

Harvard Dissertations in Philosophy —

Edited by

Robert Nozick

Arthur Kingsley

**Porter Professor of
Philosophy**

Harvard University

**The Role of Taste
in Kant's Theory
of Cognition**

Hannah Ginsborg

GARLAND PUBLISHING
NEW YORK & LONDON
1990

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Library of Congress Cataloging-in-Publication Data

Ginsborg, Hannah.

The role of taste in Kant's theory of cognition/ Hannah
Ginsborg.

p. cm.—(Harvard dissertations in philosophy)

Thesis (Ph. D.)—Harvard University, 1988.

Includes bibliographical references.

ISBN 0-8240-3203-9

1. Kant, Immanuel, 1724-1804—Contributions in doctrine of
good taste. 2. Judgment (Aesthetics) 3. Knowledge, Theory
of. I. Title. II. Series.

B2799.J8G56 1990

121'.4—dc20 89-71077

*All volumes printed on acid-free, 250-year-life paper
Manufactured in the United States of America*

Design by Julie Threlkeld

To the memory of Rae Taffler

Preface to the Garland Edition

The following is an essentially unrevised version of a Ph. D. dissertation which I submitted to the Department of Philosophy at Harvard University in July 1988. Some minor changes have been made in the endnotes, but for technical reasons it has not been possible to correct typographical errors or to make other changes in the main body of the text.

—H. G.

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Acknowledgements

Many people have helped me in my work on this thesis, and I would like to express my thanks to some of them here. My advisors, Burton Dreben and John Rawls, provided inspiration and encouragement throughout. By raising questions about the broader implications of my reading of the third Critique, with respect both to Kant and to philosophy in general, they kept me from getting bogged down in details and gave me a sense of overall direction. Michael Friedman gave me crucial advice and encouragement as the project was developing, and provided valuable criticism of early drafts. John Carriero, Stephen Engstrom and Gary Hatfield also read and commented on substantial parts of the thesis and made many useful suggestions. During the year I spent in Berlin, I benefitted from the generous and kindly advice of Peter Krausser. Tim Scanlon, in his role as jobs officer, went far beyond the call of duty in familiarizing himself with, and responding to, my work.

I am grateful also to many friends who took the time to discuss my work with me and to offer their criticisms and suggestions. Among these I want particularly to mention Thom Carlson, Wilfrid Hinsch, Andrews Reath, Marya Schechtman, Miriam Solomon and Paul Weithman. I also want to thank the members of the Doktoranden-Kolloquium in which I participated at the Freie Universität in Berlin, especially Stefan Gosepath, Marcus Otto, Beate Rössler and Bernhard Thöle. Daniel Warren provided constant help and encouragement, tirelessly discussing my ideas, offering sympathetic and constructive criticism, and suggesting ways to overcome the obstacles which I frequently encountered. I owe a great deal to his intellectual and emotional support. I am also grateful to Elizabeth McIsaac and Carmel

Sullivan for their practical help and advice.

I mention with gratitude two former teachers who have had an influence on my work and who have helped me to develop my philosophical views. Edwin McCann, who taught me Kant during my first year at Harvard, has very much shaped my understanding of Kant, and I have been grateful during the writing of this thesis for what I have learned from him. Michael Ayers, my tutor at Wadham College in Oxford, introduced me to the study of philosophy and taught me to appreciate the importance of its history. I continue to feel the influence of his teaching in every aspect of my thinking about philosophy.

My first and fourth years of work on the thesis were supported by fellowships from the Harvard Graduate Society and from the Mrs Giles Whiting Foundation. I am grateful to these institutions for allowing me to pursue research free from teaching responsibilities. I also received a fellowship from the Sheldon Fund at Harvard which made possible a productive year in Berlin. Further material support for the thesis was provided by Robert Nozick, who generously made available word processors for the use of the graduate students.

Finally, my deepest thanks go to my parents, Andrina and Bernard Ginsborg, who have fostered my intellectual interests from the very earliest stage, and who have supported and encouraged me in this as in every other undertaking.

