmental conditions of empirical knowledge. Against this suggestion, this article argues that, while Kant's theory of content is indeed best construed as externalist, an adequately adjusted form of transcendental idealism is not only compatible with this externalism, but in fact supports it. More generally, the article develops the position that mental content externalism cannot force the adoption of metaphysical realism.

Keywords Externalism · Metaphysical realism · Transcendental idealism · Appearance · Things in themselves · Kant · Westphal · Mental content · Singular reference · Intuition · Mind-independence

From the very moment that Kant proposed his critical method of examining the conditions and limits of empirical knowledge and his transcendental idealism as a conception of the objects of cognition fitting the conditions and limitations that this critical method identifies, interpreters have taken transcendental idealism as an

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24 expression of Kant's commitment to the view that the objects of cognition are struc-
25 tured or made by conditions imposed by the mind, and therefore as Kant's commit-
26 ment to what Van Cleve calls "honest-to-God idealism".[1] Particularly one of Kant's
27 slogans—that we can know only appearances and cannot ever know things in them-
28 selves—served such interpretations as ample proof that Kant thinks that human cog-
29 nition only reaches what things appear to be to us. In this paper, I will defend an
30 interpretive strategy that shows against this tradition that the results of Kant's theory
31 of cognition and its contents are incompatible with traditional idealism, just as Kant
32 thought. In doing so, I rely on the results of another line of Kant-scholarship, repre-
33 sented in the work of scholars as Kemp-Smith, Brittan, Strawson, Guyer and others,
34 who emphasize the anti-idealistic import of Kant's theory of cognition. But whereas
35 the mentioned approaches often felt forced to repudiate Kant's TI to the same extent
36 that they endorse his theory of cognition, I will argue that Kant's own TI is not only
37 compatible with, but in fact supportive of his non-idealist account of the conditions of
38 objective empirical knowledge.

1 I

40 I will stake out the space for such a position by discussing one of the richest and most
41 innovative recent readings of Kant's critical philosophy, that of Kenneth Westphal.[2]
42 My reason for choosing this way is that Westphal's interpretation on the one hand
43 offers very powerful new arguments to demonstrate the commitment of Kant's theory
44 of cognition to realist presuppositions, but on the other follows the tradition of Kant-
45 scholarship in which the anti-idealistic potential of Kant's critical reconstruction of
46 the conditions of experience, which issues in a theory of experience or an "inventory
47 of empirical cognition",[3] is pitted against its purportedly idealistic self-understanding.
48 But Westphal's proposed interpretation is more ambitious than most of the work in
49 this tradition because he is not satisfied with presenting Kant's critical philosophy
50 as incoherent but pursues the strategy of an *internal* critique of Kant's TI, that is, a
51 critique that is based on the very resources of Kantian transcendental philosophy.[4] As
52 I said, TI is notorious for dismaying even sympathetic interpreters. Their dismay is
53 precipitated by features of TI like Kant's insistence that TI entails that ordinary objects
54 are "nothing but appearances" and "only representations"[5] because they are entities
55 in space and time, both of which are said to be 'transcendentally ideal' and 'in us',
56 while things in themselves are *not* determinately spatio-temporal and we consequently
57 cannot know them, constrained as we are to experiencing only spatiotemporally struc-
58 tured entities as obtruding realities. On the assumption that these claims contrast with
59 ordinary things' being 'real', 'actual', or quite simply 'things as they are', this is

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[1] Van Cleve (1999, p. 14).

[2] This reading is developed in detail in Westphal (2004). Further illuminating and relevant material can be found Westphal (2005, 2003a,b).

[3] I borrow this term from Bird (2006, pp. 28–29).

[4] Westphal (2004, 4 *et passim*).

[5] Cf., representatively, Kant (1996, A 492/B 520), in the following cited in the standard fashion as CPR.

⁶⁰ indeed a view at odds with any sane—and Kant's own—commonsense realism about
⁶¹ objects of experience. In defense of the latter, Westphal concurs with Strawson, Stroud
⁶² and many others in finding TI "repulsive", deems TI outright "false", and "aim[s] to
⁶³ dispense with" it.[6] Consequently, he also endorses Guyer's view that Kant's most
⁶⁴ important insights do not depend on and are separable from TI.[7]

⁶⁵ I want to focus on one particular way in which Westphal plays off the resources
⁶⁶ of Kant's theory of cognition against TI to show the latter as untenable in light of
⁶⁷ the former. He extracts from Kant's theory of representational content an irreducible
⁶⁸ commitment to the existence of and the necessary cognitive access to extra-mental par-
⁶⁹ ticulars. Key for identifying this commitment is the view (shared by a number of recent
⁷⁰ interpreters in the wake of Sellars, like Hanna (2001, 2006a,b), Rosenberg (2005)) that
⁷¹ Kant defends a kind of mental content externalism (MCE), i.e. the view that mental
⁷² representations could not be contentful and have the content they do unless they and
⁷³ their users are systematically connected to extra-mental particulars. As Kant's theory
⁷⁴ of representation constitutes an essential result of his transcendental reconstruction
⁷⁵ of the structure of empirical cognition, MCE has to count an integral component of
⁷⁶ Kant's transcendental philosophy.

⁷⁷ Westphal's strategy against TI then unfolds as a defense of two claims: First, that
⁷⁸ proper attention to the method and claims of Kant's analysis of the conditions of
⁷⁹ empirical cognition reveals, thanks to MCE, resources for "transcendental proofs for
⁸⁰ (not 'from')" realism.[8] Second, Kant's semantically generated realist commitments
⁸¹ directly undermine the very repulsive doctrine of TI that Kant himself held as partly
⁸² responsible for the success of his own arguments. Westphal says: "Kant proves that
⁸³ we perceive rather than merely imagine physical objects in space and time. (…) [But]
⁸⁴ Kant's proof succeeds in ways, and to an extent, that even Kant did not appreciate. (…)
⁸⁵ Indeed, parts of Kant's proof refute his key arguments for transcendental idealism."[9]
⁸⁶ The upshot is Westphal's general claim that the kind of realism contained in the most
⁸⁷ important parts of Kant's analysis of cognition, MCE, is strictly incompatible with
⁸⁸ TI and empirical realism (ER) as both positions need to be construed by Kant.[10] In
⁸⁹ consequence, Westphal more generally suggests that adopting MCE forces a realism
⁹⁰ that is stronger than ER, i.e. a more 'metaphysical' or 'transcendental' realism, which
⁹¹ he calls "realism *sans phrase*".

⁹² In the following, I grant without criticism Westphal's first claim that Kant's seman-
⁹³ tics for mental representations as presented in his transcendental analysis of the con-
⁹⁴ ditions of cognition is a form of externalism that entails a certain form of realism
⁹⁵ (§2.1). I will defend this view with a new argument that Westphal has not made,
⁹⁶ which lends decisive support to MCE directly from Kant's transcendental reflection

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[6] Westphal (2005, p. 321, fn 37).

[7] Westphal (2003a, p. 157, fn 45); cf. e.g., Guyer (1987, p. 335).

[8] Westphal (2006, p. 785/806).

[9] Westphal (2006, p. 782). He puts the point more strongly in (2003b, p. 160): "A sound version of the standard objection to Kant's arguments for transcendental idealism (…) *can be deduced from* Kant's own principles and analysis in the first *Critique*."

[10] Westphal (2006, p. 802), speaks of an "unqualified realism about molar objects in our environs (…) not some transcendentally qualified, merely 'empirical' realism."

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on requirements for the contentfulness of representations. This argument will help to bring out what exactly the metaphysical requirements of MCE are (§2.2). I will then argue against Westphal's second claim by sketching a methodology-centered version of the requirements of TI, in particular of the distinction between appearances and things in themselves (§3). It will turn out that the objects satisfying the requirements of MCE can simultaneously satisfy the requirements of methodological TI (§4). This shows that Kant's own TI is compatible with MCE, and therefore that Westphal's second claim is incorrect. I also briefly argue for the additional claim that the possible world in which MCE and TI/ER are compatible is relevantly similar to the commonsense world of sensorily detected objects of everyday experience and scientific knowledge (§5). But then much of the warrant for the general claim that being an externalist about mental content forces being a metaphysical or more-than-empirical realist is also undermined.

It thus seems to me that the import of Westphal-style arguments is more limited but nonetheless important. They show that Kant's theory of cognition is incompatible with what Collins calls *idealist readings* of TI,[11] i.e. interpretations that saddle Kant with traditional idealist preconceptions by 'mentalizing' the objects to which we are related in experience.[12] In the terms of Bird's recent study,[13] such readings tend to underestimate or overlook the revolutionary character of Kant's externalist theory of cognition and its objects *including the meta-theory, TI*, the combination of which provide an alternative picture to both, traditionally internalist conceptions of cognitive content and traditionally idealist conceptions of the objects of cognition. The contention that accepting TI entails regarding the objects of experience as mind-dependent in a problematic way (which seems to be taken for granted in Westphal's general claim, too) seems thus rather forced by traditionalist interpretive background assumptions than by Kant's theory of cognition itself.[14] I hope to display by my argument that, once Kant's claims about ER(TI) are *properly embedded in the context of Kant's externalist theory of experience and representation*, Kant's own ER-conception of objects of experience ('appearances') is anti-epistemic (or 'realist') enough to adequately characterize the particulars required by Kant's transcendental analysis of cognition and its externalist conception of content. In fact, Kant's ER actually can then be seen as an attractive proposal for externalists who find metaphysical realism as unattractive as

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[11] See Collins (1999). In Graham Bird's fitting term, this interpretive tendency can be described as ascribing a "traditionalist" project to Kant, particularly *including* his TI, as opposed to the "revolutionary" one that commentators like Bird and Collins see Kant as pursuing (see Bird 2006, pp. 15–18). As will become clear, I side with the latter, against Westphal's bifurcation between ascribing a revolutionary strategy to Kant's theory of cognition, and a 'traditionalist' tendency to his metatheory, TI.

