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HINGE NORMATIVITY: FROM NEO-KANTIAN CONSTITUTIVISM TO UNCONDITIONAL KNOWLEDGE[1]

NORMATIVIDAD DE GOZNES: DEL CONSTITUTIVISMO NEO-KANTIANO AL CONOCIMIENTO INCONDICIONADO

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Abstract: The main purpose of this article is to anchor the basic principles of judgmental performances into reality, and thus, to capture the vertical axis of cognition. To this end, it is argued that the normative force of explicit, discursive self-knowledge is neither merely grounded in dialectical inescapability nor in default assumptions. The goal is to argue that the ultimate überhinge is so perfectly known that the questions of justification, truth-value and empirical cognoscibility lose any sense in regards to it. Hinge normativity, which can be reduced neither to epistemic (telic) normativity nor to practical normativity, emerges from this view. The shortcomings of neo-Kantian views of the sources of normativity in gnoseology are exposed and analysed.

Keywords: Agency; Constitutivism; Epistemic Normativity; Hinge Epistemology; Self-knowledge; Virtue Epistemology.

Resumen: El objeto de este artículo es el de mostrar que los principios fundamentales de la actividad judicativa se encuentran inherentemente fijados a la realidad. Se trata, por tanto, de

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identificar el eje vertical del sistema cognitivo. Para alcanzar dicho objetivo se ha argumentado, contra el constitutivismo, que ni el cierre reflexivo ni la actitud de presuposición son capaces de justificar la fuerza normativa del autoconocimiento discursivo. Poseemos un conocimiento no-mediado del principio o gozne nuclear de nuestro sistema cognitivo; lo que explica que, en lo que a él respecta, las cuestiones acerca de su justificación y de su verdad empírica carezcan de sentido. Una nueva clase de normatividad, que no es reducible ni a normatividad epistémica (télica) ni a normatividad práctica, se sigue del modelo propuesto: la normatividad de goznes. Se describen, analizan y someten a crítica algunas concepciones contemporáneas, de marcada inspiración kantiana, acerca de las fuentes de la normatividad en gnoseología.

Palabras Clave: Agencia; Autoconocimiento; Constitutivismo; Epistemología de goznes; Epistemología de virtudes; Normatividad epistémica.

1. THE CASE FOR EPISTEMIC CONSTITUTIVISM

One form of constitutivism lies at the bottom of Telic Virtue Epistemology (TVE), one which results from the claims (i) that judgments, like all actions, must be evaluated and justified in relation to their aim (epistemic instrumentalism), and (ii) that far from being a goal outside judgmental acting which guides the cognizer by force of attraction, this aim is inherent in the nature of judgments and is therefore not accidental in relation to judgmental acts. What is the aim of judgment? Aptness, namely achieving truth by means of overall (executive and reflective) competence. Aptness of judgment is thus the *objective* norm for cognizers, with which we may compare cognitive acts in order to determine their respective worth.

But why constitutivism? What is it to be gained by adopting this view? As it is well known, constitutivism is, in all its varieties, a theory about the sources of normativity;[2] one which is mainly argued for as providing the most promising response to the dialectics instituted by skepticism in regards to normative authority, and thus, as delivering the justification of norms and practices. Is constitutivism enough to ground normative claims in the epistemological domain? If not, what must be added to it? And, what is the nature of those normative claims? To answer these questions, a clear insight into the skeptical problem is required.

For a start, let us emphasize that the main advantage of constitutivism lies in that it binds together the aim and the nature of the action, so that the former would not be contingent in relation to the latter. Aims are thus rules that delimit a particular, self-enclosed domain. But they are not norms artificially superimposed to certain, indeterminate actions. Particular judgmental acts are normative in nature; they are neither *de facto* nor *de iure* divorced from aptness (knowledge)

2 See Ferrero (2018) for the individuation of the varieties of constitutivism along several dimensions: subject-matter, normative features, kinds of activity, inescapability, specialness.

as their goal. As a consequence, that there are propositions to which we are unable to bring ourselves to intellectually approve is not the expression of a psychological incapacity, nor of a merely individual (and social) constraint. There are impossibilities and necessities related to pure epistemic norms, namely which are intrinsic to the nature of judgment; just like, according to standard constitutivism, there are necessities and impossibilities which pertain to the practical domain.

If the above is correct, then constitutivism in epistemology is a theory of assent —one which opposes to the view that the direction of judgment (whether towards approval, disapproval, or suspension) is intellectually unconstrained (unruled), to wit, that it is (contingently) determined by the will.[3] Epistemological constitutivism stresses that judgments, though initiated by the will, are not themselves volitional in nature. There is an element of intellectual constraint in judgment which is its most distinctive characteristic.

Epistemic constraint is an essential factor in all judgment whatsoever. At the moment the agent attends to all the reasons available to her for p and against q, she is epistemically bound to prefer p over the alternative. It is apparent that if the agent cannot afford (emotionally, for example) to believe p, she can refuse to think about it, can turn her attention to reasons favouring q while averting her attention from reasons for p, can gradually cultivate her feeling for q, can even declare that p is not true; but, supposing that at the moment of judging she sees the reasons then involved, she cannot make a judgmental denial that p. That the asserting process involves, as its antecedent, a will to know, is something that, I think, cannot be disputed. But judgment itself contains no free choice. When one is bound to prefer a proposition as likely true, one recognizes it as something which, provided the same conditions, *ought to* be rationally believed; but one also recognizes that one cannot (epistemically) help believing it.

Notice the two aspects of epistemic constraint contained in the previous description. On the one hand, constraint imposes rational demands on cognitive agents, as it is clearly expressed by the commitment as to how, under certain conditions, certain propositions ought to be assented. In this sense, for one to take a rational attitude to a proposition p, one ought to believe that p according to the *criterion of aptness*. There is thus a connection between judging rationally and judging with the aim of attaining knowledge; since if one believes rationally, one's beliefs as a whole are likely, in the long run, to be more often apt than inept, true

3 TVE's view about the role of the will in epistemology combines the claims (i) (against doxastic voluntarism) that epistemic competence is not directly actional, and (ii) that our beliefs are (indirectly) under our control inasmuch as we always can non-deliberatively refuse to follow the order of reasons. It would be plausible to suggest that on this issue TVE is mainly inspired by Descartes' theory of judgment, and by the Cartesian distinction between a low degree of freedom (indifference) and a higher one (spontaneous assent to the deliverances of the understanding.) See Sosa 2015, pp. 238ff. For an interesting explanation of the doctrine, see Sosa 2011, pp. 31-34.

than false. It is this aspect that captures the *normative force* pertaining to judgmental acts.

But, on the other hand, the normative, rational force in epistemology, far from being grounded in a prudential policy that we ought to take for increasing the likelihood of true beliefs, stems from *inexorable facts* of judgmental activity —facts which indicate how our judgmental faculty is constituted. Epistemic normativity displays what it is for us impossible to belief, to disbelief, and to suspend about, and thus, constitutivism translates into the language of what it is for us rational to believe those factual constraints and non-optional strictures pertaining to the activity of judging, as constitutive of the cognitive practice. As a view of the sources of normativity whose aim is at providing a rational justification for judgment, constitutivism is thus intimately bound with doxastic involuntarism. The mark of epistemic constitutivity is that 'I cannot help assenting p' amounts to the rational justification of my approval of p. In short, the validation of value judgments in epistemology is achieved by reference to the fundamental facts of judgmental consciousness.

However, this view is not without its problems. Are 'is-ought' transitions permissible? Does it follow from the fact that it is for us unavoidable to assent that p that we are rationally credited to this factual claim? Is it even appropriate to conclude from our unconditional commitment to the truth of p that p is really true? All these questions raise serious concerns about epistemic constitutivism and the transcendental arguments to which it is intrinsically related.

