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ARTICLE

NEO-KANTIANISM AND THE ROOTS OF ANTI-PSYCHOLOGISM[1]

R. Lanier Anderson

1. INTRODUCTION: PSYCHOLOGISM AND NEO-KANTIANISM

This paper explores a pair of puzzling and controversial topics in the history of late nineteenth-century philosophy: the psychologism debates, and the nature of neo-Kantianism. Each is sufficiently complex to deserve book-length treatment in its own right, and a short paper cannot promise anything like a detailed accounting of the issues. Nonetheless, bringing the two together does suggest a worthwhile lesson for the historiography of each of these areas within the history of German philosophy. By sketching those lessons in outline, I hope to identify some fruitful avenues for further research on the period.

It is well known that the years around 1900 witnessed acrimonious debates over the proper role for psychology in addressing philosophical problems. A wide variety of philosophers (e.g. Wundt, Stumpf, Sigwart, Nietzsche, Dilthey) had argued that psychology in some form was essential to the work of philosophy. They observed that many claims within traditional domains like logic, epistemology, aesthetics, and ethics purport to govern human achievements that rest on our mental capacities, and they inferred that empirical psychological knowledge about those capacities would substantially advance the philosophical discussion. Against such views, defenders of a 'pure philosophy' insisted that the psychologistic approach committed some fallacy or category mistake, thereby obscuring the distinctively *philosophical* problems about human reasoning, knowledge and value. Especially post-1900, anti-psychologism of this stripe gained quite broad support among philosophers. Strangely, though, the emergence

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of a wide consensus against psychologism did not quiet the controversies. On the contrary, they intensified, with much of the dissension arising from avowedly anti-psychologistic thinkers bitterly accusing one another of latent psychologism.

In retrospect, there are reasons that the controversy should have taken such a turn. The core areas of philosophy simply do make many claims touching on mental phenomena, and the systematic investigation of the mind, or soul, was a central and continuing philosophical concern from Aristotle himself down through the active early modern tradition of commentary on *De Anima*, which included treatment of many topics we would now recognize as psychological (see Hatfield 1994). It therefore proved difficult for the historical actors to avoid all reference to the mind, and it was equally hard to specify the distinctive anti-psychologistic status of philosophical claims precisely – hence the frequent charges and counter-charges of insufficient rigor in the exclusion of all reliance on psychology. In addition, recent studies (esp. Kusch 1995) have rightly noted that questions about the field boundary between pure philosophy and the emerging science of empirical psychology had implications for the allocation of scarce university resources. That circumstance naturally tended to add more heat than light to the concurrent theoretical debate. As a result, it is a delicate matter to assess the nature and force of the ultimate reasons that promoted anti-psychologistic views within philosophy after the turn of the century, and to separate them from the sociological causes that also contributed to the controversy.

Philosophers identified as neo-Kantians played prominent roles in the psychologism disputes, both as *targets* of anti-psychologistic polemic, and as leading *advocates* of the emerging anti-psychologistic consensus. While initially surprising, this duality, too, is understandable on reflection. On one side, Kant himself clearly advocates an anti-psychologistic conception of logic: 'As pure logic it has no empirical principles, thus it draws nothing from psychology ... which therefore has no influence at all on the canon of the understanding' (A 54/B 78). More generally, he insisted that one great advantage of his transcendental idealism was to place limits on our knowledge of nature, and indeed on the law-described realm of nature itself, thereby opening up a separate space outside nature where normative practices of moral and cognitive judgment could flourish without threat of attack on materialistic or deterministic grounds.[2] Neo-Kantian followers like Wilhelm Windelband (1907 [1884], esp. 278–354), noting that

[2]Kant's most famous defense of this claim appears in the Preface to the second edition of the *Critique of Pure Reason*, at B xxiv–xxxv. He writes, in part:

> It is proved that space and time are only forms of intuition, and ... further that we have no concepts of the understanding ... for the cognition of things, except as ... appearance; from which follows the limitation of all even possible speculative cognition of reason to mere objects of **experience** ... I cannot even **assume God, freedom, and immortality** for the sake of the necessary practical use of my reason

psychology belongs to the domain of natural law, extended Kant's considerations into an explicit anti-psychologistic program. At the same time, though, there is another side to the story. The central arguments from Kant's own theory of cognition rely heavily on claims about mental acts of synthesis. Some later neo-Kantians, such as F. A. Lange (1902 [1873–5], II, 1–63, 408–31), gave these arguments a straightforwardly psychological construal, and as recent work by Patricia Kitcher (1990, 1995) and others has made apparent, they could find a good deal of textual support for doing so. In the end, therefore, one can very well wonder what the proper 'neo-Kantian' stance toward psychologism should be.

The case of psychologism thus exposes a split among neo-Kantians, exemplified in the opposing stances of Windelband and Lange. This case is by no means exceptional, moreover. It points toward a much more general concern for the historiography of neo-Kantianism. It is long-recognized (and certainly true) that a broad 'back to Kant' movement played an important – some would say dominant – role in German philosophy during the half-century around 1900, but it is not at all easy to say what neo-Kantianism is. The increased interest in Kant during the period drew attention from philosophers of widely various commitments. As a result, even substantial influence from Kant can by no means be counted *sufficient* for being a 'neo-Kantian'. Some philosophers, perhaps most notably positivistic 'critical empiricists' like Mach and Avenarius, were avowedly inspired by Kant,[3] but still refused to associate themselves with neo-Kantianism. (Indeed, 'empiriocriticism' is often counted as one of the main alternative schools competing *against* the neo-Kantians – e.g. by Kusch 1995, 96–9.) At the same time, close adherence to the official doctrines of Kant himself is not a reasonable *necessary* condition for being a neo-Kantian. On the contrary, even paradigmatic leaders of the Kant revival typically insisted on significant revisions to Kant's own views, following Windelband's slogan that 'To understand Kant is to go beyond him' (Windelband 1907 [1884], iv, vi). So virtually all neo-Kantians depart from Kant himself in the details, but broadly Kantian influence by itself does not yet make one a neo-Kantian.

> unless I simultaneously **deprive** speculative reason of its pretension to extravagant insights … Thus, I had to deny **knowledge** in order to make room for **faith** … Through [this] criticism alone can we sever the very root of **materialism, fatalism, atheism**, of freethinking **unbelief**, of **enthusiasm** and **superstition**.
>
> [B xxv–xxxiv]

(Quotations from Kant follow the translations listed among the references, and cite the pagination of the standard Akademie edition, except for the *Critique*, where I use the standard A/B form to refer to pages of the first (1781 = A) and second (1787 = B) editions.)

[3]For Mach's statement of the early influence of Kant on his thinking (and an account of how he arrived at some of his central views by starting from Kant's standpoint and then rejecting certain key Kantian theses) see the long note at Mach 1910 [1886], 23–4. See also Avenarius 1888, xi–xiii, *et passim*.

Nor is it easy to define neo-Kantianism by appeal to some obvious body of new doctrine (apart from Kant's historical views) which unified the neo-Kantians among themselves. Recent work on the influence and philosophical significance of the movement has made the challenges in this domain increasingly apparent: for example, Michael Friedman and Alan Richardson have identified profound theoretical differences separating even the two main schools of late neo-Kantianism.[4] Differences between these Marburg and Southwest neo-Kantians, on the one hand, and earlier figures like Lange or Liebmann, on the other, are only more pronounced. If we are willing to include even thinkers like Dilthey or Nietzsche, who are only sometimes or controversially classed as neo-Kantians, then the search for doctrinal common ground can begin to look hopeless. Clearly, a reasonable appreciation of the movement's philosophical contributions cannot remain content with broad generalizations, but must attend carefully to the distinctions as well as the similarities among the several philosophers and schools claiming the mantle of Kant. Finally, just as in the case of the psychologism controversy, here too the waters have been further muddied by the interaction between political commitments and neo-Kantianism as a philosophical program. As I note in passing below, an overweening focus on vexed political controversies from the period can interfere with efforts to understand the movement's philosophical shape.[5]

Despite such problems, though, wholesale skepticism about neo-Kantianism as a historical category is certainly unjustified. The Kant revival played a serious role in the self-understandings of the historical actors, and later readers have also been struck by salient family resemblances among the new Kantians, to which generations of historians, from Vorländer (1908) down to the present, have repeatedly returned as a defining mark of the period. The real challenge, therefore, is to develop historiographic categories that will help structure the diversity within the neo-Kantian movement, while simultaneously identifying some of the key aspects of Kant's contribution, the endorsement of which separates the readers of Kant whom we sensibly call neo-Kantians, from those like Mach, whom we do not.

So much by way of sketching out the general terrain of our two problem areas. Each is characterized by subtle arguments that are just foreign enough from current assumptions to be easily misunderstood. In both cases, moreover, contentious political and sociological factors

[4]See Friedman 1999, 124–40, 152–62, and 2000, which highlight differences between the Marburg and Southwest neo-Kantians on the question of the distinction between being and validity, and related systematic issues. See also Richardson 1998, 116–38, which focuses largely on the Marburg school. Both authors treat aspects of neo-Kantian doctrine that were influential for the developing views of Carnap.

[5]In this connection, I have in mind especially the treatment of Köhnke 1986. See notes 23, 31 below.

threaten to promote confusion. My thesis is that considering neo-Kantianism and anti-psychologism together can substantially clarify the historiographic landscape. In particular, I will argue that one distinctive version of the anti-psychologistic conception of pure philosophy traces its roots to identifiable advances in the understanding of Kant – advances which were simultaneously important in laying the intellectual groundwork for the Marburg and Southwest schools of neo-Kantianism. The philosophers of those two schools, I will suggest, have a claim to be counted as *orthodox* adherents of neo-Kantianism because of their common commitments to anti-psychologistic readings of both the *normative force* and the *a priori status* of philosophical principles for Kant. Marking off these features of neo-Kantian orthodoxy affords a useful distinction between *non*-orthodox neo-Kantians like Lange, and the core leaders of the two orthodox schools (e.g. Cohen, Natorp, Cassirer, Windelband, Rickert). It can also provide some guidance for our judgments about the extent to which it makes sense to speak of more marginal figures as neo-Kantians in the broad sense.

At the same time, identifying a distinctive Kantian version of anti-psychologism illuminates the psychologism controversies. It clarifies a distinction between two separate motivations for rejecting psychologism, one based on the *objectivity* of logic, knowledge, moral judgment, etc., and another based on their *normative force*. Each of these motivations has its own historical sources and trajectory feeding into the debates, and each appeals to its own distinctive raft of arguments. The two lines of thought need not be (and were not always) combined. Since the arguments of each may well appear insufficiently anti-psychologistic from the other viewpoint, the difference between them may be held partly responsible for the complicated and cross-cutting character assumed by the historical controversy.

