# Case

## Framework

1. Your framework conflates individual’s exclusion from society with the exclusion of other actors on a metaphysical level. Only the NC explains the consequence of this in terms of our obligations to real actors:
   1. the only way we can conceptualize others as having relevant interests is if we recognize them as unconditionally valuable by not believing something is a reason for us and not them
   2. Only the categorical imperative unifies the concrete and the abstract to develop conclusive obligations

*Farr 9, Arnold. Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?.* [*https://blog.ufba.br/kant/files/2009/12/Can-a-Philosophy-of-Race-Afford-to-Abandon-the.pdf*](https://blog.ufba.br/kant/files/2009/12/Can-a-Philosophy-of-Race-Afford-to-Abandon-the.pdf) *NP 9/24/15.*

One of the most popular criticisms of Kant’s moral philosophy is that it is too formalistic.13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddednes of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that although a distinction between the universal and the concrete is a valid distinction, the unity of the two is required for an understanding of human agency. The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. Kant is often accused of making the moral agent an abstract, empty, noumenal subject. Nothing could be further from the truth. The Kantian subject is an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. The very Philosophy of Race and the Categorical Imperative 21 fact that I cannot simply satisfy my desires without considering the rightness or wrongness of my actions suggests that my empirical character must be held in check by something, or else I behave like a Freudian id. My empirical character must be held in check by my intelligible character, which is the legislative activity of practical reason. It is through our intelligible character that we formulate principles that keep our empirical impulses in check. The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally significant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individual think beyond his or her own particular desires. The individual is not allowed to exclude others as rational moral agents who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. Hence, the universalizability criterion is a principle of consistency and a principle of inclusion. That is, in choosing my maxims I attempt to include the perspective of other moral agents. B

This also hijacks the AC – individuals ought not be alienated from communities but actualization of a community’s only possible under my standard

1. The framework collapses to the NC – universalizability is the only possible meta-standard to determine to what degree and in what way we respect the ends of others prioritization of subjective interests would be random
2. Alienation is a mindset since it regards the way we perceive other actors when we take certain actions, but this can not be relevant morally relevant since mindsets are contingent, rather than intrinsic to certain actions, so the aff could only, at best, be conditionally obligatory and you’d negate
3. Their framework begs the question – even if alienation is a bad thing, certain principles constrain the state since they’re the basis of its existence; the state only exists as an omnilateral will by granting individuals the right to pursue certain ends that are not granted in the state of nature.
4. Entire framework bites the fallacy of origin – even if alienation must be minimized to understand right and wrong, alienation isn’t a normative good

### Alienation = No Agency

1. Identity can not be contingent – it must be a priori. Any synthesis of representations requires the acknowledgement of an enduring identity or consciousness through time. If there are concepts cognizable as objects, there must be an enduring self that undergoes alterations, but preserves its singularity rather than being made up of disparate mental states. The notion of consciousness mandates that there is a unity of consciousness – i.e. that mental states must exist as a singular whole. Unity must operate a priori since it’s not clear in the stimulus how to unify concepts under categories, rather it appears to be a product of logical deduction.

### Rule Following Paradox

#### The rule following paradox is self-defeating and epistemically inaccessible

Tacik 14 summarizes Kant, Przemysław. On the Kantian Answer to “Kripkenstein”’s Rule-following Paradox. Problems of Normativity, Rules and Rule-Following Volume 111 of the series Law and Philosophy Library pp 67-82. November 8, 2014. NP 2/27/16.

It should not be claimed, however, that Kant would accept any “objective” ground for rule application or a factor which would guarantee the stability of mean- ing. On the contrary, his critique seems to fully acknowledge Humean scepticism, yet it attempts to prove that Hume’s presuppositions cannot be articulated in a jus- tified manner. The same applies to the Kantian answer to Kripkenstein. The mere fact that we formulate the rule-following paradox forces us to presume that time is continuous and that rules conserve their meanings. Therefore, we must contradict ourselves. Kant would not claim that there is an objective fact which guarantees the stability of rules. However, he would point to the fact that we necessarily assume this stability, as it is inherent in the concept of rules. Therefore it is not possible to [we can’t] claim, as Kripke did, that due to the lack of an objective guarantee of meanings [we can’t follow rules] rules are followed blindly. We cannot speak about the lack of this stability, because we assume the contrary. Thus we are unable to refer to our “blindness”. It is not that practice works, however blindly, while theory cannot account for normativity and reveals its lack of justification. Even theory cannot point to this [ignorance] blindness, because it lies beyond our experience.