Be as it may, I want to focus now on another trouble for constitutivism. It comes from the fact that, though judgments are not volitional, judgmental acts are initiated by the will. Which means that agents are always able of dropping a question and abandoning judgment in a non-deliberative way, by refusing to enter into the epistemic domain and to follow its constitutive rules. Here we find a 'can' that cancels the 'unconditional binding' without which normativity remains unanchored. That one 'ought to' judge and to aim at knowledge while affirming that p is not grounded in something that one cannot help doing. Why should I then engage in cognitive practices? What is the reason for becoming a cognizer, when one is free for intentional omission of cognition? All things considered, is even judgmental activity a rational alternative? Always? On which grounds?

It is at this juncture that a quest for independent, external-to-epistemic-normativity reasons begins. Skepticism regarding normativity thrives on this quest, one which naturally attracts a whole series of *subjective* aims with the purpose either of infusing value (and validity) to judgmental acts from outside, or as an attempt to replace rational normativity by some sort of emotional normativity that, involving no rational choice and thus being not assessable, would act as a regress-stopping foundation. From 'ground projects' based on personal identity and on

volitional necessities[4] to wishful thinking grounded in overwhelming desire, the objective seems always the same: to fill the gap which is left open by constitutivism. But those aims are not only subjective: since they are values realized by *my* choice, its actualization is also contingent. Besides, it is apparent that what it is expressed by this issue is a deeper worry, regarding the ontological divide between the limitless nature of the will and the constraints essential to the intellect. The divide here brought to light jeopardizes the very nature of judgment, as a power which is only possible insofar as the will and the intellect are conjoined.[5]

As it stands, epistemic constitutivism leads to a variety of the Agrippan Trilemma. That I should aim at knowledge should itself be grounded in further aims. But, in turn, those further aims should themselves be justified by still further aims. In this way, justification would either be incomplete (regress), or defective (circularity), or arbitrary. Left alone, constitutivism is thus in danger of requiring completion. How? It seems that by adding some extra concepts of value that are lacking in the cognitive aim in order to ground it, so that it would be rational and legitimate to aim at knowledge (aptness of judgment) insofar as knowledge is *good at* something else (extra-epistemic), whether it is preventing cognitive paralysis, assuring human flourishing, or promoting a unified self. At the very least, practical values come thus to swamp epistemic reasons; so that the value of knowledge becomes parasitical of non-epistemic values. At worst, knowledge has no value at all, and its normative force is crushed out by forceful desire. But even so, the Agrippan Trilemma, which is a rational challenge regarding the authority of rationality itself, remains operative. Thus, we seem to repeatedly move between prudential 'oughts' which are rationally ungrounded, passionate commitments equally ungrounded, and the skeptical morass. Is constitutivism able to disentangle itself from this web? What must be added for this to happen?

Ernest Sosa has been accurately aware of the skeptical deadlock, and of how essential it is to break it (Sosa 2021, pp. 91-111) without adding prudential values to the purely intellectual virtues which are constitutive of knowledge (Sosa 2015, pp. 40-45).

As far as I understand it, the clue which guides Sosa in his search of a way out of the skeptical vice was given him by the very skepticism which has told us that all search for grounding epistemic normativity is vain. It is the very means which skepticism takes for setting its challenge that suggests the way of escape. Why? Because there would be no challenge if agents were not able to *step back* from judgmental activity so as to *evaluate* its validity, namely so as to raise the question

4 Volitional necessities, which are neither rational nor ethical necessities, have come to play an important role in discussions concerning practical normativity. The notion comes from Harry Frankfurt (1988, pp. 177-190). An interesting use of them in the realm of epistemology, as a proposal to understand the normative force of hinge-commitments, is due to Hazlett (2016, pp. 254-278).

5 In other words: rule-following necessarily involves the autonomous approval of the rule for oneself.

as of what it is the rational attitude to take in regards to the credentials of the norm: whether affirmation, denial, or suspension. The sceptic favours suspension. But, as Sosa has forcefully argued, the skeptical forbearing is a "deliberative suspension of judgment" (Sosa 2021, p. 67); meaning that sceptics cannot distance themselves from the epistemic domain of judgmental acts which are intrinsically normative in a deliberative way. Judgmental normativity accompanies them all the way up to radical evaluation and suspension, so that the skeptical challenge is based on the very norm about which it attempts to cast doubts. We thus find again the non-optional element favoured by constitutivism. We find it at the level of pure thinking, in the context of global rational evaluations. The inexorable fact here is that judgmental acts are *closed under reflection*, meaning that agents cannot rationally assess the norm of judgment without being at the same time obliged to endorse it as valid, that there is not self-consistent alternative to our commitment to the norm as long as we regard ourselves as intellectual agents. The skeptical dialectics is, obviously so, logically inconsistent.[6]

2. EPISTEMIC CONSTITUTIVISM AND DEFAULT ASSUMPTIONS

For TVE, the way out of skepticism is by adding constitutivism to constitutivism, but adding it at the higher order of pure reflection and overall evaluation. The point is not, however, that we are unable to escape deliberation and judgment, and thus, that we cannot be run by emotions and succumb to rational disintegration and self-alienation by means of evading cognition (which is not the same as *opting for* irrationality). It is rather that in order to rationally challenge rationality one is bound to engage in rational activity; that for the omission to be epistemologically pertinent it must be itself epistemological in nature. Evasion and choice are thus not one in essence —the latter is only possible for rational beings, and only as long as they act rationally, meaning by the latter expression simply that they *act*.

The conclusion is that commitment to the rules of reflection is unavoidable as long as we think coherently of ourselves as thinkers. However, the consistency rule operates from a given point which is taken for granted, one which is not reflectively

6 It is not only that the Agrippan Trilemma stems from the paradoxical quest for reaching a normatively barren position from which to assess norms of judgment. It is also that the deliberative suspension that skepticism commends is self-refuting —one cannot coherently doubt about the validity of the norm (the content of suspension) while also claiming that agents *ought to* rationally opt for the propositional attitude of suspension.

This does not entail, however, a full dismissal of radical skepticism. If skepticism were entirely of a dialectical nature, transcendental arguments as to the self-defeating character of skeptical strategies would require no further reflection. That further reflection is needed, and why it is needed, will be argued in the next section. The point is that skepticism gestures at the contingency and the non-factualist nature of constitutive rules, so that normative constraints are epistemologically empty and ontologically null. [Thanks to an anonymous reviewer for pressing me on this point.]

attainable —namely, the presupposition of the unity of mind and world. At the very least, this presupposition must be operative in regards to our reality as thinkers. It is here that the stumbling block for even higher-order constitutivism lies. The worry is not that there is some flaw in the argument for the dialectical inescapability of epistemic normativity. It is rather that closure under reflection is ontologically null, that, on this view, we are limited to retrieve by reflection nothing else than the conditional results of reflection itself, being thus reflectively blocked to anchor thinking and its necessities into *reality*.

According to epistemic constitutivism, knowledge is the aim which rules the operation of judgments. Taking this approach, one may say that the aim is valid, for it has validity irrespective of its realization.[7] Since it *has to* be thought and to be reflectively endorsed as valid by all thinkers, the aim does have necessary (constitutive) validity for human, even for rational judgment. However, massive malfunctioning, even of higher-order competences, can never be reflectively ruled out. And it is by focussing our attention on this limit of our cognition that the relative and conditional character of epistemic authority (as only valid *for* thought) comes to be heightened.

Let us have a closer look at how the possibility of massive malfunctioning comes to affect the whole discussion.

A high-order epistemic constitutivist may start by claiming that we are reflectively bound to think that our rational competences are reliable, and that it is not in our power to think otherwise. This is something which immediately follows from the self-refuting character of skepticism and from dialectical inescapability. It is thus just a way of making the constitutive nature of our realistic understanding of cognition salient.