Finally, it will also emerge that for orthodox neo-Kantians, the two defining commitments mentioned above (about apriority and about the sources of normativity) are not independent. The discussion will therefore provide some insight into the motivations behind the curious but distinctively Kantian claim that any norm must have some a priori basis. I will suggest that similar considerations may illuminate the philosophical assumptions of some of our contemporary neo-Kantians, as well as their intellectual ancestors from the turn of the last century.

I begin in section 2 with a discussion of some strands of late nineteenth-century thought that fed into the emergence of anti-psychologistic arguments after 1900. Section 3 extends that discussion so as to identify the features of orthodox neo-Kantianism. Finally, in section 4, I explore the roots of the Kantian connection between apriority and normative force. I conclude with some reflections on limitations of the historical program of orthodox neo-Kantianism, concentrating on the version of the Southwest school (section 5).

2. ON THE PSYCHOLOGISM CHARGE AND ITS ORIGINS

On one significant construal, psychologism is the fallacy of reducing a normative rule of reasoning to an exceptionless, descriptive psychological law. In this version, which was important for the neo-Kantians, the fallacy charge depends on the idea that there is a fundamental distinction between natural and normative rules. Since rules of reasoning are essentially normative, reducing them to natural laws of psychology misses their true structure. Such considerations already evoke Kantian themes, like the agenda (mentioned above) for limiting the realm of nature so as to open a separate space for distinctively normative claims. While Kant's most famous discussions of that point concern freedom and morality, it was always meant as a more general defence of normativity.[6] Theoretical judgments, too, are held to normative standards of justification. They would be threatened by a thoroughgoing naturalism, since the realm of nature is governed by exceptionless laws, potentially closing off the possibility of distinct right and wrong judgments and thereby eliminating any sense to talk of judgments being correct. The worry, then, is that under naturalistic assumptions our judgments would not count as *knowledge* in a normative sense, even if they happened to be true. Kant concludes that cognition needs some ground that is independent from nature and a priori. Limiting nature to the appearances allows him to treat cognition as a product of the transcendental mind, which stands outside of nature as its precondition, thereby providing the wanted a priori ground for cognitive norms.

Before going any further, we need to ask about the nature of the structural difference between normative and naturalistic rules, which is supposed to be lost in any reduction. One initial observation is that normative rules are *prescriptive*, while naturalistic rules are merely *descriptive*. The move makes things more intuitive, but at bottom it just replaces one distinction (natural/normative) with a parallel one (descriptive/prescriptive), without explaining the alleged difference. Another idea broached already was that natural laws are *exceptionless*, whereas a normative rule assumes that the process it governs may have various possible outcomes (thereby allowing us to keep our grip on the contrast between the *right* and *wrong* outcomes). While the contrast between right and wrong does capture an important mark of normative rules, perhaps there could be unusual cases in which normative rules were also

[6]The point was well understood by the neo-Kantians under investigation here: in particular, see Windelband 1907 [1884], 282–4. For the purposes of this paper, I will remain content with the very broad and abstract characterization of norms as 'rules of reasoning', which is meant to cover both the cognitive and non-cognitive cases. There are of course interesting differences between the rules governing cognition and non-cognitive norms like those of morality, on the Kantian accounts of them. In the interest of space, I will not attempt to provide a detailed exploration of these matters here, though I offer a few remarks toward the end of section 4, below.

exceptionless.[7] Imagine a norm where, as it turns out, violations are physically or practically impossible – for example, the Kansas legislature might pass a law prohibiting the manufacture of devices for moving things faster than the speed of light. Or, in the sort of science fiction familiar from the free will literature, an agent might be the victim of a surgical 'Frankfurt job' performed by some over-enthusiastic moral improver so as to guarantee by an implanted remote control device that she always acts morally. Let us say that after the surgery our agent happens always to act according to the moral law. Now, however, she does so under the conditions of the so-called Frankfurt cases, where even if she had decided to act otherwise, the powerful, morally demanding actor would have intervened via her clever wireless technology to ensure the correct outcome anyway. In both cases (the Kansas legislature, the Frankfurt job), the overall system admits of a fully exceptionless description under which the target rule is always obeyed, yet the rule is still normative in character.

Such examples suggest a refinement. Normative rules are such that their validity cannot *entail* the absence of exceptions; that is, the normative rule itself envisions the possibility of exceptions, even though we might find out later, on the basis of circumstances unforeseen in the rule, that the exceptions turn out not to be possible. So even if 'ought' implies 'can' (in some sense of 'can'), it cannot *imply* 'does'. Natural laws, by contrast, are supposed to have just this implication. We can therefore propose a test: the *direction of accountability* between the rule and the facts it covers is different in the two cases. For descriptive empirical laws, if there is a mismatch between a proposed law and the facts, we find fault with the law, and revise it to fit the data; with normative rules, however, we hold the facts accountable to the rule, and lay the blame for mismatches on them (they are *false* judgments, or *bad* actions). Normative rules, then, have standing, independent of the facts they cover. They retain their validity and remain binding, even when violated in fact.

Similar thoughts about the autonomy of normativity are deeply embedded in philosophical common sense to this day.[8] What is crucial for our investigation, though, is that they owe their status as entrenched conventional wisdom to the outcome of the heated psychologism controversy.[9] They need to be understood in the light of that development.

Despite the vitriol that characterized the historical debate, '*Psychologismus*' was not originally the name of a fallacy. Apparently, the term first occurs in J. E. Erdmann, who introduces it with a parenthetical apology appropriate to a neologism.[10] In Erdmann, 'psychologism' is supposed to be

[7]Elijah Millgram pressed me to account for this possibility.

[8]See, for example, the discussions of the independence of normativity from the natural world in Brandom (1994, 156, 159–61, *et passim*). Similar ideas find expression in Korsgaard 1996.

[9]For general accounts that document the breadth of preoccupation with the controversy in turn-of-the-century German academic philosophy, see Martin Kusch (1995) and Matthias Rath (1994).

a neutral description of F. E. Beneke's view that psychology provides the 'starting point and foundation' (Erdmann 1964 [1866], 670) for philosophy, and Erdmann's treatment of Beneke is sympathetic on the whole, designed to 'make good the injustice' of some criticisms he had made years before (Erdmann 1964 [1866], 681). The earliest clear occurrence I have found of 'psychologism' in the now familiar pejorative sense is Windelband's 'Kritische oder genetische Methode?,' published in *Präludien* (1884).[11] But even though the word '*Psychologismus*' was not common before the 1880s, the basic ideas behind the charge of a psychologistic fallacy became increasingly widespread through the 1870s.

One of the most widely influential early sources for the emerging anti-psychologistic camp was the 1874 *Logik* by Windelband's teacher, Hermann Lotze.[12] Lotze argues that it is a fundamental mistake to treat logical 'laws of thought' as laws of psychology.[13] His reasoning depends on the notion of validity, which he counts as one of four primitive kinds of reality. Real *things* have being, or *existence*; real *events occur*; real *relations obtain*; and real *truths* are *valid* (Lotze 1880 [1874], §316). Just as much as existence or occurrence, then, validity is a basic mode of reality, 'a fundamental concept based only on itself ... which we cannot produce by a construction out of constituents which do not themselves already contain it' (Lotze 1880 [1874], § 316). The force of logical laws, moreover, rests on their irreducible real *validity*, not on *existence* in the human mind or brain, or on their *occurrence* in human patterns of thought. A person's particular patterns of thought are themselves subject to evaluation against the logical laws, and are often found wanting. The logical laws must therefore be independent of the beings and occurrences treated by psychology.

[10]Erdmann 1964 [1866], 671. (N.B.: This work was first published as the Appendix to Volume II of Erdmann 1878 [1866].) Rath (1994, 32) doubts that the expression is new with Erdmann, or that his presentation suggests so, but to my ear it has that ring: 'this psychologism (as we would most like to call [Beneke's] doctrine) ...' (Erdmann 1964 [1866], 671). Rath follows Geldsetzer in positing an earlier occurrence of the term in A. Rosmini-Serbarti, but no citation is given. I have so far found no earlier attestation myself.

[11]Windelband 1907 [1884], 318–54; ('Critical or Genetic Method?'). Previously (1996 [1878–80], 386–98), Windelband had used the term in a more neutral descriptive sense like Erdmann's in a historical discussion of Fries and Beneke.

[12]Lotze 1880 [1874], the so called big *Logik*. If the argument for Lotze's influence presented in the text below is correct, then he deserves a larger place in histories of the psychologism controversy than he receives, e.g. in Rath 1994. This is all the more true, since Lotze also himself made contributions in psychology, and was cited not only by anti-psychologistic thinkers like Windelband, but also by 'pro-psychologistic' figures in the controversy (see, for example, Stumpf 1910 [1907], 165). For the opposed, psychologistic view of the foundations of logic, consult Sigwart 1889 [1873], 22, *et passim*, and Wundt 1893–5 [1883].

[13]Such an interpretation of the 'laws of thought' was prominent among Lotze's contemporaries. For example, Sigwart insists that, despite the 'normative character' that is 'essential' to logic, nevertheless 'we deny that these norms can be cognized otherwise than on the foundation of the study of the natural forces and functional forms which are supposed to be regulated by those norms' (Sigwart 1889 [1873], 22).

This argument combines two different kinds of reasons for denying psychology a foundational role *vis à vis* logic. First, by treating validity as a kind of reality, Lotze emphasizes the *objectivity* of logic. Logical laws tracking real validity are independent of contingent features of reasoning subjects, and the psychological laws that govern them. Second, by classifying the reality of logical rules as validity, Lotze emphasizes their *normative* status. Logical laws cannot be based on psychological laws, because they are normative standards, binding for (but not necessarily followed by) the thought processes described by naturalistic psychological law.