[12] Allais (2003) uses the term 'mentalization' in this apt way to describe an idealist understanding of the objects of experience, i.e. *appearances*, which she rejects. Westphal, however, would say that the illicitness of mentalizing the objects we are related to in experience, hence via sensation, shows that they are not (merely) appearances but (also?) things in themselves (where Westphal assumes the standard, 'mentalized' reading of 'appearance'). Both would agree that 'mentalizing' the objects involved in experience is illicit because of the role of extra-mental elements in cognition and thought. For a decidedly externalist interpretation of 'appearance', see Collins (1999).

[13] See Bird (2006, pp. 15–18).

[14] My proposal here has similarities with that found in the literature in Strawson's or Bird's interpretations, but also in the appropriation of Kant in, e.g., the pragmatist tradition.

129 traditional idealism. This allows a more general lesson, namely that MCE does *not*
130 require acceptance of overly ambitious metaphysical forms of realism.[15]

2 II

132 One of the arguments outlined by Westphal to the effect that Kant provides "tran-
133 scendental proofs for (not 'from')" realism could be called the *argument from cogni-*
134 *tive reference*[16] (or from MCE). It proceeds from the observation that Kant's theory
135 of content—epitomized in the famous slogan that concepts without intuitions are
136 empty, while intuitions without concepts are blind—essentially requires that the sub-
137 jects entertaining representations be in cognitive contact to extra-mental particulars
138 for representations to be determinable in content and to be differentiable according
139 to relations of content (sameness and difference). This follows from Kant's account
140 of the referential properties of intuitions (particularly empirical intuitions, i.e. per-
141 ceptions) and their pervasive cognitive functions. Differences in cognitive content,
142 according to Kant, can be retraced to possible differences in the subject matter of
143 judgment, and differences in subject matter require ultimately differences in intu-
144 ition-based or referential relations established by demonstrative or other indexical
145 means that involve sensations. The latter, in turn, only occur as a consequence of
146 contacts between cognizers and extra-mental environs, so that differences in subject
147 matter ultimately require cognitive contact via sensations to extra-mental particulars.
148 Thus, the externalism in Kant's theory of cognition does not follow from intuitions
149 (means of singular reference) per se, but from the combined theses that our capacity for
150 intuitions is essentially receptive and that their particular subject matter has to come,
151 as Westphal puts it, *ab extra*. Kant's theory of cognition thus becomes externalism by
152 linking a basically semantic doctrine—that *all* differences in *content* (*not* 'meaning')
153 are to be traced back to differences in referential relations of representations to par-
154 ticulars other than themselves—to a doctrine of cognitive contact between cognizers
155 and extra-mental particulars (which Westphal terms Kant's "sensationism"[17]), which
156 specifies the kind of entities that empirical intuitions refer to. According to MCE,
157 there are no differences in cognitive content (not even among the categories, i.e. a
158 priori concepts[18]) without differences in some relation of representations to extra-
159 mental particulars. Since without differences in content, no mental state could count
160 as a differentiable representation, and without such differences of representational

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[15] For the opposite view, cf. Goldberg (forthcoming).

[16] Westphal (2006, pp. 783–785, continued for concepts at pp. 797–799).

[17] Following George (1981).

[18] The extraordinary and mostly overlooked way in which Kant claims a referential element in the deter-
mination of truth-conditions for judgments is that the very *content of concepts* (i.e. possible predicates)
remains indeterminate unless it encompasses actual intuitional references to objects the words expressing
them refer to (i.e. of parts of their 'extension'). A passage that can count as programmatic of this, but is
seldom so taken is the following: "the object cannot be given to a concept otherwise than in intuition; and
if a pure intuition is possible (…) still this pure intuition itself also can acquire its object (…) only through
empirical intuition, whose mere form [as opposed to matter] the *pure* intuition is. Therefore *all concepts*,
however possible they may be a priori, refer nonetheless to empirical intuitions, i.e. to *data for possible
experience*. Without this reference, they (…) are mere play" (CPR, A239/B298).

161 value among mental states, there'd be no synthetic activity of cognition, and without
162 such synthetic activity of cognition, there'd be no self-consciousness,[19] the conditions
163 of cognitive differentiability according to content among mental states (MCE) are
164 conditions of self-conscious cognition, hence of experience, and therefore enjoy tran-
165 scendental status.[20] Since MCE requires cognitive contact to extra-mental particulars
166 and is a transcendental condition, it is a consequence of Kant's theory of cognitive
167 representation that (a) there are not only mental entities, and that (b) we are, by virtue
168 of being self-conscious thinkers, in cognitive contact to some such extra-mental partic-
169 ulars. Realism about extra-mental particulars is thereby transcendentally vindicated.
170 More generally, it follows that, contrary to defenses of TI that infer the epistemic
171 nature of a condition of experience from its transcendentality (like Allison's), (c) not
172 all transcendental conditions are purely formal, or mind-contributed or even subjective
173 elements of cognition. Global anti-realism with regard to transcendental conditions
174 is thereby undermined. According to this, MCE conflicts with TI insofar as the latter
175 implies global anti-realism with regard to transcendental conditions.

176 ## 2.1 II.1

177 At this point, we face an obvious objection: if Kant indeed developed his theory of
178 cognition assuming MCE, and if MCE indeed is incompatible with TI, why do we not
179 find any sign of doubt about either in Kant's work? The fact that Westphal's critique
180 is internal bears on this question. Most of the work in Westphal's proofs of content
181 externalism is done by Kant's own insistence on the *ab extra* character of the matter of
182 sensation and therefore the objects underlying perception. This insistence also forms
183 the backbone for his rejection of all the arguments he sees at work in favor of an ide-
184 alist version of TI in Kant himself.[21] As Westphal brilliantly formulates it, "all these
185 arguments are invalid. The reason is the same in each case: If the matter of sensation is
186 given us *ab extra* (this too defines Kant's transcendental idealism), then *ex hypothesi*
187 we cannot generate its content."[22] Now, we clearly get the *ab extra* insight from MCE,
188 but it is also itself the result of a transcendental investigation. In being *ab extra*, the

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[19] With regard to the dependency of self-consciousness on differences in content, cf. CPR: "only because
I can combine *a manifold of given presentations* in one consciousness is it possible for me to present the
identity itself of the consciousness in these presentations" (CPR, B133). This means that we can only realize
the identity through various tokenings of 'I' that accompany each individual awareness of each presentation
as something over and above an aspect of each of these presentations themselves if the content of the latter
is not continually the same, whereas the content of 'I' that takes them up is taken to be the same. With
regard to the dependency of self-consciousness on the extra-mental conditions of differences in content, cf.
CPR: "I distinguish my own existence, as that of a thinking being, from other things outside me—this is
likewise an analytic proposition. (…) But from this I do not in any way know whether this consciousness
of myself is possible without things outside me whereby presentations are given to me, and hence whether
I can exist *merely a thinking being* (i.e. *without being human*)." (CPR, B409, emphasis added)

[20] Westphal (2006, pp. 794–796).

[21] A kindred line of argument is followed by Robert Hanna in his (2006b), where objects of experience are
construed as triply constrained by conditions of sensibility, namely by space and time, as well as "affection"
(cf. p. 20ff.), and the latter is seen as an additional, non-formal transcendental condition.

[22] Westphal (2005, pp. 321–322).

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189 objects sensations respond to are portrayed by Kant as clearly not mind-dependent;
190 as Kant says, whatever sensations respond to is the "matter (or the things themselves
191 as they appear)."[23] This insistence on the centrality of sensations for differences in
192 cognitive content, and the doctrine of receptivity according to which sensations are not
193 mentally produced but externally stimulated representations goes some way toward
194 forestalling an idealist re-interpretation of the indispensability of singular, intuitive
195 reference for cognitive determinacy in the form of saying, for example, that the partic-
196 ulars in question could very well be independent of the representation at hand, while
197 still remaining a (different) mental entity. For, this response now would have to reduce
198 *all* sensations *and* the mechanism of their differentiation to inner sense, something
199 clearly regarded as neither possible nor attractive by Kant, as particularly the clarify-
200 ing *Refutation of Idealism* and the elements of Kant's transcendental inventory it uses
201 (such as the transcendental deduction, large parts of the Aesthetic) display.