However, it is the fact that massive spoilage is ontologically conceivable which brings to light that, in a certain sense, I can distance myself from the constraints of deliberative reflection without refusing for that to think. It is true that, because it would be incoherent to pass sentence on the reliability of our rational competence from a neutral standpoint, the role of reflection is simply that of wording more precisely the sentences that are brought to it by judgmental activity, pronounced and irrevocable. And yet, there is a form of nondeliberative suspension which does not amount to omission: we remain suspended, hovering between the necessities of rational evaluation and the thought of a reality in factual opposition to them, the latter being no other that the *falsification thesis* in its most concise expression.

7 This seems to be a view that Sosa has come to propose, at least in some of his recent works. This reading is suggested by the notions of 'bracketed domain' and 'bracketed knowledge', which have been lately introduced (see Sosa forthcoming$_a$, pp. 8-9). Though those notions are mainly descriptive of concrete domains of performance, the epistemological domain as a whole might also be considered as a bracketed domain and the deliverances of reason as 'bracketed knowledge', in contrast both with non-epistemic aims and with knowing full stop. However, it is not my purpose to attribute this view to Sosa. It is only that his thoughts may have their own life.

This state of suspension amounts to an intellectual paralysis of sorts, which is not defiled by personal interests. Thought overflows judgment. Judgmental moulds cease to be strictly applicable. Knowledge, as explained by constitutivism, becomes relative as soon as the form of judgment is made a kind of absolute. The necessities of evaluation come to be perceived as rules of judgment, but not as limitations for the understanding; and thus, what we can think of (and we can think of competences as unreliable) does not correspond with what we must claim.

The conscientious theorist feels the ontological pressure —and attempts to respond to it by moving from describing our fundamental commitments as constitutive of judgment to present them as *presuppositions* which, though, *as such*, cannot be reflectively endorsed as truly valid, must be thought of as demands of epistemic reason.

It is, therefore, at this point that one may feel pressed to add a *fundamental presupposition* to the standard picture, so as to decrease the feeling of relativity without abandoning constitutivism. One may think that *assuming the actualization of epistemic value* has just as much necessary validity for rational thought as the inexorable facts of judgmental consciousness have. On this view, and following the demands of constitutivism (which is *not* a form of realism), there would be no internal relation between the norm as the standard of measurement of epistemic value and the real presence of the latter. In this sense, knowledge would cease to be a mere product of thinking without becoming part and parcel of reality. However, the realization of knowledge would find a place as a rational, guiding principle.[8]

The problem lies in the fact that if realist commitments are default assumptions, presuppositions, in turn, are not and cannot be, as such, constitutive principles of judgment. Presuppositions, which are only such in view of *how things may really be* (independently not only of our capacities, but also of our standards of rational acceptability), are not dialectically inescapable. Because they are not closed under reflection, they are merely subjective principles of which we can form a conception as desiderata without being able to reflectively evaluate, to judge and to endorse them as proper, right *attitudes* to take. They even fall short of the Kantian notion of 'objectivity' so much prominent among constitutivists.[9]

8 It is important to notice that, even though some hinge epistemologists (with a lean for Kantian readings of Wittgenstein) and virtue epistemologists coincide in describing our basic cognitive commitments as 'presuppositions' which are taken for granted, they do not mean the same with it. For hinge epistemologists, hinge-presuppositions are propositional contents closed under reflection, namely those mandates of epistemic rationality that are judgmentally inescapable. In contrast, presuppositions for virtue epistemologists are not reflective, rationally evaluable attitudes to take. The latter theorists are much more aware of (and worried about) how justification and knowledge should be intimately tied to truth and reality. If this is seen as resulting from a tendency to externalism, I can't help thinking that this tendency springs from a right, telling intuition.

9 This would amount to saying that, on this model, realist presuppositions can only aspire to be regulative principles, mere ideals. Much perplexity results from neo-Kantians accounts in current

Let us have, however, a closer look at the dialectical process from conceiving reliability as closed under reflection to viewing it as a basic assumption. It is not that the constitutivist version of our realistic commitments is simply replaced by a more adequate model, as if the latter stage in the development of the doctrine were a definitive abandonment of the former stage. It is rather that those fundamental contents to which different attitudes are taken (reflective approval; assumption) are constitutive *relative to* judgment, and thus, that we are obliged to think them as valid in regards to global evaluation; *and* also, that they must be objects of presupposition *relative to thought*, namely in view of how thought opens itself up to reality by conceiving skeptical possibilities. It is the insight that bracketed knowledge (within the self-closed domain of epistemic performances) is compatible with unbracketed ignorance that explains the requirement of default assumptions. They are required for epistemic performers so as to protect the rational competence of the performer even when spoilage is, unknowingly, close at hand. Again, default assumptions gain as much importance in TVE as it is fully recognized that, by itself, constitutivism only grounds conditional validity. Constitutivism, however, is not abandoned. It is complemented at a higher level of scrutiny.

But presupposition is a *special attitude to take* regarding fundamental propositions. It is special in two senses: (i) in that it is *not* a reflective, deliberative attitude (whether of approval, rejection, or suspension); and (ii) in that it is the only pro-attitude able to stop the paralysis of thought characteristic of intellectual, non-deliberative suspension. It seems thus apparent that the attitude of presupposing something is neither rational nor irrational, that it is not an *assessable* attitude at all. Being not assessable, it remains hanging in the air, grounded neither in reflection nor in being. Thus, reliability is reflectively attained as an imperative of epistemic performance while being reflectively unattainable as an object of presupposition. In both cases, truth and unbracketed knowledge remain unattainable. Default assumptions fail thus to fix validity while the only way of fixing validity open for constitutivism is merely conditional, as the ascent towards presupposition clearly indicates. It is therefore as if constitutivism, even if enhanced, were a means which is not cut to the exact measure of its object — knowledge.[10]

What has then been gained by this final attempt of constitutivism, if not the fact that it is an unstable position, and that constitutivists wander between their will to fix validity by means of the lawful character of judgment and their vague feeling

epistemology (mainly, within Hinge Epistemology) that tend to mixture for hinges the traits of the constitutive and those of the regulative, with the subsequent creation of mixed categories.

10 It may be pedagogically useful, as it is exegetically plausible to claim that the route followed in their development by virtue epistemologists is, in a certain sense, similar to the evolution of Kant from the first to the third Critique. As it is plausible to argue that many hinge epistemologists remain exclusively focused on the epistemological model of the *Critique of Pure Reason*.

that reflective self-validation falls short of the task? At the very least, this vague intuition has now been properly articulated, and the indistinct fringe around self-contained deliberation has come from darkness into light. Besides, it is only through this process that one may conclude that the sources of epistemic validity lie neither in the necessities of reflection nor in the allurements of default assumption. Absent both suspension and a Cartesian, metaphysical warrant, this leaves one alternative open: that judgment can be only validated insofar as knowledge is realized; that there should be a point where cognition and being are so perfectly united as to get knowledge which is reflective and unbracketed —a point where knowledge ceases to be relative as the product of the intellect and its presuppositions, and becomes part and parcel of reality; and yet, where its content might also be intellectually retrieved. For the norm to be legitimate, it must be fulfilled —and we must be acquainted with its fulfilment. Something else is, however, required.[11]

3. A DILEMMA AT THE ROOTS OF EPISTEMIC NORMATIVITY

Again, knowledge for epistemic constitutivism rules the operation of judgments. But, as we have argued, constitutivism leaves unexplained the presence of epistemic facts. It is, therefore, as if, relative to epistemic facts, the aim is like a force of attraction such that our cognitive powers come to be focused on a point of the greatest intensity and minimum extension, going for a direct contact with the aim that attracts them —only to fall short of it, or, alternatively, to reach it merely by chance. It is a lesson from constitutivism that, after a certain point of reflection, the aim (if the aim is unbracketed knowledge) can never bring the cognizer one whit nearer to itself.[12]

Several things seem thus to be missed in the reflective self-validation of epistemic normativity.