1. Self-defeating – interpretation of your arguments rely on rules of linguistics
2. In making an argument, Kripke implicitly accepts the framework of logic that provides the basis for all a priori reasoning, which allows truth to be verified via deduction.

#### Rules do not derive from social contexts – rather they originate in the split between our consciousness and the transcendental unity of apperception

Tacik 14 summarizes Kant, Przemysław. On the Kantian Answer to “Kripkenstein”’s Rule-following Paradox. Problems of Normativity, Rules and Rule-Following Volume 111 of the series Law and Philosophy Library pp 67-82. November 8, 2014. NP 2/27/16.

Thirdly and most importantly, Kantian idea of the division of subject sheds light on the pivotal moment of Wittgenstein’s thinking. The paragraph 202 of Philosophi- cal Investigations reads:

And hence also ‘obeying a rule’ is a practice. And to think one is obeying a rule is not to obey a rule. Hence it is not possible to obey a rule ‘privately’: otherwise thinking one was obeying a rule would be the same thing as obeying it (Wittgenstein 1974, §. 202).

Kripke draws upon this quote in his formulation of the argument against a private language (1982, p. 110). I am convinced, however, that Kantian critique allows of reworking this argument. According to Kripke no individua**l**, considered in isola- tion, could be described as obeying a rule. Rule-application requires support of community—providing the assessment concerning correctness of application—in order to function. Thus Kripke transposes the difference between rules and pri- vate language onto the gap between community and individuals. Hence some tricky awkwardness of his reasoning: Kripke must explain why Robinson Crusoe could obey rules in seclusion. Being deprived of community assessment, Crusoe would never have true rules but some private pseudo-rules. In order to avoid this conse- quence, Kripke claims that a private language does not involve physical isolation but considering the act of rule application regardless of any community assessment. Crusoe might live on a desert island, but still—when we think about him—he is put in the context of community, which might verify his rule-following.9

The shift in the meaning of community that Kripke proposed makes this concept more dubious than ever. What is its status? Is it a real group of people? Does the rule have to be effectively followed in this community, or is it only abstract veri- fication that matters? Maybe it is an imaginary group of men and women? Or is it just a mode in which rule-following is assessed, a possibility of putting someone’s applications of a rule in the context of potential assessment, regardless of actual practice? Or, finally—extrapolating Colin McGinn’s hints (1984, pp. 67, 189)10—is it some kind of community between applications of a rule, not between people?

Kantian critique might provide an answer here. Kant assumes that the perceiving subject is split into consciousness and the transcendental unity of apperception. The latter is this mysterious instance that provides stability of experience. In the logic of the previous reasoning, it might also be interpreted as the instance of normativ- ity. If so, the subject would be divided into two faculties: conscious and normative. Before I try to develop this suggestion, I propose to identify Kripke’s “community” with this normative faculty. It would no longer have to be associated with any kind of real community, but would be equivalent to the instance of normativity in the subject. Therefore, as long as the subject remains internally split, it has its “com- munity” within itself.

The split of subject into two instances would mean that consciousness (and con- scious application of rules) is not self-contained. It always refers to some inner, purely formal faculty which guarantees the continuity of rule-applications. As a consequence, even if I follow a rule in complete privacy, consciousness is not the same instance that both applies this rule and assesses its correctness.

#### Implications: This outweighs: A. it’s a precondition to the instantiation of rules in a community that individuals within it know what they mean. B. It proves the NC – the normative derives from the constraint of the TUA on actions that are ethically possible – universalizability, too, makes experience possible

## Turns

1. Totalizing assumptions of the other alienate them and prevent them from being included within our moral view

**Beavers 95,** Anthony F., Introducing Levinas to Undergraduate Philosophers, 1995. NP

If we can accept this notion that ideas are inventions of the mind, that ideas are, when it comes down to it, only interpretations of something, and if ethics, in fact, is taken to refer[s] to real other persons who exist apart from my interpretations, then we are up against a problem: there is no way in which ideas, on the current model, [do not] refer to independently existing other persons, [thus] and as such, ideas cannot be used to found an ethics. There can be no pure practical reason until after contact with the other is established. Given this view towards ideas, then, anytime I take the person in my idea to be the real person, I have closed off contact with the real person; I have cut off the connection with the other that is necessary if ethics is to refer to real other people. This is a central violence to the other that denies the other his/her own autonomy. Levinas calls this violence "totalization" and it occurs whenever I limit the other to a set of rational categories, be they racial, sexual, or otherwise. Indeed, it occurs whenever I already know what the other is about before the other has spoken. Totalization is a denial of the other's difference, the denial of the otherness of the other. That is, it is the inscription of the other in the same. If ethics presupposes the real other person, then such totalization will, in itself, be unethical.