These two classes of reasons were separated by Lotze's successors, and led to two distinct conceptions of what is wrong with psychologism. The first kind of reason was most deeply developed by Frege, whose attacks against psychologism in the *Grundlagen* (Frege 1980 [1884]) and the *Grundgesetze* (Frege 1966 [1893]) rest ultimately on the objectivity of logic and mathematics. For example, Frege makes it a 'fundamental principle ... always to separate sharply the psychological from the logical, the subjective from the objective' (Frege 1980 [1884], x), and he famously quips that 'number is no whit more an object of psychology or a product of mental processes than, let us say, the North Sea is' (Frege 1980 [1884], 34). Frege does sometimes insist that logical laws, unlike psychological laws, serve as a normative standard for thinking, but for him, that point always depends on a more fundamental claim that logic treats objective, mind-independent laws of an abstract character, not facts about the subjective psychology of reasoners. Logical laws are norms for thought *because* they are objective, not the other way round.[14]

[14]That is, logical laws are norms for belief because belief aims at the truth, and they are objective truths – indeed, the most basic and general truths we can attain. The question of normativity is given comparatively more emphasis in the *Grundgesetze*. There, for example, Frege writes that psychologism rests on a failure to appreciate

> the double meaning of the word 'law'. In one sense a law asserts what is; in the other it prescribes what ought to be. ... The [laws of logic] have a special title to be called 'laws of thought' only if we mean to assert that they are the most general laws, which prescribe universally the way in which one ought to think ... But the expression 'law of thought' seduces us into supposing that these laws govern thinking in the same way as the laws of nature govern events in the external world. In that case they can be nothing but laws of psychology: for thinking is a mental process.
>
> (Frege 1964 [1893], 12–13)

But here, too, the decisive underlying point for Frege rests not on the distinction between natural and normative, but on that between the subjectivity of the subject matter of psychology and the objectivity of the subject matter of logic. For he goes on to complain that what is wrong with using such psychological laws as grounds for logic, is that they can at best be laws of someone's taking something to be true, rather than (objective) laws of truth:

> being true is different from being taken to be true, whether by one or many or everybody, and in no case is to be reduced to it. ... If being true is thus independent of being acknowledged by somebody or other, then the laws of truth are not psychological laws: they are boundary stones set in an eternal foundation.
>
> (Frege 1964 [1893], 13)

There is controversy about whether Frege's notion of objectivity is the same as Lotze's, and about the extent to which Lotze influenced Frege's view on the issue.[15] It is uncontroversial, though, that Frege knew Lotze's 1874 *Logik*. Dummett (1981, 523–5) himself convincingly shows that a fragment from Frege's papers was in fact a set of notes on Lotze's (1880 [1874]) Introduction.[16] While Dummett emphasizes some other disagreements evident in the notes, for the points of immediate concern to us the two philosophers are of one mind: in the words of Frege's notes, 'No psychological investigation can justify the laws of logic' (Frege 1979, 175; cf. Lotze 1880 [1874], §§ X, 332–3), and as we have just seen, both thinkers derive that conclusion (either in part or entirely) from reflections about the objectivity of logical claims. Differences between the respective conceptions of objectivity they deploy are not crucial for the present point: what matters is that both distinguish sharply between an objective order, to which logic pertains, and the potentially idiosyncratic (and therefore *merely* subjective) mental processes of reasoners, treated by psychology.[17] In Lotze, then, Frege found a line of anti-psychologistic reasoning based on the thought that a psychological approach to logic compromises its objectivity. He adapted the ideas to his own philosophical views, and developed the anti-psychologistic position that sparked dramatic controversies through its adoption by Husserl (1900).

The extended treatment in Husserl's *Logical Investigations* (1900) became the *locus classicus* for the anti-psychologistic conception of logic in the first decades of the new century. While some participants in the controversies it stoked were willing to charge Husserl's own phenomenology with latent psychologism, his detailed arguments were nonetheless widely credited as a

[15]Hans Sluga (1980) deserves much credit for his perceptive account locating Frege's thought in the contemporary German philosophical context, and he argued that Lotze's statement of the problem crucially influenced Frege; Michael Dummett (1981) has insisted in reply that, while Frege knew (at least some of) Lotze's work, their disagreements are more important than their areas of agreement. Treatment of the prominent controversy between them is beyond my scope here.

[16]The text in question appears as 'Seventeen Key Sentences on Logic' in Frege 1979, 174–5.

[17]This is not to deny differences between Frege's and Lotze's conceptions of truth and objectivity. For example, Lotze claims that

> it will be innocuous if we modify [the conception of truth] so that connections of ideas are true when they conform to the relations of the represented content which are the same for all representing consciousness, and not to the merely factual coincidence of impressions which take shape one way in this consciousness, and otherwise in another.
>
> (Lotze, 1880 [1874], § III)

To a rigorous Fregean, perhaps this would already amount to psychologism. But Lotze's 'identical for all consciousness' does not simply mean the same as 'identical for all (actual) consciousnesses'; Lotze's formulation is supposed to carry with it something like Kantian transcendental necessity, derived from the status of logic as a precondition for all possible inquiry. See, for example, Lotze 1880 [1874], § X, §§ 332–3. This stronger necessity allows the laws of logic to be distinguished as objectively valid, in contradistinction to contingencies of human psychology.

devastating indictment of the psychologistic program. Husserl himself does not give Frege much credit as a driving influence in his own conversion from the psychologistic philosophy of arithmetic he had advocated earlier (in Husserl 1891). While he does note his change of view (Husserl 1970 [1900], 179n), and even cites Frege's main works in philosophy of mathematics in doing so (i.e. Frege 1884, 1893), Husserl does not cite the review in which Frege explicitly criticized the psychologistic approach of Husserl 1891 (i.e. Frege 1894). Instead, Husserl prefers to trace his general arguments against psychologism to the beneficial inspiration of older, more famous philosophers like Leibniz, Kant, and Lotze (Husserl 1970 [1900], 212–21; §§ 57–61). Nevertheless, the similarity between Husserl's key *arguments* and the Fregean ones just sketched strongly suggests a more decisive role for Frege in shaping Husserl's thought. As we saw (and as Husserl himself notes at 1970 [1900], 218; § 59), Lotze's formulations tended to combine considerations resting on the objectivity of logic with those traceable to its distinctive normativity. In Kant too (at A 53–4/B 77–9, and in the *Logic*, Ak. 9: 13–14), the anti-psychologistic purity of logic rests heavily on the autonomy pertaining to logical rules as *norms* for thinking.[18] By contrast, Husserl follows Frege in emphasizing logic's objectivity as the fundamental factor, at the expense of considerations of normativity. In fact, Husserl rejects *as implicitly psychologistic* any argument that makes the autonomy of logic from psychology depend on the distinction between the normative question how we ought to think and the descriptive question how we do think. Both questions concern how we think, Husserl insists, so that tack threatens to make logic into a branch of psychology after all (see Husserl 1970 [1900] 90–7; §§ 17–20, and more generally, 58–89; chs. 1–2).

The second Lotzean line of reasoning against psychologizing logic – the reasons based on the distinctively normative force of logic and cognition, as opposed to the reflections about objectivity we saw in Frege and Husserl –

[18]For Kant, pure general logic is a 'canon of the understanding' (A 53/B 77), where a 'canon' provides 'a priori principles of the *correct* use of certain cognitive faculties' (A 796/B 824; my ital.). On this conception, logic is anti-psychologistic precisely because it focuses on the structure of the understanding's *correct* use (as to form), and thereby abstracts from what is proper to psychology – the particular 'contingent conditions of the subject, which can hinder or promote this use' (A 54/B 78–9). Those conditions are mere 'causes from which certain cognitions arise' and therefore 'concern the understanding under certain circumstances of its application', rather than the perfectly general norms to which its use is always subject, regardless of the circumstances (A 53/B 77). In the *Logic*, the centrality of normative considerations for Kant is even more apparent:

> Some logicians, to be sure, do presuppose *psychological* principles in logic. But to bring such principles into logic is just as absurd as to derive morals from life. … In logic we do not want to know how the understanding is and does think,… but rather how it ought to proceed in thought. Logic is to teach us the correct use of the understanding.
>
> (*Logic*, Ak. 9: 14)

This argument of Kant is cited and found insufficient by Husserl (1970 [1900], 92; § 19).

came to separate fruition in Windelband's *Präludien* (1907 [1884]), which appeared the same year as Frege's *Grundlagen*. Like Frege, Windelband developed Lotze's suggestions in his own direction – in his case toward a more orthodox Kantianism.[19] Given the Kantian concerns about normativity sketched above, this direction seems obvious. In the nineteenth-century context, however, Kantianism and anti-psychologism did not obviously go together; many readers at the time rather emphasized the psychological ring of Kant's claims that our mind structures experience. Windelband's move is therefore striking. It is not without precedent, however. His Kantian attack on psychologism must be understood as the heir to a new movement of Kant interpretation, which gained momentum throughout the 1870s, and restored prominence to Kant's emphasis on the principled autonomy of normative questions. This movement is a second key source, besides Lotze's *Logik*, of the philosophical motivations behind the psychologism charge.

3. NEO-KANTIANISM AND THE SOURCES OF ANTI-PSYCHOLOGISM

The 1871 publication of Hermann Cohen's *Kants Theorie der Erfahrung* marks a turning point, both in the history of Kant criticism, and (I will argue) in the development of the anti-psychologistic self-understanding of pure philosophy. Note, first, that in the first 100 years of its reception,[20] Kant's *Critique of Pure Reason* always had a strong school of followers who advocated a psychological interpretation of its theory of cognition. Readers from J. F. Fries (1807) to F. A. Lange (1902 [1873–5]) and Jürgen Bona Meyer (1870) saw Kant as offering a proto-psychological theory of the workings of the cognitive mind. On that reading, Kant's core question about how synthetic cognition a priori is possible can be understood as a question about the ways and means of cognition – to ask how knowledge is possible is to ask by what mechanisms the mind produces knowledge. Readers in this tradition often criticized Kant on the psychological details, but they praised him for opening up a new method for philosophy, founded on discovering the features of experience that are due to our own 'physio-psychological organization'.[21] Many also sought to correct and update the critical philosophy based on new psychological discoveries. For example, Lange

[19]By contrast to the relative underappreciation of Lotze's importance for the psychologism debates, his influence on the Southwest school of neo-Kantianism, through its founder (and Lotze's student) Windelband, has been well recognized. See, for example, Wagner 1987, and Oakes 1988, 101, 102–3. To my mind, in fact, Wagner rather overplays Lotze as a source compared to Kant himself, whose relevance for Windelband's concerns was brought out strongly by the rising neo-Kantian line of Kant interpretation discussed in the text below.

[20]This estimate is due to Hatfield (1990, 110).

[21]This characterization is due to Lange (1902 [1873–5], II, 30). Lange's entire chapter on Kant is

treats Helmholtz's doctrine of unconscious inference as empirical confirmation of Kant's hint that sense and understanding might have some 'common but to us unknown root' (A 15/B 29), as well as of the basic Kantian idea that logical structure is imposed onto experience by the setup of the mind (Lange 1876, II, 31–2; see also 408–31, esp. 420–8).