For one, the epistemic aim is only conditionally valid, meaning that it is merely a *principle for thought*, if at all. Unconditional validity is missed.

Second, there is, given its shortcomings, a natural tendency within constitutivism to understand the claim that *the aim is inherent in the nature of judgments* in a particular way. The aim is inherent in judgments as their *formal*

11 As it will be argued, the above description is, at best, approximative. We are following the argumentation line of constitutivism so as to improve clarity. It then appears as if the realization of the norm, even if assured, were external to judgmental activity, as its fulfilment and completion. The truth *at the fundamental level* is, however, quite different: the place of foundational knowledge is at the very center of judgmental activity; and reality, far from being an outside domain to which reflection approaches and attempts to reach, dwells in judgment itself, as structural to it. Knowledge may be incomplete, but not external or relative. This stands for the 'something else' at which I am gesturing.

12 Sosa comes to this conclusion after a fascinating discussion in "Default Assumptions and Pure Thought" (forthcoming$_b$, 1-20.)

nature. Inherence thus refers to a form which irrespective of content, is inescapable. So conceived, it is sufficient that empirical judgments be properly formed according to rule for the aim to be fulfilled. Let me explain this point a bit further.

On this view, the formal aspect of judgment is constituted by all those propositional contents which we are reflectively obliged to endorse as valid. Notice that those propositional contents are *cognitive commitments* like 'There is an external world' (Coliva 2015, p. 19), 'We are not radically in error' (Pritchard 2016, p. 111), or 'Reality tends to correspond to appearance' (Sosa 2021, p. 129). They are Wittgensteinian general certainties which, as such, are, in a certain sense, *empirical* (insofar as they refer to how things are), while they also are *indetermined* (in that they are grounded neither in perception nor in evidence). One may even claim that they are *purely intellectual* commitments as referring to judgment in general, while they also require an empirical factor (content) so as to operate and to take place.

More importantly, those general commitments relate to particular, empirical judgments not unlike how the gold standard relates to paper money and small change —they help providing default or presumptive justification (value) to particular, perceptual beliefs. From this it follows that the counting of paper money can go on for ever, and yet it would never reach out to the (conditional) standard of value by which it is backed; much less, to truth, which remains closed. It is thus sufficient for small change to have value that it circulates within a monetary system which is immutable and inescapable.[13] Which means that constitutivism tends to become entrenched in full-fledged internalism and autonomous conceptions of the normative (abstract formalism). On this view, the form (which is the norm) is irreducible and inexplicable. Truth and knowledge full stop come thus to be missed, whether because they are unattainable or, alternatively, because they are dispensable goals.[14]

13 As it will be later argued, it is the Kantian view that the *cogito* also falls under this model, and so, that *implicit reference to activity* is the most general form of judgment, the form shared by perceptual judgments, judgments grounded in introversion, and pure, rational beliefs. One might even claim that in the hierarchy of Wittgenstein's hinges, the *cogito*, as in the case of Kant's 'pure apperception', is placed at its top, as the unifying principle of hinges. Be as it may, the problem lies in that if the *cogito* is a simple form of judgment, it cannot be known, and thus, reality remains unattainable.

14 It is illustrative of this point how Annalisa Coliva's constitutivist view of Wittgenstein's certainties leads her to a "minimal" conception of truth, one which "is, after all, of an anti-realist nature" (Coliva 2015, p. 149). Thus, her way of dealing with the possibility that rationality and truth may come apart, and thus, with the view that hinges (which are necessities of judgment closed under reflection) might be objects which we are bound to accept, and yet be false; it is just to reinterpret our commitment to their truth as our commitment to how things are, *relative to our overall framework*. For me, this does not amount to a solution to the problem, but to its rejection. It also amounts to conceive validity as conditional validity; and it is difficult for me to understand how one may be aware

Third. Curiously, this latter claim helps us to become aware of the fact that constitutivism keeps itself silent about *what it is that which moves agents to the realization of epistemic values*. The presence of value is thus left unexplained in two different senses: firstly, the actualization of unbracketed knowledge is left to chance; but added to it, if choice is conceived as the ultimate explanation as for why we come to engage in deliberation and judgment, and to value those practices, the actualization of knowledge (whether bracketed or unbracketed) becomes contingent, hanging from a pure will which by itself explains nothing. It seems thus as if the whole picture were dependent of an extreme, even if implicit, form of voluntarism. It is the question *'Can the presence of, and the quest for, epistemic value be understood?', 'Is the realization of epistemic values something to be understood, or merely something to be accepted as a brute fact?',* which is now missed. Constitutivism seems blind to it.

Finally, worries about the normative structure of knowledge are so prominent in constitutivism that their proponents owe to us an account of what it is to know, of that in which unbracketed knowledge consists. Being unbracketed, knowledge overflows its judgmental frame and eludes conceptual reconstruction. It stands for the fringe or the nebula around the reflective structure which default assumptions helped to make visible, for the traces left by the impact of reality even in self-contained reflection. For the task of capturing this aspect, a paradigm case of knowledge, such as the *cogito*, is needed. But the *cogito* cannot be conceptually reconstructed: it can only be performed. And what it happens in the *cogito* is not a mirroring, not even a perfect mirroring of its object —mirroring falls always short of being the object. The *cogito* is thus a case where the object does not exist independently of the subject, a case in which there is a direct taking possession of the object with no sense of foreigness or givenness. Would it not be necessary to understand in which the fulfilment of its aim consists so as to get a full comprehension of the nature of judgment? And how could the aim be understood if we were not somehow acquainted with its realization? An account of the nature of knowledge is, therefore, also missed. On this view, such an account is substituted by something different —a theory about the form of judgment.

The shortcomings of constitutivism, as they have been displayed above, leads us to the following suggestion. What it is needed to fill all the gaps left by constitutivism is a special kind of norm, an aim that far from being inherent in the

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of the conditional nature of self-enclosed validity without feeling the ontological pressure which anti-realism fails to appease.

Thus, I feel that it is important to distinguish the view that reality is, at bottom, immanent to judgmental activity as its principle from the anti-realist view that truth and knowledge are mind-dependent, namely products of thinking which are only valid *for* thinking. That the operations of the mind are firmly rooted in reality, and so, that reality is not, at bottom, external to the mind, it does not mean that it is its construction. The former view will be later defended, as it will be exposed the common source of anti-realism and metaphysical (transcendent) realism —namely, the falsification thesis.

nature of judgments as their form, is immanent to them as the *moving force* and the principle of action indwelling in judgmental activity. As such, this principle should be one which is internal to cognition without being exhausted by its structure; it should be a norm which comes to be gradually realized in and through the judgmental activity which underlies and constitutes. Which means that it should not be only a norm and an objective standard of epistemic value with which to measure cognitive acts —added to this, it must institute demands beyond personal aims as something that *shall* and *ought to be*, to wit, it must also own a normative force which far from being contingent and conditional, is fully independent for its validation of choice, whether free or reflectively constrained.[15] This alternative picture of normativity might even be considered a form of constitutivism, though one which is rooted in reality. After all, it would follow its lead in avoiding contingency so as to explain normativity. However, it would be at odds with standard varieties of constitutivism. Its ontological and teleological nature; its conception of the aim as being at the same time a distant, ultimate goal to be progressively approached, as well as an element constitutive of human cognition and subjectivity, thus conjoining the regulative force with the constitutive nature of the aim —those are aspects which go well beyond Kantian and neo-Kantian views such as constitutivism is in its nature.