Note on references and translations

Page references for the Critique of Judgment (KdU) are to volume V of the Akademie edition of Kant's works (Berlin, 1902-). References are also given to Kant's numbered sections, where Roman numerals refer to sections of the Introduction, and Arabic numerals (preceded by the symbol "#") refer to sections in the rest of the text. Page references for the First Introduction (EE) are to volume XX of the Akademie edition: Roman numerals preceding the given page number refer to Kant's numbered sections. References to the Critique of Pure Reason (KdrV) are given in the usual "A" and "B" form as referring to the first and second editions respectively. All other references to Kant's works are given by volume and page number of the Akademie edition.

All translations are my own. However I have consulted, and sometimes followed, James Meredith's translation of the Critique of Judgment (Oxford, 1928), James Haden's translation of the First Introduction (Indianapolis, 1965) and Norman Kemp Smith's translation of the Critique of Pure Reason (London, 1929).

Preface

The project of my dissertation grew out of an interest in the foundations of twentieth-century analytic philosophy, and specifically in the work of Frege. While trying to learn about the philosophical underpinnings of Frege's view of logic, I was struck by a view attributed to Frege by Thomas Ricketts, that of the "primacy of judgment."^{*} According to Ricketts, Frege's distinction between the objective and the subjective is not an ontological distinction, but one which derives from the possibility of judgment, as a feature of our linguistic practice. The message of Frege's anti-psychologism is that human discourse does not merely consist in the expression of personal responses to given states of affairs. Instead, it includes the making of judgments, or claims with which others can intelligibly agree or disagree, and that are susceptible to criticism and justification as well as to psychological explanation. Further, our being able to make these intersubjectively valid judgments is not a function of a prior capacity to recognize objective truth. Rather, it is the possibilities of agreement and disagreement immanent in linguistic practice which in turn generate the possibility of objective truth in the first place.

Believing that the idea of the primacy of judgment was an important one for understanding more recent issues in analytic philosophy, and disappointed to find so little explicit discussion of it in Frege's own work, I started to think about its historical antecedents. Here the Critique of Pure Reason seemed an obvious place to look. For Kant, like Frege, appeared to

^{*}See Ricketts, "Objectivity and Objecthood: Frege's Metaphysics of Judgment" in Frege Synthesized, edited by L. Haaparanta and J. Hintikka, Dordrecht, 1986.

me to ground his conception of objective truth on a prior conception of judgment, although one that was characterized, not as arising from features of our linguistic practice, but in the frustratingly obscure terms of transcendental psychology. However, while it seemed to me that Kant's argument was clearly relying on a conception of judgment as in some sense intersubjectively valid, I did not feel that the first Critique had much to say about how intersubjectively valid judgment was itself possible. So it was natural to turn to the Critique of Judgment, with the hope that here, if anywhere, the assumption of the primacy of judgment would be examined and defended. This time I was not disappointed. To begin with, Kant's frequent references there to the role of intersubjective agreement in judgment made me suspect that the capacity to judge might not be an irreducible transcendental-psychological faculty of the mind, but might have some connection to Frege's conception of judgment as bearing on the possibilities of agreement and disagreement among human beings. More specifically, the notion of a judgment of taste, as a judgment which has intersubjective validity without being objectively valid, seemed to me to bear directly on the notion of the primacy of judgment as an aspect of Kant's account of objectivity. For if I was right in supposing that Kant was, in some sense, basing his conception of objective truth on the possibility of intersubjectively valid judgment, then he would need to have some way of showing that intersubjectively valid judgment was possible independent of the recognition of objective truth. And the judgment of taste would obviously be the perfect candidate for such a demonstration.

At this point, the focus of my project shifted from Frege to Kant. I decided to investigate the relation between Kant's theory of taste and his theory of cognition, with the hope of being able to show that the judgment