Although there is significant textual support for a broadly psychological reading of Kant,[22] the intended normativity of Kant's account of cognition raises problems for such readings, and Cohen emphasized the features of Kant's view that generate those difficulties. The point can be seen most clearly in Cohen's discussion of Kant's concept of apriority. Kant claims that various structures (space, time, the categories) are a priori preconditions of the possibility of experience, and he locates these in the transcendental mind. For the psychological reader, this may look like a claim about the *innateness* of these structures, and such an interpretation invites a Lange-style extension of Kant's thought by means of attempts to discover the innate mental structures through empirical psychology. But according to Cohen, treating the Kantian forms of experience as mental 'organs' that *cause* transformations of the incoming data of sense fundamentally misreads Kant's notion of apriority. Close to the heart of Kant's complaint against empiricism was a charge that it offered only a theory of the natural laws of cognition – what Kant calls a 'physiology of the understanding' (A ix; cf. A 85–7/B 117–19). Whatever such accounts might show about the way our concepts emerge *in fact*, they leave untouched Kant's main question, viz., with what *right* we can use them to produce justified, objective cognitions. Thus, even in cases like the Transcendental Deduction of the Categories, where Kant's argument clearly appeals to mental processes, and 'can admittedly [be] call[ed] psychological' in certain respects (Cohen 1987 [1871], 123), nevertheless any psychological

of interest for understanding nineteenth-century versions of the psychological reading, which eventually provoked (in response) the orthodox neo-Kantian, purely epistemological approach to the theory of cognition. Many psychological readers wanted to replace Kant's transcendental account with an empirical theory of the mind. For example, Lange claims that Kant's great merit was to advance the project to '*discover*' (Lange 1902 [1873–5], II, 29) the a priori components of experience, but that he had gone about the discovery in the wrong way:

> The metaphysician must be able to distinguish the a priori concepts that are *permanent* and *essentially* connected with human nature, from those that are perishable, and correspond only to a certain stage of development. ... But he cannot employ for this other a priori propositions... [or] so-called pure thought, because it is doubtful whether the principles of those have permanent value, or not. We are therefore confined to the usual means of science in the *search* for and *examination* of universal propositions that do not come from experience; we can advance only *probable* propositions about this.
>
> (Lange 1902 [1873–5], II, 31)

[22]Kitcher (1990, 84–6, 111–12, 135–6; 1995, 302, 306) and Brook (1994) offer recent accounts that compare Kant's ideas to results of contemporary experimental psychology. Their books also survey some of the textual evidence that make such comparisons illuminating for our attempts to understand Kant's theoretical philosophy.

interpretation of the key concepts of apriority and the transcendental must be forcefully resisted.[23] For Cohen's Kant, the transcendental forms that structure our experience are 'not psychological categories, but rather *epistemological conditions of the possibility of experience*' (Cohen 1987 [1871], 124).[24]

Indeed, this anti-psychologistic conception of the apriority and normative force belonging to transcendental principles motivated Cohen's main philosophical departures from Lange, whose sponsorship had aided his appointment at Marburg. Cohen gives clear voice to their differences in the otherwise laudatory 1881 Foreword he added to posthumous editions of Lange's *Geschichte des Materialismus*:

> The transcendental method searches not for the principles of human reason, but for those of the scientific validity conditioning the foundations of the sciences. Our organization [in Lange's sense] is, in so far as it comes into question at all, a question of psychology ... But the sciences lie before us in printed books. What makes them into sciences, whereon rests the character of their universality and necessity from which concepts can derive their valid cognitive value, ... that is a methodological question ... – that and nothing else is the transcendental question.
>
> (Cohen (ed.) in Lange 1902, I, x)

[23]See Cohen 1987 [1871], 1–2, 15, 38–46, 87–93, and 120–7. The underappreciation of Cohen's interpretation of apriority, and of the significance of this contrast with innateness in particular, is an unfortunate weakness of Köhnke's unsympathetic interpretation (1986, 273–301). Köhnke is determined to take Cohen's emphasis on apriority as a complete misreading of Kant, in the service of his larger program to attribute Cohen's position to political rather than internal philosophical motives. As a result, he misses Cohen's distinction between a priori *forms* of thought and innate psychological mechanisms, and thus the relevance of Cohen's new Kant interpretation for the question of psychologism.

On a more specific point, Köhnke charges that Cohen's reading underplays the role of the matter of sense in Kant's theory of cognition – and that may be true on balance – but Köhnke's own reaction ignores substantial evidence supporting Cohen, particularly the *Critique*'s strong emphasis on the a priori basis of all knowledge (in so far as it depends on the categories and forms of intuition). Köhnke's extended (pp. 284–9) attack on Cohen's use of Kant's slogan that 'we can cognize of things a priori only what we ourselves have put into them' (B xviii), is especially implausible. *Contra* Köhnke, Kant's claim about a priori cognition at B xviii can *not* be dismissed as one restricted merely to the case of metaphysical judgments; rather, it is an application to those judgments of the Copernican revolution's 'altered method of our way of thinking' (B xviii) *in general*. Kant expressly applies the same 'altered method' to natural science as well, at B xii–xiv.

[24]In this respect, Cohen (1987 [1871]) is in accord with the most influential readings of Kant's theoretical philosophy today. See, for example, emphasis on the epistemological (non-psychological) character of Kant's view in Guyer (1987, 232, 241–6, 303–5, 315–16, *et passim*). As an indication of the breadth of consensus on this particular approach to Kant, note that it unites otherwise widely diverse readings, such as Strawson 1966, Henrich 1976, Allison 1983, and Longuenesse 1998, as well as Guyer. Kant himself suggests an anti-psychologistic understanding of his notion of the form of experience at *Prol.* 4: 304, and A 85–7/B 177–19.

Contra Lange, the genuine transcendental question restricts itself to an investigation of the normative force, or cognitive *value* [*Erkenntnisswerth*], of concepts. That alone makes them fit to belong to an objective science marked by the universality and necessity that (for Kantians) go together with a priori foundations – foundations of a sort that could never rest on our 'physio-psychological organization'.

For Cohen, then, Kant's theory of cognition was never a *psychological* account of the *genesis* of cognitions, but an *epistemological* exploration of the sources of their *normative* or justificatory force. When, for example, Kant says that space is the form of intuition, he is not making claims within empirical sensory physiology, but pointing out that a system of spatial properties conditions all the objects of knowledge. From Cohen's point of view, this result has nothing special to do with the mind at all, and might have been more happily expressed as a claim about the dependence (in the order of reasons) of empirical knowledge claims on underlying, a priori mathematical knowledge claims. Despite Kant's own talk about the place of a priori structures in a transcendental mind, the Kantian a priori must not be understood as a psychological concept, applicable to innate, organ-like mental structures. On the contrary, it is a purely logical notion that addresses questions about the *validity* of knowledge.

Lotze had hinted at a similar distinction between apriority and innateness in *Mikrokosmus* (1876 [1856–64], 294–8), and after the appearance of Cohen (1987 [1871]), Lotze developed those early suggestions more explicitly in the 1874 *Logik* (see §§ 322–33, esp. § 322). But the idea that the distinction is already implied in *Kant's* use of the concept of apriority is clearly due to Cohen (Lotze disagrees).[25] Cohen's insight initiated a series of Kant books in the 1870s, including both scholarly works on Kant (e.g. Cohen 1873, Paulsen 1875, Cohen 1877), and attempts to revive the critical philosophy for contemporary adoption (e.g. Riehl, 1925 [1879]).[26] Although Riehl, for example, does not explicitly credit Cohen, he frames the problem in the same way: his chapter on the presuppositions of epistemology is organized around

[25]Cohen's endorsement of the Kantian position actually represents a conversion from earlier, psychologistic views, expressed in papers from 1867 and 1869 (reprinted in Cohen 1928, I, 30–140). Köhnke's (1986, 273 ff.) hypothesis that Cohen changed under pressure of considerations that arose in his attempt to overcome Trendelenburg's objection to Kant's theory of the apriority of space and time strikes me as plausible, though full discussion is beyond the scope of this paper.

[26]Riehl (1925 [1879]) presents an orthodox version of the Kant revival program, but Cohen's account of Kant even became influential in works of this sort by psychological readers. Lange, for example, writes that Cohen's book forced him to embark on a 'renewed review of the entire Kantian system' (Lange, 1902 [1876], II, 115) for the second edition of *Geschichte des Materialismus*, at the end of which he found that he 'must concur on most points with Dr. Cohen's interpretation' (Lange, 1902 [1876], II, 130). On the key point at issue here, however, Lange was not won over. He continued to believe that Kantian 'conditions of the possibility of experience' should be understood as rooted in our 'organization' as physio-psychical beings. This was the position criticized by Cohen in the passage quoted in the text above.

a sharp distinction between normative epistemology and genetic psychology, and this distinction is marked off by the characteristically epistemological notion of apriority. Riehl's discussion of apriority emphasizes Cohen's points (e.g. the sharp distinction between apriority and innateness, and the question of objective *validity* as the key epistemological question answered by claims of apriority).[27]

Cohen's attack on the psychological reading of Kant thus sparked a process that changed Kantian *Erkenntnistheorie* (theory of cognition) from a theory about the workings of the mind, into what we call epistemology – a science analyzing relations of justification between the mind-independent world, and certain mind-independent abstract objects, like the theories that 'lie before us in printed books'. In this sense, Cohen's Kant book ranks as the founding text of orthodox neo-Kantianism precisely because it offered a conception of the theory of knowledge as distinct on principled grounds from psychology and other branches of philosophy. That conception paved the way for the research program – prominent among neo-Kantians but also broadly advocated in different forms by other contemporary German philosophers[28] – in which normative epistemology was to replace the old speculative metaphysics in the role of first philosophy. As Cohen puts it,

> Metaphysics must become the critique of cognition [*Erkenntnisskritik*]. What nature might be does not concern us, insofar as we want to philosophize, and not poetize. But what natural science means, what makes it into science, into cognition which claims the certainty of knowledge, that is the question of the critique of cognition, that is the question of that philosophy which has freed itself from the librarian's title of metaphysics.
>
> (Cohen (ed.) in Lange 1902, I, xi])

The Cohen-inspired tradition of orthodox Kantianism from the 1870s gave shape to Windelband's deployment of the psychologism charge in the 1884 essay on philosophical method cited above ('*Kritische oder genetische Methode*?').[29] Windelband there frames his argument for the orthodox neo-Kantian stance as a defense of the true critical method, as opposed to a genetic method. He opens his apology for the critical, epistemological method with the claim that Kant's *Critique* was designed to overcome the rampant 'psychologism' of eighteenth-century philosophy (Windelband, 1907 [1884], 318). He thinks the point still needs to be argued, despite the

[27]See Riehl 1925 [1879], II, 8–16. This text raises some doubts about Rath's suggestion that Riehl's logic, epistemology, and theory of science are supposed to depend on 'psychological means' (1994, 76) in an unqualified way.

[28]Köhnke (1986, 58–105, cf. also 23–57) traces the emergence of *Erkenntnistheorie* as a philosophical discipline back to the early nineteenth century; figures such as Schleiermacher, Ernst Reinhold, F. E. Beneke, and Cohen's teacher Trendelenburg, play key roles in the story.

[29]Windelband 1907 [1884], 318–54. I cite the papers from *Präludien* in the pagination of the more widely accessible third edition of 1907, for which many of the papers were revised, but I have checked all claims about Windelband's 1884 views against the first edition.

nineteenth-century dominance of Kantianism, because even patently psychologistic writers – like Fries, Beneke, or those pursuing the new, '*völkerpsychologische*' direction in philosophy – all still claim the mantle of Kant. Like Riehl, Windelband follows Cohen in locating Kant's anti-psychologism, and also the essential normativity of his theory of cognition, in the concept of apriority, the correct understanding of which, Windelband claims, is the key to 'the most valuable of [Kant's] creations' (Windelband 1907 [1884], 320).