However, the previous suggestion pertains to the *dynamics* of cognition, namely to its *longitudinal and empirical unity*; while the questions raised by constitutivism which we are now trying to answer belong as it were to its *statics* and its *structural unity*. And statics comes first: unconditional knowledge must be secured before the question as to how the unity of knowledge might be the active principle for all our cognitive acts may even be properly raised.

Our current problem is, therefore, that of how to fix validity by means of anchoring it into reality, namely that of finding a *vertical axis* around which our judgmental acts might move while standing fast. Our guiding principle is that *thought must be real, neither a claim to which we are reflectively bound, nor a presupposition*. It is apparent that this is the recognition that the problem of knowledge is in its essentials a metaphysical problem.[16]

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15 If one were tempted to describe this aim as a Wittgensteinian hinge, it would not be, as it is usual in current literature, a *cognitive hinge*. On the contrary, it would be a *conative hinge*. However, the anti-realist commitments of current hinge epistemology make this analogy unadvisable, at least while waiting for further, deep qualifications.

16 Conversely, the thesis of the impossibility of metaphysics is the thesis of the impossibility of epistemology.

It is not, however, that I understand 'metaphysics' along the traditional lines of 'metaphysical realism', which is based on the belief of a metaphysical world which differs radically from the judgmental world of consciousness —a world which is unattainable so that our fundamental commitments not only can be false, but radically false. This is 'transcendent metaphysics' —which I reject because I reject as contradictory the very notion of a thing in itself (as it will be argued in regards to the special status of the *cogito*). By contrast, 'metaphysical knowledge' stands here for immediate

To the end of a better understanding of our goal, it would be advisable to start drawing an analogy between TVE's reading of the role played by God in Cartesian epistemology and the relation of virtue and happiness according to Kant's conception of the ethical. This comparison will be useful (i) for shedding light on the rationale that sustains TVE; (ii) for preventing us from misplacing and thus misdescribing the anchoring knowledge of our quest; and (iii) for providing the first horn in the dilemma which is coming to be described.

As it is well known, in the second Critique, Kant offers a deduction of the Idea of God (which is one of the postulates of practical reason) as something that must be presupposed as the condition for achieving reason's final, practical purpose of the highest good (see Kant, 1788/2015, pp. 108-114). The highest good is for Kant the moral ideal —a state which being the object of all the endeavours of practical reason, is conceived as the union of the greatest possible virtue and the greatest possible happiness.

It is my purpose neither to provide an analysis of Kant's argument nor to elucidate the exact meaning of the terms it comprises. My only aim is to call attention to several facts:

(i) For Kant, virtue, as grounded in the determination of the will by the moral law, and happiness, as rooted in natural inclinations and desire, are not one in essence. Quite the contrary, it is apparent that Kant's dualism in epistemology (the dualism between appearance and thing in itself)[17] repeats itself in the ethical domain as the opposition of wellbeing and duty.

(ii) However, the union of virtue and happiness as the highest good is presented by Kant as a demand of practical reason which, as such, is an intrinsic end for the ethical subject. The problem lies in the fact that the two relata are utterly opposed, and thus, in that their union is *naturally* unattainable (or, at best, and only for few cases, it is only contingently realized). The supposed demand is thus in danger to be no other than one more piece of wishful thinking. As it is in danger of becoming an empty norm, one which is unable to ground purposeful actions.

(iii) It is in order to make the moral ideal intelligible that Kant postulates the existence of God, as the only means to warrant the fulfilment of the norm, and so, to fix its validity. However, from this it follows that the two relata are held together by an external force. The main point is that the unity of virtue and happiness is, even if admitted, an *artificial* unity.

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access to truth and reality, for their immanent presence within experience. If in reality we live, and move, and have our being, metaphysics may be immanent without for that becoming 'constructed.'

17 Kant's epistemological dualism provides the modern paradigm for the falsification thesis. To accept the falsification thesis is thus to accept that truth and reality are independent not only of our cognitive competences, but also of our standards of rationality and our epistemic norms, which might be false.

Virtue epistemologists have regularly occupied themselves in a detailed, often brilliant, analysis of Cartesian epistemology. Interestingly, they have been able to argue, with good reason, that Descartes was a virtue epistemologist in all except in name (among many other texts, see Sosa, 2015 pp. 233-254). More importantly; it is my view that, in a certain sense, the development of TVE has been profoundly marked by the Cartesian reflections of its proponents, and that some of the conceptions that are at the leading edge of their current framework may be explained as resulting from the blank wall they found at the end of the Cartesian path. The Cartesian blank wall is remarkable similar to the Kantian postulate, and for comparable reasons. As with virtue and happiness in Kant, also with judgment and knowledge, norm and achievement, in Descartes's TVE.

It is true that, unlike what happens with duty and desire according to Kant, the Cartesian relata are not utterly opposed. They are broadly related like the means to its end, bound together by a continuous, internal, homogeneous relation. However, the fact remains that they are logically and ontologically distinct, and that for Descartes God serves the same purpose as for Kant. It is also true that for Descartes, unlike for Kant, the unity of epistemic norm and knowledge is reflectively attainable by means of rational proofs for the existence of a benign God. However, the unity is only *indirectly* attained, and thus, it is exactly the same kind of *artificial* and *external* unity that Kant's postulate provides.[18] You may note at this point that I am much more concerned with the artificial unity which lies at the end of those different approaches than in assessing their respective merits. It is to place unity at the end of judgmental activity as an attraction that gives me pause. On this view, the structure of the mind is described as essentially detached from reality, as if contact were fortunate, and knowledge, even if massive and regular, a contingent fact and a happy accident. Even if metaphysical mediations were absent from this view, the unity would remain artificial, and a piece of knowledge would only be a point where cognition and being are found together without belonging together.

As for TVE, it does not follow Descartes in thinking that a metaphysical link (and the certainty of such a link) are required for a theory of knowledge. It is not only that the absence of substantial ontological commitments helps to reduce burdens for the theory, and thus, to increase its parsimony —though this aspect is far from negligible. There is also another reason, even if implicit, which makes this movement intelligible, and even natural within a (broadly) Cartesian framework. Let us compare again Descartes with Kant.

For Kant's account, God plays an essential, indispensable function inasmuch as natural impulses and ethical motivations are bound to clash, leading either to

18 It goes without saying that Descartes's method for validating epistemic rationality by means of its deliverances, and independently of whether his arguments are sound, accounts for the infamous Cartesian Circle.

personal disintegration or to the complete subjugation of desire by duty. Which means that, for Kant, the unity must be particularly, emphatically artificial. On this model, stages of impulse can never be preserved, enlarged, enriched and transformed within the higher domain of the moral life.

By contrast, Descartes thinks of knowledge as the final stage in cognition, a stage which gathers up into itself and keeps in existence the entire judgmental process which leads to it. As a consequence, God, whether as an object of knowledge or as a postulate, is not so much required in Descartes's epistemology as it is needed in Kant's conception of the highest good. Curiously, TVE follows a route which the Cartesian approach suggested but never developed, so as to remain Cartesian without being committed to Cartesian metaphysics.

Nothing is needed to coordinate judgment and knowledge, nor is it needed the assurance of a power which holds them together, nor needs this bound to be postulated. However, it is the coordination itself that which, according to TVE, is postulated as a default assumption. The metaphysical detour has been avoided, but there remains: (i) the implicit demand of reason for unity; (ii) a unity which is not certain, nor known —which is only subjectively valid; and (iii) the description of an *organic unity* of judgment and knowledge such that it is, if at all, contingently realized; and so, the implicit commitment to the claim that the tendency to completion proper of judgment is one which, hanging in a void, is unable by itself to explain completion. Fulfilment is thus replaced by coordination —and coordination is no other than artificial unity. Epistemology comes thus to know knowledge in its appearance, not in its truth.

Is there a way to escape from artificial unity? Can we have an acquaintance with knowledge as it is, and not as it is for and relative to thought?