202 At any rate, it is clear that the *ab extra* character of the objects underlying sen-
203 sations is at the same time, in being shown necessary for the determinacy of mental
204 content and thus experience, vindicated by Kant as part of our transcendental equip-
205 ment. Their latter status, and Kant's answer to a possible Berkleyian hostile takeover
206 is further supported by the fact that, in being required for outer sensations, they are
207 required for the realization of outer sense, without which, according to the Analogies
208 of Experience, there would be no subjective time order, another condition of outer *and*
209 *inner* self-conscious experience.[24] Finally, in being required for the *existence* of outer
210 sensations, and because without the latter, no intuition would have any determinate
211 *empirical content*, they are what representations that essentially involve sensations are
212 *about*, and thus ultimately, the objects of experience, i.e. of judgments that essentially
213 involve sensations. As Westphal's own remark indicates, the need for *ab extra* refer-
214 ents of sensation and the indispensability of objects for outer sense (i.e., according to
215 Kant, referents spatially distinct from the location of the mind) accruing from MCE is,
216 for these and more reasons, one integral moment of Kant's very own TI. Since in the
217 ultimate instance, they cannot be characterized as other than mind-independent, MCE
218 and *idealist readings* of TI—which claim that the objects of experience are conceived
219 by Kant to be mind-constituted—are indeed *prima facie* incompatible. According to
220 Westphal, Kant or idealist defenders of TI overlooked this tension due to a confu-
221 sion of the trivially recognition-dependent fact that we could not recognize thought as
222 self-conscious experience without assuming that a certain condition holds, with the
223 possibly mind-independent nature of the circumstances satisfying that condition. By
224 confusing the transcendentality of a given condition with its subjectivity, they illic-
225 itly but unwittingly came to lump together mind-dependent and mind-independent
226 conditions.

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[23] CPR, A268/B324.

[24] This point is forcefully and convincingly argued in Westphal (2004, pp. 29–31). Taken together with the corresponding analysis of the three Analogies (ibid., pp. 146–166), this indicates that Kant's transcendental system in the *CPR* allows the construal of the main premise of the Refutation of Idealism, which thus, *pace* Guyer, cannot be taken as a crucial but otherwise unentailed substantive addition to the transcendental system of the *CPR*, but should rather be seen as a crucial clarification of the whole revolutionary import of the system vis-à-vis Cartesian conceptions of the mind, the traditional mind-world dualism and all the problems associated with both.

However, it seems that an idealist defender of TI could turn the tables on Westphal and argue that one also ought not to confuse externality and mind-independence. For example, defending and stating Kant's TI *including* MCE might require an idealist conception of the objects of cognition. For, Kant's MCE as presented so far could be construed as compatible with saying that the individuals that are empirically accessed through intuitions involving sensations must be, transcendentally viewed, fully conceptually determinable in order to determine the objects of cognition that are capable of being 'known' and of acting on (or registered by) our senses as such individuals. Such a view would claim that Kant's TI suggests that, while the referents of each intuitive referential act appear to us as individuals, a condition of their *being* individuals, or of asserting truly that they are individuals is their transcendental identifiability through concepts. The idea would be that there can be no reference to particulars unless they are *recognized* as the individuals they are.[25] In this case, little would be won by pointing to MCE, since the referents that empirically (i.e. at the level of sensation) *appear* as *ab extra* are not entirely *ab extra* things from the transcendental point of view, because their *ontological* individuation depends on their *conceptual* individuation. Thus, even if MCE could be granted as part of TI, that would not show that TI does not portray the objects of cognition and those of intuitive and sensation-dependent reference as importantly mind-dependently constituted.

2.2 II.2

Fortunately, this is not Kant's view. Adequately placed in Kant's specifically semantic analysis of intuitional reference, we can find a supplementary argument that excludes this rejoinder. Westphal mentions the point several times but does not attribute it to Kant or develop it. Kant's argument establishes that, if there is so much as determinate reference to particulars or individuals, then the objects of reference cannot be determinate in virtue of any conceptual or descriptive conditions as the individuals they are when successfully referred to, but they have to be seen as irreducible individual *things*. This is a transcendental reflection on the conditions of possibly determinate or successful reference to individuals, which is required by the semantics of intuitions.[26] Its result is the requirement that the universe of discourse for intuitive reference *must* contain determinate individuals. The tendency of the idealist rejoinder is to take for granted that we have to answer the question as to what or who does the individuating of entities that it is *we* who individuate (either by conceptually identifying or by identifying via sortal identity),[27] given Kant's agnosticism about knowledge of

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[25] Such a view seems to be at work, e.g., in Strawson's influential interpretation according to whose semantics nothing can be referred to as an individual unless it is verifiable that it is an individual that settles the question "which of all?".

[26] Very clear on this point is Rosenberg (2005, pp. 83–87).

[27] Thus, I include, in the rejoinder, as much descriptionist views that require identifying knowledge of a definite description in order for us to be in a position that warrants assuming the existence of individuals as weaker views like those inspired by Peter Geach's or David Wiggins' work that require knowledge of, or at least preparedness of applying a sortal concept. The main problem is the same for both versions of the rejoinder: to explain how objects the assumption of which depends on an epistemic fact like the knowledge

261 (even at the transcendental level) things in themselves and their identity conditions.
262 This seems to invite understanding him as saying that, if it is not things in themselves
263 that self-individuate, then it has to be us. However, according to the argument needed
264 at this juncture, and given by Kant as I will eventually explicate it, the corresponding
265 referents are quite simply individuals on account of what they are, no matter whether
266 anyone could descriptively (or sortally) individuate them or, for that matter, no matter
267 whether anyone would think they are individuals. We are confronted with a piece of the
268 metaphysical underpinnings or background-conditions consciously taken for granted
269 by—or even excavated through—Kant's epistemology (his theory of experience),[28]
270 not with a further piece of his epistemology. This background-condition is indeed
271 'transcendental' insofar as it is necessary for experience and its enabling distinction
272 between mere appearances and how things are, but it is not merely formal, since it
273 concerns a set of material particulars as objects of sensory interaction, not, as the
274 categories, a set of structures the sensory realization of which might have remained
275 merely possible but not actual (but, *given* experience, happily can be proven to be
276 necessarily actual).

277 The reason Kant gives for the irreducibility of this background-condition to any
278 exercise of our spontaneous conceptual abilities is that whatever concept-aided cogni-
279 tive means we would try to make responsible for their individuality would not suffice
280 for their *actually being* particular individuals because of the essential generality of
281 concepts. But it is only *actually existing things* that provide the particulars required by
282 and taken for granted in successful acts of intuitive reference. The actual existence of
283 particulars to refer to in intuitive reference is therefore mind-independent. Kant simply
284 puts the answer to the apparently damaging question where individuation comes from
285 to one side because it can be seen, in the context of the problem of singular reference,
286 as a red herring. He replaces it with an account of the conditions of singular reference
287 required by the semantics of intuitions. His deflationist suggestion is that it is simply
288 one and the same thing to put the difference between intuitions and concepts on a
289 semantically sound basis and to assume mind-independent individuals. We could say
290 that, according to the interpretation here proposed, the fact that intuitive reference
291 is reference to individuals merely exploits the existence of things the individuality
292 (i.e. availability as particulars) of which is not owed to any determinative activity
293 by any mind. It is only given the assumption of such objects of experience that we
294 can expect *the success* of individuative practices, that is, of identifying descriptive
295 knowledge and the applicability of (often various and multiple) concepts of sortal
296 identity. Likewise, given such (possible) individuals—that is, objects amenable to our

Footnote 27 continued

of a description or the belief in a sortal identity can qualify as mind-independent in the sense required by
externalism. If in the following I concentrate on decriptionist versions of the rejoinder, this is for reasons of
perspicuity and assuming that analogous problems arise, *mutatis mutandis* for sortal views as well. (I thank
Quassim Cassam for indicating the need for this specifying remark.)

[28] I take this term for quasi-transcendental states of affairs in the sense of Cassam (2007, pp. 40–41), while
in contrast to Cassam (ibid., pp. 124–125), I attribute to Kant himself insight in the indispensability and
inevitability of exploiting such 'realist' conditions (i.e. such that crucially involve employment of mind-
independent circumstances and entities) as resources in epistemology, and thus do not use reference to such
conditions as an occasion to criticize Kant's approach.

297 individuative practices and intuitive references—our epistemic practices can exploit,
298 we can *explain* the success of these practices. In other words, the spirit of the rejoinder
299 gets things characteristically in reverse order.

2.3 II.3

301 The starting point of Kant's argument is a critique of the idea that it might be possible,
302 from the point of view of a fully complete, conceptually articulated but intuition-free,
303 absolute and complete representation of the world (i.e. a representation that could
304 be what it is and mean what it does irrespective of whether and how we ever might
305 have contact with extra-representational objects), to individuate anything as a distinct,
306 particular referent. This starting point recommends itself because if this idea can be
307 shown to be flawed, then any *less* perfect, intuition-free description will not be eligible
308 as supplying a means of successful individual reference either. According to Kant's
309 criticism, the mentioned idea rests on illicitly attributing properties of things, namely
310 being 'thoroughgoingly determined',[29] to mental representations. In his remarks on
311 the margins of the first edition of the *CPR*, Kant succinctly expresses the strong point
312 "against idealism" precisely in this way: "That which is determined in time and space
313 is actual. […] That which exists, *thus in other things outside our thoughts*, is thor-
314 oughly determined."[30] Kant's aim here is to demonstrate that if referential access to
315 particulars, i.e. thoroughgoingly determined *objects*, is nonetheless possible, then it
316 must be *irreducible* to intuition-free descriptive conditions because the idea of an a-
317 intuitional thoroughgoingly determinative representation does not cohere with what
318 concepts can do (generalize, not select or uniquely pick out).