An additional fact strongly indicates that Windelband's 1884 view was in fact influenced by the 1870s Kant scholarship. In 1875 Windelband had published '*Die Erkenntnisslehre unter dem völkerpsychologischen Gesichtspunkte*'.[30] That paper begins with a clear statement of the natural/normative distinction, applied to distinguish psychological laws of belief formation from logical laws of reasoning; (Lotze's point is thus already in place). But Windelband (1875) nevertheless goes on to argue that logical laws *must* in fact rest on psychological ones (!), because all conscious states are governed by natural law. On this view, when we convince someone else by logical argument, what happens is that we *cause* in her the same natural-law-governed thought process that has occurred in us. Normative rules of reasoning merely pick out a subset of psychological thought processes as valuable, with a view toward one particular end, viz., getting things right. Even that end becomes salient only in the face of the practical problems of life, so empirical *Völkerpsychologie* (ethno-psychology) can provide a naturalistic explanation of it, too. Ethno-psychology traces the development of cultural efforts to address practical problems, and thereby tracks the historical progress of human thinking practices toward correct reasoning. Windelband thus proposes to replace a conception of logical laws as *unconditioned* norms, with a view under which they are *constantly conditioned* by the laws of our psychology (now including our cultural development).

From the point of view of Windelband's 1884 paper, this is a clear case of the psychologistic genetic method. Thus, at least one of his targets in 1884 was his own earlier work, which, indeed, paradigmatically exemplifies the '*völkerpsychologische*' direction in philosophy he later attacked (Windelband 1884, 319). Sometime after 1875, then, Windelband converted to the new, orthodox Kantianism that emphasizes the radical autonomy of norms from nature, and by 1884 he preaches the new gospel with all the zeal of a convert.[31]

[30]'The Doctrine of Cognition from the Ethno-psychological Viewpoint,' (Windelband 1875).

[31]In considering reasons for Windelband's conversion, it is worth noting that the same number of the *Zeitschrift* containing his 1875 paper carried a positive review of Cohen 1871, emphasizing the question of apriority, and also that Windelband's view was criticized in a note by the editor of the journal (Steinthal 1875). While sympathetic to the idea that achievements like the discovery of logical laws have cultural preconditions, and can be subjects for

After the shift, Windelband promotes the pure epistemological reading of Kant with an especially stark emphasis on the natural/normative distinction: 'the norm', he writes in another paper, is 'the central concept of the critical philosophy' (Windelband 1907 [1884], 307). The genetic method threatens normativity, because it takes the validity of norms as *merely* a natural fact. If this were right, validity would be explicable via natural law, and its distinctive normative structure would disappear. Windelband argues instead that our psychological states are subject to a 'double lawgiving' (Windelband 1907 [1884], 279), bound simultaneously by natural laws, and by normative rules which 'have nothing to do with the theoretical [i.e. naturalistic] explanation of the facts to which they refer' (Windelband 1907 [1884], 286). These norms pick out a subset of the naturalistically possible psychological states as the right ones to have because they answer to universally valid rules of action, feeling, or cognition (and we pursue universal validity as an end) – thus far Windelband still echoes his 1875 view. But by 1884, Windelband insists that neither the force of these norms, nor our recognition of that force, nor again the value of universal validity as an end, can be explained genetically. Instead, genuine norms simply have 'immediate evidence' for our consciousness (Windelband 1907 [1884], 293,

völkerpsychologishe investigation, Steinthal (citing Lotze) insists that such investigations must refrain from making logic itself psychological. This aspect of Steinthal's position is overlooked by Köhnke (1986, 365), who rejects any possible explanation of Windelband's change on internal philosophical grounds, being determined to trace it to Bismarkian political motives, tied to the anti-socialist hysteria that followed assassination attempts against the Kaiser in 1878. It is somewhat hard to understand what the connection is supposed to be between the present issues and the political concerns emphasized by Köhnke. But we need not pursue the matter in detail in order to reject Köhnke's interpretation, which is definitively vitiated by its unconvincing treatment of 'Über den Einfluss des Willen auf das Denken' (1878; reprinted in *Präludien* as 'Über Denken und Nachdenken'; Windelband 1907 [1884], 243–77). Köhnke alleges that Windelband's (more or less) bad faith political motives are revealed by the reprint's deletion of a sentence from the original article maintaining that beliefs in the moral/practical realm should not be treated as 'certain', but merely as objects of our 'lively hope' (Windelband 1878, 288). The passage is supposed to conflict with his *Präludien*-era view that there are objective and a priori norms (like the goodness of Bismarkian conservatism?) accessible with certainty by immediate intuition; hence the deletion. But, first, the deletion does not change the sense of the surrounding paragraph at all; if anything, its main point (about the problematic but intimate connection between knowledge and non-cognitive interests) is clarified and strengthened – an obvious reason for the edit. What is more important, the overall thesis of the article, while not definitively anti-psychologistic like the paper on critical method, nonetheless fits quite well with the general outlook of the value theory defended in *Präludien*. In its ringing closing passages, Windelband insists that the effects of the will (and its interests) on thinking must be constrained by a scientific commitment to truth, which first gives our thinking value, and which commits us to thinking 'as an ethical duty,' governed by the (fixed) 'rules of correct thinking' (1878, 296–7 = 1907 [1884], 276–7; cf. 274–7). Already in this paper, Windelband's conversion to a strict form of anti-psychologism is clearly underway, and his later interest in the dominion of values over thinking is already present (in an essay first delivered in 1877). Thus, it predates the assassination attempts, thereby refuting, not supporting, Köhnke's political explanation of the change in Windelband's views.

304, 317), and we *ought* to train ourselves so that the consciousness of that evidence is the most powerful force in our psychological economy: 'The realm of freedom is that province in the midst of the realm of nature, in which only the norm holds [*gilt*]: our task and our salvation is to colonize this province' (Windelband 1907 [1884], 317). The same anti-psychologistic views inform Windelband's late essay on logic for the *Encyclopedia of Philosophical Sciences*, which allows the importance of psychology in establishing scientific terminology for the cognitive states governed by logical laws, but (contra Windelband 1875) rigorously excludes psychology from any relevance to pure logic itself, on the grounds that the logical laws are normative: 'It must not be supposed to teach how people actually think, but how they *should* think if they want to think rightly. ... this customary definition sufficiently marks out the difference in principle between logic and psychology' (Windelband 1961 [1912], 23; *et passim*). However blunt and mysterious the notion of the 'immediate evidence' through which norms are supposed to bind us, or the quasi-platonic status of the norms to which it allegedly gives us access, Windelband has here clearly come over to the anti-psychologistic camp. His 1884 papers were among the earliest attacks on psychologism, and he remained a leading Kantian voice against it into the twentieth century.

Our first historiographical lesson, then, is that Cohen's Kant criticism, and the ensuing movement to replace the psychological reading of Kant with a normative, epistemological one, served as an important source of the philosophical motivations for attacking psychologism as a fallacy. Thus, at least two distinct streams of anti-psychologistic argument from the late nineteenth century contributed to early twentieth-century ideas about a 'pure philosophy' independent from psychology. The better- known strand emphasized the objectivity of our cognitive achievements, and its most famous expression in Husserl (1900) rises to sources in Frege, and thence to Lotze in certain respects. But there was also a second strand, which has received less attention in recent times, and which emphasized the irreducible autonomy of normative claims from all natural law, including psychological law. That line of thought was distinctively Kantian, and it fed into the psychologism controversy through Windelband (1884), rising ultimately to sources not only in Lotze, but also and crucially in the new understanding of Kant promoted by Cohen (1871). Given Kant's dominating influence in nineteenth-century philosophy, Cohen's move against the psychological reading of the Kantian theory of cognition was an important way to defend a strict distinction between naturalistic and normative questions in philosophy generally. We saw how Cohen's development of this approach shaped Windelband's attacks against psychologism, leading him to fall in with the orthodox Kantian assumption that the only way to explain a norm without reducing it away is to give it an unconditional, or a priori, basis.

The first point leads directly to a second historiographical lesson. The general program introduced by Cohen and developed by Windelband

provided the key founding inspiration for what deserves to be called 'orthodox' neo-Kantianism. The orthodox branches of the Kant revival are thus the two prominent Kantian schools of Marburg (founded by Cohen) and the Southwest (founded by Windelband). In the usage I would propose, therefore, Kantians count as 'orthodox' (or not) based on their commitment (or not) to the idea that every norm, or claim to 'validity', must have some a priori or non-contingent 'transcendental' basis.

The *philosophical* reasons for drawing this particular boundary are explored further in section 4, below. But I believe we can already see its usefulness as a *historical* matter. Again, practically all of the nineteenth-century participants in the 'back to Kant' movement called for 'corrections' to Kant's own views in various degrees (see Köhnke 1986). But only some of the thinkers influenced by Kant deserve to be called neo-Kantians, and only some of those fall into the most paradigmatic class of orthodox neo-Kantianism. Figures like Sigwart, Mach, and Avenarius deployed Kantian ideas and modes of expression, but without drawing substantially from Kant in the details of their core *doctrine*. They are not genuinely neo-Kantians at all, though they took broad inspiration from Kant. (In this sense, their debt to Kant might perhaps be compared to the philosophical influence of Descartes on Sartre, or Newton on Hume.) By contrast, philosophers like Helmholtz, Lange, or even Nietzsche (see Clark 1990; Anderson 1998, 2002; Hill 2003) may helpfully be seen as neo-Kantian in important respects, even though other influences crucially shaped their overall views, and they do not share the defining commitments of neo-Kantian orthodoxy as it played out in the later Marburg and Southwest schools.

In my view, it makes sense to count philosophers as neo-Kantian whenever they explore ways in which science and/or experience is shaped by constitutive principles that help to determine the form of our theories of the world. But where such Kantians opt for an empirical or naturalistic account of some or all of those principles, thereby denying them 'transcendental' or a priori status, they will be non-orthodox. By isolating the orthodox form in this way, we can preserve the breadth of the term 'neo-Kantian', so that it covers figures of indisputable importance to the Kant revival (e.g. Helmholtz, Lange, Vaihinger), while still identifying the key figures of the later schools as the core 'orthodox' Kantians (following Vorländer (1908, 423–36), who already referred to 'neo-Kantians in the narrower sense'). These later philosophers shared a commitment to certain central principles important to Kant himself, especially those connected to the transcendental, a priori standing of the results of the critical philosophy, and their role in underwriting our distinctively normative claims.

As we saw, the move to apriority rests in important part on a conviction that there simply are no contingent, empirical alternatives for explaining the special status of normative claims, not only in cognition, but also in the domains of value theory. That negative thesis seems to be motivated by the idea that any such alternative would compromise the characteristic power of

norms to bind us, thereby allowing precisely their *normativity* to slip away. I turn now to an exploration of this Kantian assumption.