Handgun bans are inherently totalizing. A ban is by definition an absolutist rule and thus breeds totalization since it presumes only one role for gun ownership, and ignores particularities of individuals needs. This outweighs – a. it precludes interactions between individuals – if we can not conceptualize the reality of the other, then they are inherently considered alien, b. epistemic prerequisite – if you can not conceptualize the other, you can not know if other actions alienate them.

c. it’s intrinsic to the maxim of banning handguns – private property may be totalizing, but the aff doesn’t inherently deconstruct the notion of ownership, so my offense is definitive, d. even if guns can be used for wrong, that’s not responsive – it’s a question of our orientation towards the other and presumption of the nature of their actions

2. T- taking guns from individuals alienates them by separating then from the products of their labor, i.e. goods bought and owned, since the way we shape the world around us becomes a part of our identity. This outweighs your property rights bad arguments, since you never deconstruct the concept of private property but rather one instantiation of it.

3.T - The AC violates negative rights, which turns case. Since guns are not inherently violent, we have the right to pursue ownership over them.

Libertarian Party. <https://www.lp.org/issues/gun-laws> The Party of Principle Minimum Government, Maximum Freedom Libertarian Party 1971 Issues Gun Laws

Libertarians, like other Americans, want to be able to walk city streets safely and be secure in their homes. We also want our Constitutional rights protected, to guard against the erosion of our civil liberties. In particular, Libertarians want to see all people treated equally under the law, as our Constitution requires. America's millions of gun owners are people too. Law-abiding, responsible citizens do not and should not need to ask anyone's permission or approval to engage in a peaceful activity. Gun ownership, by itself, harms no other person and cannot morally justify criminal penalties. Constitutional Rights America's founders fought the Revolutionary War to throw off British tyranny. Most of the revolutionaries owned and used their own guns in that war. After the war, in 1789, the 13 American States adopted the Constitution, creating the federal government. Before ratifying the Constitution, the people demanded a Bill of Rights to prevent our government from depriving them of their liberties as the British had done. One of the most important protections we have against government tyranny is that we are presumed innocent of any crime until proven guilty, before a jury, in a proper trial. Gun control advocates would declare all gun owners guilty without trial, simply for owning guns, even though millions of them have never used their guns to harm another person. Such blanket condemnation is immoral, unfair and contrary to the principles on which America was founded.

The AC collapses into a negative conception of freedom: a) the argument in the AC is that we should always be included. However, this just means that we should never be excluded since our ability to engage in moral discussions is *intrinsically* valuable, and we can never violate it, so negative rights preclude AC offense. This also recontextualizes the AC standard – alienation is just exclusion. b) negative rights must always constrain my right to be included—if not, a KKK member’s right to not be “excluded” by not having black people in their neighborhood would conflict wit ha black person’s right to move into a neighborhood, c) your cards aren’t specific to the role of the government within a capitalist society that has private property rights, only I speak to current roles of the state.

### Rule Following Paradox – Math

#### Transcendental unity of apperception enables us to understand the concept of a number – rules are not empirically derived but rather exist a priori

Viersen 11, Harald. Kant on Rules. dare.uva.nl/cgi/arno/show.cgi?fid=347176 30 augustus, 2011. NP 3/3/16.