319 The clearest statement of this irreducibility of referential access to particulars to
320 attributive, conceptually facilitated reference can be found in §§11–15 of Kant's *Logic*
321 *(Jaesche)*. Here, Kant notes that (1) any description that in fact applies only to one
322 thing can apply to more than one thing in other possible circumstance s, due to the
323 fact that concepts are essentially general means of reference, and (2) any object that
324 is specified by some description and in fact, under some circumstances, sufficiently
325 individuated by this description, may no longer be sufficiently individuated by this
326 same description when other features become relevant that apply to more objects than
327 the described one. Therefore, descriptive or otherwise concept-dependent individua-
328 tion (and reference to particulars derived from it) is arbitrarily expandable and never
329 'complete'. For both reasons, referring to individuals is only possible by means of
330 *direct*, i.e. not conceptually mediated means of reference. According to Kant, it is
331 "only particular things or individuals that are thoroughgoingly determined"[31] (§15),
332 not concepts, because "a lowest concept (…) is impossible to determine" (§11), such
333 that "even when we have a concept that we apply to individuals *immediately*, it is

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[29] Kant classifies this assumption as a transcendental material presupposition "of the matter for all possi-
bility (…) that is to contain the data for the particular possibility of every thing." (A573/B601)

[30] Refl, E XCII, p. 36; 23:32, and Refl, E XCIV, p. 36; 23:32 (quoted according to Kant (1998, p. 322);
emphasis added).

[31] Kant (1968, §15, A155).

334 still possible that with regard to it [the individual] there remain specific differences
335 that we either do not notice or leave aside. It is only comparatively (…) that there are
336 lowest concepts that, as it were, have acquired this meaning by *convention*" (ibid.).
337 Therefore, "there are only thoroughgoingly determined cognitions as *intuitions*, but
338 not as *concepts*; regarding the latter, logical determination can never be considered
339 accomplished" (§15). These remarks are extremely consequential.

340 For once, since it is only *things* and all *existing* things,[32] but not concepts or concep-
341 tual cognitions that are thoroughgoingly determined, reference to individuals is impor-
342 tantly *non-epistemic*, since no descriptive or otherwise concept-dependent conditions
343 possessed by a thinker are sufficient for the fact that her representations refer to a given
344 individual. An example Kant uses to demonstrate the irreducibility of spatio-temporal
345 conditions of demonstrative reference to conceptual conditions of identification can
346 be modified to illustrate the point. When we designate the same actual raindrop as
347 'this raindrop' or 'the raindrop left of the tree', the referent of the latter can always be
348 said to possibly not have been anywhere (in possible worlds where there's no raindrop
349 left of the tree) while the former cannot be said to possibly not have been there with-
350 out a breakdown in reference.[33] The truth-conditional contribution of description and
351 directly referring intuitions is thus, according to Kant's semantics, dramatically differ-
352 ent. In particular, this supports the further point that the truth-conditions or propositions
353 expressed in truth-evaluable judgments about individuals cannot be specified without
354 the things themselves. In first-order language, this means that, similar to the views of
355 Kaplan or Perry, for a judgment to be correctly considered to be about particulars, the
356 things referred to, not identifying descriptions thereof, or sortal identity conditions,
357 have to be part of what is expressed in the judgment, or of its *content*.[34] The semantic
358 value of the corresponding representation-types (intuitions) is the object of reference
359 accessed in their tokenings. This means, in turn, that judgments about them, which
360 are specific ways of representing and therefore appearances, *contain the intuitional*
361 *referents themselves*. Accordingly, at least these appearances (propositions) are *not*
362 *mental entities* but composite entities consisting of mind-related and non-epistemic,
363 extra-mental components.[35] Kant calls the latter the *matter* of appearance and speaks

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[32] CPR, A573/B601.

[33] For this example, cf. CPR, A372/B328.

[34] In associating Kant's emphasis on the central importance, and the genuine irreducibility of conditions of (intuitional) reference to particulars with recent developments of 'direct reference'-approaches to truth-conditional semantics, I am not only for the sake of the argument agreeing with Westphal's own sympathies. I am also cautiously endorsing what Hanna calls "cognitive-semantic" (Hanna 2001, *passim*; Hanna 2006a,b, p. 7) approaches to Kant. Their strongest point seems to be the attempt to explicate the role of intuitions in Kant's epistemology in terms of his awareness of the need for a thorough semantic analysis of the conditions of truth-aptness for propositionally structured and empirically contentful cognitions (judgments) and their anchoring in conditions of singular object-reference, a connection pioneeringly explored and related to recent developments in semantics by Thompson (1972), Howell (1973), Hanna (2001, 2006a,b), as well as Willaschek (1997), and investigated in its relation to Kant since the 1960's by Hintikka, Parsons and Bird. More recently, Schönrich (2003) combines a recognition of the central role of singular reference and the importance of Kant's semantics with an Peircean, internalist view of semantics. For an explicit rejection of attributing semantic views to Kant, cf. Waxman (2005, pp. 100–110).

[35] In putting things like this, I side, as Westphal (2004, 60 fn 42), with what Howell (1992) has characterized as an 'appear*ing* theory' of appearances (Howell 1992, pp. 36–40; 347 fn 18, 347 fn 19). However,

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364 of it as "the real *in* appearance (what corresponds to sensation)", which he explicitly
365 specifies as "matter (or the things themselves as they appear)."[36] According to Kant,
366 the matter for judgments (as for any other contentful presentations) is not produced or
367 dependent on any of the mental or doxastic operations presupposed in judging, but it
368 "must be given, for without being given it could in no way even be thought, and hence
369 its possibility *could not be presented*."[37]

370   Kant suggests not only that successfully referring to individuals (i.e. throughgoingly
371 determined objects) is possible *prior* to conceptualizing them,[38] but more importantly
372 also that being able to so much as *represent* a certain individual in some circumstance
373 of application as satisfying a description *presupposes* accessing (i.e. referring to) this
374 very individual by means that are not constituted by the successful use of descriptions
375 or any other mental or doxastic operations.[39] It is important that this does not mean
376 that intuitive access to such particulars would have to be construed by Kant as not
377 requiring further conditions or as being, as it were, presuppositionless or background-
378 free.[40] On the contrary, Kant leaves no doubt that he thinks that, e.g in perception,
379 certain spatio-temporal relations between the perceiver and the object need to be in

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Footnote 35 continued

I disagree with Howell's contention (ibid., p. 41) that appearing theories require a 'two-realms' view of appearances and things in themselves. First, because Kant is committed to the composite nature of appearances (cf. Brandt 1998, p. 85), and second, because it is all but clear that the alleged disjunction between a 'two-realms' and a 'two aspect' construal of Kant's multiple use of the *contrast between* things in themselves and appearances is exhaustive, or even only whether its disjuncts are uniquely and adequately related to Kant's varying purposes and contextual specifications of the contrast (cf. Willaschek 1998, 2001).

[36] CPR, A268/B324.

[37] CPR, A581/B609. On account of his semantics, Kant affirms here generally that appearances, insofar as they are contentful representations, are not mental entities. Kant reaffirms this later: "*in appearance*, through which all objects are given to us, there are two components: the form of intuition (space and time) (…) and the matter (*the physical*) or content, which signifies a something *encountered in space* and time and hence a something containing an existence and corresponding to sensation" (CPR, A723/B751, emphasis added) One of the few commentators to have fully acknowledged this is Collins (1999, pp. 143–152, esp. 144). Melnick (2004) considers it as part of Kant's theory of representation that we might find reason not to think of representations as purely mental affairs with no spatially distal components (p. 149). Similar ideas have been put forward in McDowell (1994). I will come back to this complex below, in §2.4.

[38] CPR, B132.

[39] Metalinguistically, Kant's point can be summarized by saying that characterizing the range of reference of the description through possible worlds requires referential access to the individuals in these possible worlds first, to see then, second, whether or not the satisfier in a possible world w is the same thing as satisfier in world w'. In still other terms: in order to trace lines of trans-world-identity, we need standard naming devices that refer to the same thing across possible worlds, no matter what description they satisfy in these worlds, respectively.

[40] In the latter formulation, I am siding with the view of Cassam (2007, pp. 40–41) of the enabling conditions of, e.g., perceptual reference to environing particulars as given cognitive background-conditions that do not determine in and of themselves any particular content but are nonetheless needed for yielding determinate results on occasions of an encounter. If, for example, the relevant background condition were to be a somewhat developed system of concepts with their rules of application to individual outputs of the sensory system, saying that the system constitutes a background condition but not a determiner of contents means that there is, given the system, for each such output some way of generating a full-fledged truth-apt claim about objects of experience, while what claim this is, and what objects will figure in it as referents is not entailed by the system and the output of the sensory system alone.