4. WHY SHOULD NORMS BE ROOTED IN THE A PRIORI?

It is a basic Kantian intuition that norms can only be explained by appeal to an a priori ground, i.e. that a normative principle must be transcendental, and 'free from all influences of contingent grounds'.[32] This assumption plays an especially crucial role in moral philosophy, but despite some differences from the moral case, aesthetic norms and even cognitive norms governing which beliefs we ought to adopt are also supposed to require a priori grounds. Strikingly, this is so even when – as with the merely regulative maxims of theoretical reason like systematicity – we can only expect to fulfill them to the degree that the content of *experience* permits. But why should norms be so rooted in the a priori?

Following the ideas introduced at the beginning of section 2, one initial thought would be that the validity of norms, unlike that of empirical generalizations, is not compromised by cases that violate them. That suggests that norms might have one of the defining marks of apriority according to Kant, viz., alethic *necessity*.[33] But this route to apriority is too quick. Even the most orthodox Kantians acknowledge such a thing as a hypothetical imperative, binding only *if* some (typically contingent) condition obtains. Such imperatives exhibit the right direction of accountability to be norms (non-conforming actions or judgments are held accountable to the rule and counted as irrational), but given the potential role of contingent conditions, it is hard to see them as alethically necessary. All rules of prudence have this form: their binding force, their 'ought,' depends on what ends one happens to have, and which strategies happen to be likely to further them – contingent facts that can normally be revealed only through empirical investigation.[34] Even if the hypothetical 'ought' itself requires some further explanation and defense,[35] the particular imperative in the consequent is not yet shown to be necessary – where that means

[32]The quotation is from Kant's *Groundwork*, where he articulates this assumption for the case of principles of morality, which

> must have their source entirely and completely *a priori*, and, at the same time, *must have their commanding authority from this* . . . . Hence everything empirical . . . is highly prejudicial to the purity of morals, where the proper worth of an absolutely good will . . . consists just in the principle of action being free from all influences of contingent grounds.
>
> (Kant 1997 [1785], Ak. p. 426, my emphasis)

[33]Kant identifies necessity as a definitive mark of apriority from the very beginning of the first *Critique*; see, for example, B 4, A 1–2.

[34]Fred Dretske (2000) defends an approach to cognitive norms which treats them as dependent in a similar way on contingent facts about us. On his view, truth is not by itself a normative notion at all, but a purely descriptive relation of isomorphism between representations and the

something like 'could not be otherwise,' or 'true in all possible worlds'. After all, the antecedent condition is *not* met in all possible worlds, and where it is not met, the particular imperative is not binding.

Perhaps, however, the 'further explanation' of the hypothetical ought is what is really important. For example, suppose I acknowledge the imperative that I should drive to the airport, since my friend will be arriving there, and my end is to see her. The imperative obtains only given contingent conditions (the expected arrival, my having the end), but its underlying normative force might nevertheless depend on an unconditional principle. In this case, plausibly, the hypothetical imperative is underwritten by the principle of instrumental reasoning ('Who wills the end, ought to will the means'), which might be true at every possible world.

I have reservations about whether alethic necessity is really the right way to characterize the hold of the instrumental principle, but I will not explore that question here, for even if it were, it would still be difficult to reach the Kantian claim that *all* normative claims are a priori. One might well doubt, first, whether the *entire* grip of the particular imperative that I should drive to the airport is in fact inherited from the instrumental principle, to the exclusion of my contingent end, and so doubt whether the force of the *particular* imperative is fully a priori. There are also broader issues. Is there really an underlying principle for *aesthetic* norms, or *legal* norms, that is, plausibly true in every possible world? The standard of taste certainly seems to be dependent on contingent cultural or psychological factors, and legal norms appear to have binding force and be genuinely normative even while varying from one town to the next. Finally, it is possible to raise questions even in the case of basic demands of practical rationality, like consistency among core values. For example, although Nietzsche insists that Christianity imposes a deeply self-defeating pattern of values, he nevertheless holds that some people are best off being Christians, because they are so seriously weak of will that the self-discipline of asceticism is beneficial for them, even though, in the end, it involves them in characteristic forms of practical irrationality.[36] If such a view is even possible, then whether I ought to accept principles of consistency, instrumental rationality, and the like,

objects they are about. Insofar as there are cognitive norms, they arise only because we happen to prefer representations and beliefs of a certain sort (the true ones), and therefore pursue those. This desire, or end, on our part is a completely contingent fact about us.

[35]For a complicated, interesting (and largely orthodox Kantian) argument that the binding force of hypothetical imperatives *does* require something more than simply the meeting of the antecedent condition, see Korsgaard 1997, and note 37, below. Wood (2001) expresses a similar intuition.

[36]For a compelling discussion of the self-defeating structure of values Nietzsche has in mind, see Reginster 1997. For my point here, of course, Nietzsche need not be right that this analysis captures Christian values. All I require is that there could be such self-defeating patterns of values, and that it may be best for some people to adopt them, despite the resulting practical irrationality.

seems to depend on a contingency – my being a person of a certain sort, having certain needs and capabilities.

I think the Kantian needs an argument of an entirely different sort, which focuses on what is supposed to be distinctively unavoidable or unconditional about normative principles as such, as distinguished from theoretical laws that carry necessity in the alethic sense. One might then argue that even if merely hypothetical imperatives are not (alethically) necessary, they still possess a distinctive kind of *normative* force – a special kind of 'must' – which derives from some underlying a priori source. For example, it is a merely hypothetical imperative that I ought to cultivate my talents and abilities, *if* I want to live a full and rewarding life. As such, the imperative does not yet settle, but only postpones, the question whether its ought really binds me. The question remains whether I ought to strive for a full and rewarding life. If that question, in turn, is answered by a hypothetical imperative (e.g. that if I am a particular kind of person, then I ought to pursue such a life), then the force of the ought is still postponed, because it depends on the question whether I ought to be that sort of person. Christine Korsgaard (1996) has recently promoted arguments along these lines, which are responsive to the Nietzschean worry raised above. She agrees that my (normative) reasons for action are rooted in what she calls a conception of my practical identity (e.g. I have a reason to grade these papers, based on my practical identity as a teacher). But, Korsgaard insists, to be truly rational (indeed, to be truly an agent at all), I need normative justification for having that practical identity in the first place, which can be provided in turn only by reasons arising from another practical identity, and ultimately by reasons grounded in some *non-contingent* practical identity, which alone can stop the regress, and provide a full justification.

The underlying intuition is that in hypothetical imperatives – and in imperatives based on contingently held practical identities – the genuine normative demand remains suspended. The suspension, it is claimed, cannot be lifted by any merely factual condition, precisely because the mere truth of the antecedent condition always leaves the further open question, 'Yes, but *ought* things to be so?' – where the imperative's binding force depends on an affirmative answer. If things ought not to be as the antecedent suggests (if I ought not to pursue a richly rewarding life, ought not to be a proud and flourishing person, etc.), then all things considered, I ought not to act on the imperative by cultivating my talents. In order for imperatives in the series to be genuinely binding, then, it appears that the regress of oughts must be stopped by some further *categorical*, or unconditional, obligation. Since it is unconditional, the thought goes, this obligation cannot depend on contingent empirical circumstances, and must be a priori in some sense.[37]

[37]Thus, in (1996) Korsgaard argues that, in seeking to ground my reasons for action in a conception of my practical identity, there is an irresistible regress through all possible

On reflection, however, it seems that the obviousness of the regress (i.e. the obviousness of asking the open question about whether things ought to be as the antecedent condition supposes) is itself motivated by the prior assumption of the very Kantian intuition under investigation. The argument that hypothetical normative demands remains 'suspended' in the specific way just described effectively assumes that the antecedent condition of a hypothetical imperative must really be an implicit *recommendation* (e.g. that I *should* have a particular practical identity), which itself already and intrinsically calls for normative evaluation. That is why it calls forth the open question about whether things ought to be so. If instead we took the antecedent condition to refer to a simple matter of fact, then the regress of oughts would never get started. On that reading, the question whether I ought to cultivate talents could be settled – given the validity of the hypothetical imperative, i.e. the truth of the conditional expressing it – simply by ascertaining a fact of my psychology, viz., whether I happen to endorse the end of pursuing a rewarding life.[38] The question for the Kantian, then, is why every condition in a hypothetical imperative must involve an implicit normative claim which itself requires further justification. Clearly, the Kantian answer to that question would follow if we

contingent identities I might have, so that I reach a genuine ground for my reasons only in my non-contingent practical identity as a human being as such. Korsgaard seems to believe in addition (in her 1997) that even the force of the 'ought' in a *hypothetical* imperative, *by itself*, cannot be explained unless the imperative makes itself *necessary* for the agent, in the right sort of way. But 'the right sort of way' here takes 'necessary' to mean not alethic necessity, which is Kant's mark of apriority, but something like 'rationally necessary' (Korsgaard 1997, 221), or 'necessary if I am to be a rational agent'. Korsgaard could still infer the apriority of a norm from such necessity, if in fact my identity as a rational agent is a strictly necessary identity for me, but here we return to the considerations made prominent in her 'regress of conditions' arguments (from 1996), which to my mind are the fundamental ones here.

[38]On this interpretation, in effect, all the imperative force is contained in the consequent, and so it binds (or not) as a simple function of the truth of the antecedent and the validity of the hypothetical imperative as a whole. I admit that in this argument the *validity* of the hypothetical imperative is assumed; precisely that is the home of the normative force, whose applicability then depends on the (factual, contingent) truth of the antecedent. But again, that assumed normative force gets 'engaged' and binds me only given some additional contingent fact (the truth of the antecedent), and this point suggests that some serious argument would be needed to show that its validity must depend on a priori grounds. The considerations in the text are meant to indicate that Korsgaard type regress considerations do not yet do this work.

I would even be willing to concede for purposes of this argument that it might be true that any psychological fact capable of satisfying the antecedent would have to be something like 'having such-and-such end (for a reason)', and not *merely* 'having such-and-such desire'. (The thought would be that even the hypothetical 'ought' always raises the question whether I have *reason* to satisfy that desire; see Wood (2001) for discussion.) Still, the concession does not yet settle the question of apriority, since it could be a *contingent* fact about me that I have a reason, for example, to adopt the pursuit of a rich life as an end. The apriority or non-contingency of the basis for every norm follows only if 'having an (objective) reason' must be an a priori or non-contingent fact about me. But this is just to assume already the very Kantian intuition in question, that reasons, or norms, must have an a-priori basis.

already thought that truly normative imperative force could never depend on a simply factual antecedent condition, or any other contingent empirical ground. But that solution would take the intuition that normative force is non-empirical as a presupposition, rather than supporting it as a proof.