In apprehension I run through and take together elements of the manifold to form an intuition. Taking together these units in order to generate a judgment of quantity amounts to running through and taking together all objects that fall under a certain subject-concept – e.g. chair in this room – and compar[ing]e these units with respect to a particular predicate concept – e.g. red – in order to come up with the judgement “all chairs in this room are red”. The role of the schema is to provide unity to units successively apprehended under in order to reflect homogenous units under a concept. As with the other schemata, the power of judgment generates this schema of quantity in its first (blind) application of the category – as a rule of sensible synthesis “generated with the view to forming judgments”.3 After this, the category is applied in its second application as a universal representation of pure synthesis according to rules – as the concept of number for instance. Note also, that the schemata, as well as the concepts are originally acquired. They are acquired in the sense that sensible impressions are required to perform an act of synthesis and in the case of concepts, the empirical concepts are also needed to provide content to the categories, but they are original in that their structure is determined by the forms of objective unity of apperception.4 Relating this back to Kant’s description of the schema of the category of quantity, there arises a seeming inconsistency. The “pure schema of magnitude” is equated with number.5 However, one might then ask: What is the schema of the concept of number? The explanation offered by Longuenesse is as follows: When Kant says that number is the schema of the category of quantity, he is not thereby denying that there is also a concept of number . . . Rather, he is insisting that the schema corresponding to the concept of number is not an empirical schema, but a result of synthesis speciosa, that is, of the “effect of the understanding [Verm¨ogen zu urteilen] on sensibility”. Number is the schema of quantity in that it is a rule of synthesis we are able to produce by virtue of our faculty of constituting the extensions of concepts when generating judgments determined with respect to the logical form of quantity.6 Being a “result of the synthesis speciosa” it becomes obvious why Kant insists – contrary to modern, set-theoretical number theory, on the relation between number and time. The successive taking together of homogenous units simply refers to determination of inner sense in accordance with the logical function of quantity. The concept of number reflects this synthesis which is the act according to a rule for generating an extension of a concept. In other words, there is the schema that produces the extension and there is the concept of number that reflects on this generation of numbers – a generation that is guided by our disposition for taking together homogenous units. Number as a concept simply is the rule of synthesis that tracks our ability to form extensions of concepts, that is, our ability to constitute “sets of objects thought under the same concept”.

### Constructivism add on

#### Kantianism solvesthe rule following paradox – it grounds the laws of the free will in the will itself

Korsgaard 2 summarizes, Christine. The Constitution of Agency. NP 9/2/15

These two problems, Kant’s and Rawls’s, have the same structure. In both cases what we are looking for is principles themselves, for we need reasons, ways of choosing and justifying our actions or our policies, and reasons are derived from principles. Yet the very structure of the situation seems to forbid us to choose any particular principles. The liberal’s need to avoid compromising the freedom of the citizens by forcing a particular conception of the good on them parallels the free will’s need to avoid adopting a principle that will compromise its own freedom. In each case, it looks as if the choice of any particular principle will represent an act of arbitrary power. In Rawls’s construction of his problem, it looks as if the choice of any particular principle of justice must be based on an arbitrary preference for one conception of the good over others. In Kant’s construction of his problem, it looks as if the choice of any principle for the will must involve an arbitrary restriction of the will’s freedom. And the solutions proposed by Kant and Rawls take a parallel form. Kant’s solution goes like this: The categorical imperative, as represented by the Formula of Universal Law, tells us to act only on a maxim that we could will to be a law. And this, according to Kant, just is the law of a free will. To see why, we need only compare the problem faced by the free will with the content of the categorical imperative. The problem faced by the free will is this: the free will must have a law, but because the will is free, it must be its own law. And nothing determines what that law must be. All that it has to be is a law. Now consider the content of the categorical imperative, as represented by the Formula of Universal Law. The categorical imperative merely tells us to choose a law. Its only constraint on our choice is that it have the form of a law. And nothing determines what that law must be. All that it has to be is a law. Kant concludes that the categorical imperative just is the law of a free will. It does not impose any external constraint on the free will’s activities, but simply arises from the nature of the will. It describes what a free will must do in order to be a free will. It must choose a maxim that it can regard as a law.39 Rawls’s solution to his problem can be put in parallel terms. Rawls’s two principles of justice tell us that all citizens must have equal basic liberties, and that our society must otherwise be designed so that everyone has as large a share of primary goods as possible, with which to pursue his or her own 39 I defend this interpretation of Kant’s solution at greater length in my essay ‘‘Morality as Freedom,’’ CKE essay 6. ￼￼￼￼￼￼Realism and Constructivism 321 ￼conception of the good.40 And these, Rawls might say, just are the principles of justice for a liberal society. To see why, we need only compare the problem faced by a liberal society with the content of Rawls’s two principles of justice.41 Echoing Rousseau, we might say that the problem faced in the original pos- ition is this: to find a conception of justice which enables every member of society to pursue his or her conception of the good as effectively as possible, while leaving each member as free as he or she was before.42 The content of Rawls’s two principles simply reflects this conception of the problem. So Rawls’s two principles simply describe what a liberal society must do in order to be a liberal society, just as Kant’s principle describes what a free will must do in order to be a free will. Rawls’s principles are derived from the idea of liberalism itself, in the same way Kant’s categorical imperative is derived from the idea of free volition. In Kant’s argument we arrive at the categorical imperative by thinking about the problem faced by a free will, just as in Rawls’s we arrive at the principles of justice for a liberal society by thinking about the problem faced by a liberal society. In each case, in fact, a sufficiently detailed and accurate description of the problem actually yields the solution. And you should notice one implication of this—the categorical imperative is not a rule one applies in deliberation. We arrive at the categorical imperative by thinking about how a free will must deliberate: it must do so by choosing a law for itself. The categorical imperative is a principle of the logic of practical deliberation, a principle that is constitutive of deliberation, not a theoretical premise that is applied in practical thought. And one might also say that Rawls’s principles are a development of the logic of liberalism.