The most promising candidate to be a case of unbracketed knowledge is the *cogito*, which is (broadly) the recognition of the self-assertion of agency which is involved in all thinking. However, if the fulfilment is external, then the *cogito* is just one more particular judgment—one among many others. Its specialness would thus only consist in the fact that it is cognitively attainable, namely in that it is prior to other judgments just in the order of knowledge. However, under this hypothesis, its cognitive priority is left unexplained, and for one reason: because its relation to the faculty of judgment is accidental —the judgmental capacity remains *per se* detached from truth.

This is why something else than certainty is required. The *cogito* must also be prior in another sense: as the *ratio essendi* of cognition and judgment. If thought is to be anchored in reality, the *cogito* should be knowledge which is at the center of judgmental activity. In this sense only, knowledge comes first; as the unconditional apprehension of the reality of thinking; as a principle *of* thinking which is not reduced to be a principle *for* thinking. The unity must be given *at the start*, as the element to which all judgmental acts refer implicitly, but which cannot

be present for them inasmuch as judgments are directed to separate, distinct objects. It is only under this condition (i) that the unity of judgment and knowledge is not an artificial unity; (ii) that our ordinary, unbracketed knowledge becomes intelligible —only when considered in relation to unconditional knowledge; and (iii) that epistemology as knowing of knowledge in its truth becomes possible.

But is the *cogito* truly a case of unbracketed knowledge? Is it possible to break the circle of reflection and thus to cut the knot of self-contained anti-realism and internal inescapability? It is true that we are rationally bound to accept that the activity of thinking is real. However, the imperatives of rationality and how things really are may come apart, and our commitment may only be true in regards to our judgmental framework, or, at most, relative to any possible framework, as the ultimate limit of intelligibility and the *überhinge*.

The problem is that to fix unconditional validity, the *cogito* cannot be only justified by the inabilities and impossibilities of judgmental consciousness, to wit, only by the (implicit) reference to the agent which is involved in all thinking. Kant expressed the same problem and opened the door for noncognitive approaches to the *cogito*. In his terms, the worry lies in that the self (agency; real activity) is, though universal, merely an *empty form* in which determinations of judgment are arranged. As a pure form, it is lacking content; and without content, it cannot be an object of knowledge (see Kant 1781/2007, p. 168) (KrV, B157).

It is thus the formal nature of the *cogito* (a form which philosophical reflection makes explicit) that prevents it from being a piece of knowledge. Constitutivist theories make this claim their own. Meaning that though on this view the *cogito* relates itself to judging in general, it is also that, because *that thought is, it is merely assured by thought itself*, it is in the inescapable character of the *cogito* that its emptiness and its relativity are grounded. Like it happens with Wittgensteinian hinges (according to neo-Kantian interpretations), the propositional nature of the *cogito* does not speak to the truth that we are judgmentally and cognitively related to ourselves as agents. Far from it: the form of judgment cannot be an object of judgment.

We are thus caught in a dilemma between artificial unity and relativity. The ontological pressure leads us to the former. The attractions of a complete, self-transparent system to the latter.

The questions are: Is relativity insurmountable? May the dualism of form and content be surmountable in the *cogito*? And, if so, might content remain one with its form without being utterly absorbed by the latter, and thus, without becoming nothing else than a necessary product of thinking?

4. BREAKING THE CIRCLE: THE FALSIFICATION THESIS AND THE *COGITO*

As it was previously mentioned, in the *cogito* the self-assertion of agency which is (implicitly) involved in all acts of thinking is made explicit. It is not therefore difficult for constitutivism to deliver a reflective, rational validation of 'I think' following the same line of argumentation which was deployed in regards to all our fundamental, realistic commitments. It would thus be the inexorable fact that *we cannot help thinking that thinking is real* that grounds the claim that we are in our rights to endorse agency, thus breaking the skeptical dialectics. The argument would run (broadly) as follows.

At the skeptical request to ascend to reflection, and thus to take a deliberative stance towards agency, one would find oneself (i) unable to step back from the activity of deliberation and global evaluation (which are modalities of *thick*, discursive thinking); and (ii) logically obliged to affirm 'I think'.

As it happens with our commitment to the reliability of the rational competence, it happens also with our commitment to the reality of agency. 'I think' falls under reflective closure, so as to be dialectically inescapable. There is not, therefore, a *cogito* performance, namely the alethic affirmation that one thinks —one whose content is made true by the very affirming itself. On the contrary, the *cogito* is no other than a reminder of the inescapability of agency; the way by which the judgmental facts that activity is closed under reflection and, consequently, that it is rational, are brought to light. On this view, the *cogito*, as such, is not and cannot be a piece of knowledge, not even of superlative knowledge. Making the foundations of thinking explicit is different from making them known.

The problem lies in the fact, previously noted, that being parasitical of the skeptical dialectics, this conception restricts itself to the necessities of judgmental reflection, and tends (wrongly) to equate those strictures with the immanent laws of thinking. However, thought distances itself from deliberation and from assessment by means of conceiving a gap between the imperatives of deliberation and the possibility of *misrepresentation* —a gap on which we remain non-deliberatively suspended. The limits of constitutivism lie here —in the face of a reality (a 'metaphysical reality') that refuses domestication. On this model, even the 'I' in the 'I think' is not assured: it might be phenomenal, mere appearance.

The important point here is that constitutivism, even in its negative self-description as an anti-realist position, is intimately tied to its borders, namely to the falsification thesis, and thus, to the possibility that the strictures of rationality and the nature of reality come utterly apart. Conscientious constitutivists are fully aware of the parasitical character of their position, or, alternatively, of its relative and conditional nature. They are bound to metaphysical realism as their shadow. The more they attempt to ignore the ontological pressure, the more entwined in it they become.

There is another, maybe better approach to the internal relation which ties constitutivism with the thing-in-itself —one which shows how reference to externality is virtually contained in reflective validation.

Notice that in reflective, judgmental acts, the act of judging does not merge completely in the content which is affirmed, even if it is not in our power to affirm otherwise. The object affirmed exists (as content) independently of affirming it, regarded as something foreign and given, not one with the attitude one takes to it.

Take, for example, reliability, and how we are reflectively obliged to its approval. It is not only that the propositional content which is approved is different from the act of approving it *qua* act. It is also that the constraints which direct and determine the judgmental act, speak nothing about the indetermined activity which sustains the act and is preserved in it. True: I cannot escape from judging that my faculties are reliable. But neither the act of affirming this content is its own content, nor the activity of judging is reducible to *this* particular act, which is directed to, and constrained by its object. Thus, if on the one hand, in reflective validation, agency remains as the fringe which cannot be reflectively retrieved, as the limit of reflection within reflection; on the other hand, content stands opposite and, as it were, external to agency.

It is this feeling of something foreign to agency the place in which metaphysics remains concealed, waiting to spoil reflective transparency. Constitutivism may well succeed in making the way in which we are obliged to think explicit; but this achievement does not appease the feeling that we are not entirely one with our rational commitments. Foreigness plants dualism at the very centre of the inexorable facts of judgmental consciousness, and thus, it leads us to admit that our justified, basic commitments might turn out to be false.

The questions are: Is the content to which the act of affirming the activity of thinking is directed distinct from this very activity? Is the *cogito* similar in this sense to the rest of our rationally mandated commitments? Can the object to which this particular activity of our understanding refers be, as it were, projected from it, externalized? It is true that there is no consciousness (not even self-consciousness) without the formal separation of subject and object, of the act of thinking and the content thought in this act. But, even so, does it make sense to conceive the 'I think' as if it might be of a phenomenal, representational nature, as if it were a representation which, as such, might fall short of the 'represented' reality?

Philosophers have mainly conceived the *cogito* as a flash of light with no further influence in conscious philosophy. The above questions suggest otherwise —they indicate its importance for systematic epistemology.