380 place,[41] as well as passing a certain threshold by the object to be noticed and a certain
381 attention on the part of the perceiver, among others. But, and this is Kant's point, it
382 is not the description of space and time or a conception of the other conditions, or
383 the perceiver's being in cognitive command of these conditions, or even only the per-
384 ceiver's possessing the requisite concepts for the construal or determination of these
385 conditions that could make the reference successful and the thing appear as it in fact
386 does to the perceiver, but the (a-epistemic, non-doxastic, non-mental) fact that the
387 thing and the perceiver *are* under these conditions.

388 2.4 II.4

389 Before embedding the upshot of the argument in my inquiry in the compatibility of
390 MCE and TI, it seems to me worth answering one worry that a traditional idealist
391 reader of TI might voice at this juncture, a worry that is, ironically, exactly what
392 Kant-interpreters like Westphal regard as proving the point that Kant's MCE forces
393 acceptance of a form of realism stronger than ER. The worry is that the particulars
394 invoked in Kant's argument seem to be postulated in quite a direct way as metaphysi-
395 cally necessary denizens of the universe of experience. Since they are, moreover, said
396 to be available as particulars of experience *without prior individuative cognitive activ-*
397 *ity* but nonetheless necessary for self-conscious experience, while we can only *know*
398 *of* them through application of our apparatus of individuation, this postulate seems to
399 be a clear case of a postulate of transcendental realism. I do not think that this worry
400 is well-motivated.
401   Kant's defense of mind- and description-independent particulars in the argument
402 developed here is derived directly from an analysis of the distinctive and fundamentally
403 different semantic functions that intuitions and concepts perform and the correspond-
404 ing requirements on a universe of discourse accruing from these semantic structures.
405 The argument builds the case for extra-mental particulars in three steps. Since first,
406 intuitions are not definable or substitutable by either definite descriptions or purported
407 conceptually enriched identifying relations, and second, sensations are occasion-
408 sensitive, not generalizable and object-dependent items within empirical intuitions,
409 and third, more generally, reference to particulars via intuitions is not reducible to
410 conceptual operations of any kind (i.e. the semantic phenomena reference and

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[41] Cf. the joint product of CPR, A263/B319, where the difference in locations is presented as a 'suffi-
cient basis for the numerical difference' between otherwise sensorily indistinguishable objects, plus CPR,
A272/B328, where Kant presents difference and sameness of location as a necessary condition of 'plurality
and distinction' between objects, and finally CPR, A282/B338, where he says that locations are "condi-
tions of the intuition wherein the object (…) is given (…) although these conditions do not belong to the
concept, they belong to all sensibility". Taken together, these remarks make clear that a thing's being at a
suitable spatio-temporal location to be accessed and picked out by a human intuition is a non-conceptual
transcendental condition of any object's being given in intuition at all. There is nothing mysterious about
this kind of general condition pertaining to all possible successful exercises of sensibility that is nonetheless,
in spite of its generality, not of a conceptual nature or constituted by concepts. Kant here describes simply a
contextual constraint on successful reference with means of singular, direct reference that they only acquire
a determinate content (= object as semantic value) in *circumstances* in which the thinker or perceiver and
the object are adequately spatiotemporally related.

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discursive meaningfulness are distinct), it follows that, if we are capable of cognitive operations on particulars, this is possible only because over and above the semantic, epistemological and intentional conditions mentioned in the three steps, such particulars are *in fact* available *to* thought, not *from* it, and we have the means of contact with them.

While clearly performing a metaphysical task, Kant's three step argument does not need to claim special metaphysical knowledge of how objects in general are, independent of the structure of our experience. For, this reconstruction of a material transcendental condition of experience only uses materials that are accessible to any user of Kant's conceptual apparatus for the explication of the semantics of mental representations that are needed by an organism that is at the same time sensitive to changes in its environment and capable of learning from experience and of organizing the resulting information in conceptually articulate cognitive systems. That is, his argument does not leave behind the reflection on 'our way of cognizing' or, to put it differently, on the conditions accessible to and exploited by experience. One could say that the indispensability of sensorily available mind-independent particulars is an aspect of Kant's semantic analysis, in particular of his clear distinction between intuitions and concepts. Kant thus converts the resolution of a metaphysical question, whether there are particulars, in one of the irreducibility of semantic mechanisms, namely the irreducibility of determinate reference to conceptual operations. It is from here that it is a short step to endorse the irreducibility of the referents of sensation-based experiential claims to concept-dependent constructs, and thus the rejection of traditional idealism as the theory of objects of experience. The argument thus does seem to follow Kant's methodological precepts to develop whatever general philosophical claims from a reflection on the (semantic, epistemological, logical) conditions of experience but not from putative reaches beyond experience. Equipping MCE successfully with the mind-independent particulars it requires thus does not demand our conversion to transcendental realism.

On the contrary, precisely on the background of this argument, typical passages in Kant's explanation of the possibility of distinct content can be seen to express an explicit commitment to MCE. Such a commitment becomes explicit when Kant says: "our kind of intuition is dependent on the existence of the object, and hence is possible only by the object's affecting the subject's capacity to present",[42] and specifies the requirements of distinct mental content with the help of this as follows: "the object cannot be given to a concept otherwise than in intuition; and if a pure intuition is possible (…) still this pure intuition itself also can acquire its object (…) only through *empirical* intuition, whose mere form [as opposed to matter] the *pure* intuition is. Therefore *all concepts*, however possible they may be a priori, refer nonetheless to empirical intuitions, i.e. to *data for possible experience*. Without this reference, they (…) are mere play."[43] Passages as these taken together with Kant's irreducibility claims articulate with precision the requirements on objects flowing from the acceptance of MCE. According to this view of Kant regarding the possibility of distinct mental contents,

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[42] CPR, B72.

[43] CPR, A239/B298.

453 there are things (as opposed to 'mere representations') required for the intuitional
454 components of all mental contents to achieve being so much as contentful, and they
455 have the following features:

456   (MCE_a) they are mind-independently individuated,
457   (MCE_b) extra-mental,
458   (MCE_c) spatio-temporally accessible
459   (MCE_d) actual particulars.

460 3 III

461 I now want to examine whether entities with these characteristics can satisfy essential
462 constraints that must be accepted by any form of TI. In this examination, I take Kant's
463 identification of TI and ER for granted. This allows me to answer two questions at
464 once, namely whether MCE is incompatible with TI, and whether MCE requires a
465 realism stronger than ER. Recall that I already agreed, and gave additional arguments
466 for the contention that MCE is indeed incompatible with *idealist readings* of TI. But
467 if there is a plausible *non-idealist* construal of objects that simultaneously satisfy TI
468 and MCE, Westphal's more ambitious (and more damaging) claim that *any* acceptance
469 of TI is ruled out by MCE is false. In light of the equivalence of TI and ER, finding
470 such a construal of objects would likewise allow to question the warrant for his still
471 more general third claim that accepting MCE (in Kant or elsewhere) requires a realism
472 stronger than ER.

473   As to the constraints that an account has to satisfy to qualify as TI, I expand a
474 proposal recently developed by Lucy Allais[44] (partly building on Langton 1998) and
475 require with her that a position, in order to count as a minimally faithful version of TI,
476 has to contain

477   (TI_a) the *distinction* between appearances and things in themselves,
478   (TI_b) Kant's *humility* or 'critical agnosticism'[45] (that we can't know things as they
479   are in themselves),
480   (TI_c) a minimal *idealism* (that appearances cannot be characterized entirely mind-
481   independently).

482 In addition, I would add two commitments that we could call *constraints of represen-*
483 *tational objectivity*:

484   (TI_d) the distinction within the realm of experience between mere appearances,
485   appearances, and things as they are,[46] and

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[44] Allais (2004, p. 656/667), as well as Allais (2003, pp. 369–370).

[45] I take the former term from Allais' article who borrows it from Langton; the latter is Allison's (Allison 1983, p. 241).

[46] This constraint is actually the product of superposing another crucial distinction of Kant's transcendental philosophy, that between an empirical sense and a transcendental sense in which certain concepts or contrasts can be used (or not), with the contrast between things in themselves and appearances. Kant himself follows this procedure when he explains the distinction between the way a thing happens to appear to us and how the thing itself is as the product of applying the contrast between appearance and things in themselves under the conditions of experience. In this case, when a thing x appears in a certain way F to

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486   (TI$_e$) the distinction between representation and what is represented.[47]

487   It is by imposing constraints (TI$_d$) and (TI$_e$), *not* by his adherence to things in them-
488   selves, that Kant's TI claims both, to be distinguishable from (empirical) idealists[48]

Footnote 46 continued

someone but turns out on account of other experiences to be different (say, G), the representation 'x is F'
is a "mere appearance", the content of the judgment 'x is G' is how the thing appears in experience (i.e.
the appearance), and what the latter judgment represents in virtue of being true of x and one of its traits (or
'objectively real') is the thing x as it is. As long as we only have the former judgment at our disposal, we are
under these conditions in the position of having to say that even though x appears to be F, *the thing itself* is
not F. This is the concept 'thing in itself' in application to things we cognitively access under conditions of
experience, i.e. in its empirical use. What Kant denies is that the intelligibility and even indispensability of
this use warrants the expectation that the same concept yields truth-evaluable contents under *any whatever*
circumstances, for example in the absence of spatio-temporal locations or in the absence of any means of
accessing particulars intuitively. The latter would be the transcendental employments of the same concept,
which Kant terms as "no use", yielding "nothing" and being "empty". The reason why I do not list the
contrast between empirical and transcendental as part of TI is that I think that it belongs to the apparatus
that Kant develops to investigate the semantics of certain philosophical assertions, and thus rather to MCE.
But the *product* of applying this apparatus to *the* distinction that characterizes TI is, of course, an element
of Kant's own version of TI. The fruitfulness of Kant's distinction between appearances, things as they are
and *mere* appearance is, of course, the dominant theme in McDowell's reading of Kant. His conclusions
are, however, different from those reached here.