# Misc cards abt rule following paradox

### Rule Following Paradox Add On

#### The possibility of comprehending experience is contingent on rules that make experience possible

Viersen 11, Harald. Kant on Rules. dare.uva.nl/cgi/arno/show.cgi?fid=347176 30 augustus, 2011. NP 3/3/16.

Hume’s skeptical anxiety stemmed from a mismatch between his conception of an unbounded faculty of imagination and his idea of necessity as grounded in the principle of contradiction. Only if we can exclude the other possibility, can we say that there is a necessary connection between cause and effect, but since the imagination is not constrained in conjuring up infinitely many different effects following a similar cause, there is no necessary relation of cause and effect to be had. Kant’s answer was to offer a conception of logic – transcendental logic – which **would** consider the principle of contradiction in relation to the pure forms of intuition – space and time. This would allow for the specification of rules that are necessary for our judgments to be objective – i.e. about objects – a priori. In doing so, human thought is recognized as being constrained to the possibilities that fit within this frame of necessary rules for thinking of objects – that is, by the categories, being the most basic rules for ordering intuition. By providing this background, Kant is able to establish an intensional relation – Konsequenz – between cause and effect. The possibility of something happening in experience which is not in accordance with this rule is excluded, because this would run counter to the rules which enable us to order temporal relations which allow us to pick out objects. Naturally, it does not imply that in applying this principle we always make the right inferences as to which effect will follow a certain cause, or what is the proper cause of a certain effect. It is not excluded that we make mistakes, but what is established is that there must be some cause for every effect, for otherwise it could not as such be fitted into our experience. These features seem suitable for an answer to the Kripkean skeptic. We want to establish an intensional relation between the rule and its application, which allows for mistakes, but ultimately grounds and thereby justifies its application. In order to arrive at this result we will likewise have to devise a way to constrain the imagination. An argument has to be found to the effect that the Kripkean skeptic will not be able to justify his claim to a qulike function. In Kantian phrasing, this will come down to showing why qu-like functions do not cohere with transcendental unity of apperception; the skeptic ought in the end to be constrained to formulating functions which are in accordance with transcendental logic.

#### The rule following paradox is incoherent – application of rules is not a separate process, since rule application is including within the rule itself. We can not comprehend the concept of