The insight is, *there is no sense of foreigness in the* cogito, no internal duality between the activity which is the object of thought and the activity involved in the act of thinking it. The *cogito* is the judgmental act by means of which it is recognized that the activity returns into itself, becoming its own content; it is

therefore an act which affirms itself, not as *this* particular act, but *as an act*. The activity which is the content of the *cogito* is not phenomenal, because that which is indicated in the thought of agency is not something distinct from the action itself, something of which the so-called 'representation' could be the appearance (and thus, the 'misrepresentation'). It is only when the act of thinking is one with the object which is thought, that we can be said to *know them as they really are*. But this does away with the notion of a misrepresentation which, as such, falls short of reality, namely with the possibility of a represented object which exists independently of the subject.

In short, knowing and being are perfectly one in the *cogito*; meaning (i) that far from being an empty form, the self (agency; real activity) is the unity of form and content, and thus, that it is a form which being its own content, is known; and (ii) that only by means of a conception which (at the ultimate foundations of judgmental consciousness) overthrows the notion of the 'thing-in-itself', can we understand the possibility of coming to know knowledge in its truth, to wit, to know it as knowledge of reality. One might thus say that the dualism between appearance and reality vanishes in the *cogito*, as it becomes apparent that the representational model cannot be applied to it. One might also say that, since the content does not oppose the act, there is no reference to externality in the *cogito*. The scattered metaphysics of metaphysical realism is replaced by a view according to which metaphysics is firmly fixed in self-consciousness.

The previous paragraphs might seem to paint too rosy a picture. Let us step back to neo-Kantian theories so as to gain an intuitive understanding of their main worries.

The problem —it would be claimed— remains as before. We have attempted to provide content to the *cogito* so as to make it a case, even the paradigm, of knowledge. However, its content is simply the more general form of judgments — a pure, indeterminate activity not unlike a string to which particular judgments are attached. This worry might be rephrased as follows: since agency is related to thinking in general, the act by means of which this general relation is retrieved can be no other than a *grammatical reminder* (in the Wittgensteinian sense of 'grammar'), and not a *judgment*. For being a judgment, it should have a content, and content can only come from outside. Identity produces nothing new, whereas knowledge produces something new.

That all seems correct, and it does pose a real challenge to the view that I favour. However, this challenge is also an opportunity for (i) delving a bit deeper into how closely related constitutivism is to metaphysical realism; and (ii) clarifying the nature and the content of the *cogito*.

Let us start with a simple, basic question: What do proponents of constitutivism mean by *formal nature*? At first sight, one would reply that in claiming that the *cogito* is a mere form, constitutivism does mean that it lacks propositional content.

However, this answer cannot be correctly attributed to constitutivism. On this view, Wittgensteinian hinges are formal (they are not objects of judgment, nor things that could be known or could be evidentially justified), and yet, they are not deprived of propositional content. Analogous to them, as the überhinge, agency might be more general and abstract than other hinges are, but it must play a normative role while retaining a descriptive content.[19]. Therefore, the term 'formal' must be referred, not to its semantical dimension, but to the function that agency, together with all other hinges, plays in our cognitive life.[20] This function, in turn, is grounded in reflective validation. A better reply would thus be: by the form of judgment, one refers to those basic commitments which are dialectically inescapable.

However, inescapability is just another term for the self-referentiality of thinking; meaning that, following the logic of constitutivism, the difference between (particular) judgments and hinges (forms) lies at bottom in that while there is a sense of givenness (in content), to wit, an implicit reference to reality rooted in the dualism between act and object in the former, there is no reference to externality in the latter. Apparently, dualism would be lacking in basic commitments —this is why they are forms. The problem is that, as it was argued above, hinges, with the only exception of the *cogito*, are plagued by foreigness, thus containing an implicit reference to externality. Given this fact, the criterion to distinguish form and judgment collapses, and the thesis that the *cogito* conveys a mere form stops to have a clear meaning.

Anti-realists might, however, stick to their guns, refusing to admit that hinges refer to externality, even if only implicitly. They might remind us (i) that there is no self-consistent alternative to the affirmation of agency; and (ii) that, as it happens with other hinges, the *cogito* is not an empirical judgment. Those are claims that I fully endorse.[21] What I do not endorse is the conclusion that, because it is not an empirical judgment, the *cogito* can only be a grammatical remark, as if only two options were available.

The question is, what does it mean to claim that hinges do not refer to externality, as empirical judgments do? I can only see two possible answers. First, that they refer to mere phenomena, better said, to the self-contained structure of judgmental rationality. But if so, epistemic dualism remains implicit. Phenomena are described as such in contrast with reality. As it happens with particular

19 Otherwise, it would not exist a contrastive difference between agency and automatism. Not to say that all hinges would be semantically equivalent; better said, they all would be semantically null.

20 It plays the role of a norm, namely of something that ought to be *accepted*. I consciously opt for the more neutral term ('acceptance') so as to avoid 'belief'. The latter word would suggest, according to constitutivism, that hinges are of the nature of judgments, and so, that it makes sense to speak of evidential justification, knowledge, and truth value in regards to them.

21 As for the first claim, its truth does not prevent its irrelevance. It leaves unexplained the normative force of the *cogito*.

judgments, which can fall short of reality, it also happens with principles. It is therefore as if dialectical inescapability *per se* could not escape from the falsification thesis. The point is that, on this view, the descriptive content of hinges remains unexplained. How can hinges have descriptive content when thinking is neither a faculty through which content is produced, nor is it, in regards to standard presuppositions, its own object? How can they, if not because content is somehow external? The stumbling block for constitutivism, as a variety of formalism, is content.

There is, however, a second option. Constitutivism may declare that the descriptive contents in hinges are something real and yet are neither phenomena nor things-in-themselves. This answer would logically exclude dualism. However, together with being only valid for the *cogito*, it has as a consequence that the notion of form from which we started no longer makes sense, or, alternatively, that it is an idle concept in regards to the validation of epistemic norms. Based on this conclusion, epistemic normativity would have nothing to do with what one cannot help thinking —its sources would be *ontological*, rather than reflective.[22] In any case, constitutivism is logically impeded to take this route: the obstacle of content remains fixed in its nature.

As a conclusion, it can be claimed neither that the *cogito* is an empty form, nor that it is merely inescapable. It is true that the *cogito* does not refer to reality, but only because it is *intrinsically real*.

And yet, it seems as if *the total blank* were the content of the *cogito*. Is it not intuitive that pure activity is just nothingness, the indeterminate, the bottomless sea of Schopenhauer's metaphysics?

Let us pay attention to the *cogito*. The *cogito* is a particular act of thinking which brings to light the activity of thinking implicit in all acts of judgment, but which is not directly present for them. This activity may seem, at first sight, contentless. Moreover, it is an activity (i) which can only be recognized and known

22 As it will be indicated in my concluding remarks, from this it follows that the problem of the validation of the *cogito* is a pseudo-problem. If this model could be extended *without further qualifications* (it cannot) to other Wittgensteinian hinges, we would get the paradoxical result that *the* cogito *model* is, in a sense, closer to Wittgenstein's view than standard constitutivism. On this alternative model, hinges would be truly groundless. It would not make sense to provide any kind of credentials, whether personal and reflective, or external, whether by means of extended rationality, of extended warrant, or of faith, to them (see Wittgenstein 1969/2004, § 166).