[47] Cf. Kant's clarification of his use of the expression "appearance" for referring to objects of experience in
the empirical sense to the effect that "we must be able at least to *think* , even if not *cognize*, the same objects
also as things in themselves. For otherwise an absurd proposition would follow, viz. that there is appearance
without anything that appears" (CPR, Bxxvii). That this is not an occasional slip of the pen is clear from the
fact that without this proviso, the *contrast* between appearances and things in themselves would not be
applicable to objects of experience, i.e. lack significance at the empirical level. But it is precisely at the
empirical level that Kant makes essential and conscious use of the distinction to separate his account from
Berkeleian idealism (see also next footnote).

[48] Cf. Kant's poignant objection to Berkeley in the Aesthetic, where he insists "that the intuition of external
objects and the self-intuition of the mind *both* present *these objects and the mind* in space and in time as
they affect our senses, i.e. as they appear. But I do not mean by this that these objects are a mere *illusion*.
For when we deal with appearance [at the empirical level, A.M.], the objects […] are always regarded
as something *actually given*—except that […] we do *also* distinguish this object as appearance from *the
same object* as object in itself. […] But in asserting this, I am not saying that the bodies merely seem to be
outside me, or that my soul only seems to be given in my self-consciousness. It would be my own fault if
I turned into mere illusion *what I ought to class with appearance*" (CPR, B69). This leaves no doubt that
the contrast between appearance and things in themselves (a) applies at the empirical level and (b) is not
compatible with a classification of appearances as object-independent, merely mental or subjective fictions
or constructs. On the contrary, according to Kant, it is precisely the ability of Kant's conceptual apparatus
to draw the distinction between fact and fiction that distinguishes it from the less precise Berkeleian frame-
work, in which we cannot draw the distinction between a straw submerged in water seeming to us to be
bent and this seeming's role as indicating an actually straight straw submerged in water. It is the latter case
in which the appearance of the straw (i.e. the way it *must* present itself to our senses, given their structure
and the circumstances) can be (and can be taken to be by us as) a reliable indicator of the straightness of the
straw itself, given how straight straws, water and the laws of optics interact in such a case. The component
'straight straw' is only extractable from the appearance if we have the conceptual means of referring to
it not as it appears, but as it *functions, being what it is, and the laws of nature being what they are, in
these circumstances,* and correspondingly to refer to the mental representation of the situation as, taken
literally and without further information about *our position as perceivers in the circumstances*, misleading
or 'illusory'. Both contrasts thus allow us to determine the *objectivity* of the testimony of the senses on
the background of the properties of our conceptual and cognitive equipment. In this way, the distinction
enables precisely a *realist* conception of the objects of experience as being as they are independent of
how they may, on occasion, appear. This is what the tripartite distinction between things in themselves—

489 and to qualify as a kind of (empirical) realism.[49] It almost isn't worth mentioning that
490 they do *not* suffice to establish metaphysical realism in the sense of Kant's transcen-
491 dental realism, or any other ambitious sense. But we should take note that according
492 to this, things as they are in themselves, no matter how we may describe them on
493 an occasion, are nonetheless never out of the purview of experience, while clearly
494 distinct and independent of the way we happen to represent them. This qualifies them
495 as mind-independent or at least not mind-constituted but nonetheless accessible to
496 cognitive operations. What is excluded as objects of knowledge are only such that in
497 some *principled* way are (and remain) impossible to cognitively access (i.e. *noumena*
498 in the 'positive' sense[50]).

3.1 III.1

500 With these criteria and distinctions in place, I now want to propose a methodology-
501 oriented explication of the point of a central distinction of TI, that between appear-
502 ances and things in themselves, in the case that Kant takes as its basic application,
503 viz. the empirical sense. This will allow me to specify constraints that things have to
504 satisfy to be objects according to TI. We could call the resulting picture of the world
505 of experience methodological ER.[51] A comparison as to whether the same things that

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Footnote 48 continued

appearances—illusions achieves at the empirical level. *Given* the understanding of the contrast at the empir-
ical level, Kant can then propose applications of it to philosophical cases at the transcendental (second order)
level in which, as is well known, the objects of experience as they actually are contrast with things as they
are merely thought, on the one hand, and illusory constructs (fictional entities) on the other (cf. his discus-
sion of 'figments of the brain' and 'fictions', i.e. empirically unconstrained yet coherent constructs, in the
elucidation of the 'Postulates of Empirical Thinking in General', A219/B266-A226/B274). At both levels,
then, the contrast does crucial work in enabling Kant to distinguish his approach regarding the objects of
empirical knowledge, propositional attitudes and information encoded in simple indicative assertions from
positions that in one (phenomenalist) way or another (contructivist) support traditional forms of idealism.

[49] Cf. Kant's frequent explication of objects of experience or the subject matter of judgments of experience
as things that are what they are "independently of what the subject's state is." (e.g. CPR, B142)

[50] For a recent clear statement that these are the only inaccessibles postulated by Kant, cf. Hanna (2006a),
Hanna (2006b, p. 21).

[51] The broad type of interpretive stance towards TI that I want to use in examining whether MCE and
TI *must be* in conflict is thus a methodological or *Copernican* understanding of Kant's TI, similar as that
guiding the interpretations proposed by Bird and Melnick. According to it, Kant's point in defending TI is
that we can only learn what *general* structural features of the world we can know from the most rational
reconstruction of the basic traits of the operations and conditions under which our cognitive faculties issue
empirical knowledge. This reading is inspired by Kant's famous description of his method as similar to
the hypothetico-deductive procedures of the empirical sciences (cf. Bxix, fn.). Just as we may infer lawful
behavior of empirical objects from the hypothetical truth of the laws of an empirical theory, so we may, if
our best empirical knowledge commits us to certain general features, take the statements expressing them
as also simply true of the world. But trying to say what the world is like "anyway" or "from the view from
nowhere", i.e. irrespective of *any* experience, fails to generate any (further) truth claims at all. It is important
to note that this reading is *non-subjectivist*, since it is open to the possibility that some of the conditions of
knowledge might, though asserting them requires reflection on requirements of our cognitive apparatus, be
of a *factual*, mind-independent nature. Excluding this would require confusing the epistemic conditions of
arriving at an assertion with the ontological status of what is thus asserted.

506 satisfy these constraints also satisfy (MCE_a)–(MCE_d) will enable us to know whether
507 MCE and TI are compatible.

508 Let me illustrate the distinction between appearances and things in themselves by
509 one of Kant's examples.[52] According to Kant, it is one thing to say that 'we cannot
510 know the intrinsic character of nature', when we describe the state of ignorance in our
511 empirical knowledge about hidden features of the objects of experience in anticipation
512 of future scientific progress. In this connection, we mean that, if scientific research
513 ('observation and dissection of appearances', as Kant puts it) progresses, it will turn
514 up many new insights we don't yet possess, and therefore we cannot say now that we
515 already know all there is to know about non-obvious traits of these empirical objects.
516 This would be a use of 'intrinsic nature' in a methodological consideration about
517 empirical knowledge and its limits. For a methodological empirical realist, saying that
518 'we cannot know the intrinsic character of nature' means that, given what we know,
519 there is an open-ended class of things that we might not know regarding the same
520 object of knowledge that we are already acquainted with and have *some* knowledge
521 about. In this methodological perspective, Kant's distinction between appearances
522 and things in themselves marks the contrast between the objects of experience that
523 we access in perception or other circumstances of intuitional reference, insofar as we
524 (already) know them and these same objects of experience insofar as we do not (yet)
525 know them.[53] Affirming the existence of things in themselves here comes to making
526 the following assumptions:

527 (A) Whenever we have empirical knowledge regarding certain objects, we cannot,
528   by the fact that we know what we know, assert that we know all there is to know
529   and
530 (B) We cannot exclude, by the fact that we have knowledge of some objects, that
531   there are more objects in the humanly accessible universe that we do not know.

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[52] *CPR*, B334ff. This example also seems to me to undermine the metaphysical, Lockean interpretation of Kant's difference between 'things in themselves' and appearances in terms of 'intrinsic natures of things' versus 'things as presented in space and time', as it underlies the explanations given in, e.g., Van Cleeve (1999), Allais (2001) or Langton (1998). Cf. the criticism of Langton's relevant views in Bird (2006, pp. 547–552).

