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# Peirce on the Norms of Judgment

Evelyn Vargas\*<sup>1</sup>

<sup>1</sup>University of La Plata (UNLP - CONICET) – Facultad de Humanidades y Ciencias de la Educación,  
Edificio B, calle 51 y 120, Ensenada La Plata, Argentina

## Abstract

According to an increasingly widespread view, the pragmatist approach to inquiry, in terms of a logic of inquiry that focuses on our epistemic practices, can shed light on questions concerning epistemic norms. The advantages of Dewey's view over the traditional view of human reasoning, for example, have been emphasized insofar as our reasoning practices can be grounded by describing how rational agents appeal to reason in problematic situations that require the use of their judgmental capacity (Frega 2010). However, another prominent representative of the pragmatist tradition, namely, Charles S. Peirce, objected to Dewey's conception of the logic of inquiry as a natural history on the ground that "The effect of teaching that such a Natural History can take the place of a normative science of thought must be to render the rules of reasoning lax" CP 8. 240). Although some Peirce scholars have suggested that the differences between their views is not as great as Peirce claimed (Colapietro 2002), it remains unclear whether Peirce's conception of logic as a normative science is compatible with Dewey's views. An important disagreement concerns the nature of the norms governing belief formation and the grounds of their authority. Even if they agree that norms governing our doxastic states are to be recognized in their concrete applications, and thus in our reasoning practices, it is difficult to see how to account for their validity. One possible interpretation of the way in which particular cases relate to the rules governing them is, of course, Kant's doctrine of the capacity of judgment. In effect, he defines the cognitive faculty of judgment as "the faculty of subsuming under rules; that is, of distinguishing whether something does or does not stand under a given rule (*casus datae legis*)" (A132 /B171). In the Third Critique, he distinguishes between a reflective and a determinative function of this faculty. While determination consists in subsuming the particular under a rule that is given, "... if only the particular is given and judgment has to find the universal for it, then this faculty is merely reflective (KU 5: 179; 18–19)." In a recent study, R. Smyth (2002) proposes to interpret Peirce's conception of logic as a normative science in terms of Kant's critical doctrine of common sense in the Third Critique since "Kantian ethics and aesthetics had a considerable bearing on Peirce's epistemological strategy in his own philosophy" (297). Smyth compares Kant's analysis of mathematical reasoning in KU 62 with Peirce's conception of diagrammatic reasoning (295). The practice of reasoning by paradigmatic examples can be regarded as an exercise of the capacity of judgment in its reflective function because a particular geometrical figure can be conceived as falling under a law without 'seeing' the law under which it falls. At the same time, Smyth's interpretation ascribes to Peirce a distinction made by Kant between what justifies our knowledge of a norm and what makes the norm valid; while we know the norm according to which the reasoning is correct in the particular case, and while the reasons by which we justify its correctness do not depend on knowledge that is extrinsic to the particular act of reasoning, what makes

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\*Speaker

the norm valid does not depend on how we know it (303). Now an act of reflective judgment consists in making a claim for its universal validity (KU, XX), that is, a reflective judgment demands universal assent but this universality is grounded on the common sense. This prescriptive force is prior to the particular acts to which it applies in the sense that it cannot be limited to particular instantiations. But the source of the prescriptive force that is found in particular cases is exactly what has to be accounted for. The demand for the agreement of others that is made by the aesthetic judgment and that presupposes the idea of a common sense (KU 22) cannot provide the ground for logical reasoning at the risk of turning it into a judgment of taste. Peirce thought that his semiotic conception of reasoning would provide a better understanding of the norms governing our inferential practices; thus, it is only in terms of that conception, which regards inference as the minimal unit of thought, that it is possible to explain how generality can be present in particular instances. Consequently, I will analyze the way in which Kant conceived the problem of eliciting norms from particular instances (for the specific case of the role of reflective judgment in geometrical constructions in KU 62) in order to present the differences with Peirce's solution.

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