This is not the place to raise this topic, but it seems to me that Wittgenstein's reflections on certainty are much closer to the kind of *abstract realism* here proposed than both to constructivism and to metaphysical realism (positions which, while opposed, are also inherently related).

by means of performing the *cogito*; and (ii) it does not exist independently of a series of particular judgments in which it is implicitly contained.[23]

However, this activity is neither an empirical object among others, nor is it the mere power and potentiality to act, nor is it a notional (conceptual) entity. On the contrary, that which is retrieved by the *cogito* is an activity which returns into itself, that it is 'for itself' in all acts of thinking. However, the previous description invites caution. It is not that the activity comes to be 'for itself' through the *cogito*, as if it only were *virtually* 'for itself'. It is rather that it is *manifested* and *noticed* as of the nature of being 'for itself' through the *cogito*.[24]

The activity is thus neither being as such, nor awareness as such —it is a self-referential activity, namely *self-consciousness*, the feeling of myself as active which can be immediately retrieved as a thought by attention and which is implicit and undivided in all acts as the tacit awareness of them as acts. This is a contentful, experiential thought —but one which, because self-referentiality is not built up by the addition of conscious judgments, and it is thus a condition of empirical consciousness, is, in a sense, previous to experience —it is inherent to experience whatever its contents may be. To sum up, self-consciousness, far from being the total blank, it is itself a synthesis: the original, unconditional synthesis of the self with itself. The self is thus the unity of subject and object —it is neither empty subjectivity (a pure subjective form), nor the same form externalized as an object. Intrinsic self-relation is as much an identity as essence is.

Self-consciousness is also the ideal *object* of knowledge: the perfect merging of subject and object which, as its object, it is captured in the performance of the *cogito*.[25] Why self-consciousness is the ideal object of knowledge? Let us see what does occur at performing the *cogito*. It happens that that which is *implicit* in the act of thinking (self-consciousness) is also the *explicit* object to which the act is directed. In the *cogito*, the performer affirms itself as a performer. We thus find here the ideal of knowledge: the *organic* (not artificial) *unity* between the act and its object. Organic unity is not pure identity, nor is it opposition. It is a unity in which difference (the particular act) is kept in existence, and the formal opposition of judgment is transformed into the unitary character of knowledge. In this act, we come to find an object which, though it is contained in the act, does not exhaust the act. Knowledge, which requires as much unity as it requires difference, is here exemplified.

23 Meaning that there is no pure, transcendental self-consciousness, as if one could come to know explicitly self-consciousness without performing a temporal, particular act; as if it were possible to be directly aware of self-consciousness without making an object of the latter.

24 How could an act of thinking constitute self-consciousness? How could a particular act of directed awareness produce a self-awareness which must be tacitly present in all acts as their condition?

25 Notice that the formal object of the *cogito* is not a mere object (being): it is a subject-object.

This is why the *cogito* is not an empty form which cannot be known. First, because its object is not blank activity, but self-related activity. More importantly, because the relation between the act and its object is not one of identity. The content does not come from outside, but neither is it such as to absorb the act of apprehending it. If all content came from outside, knowledge would be unachievable. If the act were absorbed by its content, epistemology would become illusory, and the epistemic aim would be suicidal to knowledge itself. It is in the *cogito* where form and content are cognitively related. Here, there is a blurring of the line of division between subject and object; a blurring which may explain the specialness of the *cogito* even to the point of making it a higher form of human consciousness.

5. CONCLUSION

It has been the main purpose of this text to portray the *cogito* as a sharp edge cutting into being, and thus, to argue that its normative force is not grounded in inescapability. Thus, our reality as thinkers does have unconditional validity, and the mind itself, at its very center, is not divorced from reality.

It has been a route that started from the constituvism's quest of a personal, reflective validation of epistemic normativity; a quest which led to a point where our ultimate, cognitive limitations were presented as the sources of rational normativity, and where normativity collapsed into a kind of higher-order defactoism. The ontological pressure was left out of this picture. It was this pressure that convinced me that the justification of norms cannot be merely internal and self-contained, that it must be tied to reality so as to count as genuine justification. There is, however, a further twist with the *cogito*. It is not that there is not self-consistent alternative to the *cogito*, nor that the *cogito* reaches out to reality. It is rather that the question of justification cannot be *logically* raised in regards to the *cogito*. If falsification makes no sense, is it also senseless to ask for a further ground for something which is, as it were, its own ground. This is why, as it was previously noted, the inescapability and the (empirical) indubitability of the *cogito* are, even if true, idle as mechanisms for its validation. The *cogito* stands for itself, without dualism between act and content. It is the real *hinge*; one which, though it is known, is so perfectly known that the questions of justification, truth-value and (empirical) cognoscibility lose any sense in regards to it. The *cogito* lies beyond the standard categories. It is more than a grammatical remark, as it is more than a piece of knowledge among others.

It is at this point that it is required to make clear why hinge normativity goes well beyond both epistemic and practical normativity, and why the self-activity retrieved in the *cogito* is irreducible to a fundamental, basic proposition that upholds our knowledge of reality, namely, irreducible to a discrete, even if foundational, *fact* of consciousness.

The key lies in that the unity of self-consciousness is logically prior to its justification, in that any attempt to ground self-consciousness in rational competences (or in reasons, whether practical or epistemic) leads either to an infinite regress or to relativity and arbitrariness. However, it makes no sense to draw any sort of real distinction between appearance and reality when discussing the *cogito*. As an exercise in philosophical insight, there is plenty of room to cognitive dissonance at thinking the *cogito*, only as one adjusts one's philosophical orientation. However, as the content of experience, it makes no sense a confusing contradiction of one's expectations in thinking self-activity.

Thus, self-activity could never confront the intellect as a relative and evaluative value, of which one might provide reasons. One cannot accept (or reject) the *cogito* except defectively, by having failed to recognize it as agency itself. This mistake has its source in thinking self-activity as an entity contingent upon a 'field of sense,' and not as *being* which shines forth as thinking in subjectivity. The question of self-consciousness does not therefore concern how it is the present arrangement of our worldview, but how it is any worldview possible at all. This is why the normativity of self-activity raises a question that no foundationalism (a position which, in all its varieties, is inherently relative to a particular worldview) could ever answer —for it is qualitatively different from the kind of questions that standard epistemology is competent to address. Sceptics and foundationalists alike fail into a confusion of categories, they are blind to a distinction between two entirely disparate conceptual orders: far from being a superlative fact that explains certain given practices inasmuch as it is contingent upon and limited to its foundational role, the self is transcendent to all worldviews and for that very reason immanent to all them in all their points.

In sum: because there is no reflective distance to self-activity, there is no room for validating or questioning it. Hinge normativity lies where contingency and relativity, far from being merely displaced (as in standard Hinge Epistemology), are fully abolished.

This research was consciously restricted to the task of anchoring validity into reality, and thus, to capture and to describe the vertical axis of cognition. However, knowledge cannot be only portrayed as basically immutable; it cannot be precluded to any kind of development. Thus far, we have only described static knowledge. And this is not enough.

In other words, our quest inherits a problem from constitutivism: the problem of *content*. The *cogito* remains, as such, locked into itself. Not only our particular judgments, but also our epistemic principles, are plagued with dualism. They do have contents which, utterly foreign to the *cogito* (or seeming to be so), remain unexplained. Moreover, those contents are intuitively interpreted as referring to an external world which somehow, and even though the *self* is fully real, stands independently of our being as thinkers. Thus, the falsification thesis, and with it,

the ghost of metaphysical realism, which were successfully exorcized from the *innermost self*, reappear at the level of empirical cognition. The *dynamics* of cognition must be explained, and, if possible, it must be explained without the admission of dualism. It should be expected that if the mind is not detached from reality at its core, neither is detached from reality in its operations.

Would it be possible to move beyond the *cogito* without having for that to leave it aside? Could the *cogito* be, together with being the axis of our cognitive activity, the moving force of our cognition, even the aim to which it is directed? —Too many functions for one only worker. —Maybe. But it should be our philosophical task to make the best of the lessons just learnt so as to clarify those questions, and thus, so as to attempt to rediscover our humble, ordinary beliefs as what they really are —as examples of knowledge, incomplete but unbracketed.[26]

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