These worries are reinforced by the observation that arguments like those considered so far make Kant's own account of regulative maxims of reason and aesthetic judgments perplexing. Such norms have *subjective* validity, according to Kant himself, by which he means to insist that there is always a condition, contingent in at least some sense, on which the norm depends. That is, for Kant it is because of something about us – our faculties and our theoretical desiderata – that we ought to think of organisms as thoroughly purposive, or of nature as maximally systematic, or of particular configurations within nature as beautiful. The relevant facts about us are not rooted in any sort of strictly necessary identity (practical or otherwise); the fact that we could be otherwise is precisely what reduces the resulting norm to merely subjective status. Other beings might have other identities, and then the norms would not be binding for them – for again, they are not objectively valid norms. Nevertheless, Kant's official view is still that the normative judgments in question are supposed to rest on some a priori ground. It thus seems unlikely that any sort of appeal to necessity (or non-contingency) was his ultimate basis for the general view that norms need a priori grounding. Arguments of the Korsgaardian variety considered so far, which would rule out subjecting any 'ought' to conditions that are in any way contingent, therefore do not seem to be the right way to go. Such arguments prove too much, by eliminating the possibility of subjectively valid norms.

I propose that the real motivations for this Kantian link between normativity and apriority derive fairly directly from the structural incompatibility of normative rules and causal rules I rehearsed above. That is, what is fundamental is just the rigorous *conceptual independence* between the normative and the natural with its attendant difference in direction of accountability, regardless of the necessity of the rules themselves. In philosophy of biology, for example, Kant argues that naturalists (i.e. biologists) assume it as a maxim of theoretical reason that no structure within an organism is in vain – i.e. without a purpose, or function. This maxim needs a priori grounding, according to Kant, because otherwise we could not explain why the naturalist ought to keep looking for the function of an organic structure, even when experience suggests none. That is, the maxim's normative regulative force *by itself* indicates that it must have an a priori basis, just because it must relate to experience following the pattern of normative rules, and not that of natural rules which we discover through experience. Even though it is *not* necessarily true that we will be able to identify such a function, still the normative rule must not be liable to simple disconfirmation by recalcitrant experience if it is to function as a regulative principle of inquiry. With such maxims of reason, we are to hold experience

accountable to the maxim, and keep searching for a way to make the data fit with it.

The Kantian domain of nature is a closed system of causal interactions strictly ordered according to descriptive naturalistic rules, and it simply has no place for normative rules with this other direction of accountability. Since Kant identifies the principles of nature and the principles of empirical knowledge, the need for a clear separation of norms from the realm of nature then provides a general motivation for making norms non-empirical, or a priori. Normative rules remain binding even when violated in the natural world, so their validity must have sources independent from the experiential domain – i.e. a priori sources.

My discussion in this section has focused largely on practical norms, where the Kantian treatment proves to be simpler in some respects, but examples like the maxim governing biological theorizing show that cognitive norms, too, deserve a basically parallel account. In so far as they are construed as rules for governing our formation of judgments and cognitions, such norms share the same direction of accountability as the more familiar practical norms. Cognitions that fail to conform to valid epistemological (*erkenntnistheoretische*) rules are nevertheless held accountable to them, and counted as mistaken (e.g. they must be dreams, illusions, misjudgements). Moreover, since the relevant rules are binding for experience even when violated, they must be a priori.

In Kant himself, this normative work is carried out by rules of cognitive synthesis, operating under the aegis of a principle aiming at the maximal unity of possible experience. Parallel to the practical cases, the normative force of such synthesis rules is taken to imply their a priori status. It is in this sense, I would argue, that the a priori status of cognitive structures like space, time, and the categories can help to explain the normativity of cognition. The structure of the synthesis rules connected to our a priori categories is not dictated by the matter given through sensation, so it has standing independent of how the details of experience are filled in (see B 163). Experience, and with it nature itself, is held accountable to the categorial structure, rather than the other way round. If the structure of our categories *were* affected by experience, then their operation could not be normative for any possible experience. On the contrary, some experiences would have the power to shape (i.e. to disconfirm) the categories themselves.[39] Admittedly, the Kantian account of such cognitive rules is complicated by the very fact emphasized above – that Kant seeks to *identify* the principles of nature and the principles of empirical knowledge. As a result, the content of a rule of cognitive synthesis (e.g. the law of cause) may

[39]There are far-reaching and subtle issues connected with this picture of the way the categories and forms of intuition contribute to an explanation of the normative force of cognition, which I lack the space to pursue in detail here. I provided a sketch of some of the relevant issues and Kant's approach to them in Anderson 2001.

be taken in a twofold way. Construed as a rule governing the necessary connection among appearances, it fits to the world as a descriptive law. But the law may also be taken as a rule governing our synthesis of representations, in which case it fits to its instances like a normative rule. Thus, syntheses failing to conform to the law of cause are rejected as non-veridical: in Kant's words, if I have such representations, 'I would have to hold it to be only a subjective play of my imaginings, and if I still represented something objective by it, I would have to call it a mere dream' (A 201–2/B 247). This twofold role of the principles of theoretical philosophy is of course made possible by Kant's transcendental idealism, according to which the general rules for our representation of nature are at the same time laws for nature itself (see A 126–7, B 164–5, A 158/B 197, *Prol*. 296, 320). But the fact that the content of theoretical principles can be taken in these two different ways should not obscure the deep parallel between cognitive *norms* and their practical counterparts. In both cases the instances (of judging, cognizing, acting) are to be held accountable to the rule, which remains binding despite any violation, and which is therefore supposed to rest on a priori ground.[40]

For Kant, then, the very possibility of a normative analysis of any practice we might consider depends on its having a ground outside the reach of the system of nature. Note, though, that this is not because of some special, mysterious character of the transcendental realm as such, whereby it gains norm imposing power. What does the work is rather just that *there is* a distinct order outside nature.[41] That order affords *space* (cf. B xxx) for the operation of normative rules. Thus, the argument here is purely negative; the thought is that there is no home for normative rules within (empirical) nature, and so their home must be outside the empirical, i.e. a priori.[42]

5. CONCLUSION: ORTHODOX NEO-KANTIANISM AND THE SEARCH FOR A PRIORI NORMS

If the reflections of the previous section are correct, then the deepest motivations for Kantian intuitions about the apriority of norms rest on the structural differences between natural and normative rules canvassed at the

[40]Thanks to an anonymous reviewer for this journal for pressing me to become clearer on the issues raised in the last several paragraphs. For interested readers, further discussion of points concerning the Kantian account of cognitive normativity may be found in Anderson 2001.

[41]This space 'outside' of nature might take very different forms. Kant himself of course depends on the distinction of the appearances of nature from things in themselves; Korsgaard (1996, 1997, esp. 322–3, 344–54), by contrast, focuses on the difference between third-person, and first-person, or agent-centered, conceptions of ourselves to do much of the same work.

[42]My thoughts in section 4 are especially indebted to conversations with Nadeem Hussain and Tamar Schapiro, though of course neither can be held responsible for my persisting in some of the views I express here, which they will probably still take to be mistaken.

beginning of section 2. In Kant's own account, of course, the independence of the two has a far-reaching philosophical explanation, in terms of a principled distinction between the realm of nature and a separate transcendental realm. It is Kant's idealism, then, that underwrites the 'space' outside nature needed as a home for independent normative rules, and the same doctrine simultaneously explains how our theoretical norms lead to *true* cognitions (the rules of correct use for the understanding themselves 'prescribe' the laws of nature, guaranteeing a match between justified belief and the character of the appearances). Kant, of course, tightly links the distinction between natural and transcendental realms to a whole series of further basic distinctions that shape his overall system. Perhaps the most notable of these mark off appearances from things in themselves, and the active intellectual cognitive faculties that deploy concepts from an independent 'receptive' faculty of sense that delivers intuitions. But in addition, Kant's distinctions between the constitutive and regulative, and the theoretical and practical uses of reason, among others, are systematically linked to the same structural 'dualism' of his philosophy.

This very context indicates that the pattern of argument under consideration must generate significant systematic concerns for neo-Kantian efforts to appropriate and reform Kant's notion of the transcendental. Precisely these Kantian distinctions – particularly the first two (appearance/thing-in-itself and intellect/sense) – have seemed highly dubious to almost all Kant's followers, including the orthodox neo-Kantians. The problem for neo-Kantianism, then, is to maintain the independence of the transcendental without Kant's appeal to the thing-in-itself, and without his distinction between the understanding and sensibility as independent sources of cognitive principles. Worries about the dualism of the Kantian system are quite general, of course, and famously go all the way back to classical German Idealism, but the specific version of the problem that arises from the autonomy of norms was explored most extensively in the Southwest school of neo-Kantianism. By way of conclusion, I will summarize some difficulties faced by Windelband and his student Heinrich Rickert in their efforts to develop a satisfactory account of a priori norms and our access to them. This quick sketch will serve to indicate some of the issues facing any neo-Kantian program that seeks to maintain an orthodox account of transcendental principles, while avoiding commitment to Kant's own form of idealism.

For Windelband, again, Kant's great achievement was to have perceived the need for a fundamental separation between normative and naturalistic rules. The characteristic stance of pure philosophy was its recognition that the *validity* and *rationality* of normative commands would have no sense at all if they were not strictly distinguished on principle from all causal laws (Windelband 1907 [1884], 281), and that, indeed, is why the norm rates as 'the central concept of the critical philosophy' (Windelband 1907 [1884], 307). But Windelband rejects Kant's explanation of the independence of

norms, which was accomplished by strictly 'oppos[ing] the realm of freedom against the realm of nature' (Windelband 1907 [1884], 316).[43] He thinks Kant's move was simply an overreaction to the prevalence of genetic explanation within the eighteenth-century world-view. Windelband insists on a less dramatic solution, which locates norms *within* nature itself, as rules capable of making themselves felt by rational beings and thereby becoming determining grounds of their actions. Thus, again, our actions are subject to a 'double lawgiving' (Windelband 1907 [1884], 279; see also 278–316). From the standpoint of empirical psychology, they are the result of straightforward causal laws, but from the separate standpoint of normative evaluation, they arise from the acknowledgement of a universally valid norm, where that has become the decisive attitude in our moral psychological economy. The crucial difficulty, then, is to explain the difference between the two 'standpoints' without appeal to Kant's own distinctions.