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The result is a picture that can be used to refute the skeptic who proposes quounting as an alternative to counting. What the skeptic mixes up is the conception of the image of a determinate extension with the schema for generating this image. Arithmetical operations are not based on the combination of marks – nuts, beads etc. – but on the single representation of determining multiplicities. Arithmetical propositions are therefore not reducible to an extensional analysis – Kripke’s example of a heap which is thrown together with another heap. The numbers that constitute an addition do not stand for marks, they stand for rules for taking together units. The addition – 7+5=12, or 68+57=125 – stands for the generation of a multiplicity from two other multiplicities. This is also what explains Kant’s view of arithmetical propositions as synthetic. The result is not contained in the equation – which would make it analytic, because there is nothing to be contained in the equation. The skeptic does take the extensionalist view of arithmetic. He makes it seem as if there are two concepts – 68 and 57 – where there is, according to Kant, only one – i.e. the number-rule. Without this ability to represent the successive addition of units, there would not be a heap of 68 nuts and a heap of 57 nuts, there would not be a heap of 2 nuts, because there would not be any way of construing such multiplicities. A divergent qufunction could not arise on this view, because there is only one function and when putting 68 and 57 nuts together and doing arithmetic according to the qu-function, in the end, you forego the necessary relation to the unit. In other words, because you are not able to relate your answers back to a single rule – i.e. the successor function – which underlies the constitution of the multiplicities, the answers you give to the arithmetical propositions are not related back to the objective unity of apperception. The quarithmetical proposition is quite simply senseless. Although we might be able to describe such a function as quounting – as is evidently the case – we cannot make sense of it. We cannot apply it to intuition; we have no way of coming up with an image according to a function which makes a heap of 68 combined with a heap of 57 nuts contain 5 nuts.8 And why can we not conjure up such an image? Because such an abnormality would contradict the rule of apprehension which makes it possible for us to form heaps in the first place. To be sure, it is not a priori excludable that there are such life forms which might have a different form of sensibility, but even if that would be the case, we could not form “the least concept of another possible understanding, either one that would intuit itself, or one that, while possessing a sensible intuition, would possess one of a different kind than one grounded in space and time”.9 The concept of number reflects the barest rule-like structure of human thinking, because outside of this framework, representations are nothing for us. As I have announced earlier, it is quite a remarkable outcome of this contemporary application of Kant’s thought is that it suits the Kripkean paradox of meaning more than the Humean problem of induction. Kant’s way of dealing with Hume’s worries about justificatory status of causal connexions is to translate them into a skepticism about hypothetical judgment. Having done that he can justify causal connexions within the transcendental framework. From this perspective, Kripke’s problematic is exactly what Kant tried to answer with the Humean problem being a mere consequence of this rule-following solution. It is the sterilized version of what Kant thought of as Hume’s problem: the proof of the possibility of synthetic a priori proposition, without having to take into account a dynamical reality of nature that is to constrain our thinking from without. It is a bare way of showing the necessarily presupposed rule-like structure which enables us to think.

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In a sense, the answer to the Kripkean problem will come as more natural than Kant’s original answer to Hume’s problem. Kant’s method is to take the mathematical synthesis as paradigmatic for his dynamic synthesis. His examples of drawing shapes in space and combining units in time all refer to the role of a priori intuition in pure mathematics, which he later applies in dealing with the grounding of causality. In other words: Kant was able to solve Hume’s problem by dealing with it at a much more abstract level, that is, he solved Hume’s problem by solving Kripke’s problem. To get a Kantian answer to Kripke’s problem we will therefore have to look at the mathematical synthesis and its schematism (which was skipped in the earlier discussion of Hume’s problem). We then need to trace back the origins of mathematical synthesis and see which schema underlies it. If we go along with this transcendental argument leading to the bedrock of our mathematical practice, the upshot will be a schema that could serve as a transcendental criterion, a primitive form to which all arithmetical functions, but no qu-like function can in principle be traced back. The benefit over Kripke’s solution in going the transcendental road is obvious: this bedrock will not be a foundation of contingent practices devoid of any intrinsic normativity, as in Kripke’s case. By providing the transcendental argument, a criterion ought to be established which is not dependent on what we arrive at in our discursive practice – what we have reason to believe, but one that is necessary as a ground for such practice of giving reasons to come about at all, justifying it as a genuinely normative and formal criterion. A way of providing such a basic criterion for arithmetical truth is to abstract from the more complex calculations in this field and look at what underlies it, namely number theory. This route has actually been proposed by Kripke in the following “primitive” account of rule-following:

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I do not see the Kantian solution as a straight solution of any kind. It is precluded from being one, because it does not claim to give us a meaning-fact, something to be “read off”. The first requirement is never to be met. The key to the transcendental approach is that what we arrive at is not a fact, but the structure which underlies our talk of facts – talk of right and wrong. These transcendental dispositions function like a logical rule of inference, that is, they themselves cannot be right or wrong. Rather, they serve as the rules for a game by which they exclude certain moves – ‘qu-moves’. They form the layer of bedrock beyond which we cannot dig, but which shows itself as being the necessary foundation for human practice. Hence, the Kantian approach is not straight, but neither does it exclude the notion of a reduction. Rather, transcendental argumentation brings you to the verge of a reduction, but it will not assist you in crossing it. The benefit of using a transcendental argument is that there is no requirement to cross this boundary. You are not required to formulate ideal conditions, because the necessary requirements it attempts to deduce are not the be “read off”.13 The possibility of being ‘wrong’ in your attribution of this basic disposition therefore does not come up. Moreover, once we have established these ‘transcendental dispositions’ we do not need to refer to them every time in acting on non-transcendental dispositions. Their justificatory status is transferred to any future disposition, through a (hypothetical) chain of inferences. The possibility of referring back to transcendental propositions is what justifies your practical use of rules14 – as was the case with any arithmetical proposition which can be traced back to the rule for taking together discrete units.15