[53] This way of putting the contrast is motivated by Kant's way of drawing the distinction in the methodological part of the B-Preface, where he describes his hypothesis, TI, as that "the unconditioned is not to be met with in things insofar as we are acquainted with them (i.e. insofar as they are given to us), but is to be met with *in them* only insofar as we are not acquainted with them" (CPR, Bxx). The deflationary spirit I detect here in Kant and try to express in my proposal is similar to what Strawson proposed to be the "minimal sense" one could make of TI (Strawson 1966, **). Bird (2006) also stresses the methodological character of the distinction in opposition to its received reception as ontological. Famously, Nagel criticizes this line in *The View From Nowhere* as not sufficiently realist. He urges the acceptance of a special class of things in themselves that is *not* available as the extension of one of the terms in the contrast as used on an occasion for the purposes of spelling out a stronger or absolute notion of objecthood. However, Nagel does not give stronger reasons for this urge than that *there is no contradiction* or *countersense* in constructing such objects, and that it is, given the fact that we don't know these objects, likewise impossible to *deny* that they are spatio-temporally structured. (Westphal, 2004, pp. 52–67) in fact has an extensive detailed argument to support the latter view, and like Nagel thinks that this establishes a 'stronger realism' as compatible with Kant's theory of cognition. For present purposes, I need not decide whether this is so because my argument is directed at establishing that such stronger realisms are not *required* for giving conditions for the effective and cognitively significant use of Kant's contrast between appearance and things as they are in themselves.

(C)   For any thing we encounter at some time in some region in space, if it obeys natural laws and has certain properties, it is possible that this thing with these properties could have been obeying the same natural laws but have been located anywhere else at that time, or could have been at this region with the properties it has at some other time.[54]

Assumption (A) could be called the assumption of the *cognitive inexhaustibility* of empirically real objects, assumption (B) could be called the assumption of the *indefinite cardinality* of empirical reality as such,[55] and assumption (C) could be called the assumption of the *non-essentiality of space-time location for the type-identity of empirically real individuals*.

3.2 III.2

Let me now first verify that objects from a world satisfying these assumptions satisfy the criteria (TI_a)– (TI_e). If they do, then (A)–(C) characterize a world for TI. Given this world, we can then see whether objects in this world satisfy MCE. If they do, then there is one world of which both MCE and TI are true.

The mentioned assumptions in combination go smoothly with many of the things Kant says about things in themselves, in particular, his claims that "we can never know things in themselves", that 'the categories don't apply to them', and that they are not determinately spatio-temporal.[56] If those things that are empirically real are in fact cognitively inexhaustible, then, whatever the traits of them we don't know yet, we can never claim to know them *merely* in virtue of what we know the objects to be. (TI_b) is thus already satisfied. On the other hand, those things that we do not yet know according to (B), we cannot now know to exist, and things and sets of things insofar as we don't know them according to (A), we cannot *know* to fall under the categories and behave according to general laws of nature merely because we know them to do so in respects that we do know of them. For both reasons, we cannot directly apply the categories to things as we don't know them. At the same time, (A) satisfies a constraint Kant imposes of *empirical* objects, namely that *they* be accessible intuitionally and knowable in the sense that they are, in principle, conceptually determinable to an arbitrary degree of complexity. Thus, cognitively inexhaustible objects in a universe of unknown cardinality qualify, since nothing speaks against their *accessibility*, as possible components of *appearances*. But this doesn't make them subject-dependent. On the contrary, we saw that Kant says that it is *things*, 'the real *in* appearance' that are 'thoroughgoingly determined' even when our cognition of them isn't. Cognitive

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[54] That is, in abstracting from the spatio-temporal location of an individual with these properties, we abstract from a particular's being that particular thing of a type but still refer to things of that type and their regular behavior in spatio-temporal conditions. In abstracting from a particular thing's being at certain regions at a certain time, however, we abstract also from the conditions under which it is possible to intuitionally refer to it, as opposed to all other things with the same properties.

[55] With this proposal, I side with what Melnick has called the "sheer limiting account" of things in themselves, who also considers it to be exactly what Copernicanism (i.e. the methodological view I recommend) requires. Cf. (Melnick, 2004, p. 162). Cf. also (Hanna, 2006b, p. 21).

[56] These are the three tenets to be met by any account of things in themselves according to Melnick (2004).

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inexhaustibility entails that, whatever a full account of the objects of knowledge may be, indeed, whether there be such an account or not, the properties of objects that we do not yet know *cannot* depend on our minds.

(C) expands this latter feature to those things that we have in fact accessed intuitionally by licensing the counterfactual that even though we in fact did so access them, we might not have, such that our accessing them is not a necessary condition of their existence and their being the way they are. They could have been just like that if we hadn't accessed them. Their being in particular spatio-temporal regions so that we may access them is therefore not an essential feature of the things we perceive. There is thus a clear sense in which we can say that those things our experience deals with as we don't know them are not necessarily spatio-temporal. We can, in hypothesizing about them, abstract from space and time. This is certainly not speaking about these objects as we know them, since *we* know them, with all the properties over and above their spatio-temporal locations and movements, by perceptually accessing them. But there is no reason why in so hypothesizing, we would necessarily be failing to characterize things that are like the ones we perceptually, i.e. intuitionally, access. What Kant seems to claim is that when we hypothesize about the objects that we actually access, they do not necessarily disappear from our cognitive purview when abstracting from their spatio-temporal nature. However, since we cannot access objects under the hypothetical conditions of the abstraction by way of our sensibility, we can also not be confident that we do indeed *refer* to anything, since *our only* way of referentially relating cognition to thought is by empirical intuition. The scenario with things that are exactly like the ones we in fact access but not under spatio-temporal conditions is thus one we can *think* by using the very same concepts that are true of the objects as we know them, but it cannot be determinate what the content of our thoughts regarding this world would be because the determinacy of mental content requires intuitional access to particulars under spatio-temporal conditions. Objects of experience, having the non-spatio-temporal properties they do, thus allow the development of their own counterparts that share all their non-spatio-temporal properties under spatio-temporally deprived conditions. While this shows that these counterparts are "merely thought" or, in contemporary language, mere constructs, it is also clear that these specific constructs are what the very objects of our experience become under the hypothetical suspension of their spatio-temporality. They are, in this precise sense, not extra-objects but aspects of our objects of experience: our objects of experience simply have the property of *also* satisfying sets of non-spatiotemporal concepts the totality of which generates mere constructs but no actual things under a-spatio-temporal conditions. Thus, objects of cognition obeying (C) satisfy a condition for strong Kantian humility (TI$_b$), the non-spatio-temporality of things in themselves.

The objects of experience are such that what they are is not constituted or fully determined by any actual properties of our minds, neither conceptually nor intuitionally. Therefore, the objects of experience are mind-independent not only in their existence, but also with regard to their properties.[57] (TI$_e$) is satisfied. Further, if things are the

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[57] For those prepared to protest that *appearances* cannot be considered mind-independent in any way, here is a quote from Kant to the contrary: "from the concept of appearance as such, too, it follows naturally that there must correspond something that is not in itself appearance. For appearance cannot be anything

608 real *in* appearance and appearances composite items, then things in themselves and
609 appearances cannot be identical. (TI$_a$) is satisfied. On the other hand, (A) and (B)
610 also satisfy the idealism-constraint (TI$_c$), since appearances, i.e. things as we (can)
611 know them to be, and the contrast between appearances and things in themselves are
612 both mind-related because the distinction recurs to contingent facts about us. Firstly,
613 the content of the distinction varies with how much, what and in what way we know
614 these things, and what determinations of the real in appearance we attempt to add
615 successively to our existing knowledge depends *also* on what questions we ask. (TI$_c$)
616 is sustained. Secondly, which of the things in the universe of unknown cardinality we
617 happen to encounter and to be able to intuitionally access depends, according to (C),
618 on contextual features like our own location and the expansion of sensitivities we are
619 able to devise. Moreover, since we cannot convert a geometrical system into a system
620 of locations without demonstratively privileging some particular region as the origin
621 of the geometry, the locations of things in space cannot be specified without reference
622 to some selection of origin or other. With both these contingencies on features of
623 our cognitive situation, (TI$_c$) is satisfied, because we cannot characterize the universe
624 of objects of experience, i.e. the content of our experience, without reference to facts
625 about our own spatio-temporal location and about our particular cognitive interactions
626 with things. Finally, (A) and (B) also satisfy the other objectivity constraint, since what
627 determinations we can *successfully* add depends on which judgments are true of these
628 things, not on whether any of us would like the object to be so determined. (TI$_d$) is
629 thus also satisfied. Since all the constraints on TI are satisfied in the world of ER as
630 characterized by assumptions (A)–(C), such a world is a world of which TI/ER is true.

631 **4 IV**

632 Although it is fairly obvious from the foregoing, let me quickly demonstrate that the
633 world characterized by (A)–(C) also satisfies the constraints on MCE from §2.4. The
634 key element in this move is, of course, the fact that the (A)–(C)-world satisfies *all* the
635 constraints on TI, and in particular, the distinction between appearances and things
636 in themselves. This means that this world contains a domain of things in themselves
637 when and always when it supplies a domain of appearances. The remaining task is
638 then to see whether these things can function as the *ab extra* particulars required for
639 sensation-based intuitional reference. If they do, then this world offers a condition
640 under which MCE can be true. Recall, MCE requires

641   (MCE$_a$) mind-independently individuated,
642   (MCE$_b$) extra-mental,

Footnote 57 continued

by itself (…) the word appearance already indicates a reference to something the direct presentation of
which is indeed sensible, but which is in itself—even without the character of our sensibility (…)—must
be something, i.e., *an object independent of sensibility*" (CPR, A251–252, emphasis added). Kant does
not (always) make the mistake to conclude from the fact that appearances, objects of experience, cannot
be *characterized* independent of our representational resources that the objects so characterized cannot
be mind-independent. On the contrary, in this passage, Kant makes the fundamental *semantic* distinction
between sign and reference, as well as the independence of one from the other as clear as we can wish.