It is here that Windelband's view proves unsatisfactory, leaving both the metaphysics and the epistemology of a priori norms shrouded in mystery. He initially suggests that normative rules are just distinctive patterns of connection among psychological states, thereby treating psychological causal laws and normative rules as two different descriptions of the same domain of facts (Windelband 1907 [1884], 286–7). But valid norms must not be *reduced* to any set of psychological attitudes or any law-like relation among them, on pain of psychologism. On the contrary, norms are independent principles of judgement in terms of which any such psychological states may be assessed, and potentially found wanting. Unfortunately, Windelband then has no acceptable account of what such norms are, or how we know them. He can offer only the blunt assertion that they provide an 'ideal' (Windelband 1907 [1884], 316), specified by rules that carry with them an 'inherent' 'immediate evidence', which allows them to be 'determining powers' in our psychological lives (Windelband 1907 [1884], 317). But what is it for a norm to be 'ideal'? Its ideality cannot amount simply to its being a mental phenomenon, for again, the normative rules themselves cannot be identical to the psychological states that actually enter the causal chains leading to behaviour, nor to the psychological laws that describe the patterns among them. One is tempted to conclude that, for Windelband, norms are supposed to be *ideal objects* of some sort – real, transcendental (and therefore non-natural) objects of 'immediate' knowledge – but he offers no account of the metaphysics of such entities, and no explanation of how they could exist as a 'province' 'in the middle of the realm of nature' (Windelband 1907 [1884], 317) – all the while without being subject to natural law. Nor is there any persuasive explanation of the 'immediate evidence' through which we are supposed to gain knowledge of norms, or of how it is 'inherent' in them. On this issue, Windelband's view is

[43]Windelband explicitly complains of Kant's 'dualism, whose overcoming ought to become the most important task of his followers' (Windelband 1907 [1884], 316).

particularly worrisome from a Kantian point of view. It is unclear what any such immediate evidence could be, if not the old rationalist power of intellectual intuition already refuted by Kant.[44] In the end, then, Windelband's anti-psychologistic rejection of Kant's appeal to the transcendental mind does not help matters. It just leaves him with nowhere to house the a priori norms, and no clear epistemology explaining our access to them.

Heinrich Rickert attempts to address these worries – and to cash the promissory notes left outstanding by Windelband's account of a priori norms – by means of a regressive, transcendental argument. He thought such an argument might deliver a system of values that could guarantee the objectivity and autonomy of normativity, without Windelband's implausible appeals to brute, immediate intuition of transcendental norms. In the end, though, the argument fails to provide a persuasive resolution to worries about the transcendental status of normativity.

Rickert's transcendental argument claims that objective, a priori norms are presupposed by any supposedly valid claim at all, including any assertion that *doubt* about the existence or validity of such norms is justified (see Rickert 1929 [1902], 673–96; Rickert 1913, Rickert 1921, esp. 112–45). The denial of absolute values would then be self-refuting, with the result that *some* values must be objective a priori, or as Rickert sometimes puts it, 'suprahistorical' (Rickert 1913, 298), even if we do not know precisely which values those are.[45] Rickert's central example is truth: the denial of truth's unconditional value takes the form of a (purportedly universally valid) claim that no universally valid truth claims are possible, and it thereby defeats itself (Rickert 1929 [1902], 678–81). His reasoning is thus a version of the traditional argument that relativism is self-refuting, which goes back to the Platonic dialogues.

In this respect, Rickert's approach is a relatively limited application of the general strategy of transcendental argumentation. In Kant, a transcendental, or 'regressive', argument defends a principle by showing it to be a precondition of some practice that is already assumed to be valid – for example, Kant argues that space is the a priori form of our intuition, because that principle is (he claims) a condition of our valid knowledge of geometry.[46] For this strategy, obviously, the richer the original practice

[44]Allen Wood has suggested (in conversation) that the problematic epistemology pertaining to transcendental (or otherwise radically objective) norms can be seen as one strong motivation for non-cognitivism about value. Since it is so difficult to give an *epistemology* describing our cognitive access to objective values, it is tempting to conclude that our access to value is not cognitive at all. Windelband's emphasis on the 'immediate evidence' of a priori valid values is especially unhelpful from a Kantian point of view, since, *qua* immediate, such evidence would have to be intuitive in character (see A 19/B 33). But it is a basic starting point of the critical philosophy that we have no intellectual intuition of the sort that could provide access to non-sensible, a priori values (see B 68, B 71–2, A 51/B 75, B 135, B 138–9, and B 145). I reconstruct Kant's argument for the impossibility of intellectual intuition in a different context in Anderson 1998.

[45]See Wood 2001 for a clear current discussion that echoes this strategy.

from whose validity we begin as the basis for our regress, the more powerful the principle will be that we are ultimately able to defend. Rickert, however, does not begin his argument from a richly articulated normative achievement, like geometrical knowledge, or possible experience in general, or the self-conception of rational agents as members of a cosmopolitan community.[47] His argument rests on the very thin regress base of the sceptic's own assertion: for the sceptic to make his claim doubting objective values, at least some suprahistorical value (truth) is presupposed. As a result, the system of values for which Rickert guarantees 'suprahistorical' status is likewise not very rich. By his own account, he can derive only a 'formal' system (Rickert 1913, 301, 303, 322, *et passim*) that classifies different types of value, and an equally 'formal, logical' value of truth (Rickert 1929 [1902], 680). In no way, for example, does the system help us decide which claims are true, or which of two goods is more valuable, or even how to adjudicate competing claims from the different classes of value distinguished in the system (e.g. cognitive, aesthetic, ethical, personal).[48]

Rickert's reluctance to begin from richer assumptions is understandable. It is implausible (especially given Kantian restrictions on metaphysics) to suppose that we have direct access to unconditionally valid, a priori norms after the fashion of Windelband, so the only plausible candidate starting points for the transcendental strategy are the actual normative practices and achievements of historically given cultures. But it is equally unconvincing simply to assume that those achievements must have absolute or unconditional validity. They might of course be overthrown in the future. Rickert is therefore keen to insist that he means to offer an 'open system' of values, designed to accommodate the possibility of future normative progress (see Rickert 1913, 1921). For that very reason, the a priori, unconditional, 'suprahistorical' values *must* be *merely* formal. The consequence is that any attempt to come to a substantive decision about

[46]See Kant's *Prolegomena*, Ak. 4: 280–5; cf. the *Critique*, at A 24, B 40–1.

[47]The first two examples figure famously in the strategy of the *Critique of Pure Reason*; the latter is deployed in similar fashion by Wood 2001.

[48]One way of thinking about the lack of power in Rickert's system of values is to note that his classification of different types of value operates by dividing the class of values into exclusive and exhaustive subclasses, according to the method of traditional logical division. As I have argued elsewhere (Anderson 2004, and forthcoming), such a method produces all and only *analytic* truths. Kant's own uses of the transcendental method of argument arrive at more powerful, *synthetic* results precisely because they begin from a more substantively conceived regress base, including ultimately, the possibility of experience.

In addition, it is worth noting that in any merely analytic system of the Rickertian sort, the members of a division must exclude one another. For that reason, once Rickert distinguishes different sorts of value in his system (the primary division separates cognitive, ethical, aesthetic, and personal value) he renders these realms of value completely incommensurable. It is unclear how such a scheme could underwrite the objectivity or rational force of complex normative judgments in which we balance competing values against one another.

particular values themselves, or their rank ordering, takes us beyond the bounds of genuine scientific philosophy (Rickert 1913, 322–7).

Once this point is appreciated, however, it becomes apparent that Rickert's argument does not prove what he thinks it does, even if sound. If successful, the argument shows *on a priori grounds* that our practices (including that of doubting a priori values) commit us to some objective norms (though the argument cannot show which ones). We need some such norms to guide our practices, and allow discrimination between better and worse beliefs we might adopt or actions we might perform. But that does not yet show that the norms are *themselves a priori*, or unconditional, rather than contingent achievements of our historically situated culture; all it shows is that we have them (objectively). That is, it might be a priori true (because a precondition of believing and reasoning at all), that our believing and acting must be bound by some objective, reason-giving norms, without its following that the norms we recognize (or the reasons they give) are a priori ones. Rickert fell victim to a scope ambiguity fallacy: he thought he had an objective argument for a priori, or transcendental, values, but what he had was an a priori, transcendental argument for objective values, which might or might not themselves be a priori. Rickert probably believed, as orthodox Kantians are wont to do, that values could not be objective in any sense without being unconditional and grounded a priori, but this is precisely what remains to be shown.

In the end, then, the value theories at the centre of the system of philosophy for the Southwest neo-Kantians fail to resolve the basic philosophical problems about the transcendental status of a priori norms. In Rickert as in Windelband, it is very tempting to conclude that, metaphysically speaking, transcendental norms would simply have to be Platonic ideal objects, of just the sort that the Kantian critique of transcendent metaphysics rendered problematic. Moreover, none of the attempts by Southwest neo-Kantians to account for our access to such norms succeed to offer a plausible epistemology, capable of explaining how we grasp the a priori transcendental norms in such a way as to render rational our rich, fully articulated normative judgments.

On the broadest systematic issues in this neighbourhood, the Marburg school of neo-Kantians arguably developed a more promising set of theoretical resources. In particular, Ernst Cassirer (1953 [1910]) starts from the much richer regress base of the exact natural sciences, and so reaches a more powerful philosophical system than Rickert's (1921). Moreover, Cassirer develops a principled distinction between the function-concepts we use to construct objects of experience through mathematical theories, and ordinary thing-concepts, arrived at by mere abstraction from experience, whose logical relations are limited to expressively poor relations of analytic (genus/species) containment.[49] That distinction affords Cassirer some resources to mark off an informative logical contrast between, on the one side, the constructive principles underlying theoretical concept formation,

and on the other, the contents of perception that such concepts transform into full-fledged objective experience – and indeed, to do so without falling back on Kant's own core distinctions between sense and intellect, and ultimately appearances and things in themselves. The extension of Cassirer's ideas to the questions about a priori norms that exercised Windelband and Rickert is no simple matter, however, and I lack the space to pursue that here. Suffice it to say, for now, that recent scholarship has noted serious worries for Cassirer himself in obtaining an adequate treatment of questions much like the ones raised here under the rubric of 'directions of accountability'. In particular, it is not clear that the Marburg logical idealist conception of empirical reality itself as just the ideal limiting 'X' on which the progressive series of scientific theories converges is sufficient to do justice to the sense in which the highly structured theories of mathematical natural science must be accountable to experience, just as much as experience itself must be accountable to the a priori logical norms of cognition.[50] (In Kant himself, of course, such issues are addressed precisely via the strict distinction between the intellectual faculties and the passive faculty of sense, along with such related distinctions as that between constitutive and regulative principles – all of which are rejected by the neo-Kantians.)

In conclusion, then, historical investigations of the orthodox neo-Kantian movement are unlikely to offer clear and convincing resolutions to the dilemmas that face efforts to make Kant's theoretical achievements fully available for current philosophical theorizing. Still, close consideration of their insights and their limitations does pose questions and problems which are highly illuminating for us today, in light of continuing efforts to give satisfactory form to more or less orthodox versions of Kantianism. In the present study, I hope to have outlined both some basic constraints proper to Kantian orthodoxy, and some key issues facing the neo-Kantian research program. In each case, I have argued, the complex historical connections between Kantianism and psychologism are crucial to a proper understanding of the issues.

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NB Citations are to the editions contained in the following list. Where relevant, the date of the earliest edition containing the cited material is provided in square brackets. All translations from German are mine, unless the translation is noted below. Where a translation is cited, I have followed it with only minor alterations (unless noted).

[49]The limits of judgments based on this sort of concept containment were identified already by Kant. See Cassirer 1953 [1910], 3–9, and for discussion, Anderson 2004, and forthcoming.
[50]For discussion, see Friedman 2000; 1999, 152–62. See also Richardson 1998, 134–8.

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