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643 (MCE$_c$) spatio-temporally accessible

644 (MCE$_d$) actual particulars.

645 The (A)–(C) world offers, as we saw, cognitively inexhaustible individuals. I argued
646 in §3.1 that this entails that, no matter whether there be a complete, fully determinative
647 and doxastically accessible account of them or not, the properties of objects that we
648 do not yet know *cannot* depend on our minds. Thus, (MCE$_a$) is satisfied. On the other
649 hand, (A) and (C) together entail that the denizens of this world are, although cogni-
650 tively inexhaustible, not cognitively inaccessible, in particular, that they are, as objects
651 of particular experiences, spatio-temporally located and therefore possibly accessible.
652 In case of access, they are *actually* referred to. (MCE$_c$) and (MCE$_d$) are satisfied. (A)
653 and (B) together entail that, first, any accessed individual in this world is what it is not
654 in virtue of what it is known as, since it is not fully known in all respects that can be
655 known of it, i.e. that are truly attributable to it by some knower, and that, second, this
656 world is assumed to contain an arbitrarily large number of things not (yet) known to
657 any knower which, since those things accessed in this world are *actually* accessed, are
658 actual as well. In other words, the world under consideration actually contains more
659 entities than those possibly construable by the mind, which means that these denizens
660 (past and present entities to-be-discovered) are actual particulars and extra-mental or
661 independent in their existence and properties of the activities of the mind. Given that
662 (C) denies the essentiality of the particular spatio-temporal location of individuals for
663 their possession of law-like properties, and given that the concept-dependent meth-
664 ods of individuation are exhausted, we can see that the objects are also not taken by
665 Kant's semantics to be constituted or individuated by the only remaining candidate
666 for (token-by-token) mind-dependent individuation, viz. actually performed intuitive
667 access. The particulars taken for granted by MCE are just not in *any* way mind depen-
668 dent, be it for concept-dependency or be it for dependency on forms of intuition. The
669 argument as reconstructed here does thus also not depend on a potentially problem-
670 atic identification of mind-dependence and concept-dependence, because for being
671 the particular individuals they are, the particulars taken for granted in MCE are also
672 not essentially dependent on being identified in a particular spatio-temporal way.[58]
673 While they have to be at some spatio-temporal location or other to be accessible, their
674 being identified as being at a particular location by a mind equipped with the forms
675 of intuition is not essential to their being where they are in this structure. Therefore,
676 (MCE$_b$) and (MCE$_d$) are fully satisfied. In sum, the entities in a world characterized
677 by assumptions (A)–(C) satisfy all the requirements of MCE.

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[58] This is exactly as it should be, as there are good arguments to the effect that determining which system
of locations of particular spatio-temporal entities a formal space–time geometry is intended to represent
essentially depends on fixing at least one point of reference through non-conceptual, indexical reference
to an environing particular *before* being able to locate other entities relative to this fixed reference point
(an origin of sorts). It is after such fixing that the same object can then be itself explicitly spatio-temporally
located in terms of relations within the system, namely relative to other, then fixed entities. This clearly
lends the same priority to object-dependent reference vis-a-vis spatio-temporal locatability that Kant seems
to be so adamant about in his construal of space and time as based on intuitions, i.e. successful direct sin-
gular reference, not concepts. Regarding this irreducibility of determinate locations to purely conceptually
defined spatio-temporal relations in light of recent developments in physics, cf. Mittelstaedt (2003).

5 Conclusion

In §3.2, we saw that the (A)–(C) world characterized in §3.1 satisfies all constraints on TI, (TI_a)–(TI_e). In §IV., we saw that the same world satisfies all the constraints on MCE. Therefore, the (A)–(C) world *simultaneously* satisfies MCE and TI. My first conclusion is thus that it is incorrect to believe that TI and MCE are incompatible. They are not, in a world characterized by assumptions (A)–(C).

Now, the question might arise whether (A)–(C) are some sort of exotic metaphysical contraption to construct a counterexample to a given philosophical position, or whether it is, apart from yielding a possible interpretation of Kant's TI, also a plausible set of assumptions to make when one engages in empirical and philosophical research. An answer to this question will crucially turn on whether we believe of the things around us that they are 'objects we encounter' as denizens in a universe with unknown cardinality that are capable of being actually accessed in contexts of (intuitionally achieved) direct reference and of being successively though never exhaustively conceptually determined. If we regard things around us in this way, then we also accept that what objects turn out to be like, whether they exist, and whether our classifications as we have them so far actually capture important commonalities among these denizens does not depend on facts about our mental or doxastic operations alone. But all those classifications and accesses that we successfully perform have the status of cognitive operations on actually existing mind-independent objects and therefore afford objective information. Objects thus are in the purview of our cognitive systems as constraint and as target. In my opinion, a world characterized in this way resembles that underlying scientific and everyday cognitive and practical affairs quite closely. In fact, the (A)–(C) world seems to me not only to satisfy TI and MCE, it actually is *equivalent to* a commonsense-realist conception of the world (give or take a little).[59] I would therefore regard this conception of the world of 'objects we encounter' as a not merely possible but also very defensible version of ER, that is, of a reconstruction of the ontological assumptions required by our best objectivity-targeted cognitive practices. This is, incidentally, precisely what Kant's transcendental philosophy, understood as a reconstructive enterprise in the epistemology of scientific and everyday knowledge of things, sets out to capture. At the same time, the methodological ER characterized by (A)–(C) is even able to perform one of the important (meta-)philosophical functions that TI is assigned in Kant's critical philosophy. For it allows the critical use Kant makes of the notion 'thing in itself' by rejecting truth claims composed of categories and things as such—i.e. as we merely think them ('noumena in the positive sense'). My treatment of the example in §3.1 should make this intuitively clear. Methodological

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[59] I take this to refer to a relatively unsophisticated view of objects of experience and their relation to subjects of experience, along the lines spelled out, e.g., in Strawson (1988), where he terms the view "our pre-theoretical scheme" (p. 102) and ascribes to us (the subjects of experience) the ability to normally distinguish between experiences of seeing (etc.) objects and the objects themselves, between the way our impressions represent the objects we experience and the way the objects actually are, and the ability to be, in the case of actual perception, immediately aware of the objects (where the latter does not entail, in our pre-theoretical scheme, any claim as to the infallibility of our attributions of properties to that which we are immediately aware of).

714 ER therefore not only satisfies all constraints on TI but also appears to have other
715 desirable features.

716 Interpreters sympathetic with the rough line taken here, like Westphal (2004) and
717 Hanna (2006a,b), offer construals of similar presuppositions of MCE as a form of
718 'metaphysical' or 'transcendental realism' (TR). They defend the view that MCE
719 allows the articulation of a coherent form of what is known as the "neglected alter-
720 native", that spatio-temporal properties and categorial constitution of objects might
721 be traits of things in themselves that our cognitive capacities 'pick up'. Now, one of
722 Kant's main reasons to develop TI was its supposed incompatibility with all forms
723 of "transcendental realism", to undermine in one (philosophical) swoop the idea that
724 traditional metaphysical topics like sciences of the soul, the cosmos and the divine in
725 fact have special objects (in themselves) as their subject matter. TI as developed here,
726 however, includes MCE and its background condition of mind-independent particu-
727 lars, and thus might seem not to be entirely incompatible with all forms of TR. This
728 may be true, but I also believe we can leave this worry to one side as long as MCE
729 does not *force* such stronger forms of realism.[60]

730 My second conclusion is thus that the realism required by MCE is no stronger than
731 ER. In sum, MCE does not require a realism exceeding the confines of ER, while it is
732 compatible with an interpretation of TI that incorporates the conceptual adjustments
733 precipitated by the assumption that MCE is a more adequate theory of conceptual
734 content than those fueled by traditional idealisms. But ER also does not reduce to
735 any other form of non-realism. It thus seems premature to toss out TI or ER on the
736 strength of Kant's semantics. I rather think that, once we enrich our understanding
737 of the conceptual proposals and distinctions of TI with the lessons from MCE, TI as
738 ER might yield a very fresh series of insights in the requirements of externalism and
739 commonsense realism and, indeed, in the structure of the ways in which we succeed
740 in representing reality.

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[60] Kant's mistake would then not have been so much to claim the explanatory superiority of TI/ER over traditional forms of realism. If any, the mistake would consist in having taken the anti-idealist, empirical realism in his counterproposal as strictly incompatible with *all forms of* metaphysical realism, not to have overlooked the "neglected alternative". As such a stronger form is not necessary for MCE, Kant was fully justified in neglecting an alternative, inflationary construal of the grounds of experience. We may grant that such an alternative could be compatible with the requirements of Kant's methodological and epistemolog- ical approach, but we must observe that it adds metaphysical burdens and forms of argument beyond need, and moreover precisely of the sort that Kant's approach was designed to disabuse us of.

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