of taste was indeed playing the role that I had conjectured. In order to be able to do this, I had to come up with an interpretation that was secured, so to speak, at both ends. On the one hand, I needed to show that Kant's theory of taste allowed for an understanding of the judgment of taste which was not merely of local significance for his views on aesthetics, but which could serve to articulate a conception of judgment as involving an inherent claim to intersubjective validity. On the other hand, I needed to show that the idea of intersubjective validity really did have a role to play in Kant's theory of cognition, and that Kant was not tied to the solipsistic standpoint with which his view of cognition is sometimes associated. But at the same time, given the origin of my interest in the project, I had to beware of being anachronistic and of crudely reading a twentieth- (or late nineteenth-) century idea into an eighteenth-century work. Because of this, I tried to keep my agenda as much as possible in the background, and to orient my project towards the resolution of specific difficulties in the interpretation of Kant, which I thought that my proposed reading might help to resolve. I began by considering some serious problems in Kant's theory of taste, concerning firstly the form and structure of the judgment of taste, and secondly the transcendental psychology of aesthetic response. This led to the present chapters one and two, in which I try to address these problems through a reading of the judgment of taste which emphasizes its connection to the idea of intersubjective validity. I then turned to difficulties arising in Kant's theory of cognition, concerning firstly the distinction between judgments of perception and judgments of experience, and secondly the question of how the categories can be applicable to particular experience. This led to the present chapter three, in which I try to show that these difficulties can be overcome if we take seriously the notion of

intersubjectively valid judgment as playing a significant role in Kant's theory. Finally, although I had not initially set out to provide a reading of the notoriously difficult Introduction to the third Critique, where Kant discusses the faculty of judgment as such, I found that the view that I had developed appeared to shed some light on the connections that Kant draws there among taste, reflective judgment and the systematicity of nature. This led to the present chapter four, in which I try to bring my interpretation together with Kant's own explicit discussion of the faculty of judgment in its relation to taste.

While my thesis has been deliberately oriented in this way towards specific problems of interpretation, its principal aim has remained more general. I have been concerned with Kant's theory of taste primarily as a means of developing and articulating a conception of judgment which I take to be integral to Kant's overall account of cognition. The picture of cognition that emerges in the light of this conception is unfamiliar if we are accustomed to a more traditional understanding of Kant's theory of knowledge, as derived from the first Critique alone. On it we appear, not as timeless subjects of experience synthesizing a manifold of representations in order to make possible the spatio-temporal world of empirical objects, but as temporally enduring human beings who are already part of the empirical world, and for whom representations are caused through physical interaction with other spatial and temporal objects. Cognition is possible for us, from this perspective, not through any mysterious activity of transcendental synthesis, but in virtue of our being able to enter into agreement and disagreement with other human beings, and in this way to regard ourselves as genuinely cognizing objects rather than just responding to them in psychologically determined ways. Now this picture does, I think, underlie

certain assumptions of twentieth-century analytic philosophy which bear on our capacity to articulate objective propositions and to apply determinate concepts to the objects around us. In a sense it is just this picture which is attacked by Quine and by the rule-following scepticism inspired by recent readings of the later Wittgenstein. But it is in the first instance a Kantian picture, which deserves attention not only because of its implications for contemporary philosophy, but also because it represents an important facet of Kant's own philosophical views. Without the awareness of the importance of judgment in Kant's philosophical system which emerges from an appreciation of the role of taste in his theory of cognition, our understanding of Kant must remain essentially incomplete.

Two final remarks about the way in which the thesis is written: Firstly, because my treatment of specific issues in the various chapters of the thesis is intended to bring out a single major theme, certain central topics concerning the nature of judgment and the role of intersubjectivity in cognition are taken up several times in the thesis as a whole. Thus, for example, the distinction between judgments of perception and judgments of experience is first discussed in section IV of chapter two, but then treated again in much more detail in section II of chapter three. Similarly, I touch in a provisional way on the idea of the faculty of judgment at the end, both of chapter two and of chapter three, before discussing it explicitly in chapter four. Moreover, because my views have developed and become more articulated in the course of writing the thesis (the chapters were written in the order in which they are presented here), my emphasis in treating a single topic sometimes changes from one chapter to the next. Rather than try to revise the thesis to remove repetitions and to ensure a

more uniform discussion, I have chosen to leave it as it is, hoping that the reader will find it helpful rather than disconcerting to encounter the same theme discussed in a variety of different ways as the argument of the thesis develops.

Secondly, it may be remarked that I have devoted an apparently disproportionate amount of space to commenting on and criticizing Paul Guyer's interpretation of Kant's theory of taste. In case it is not sufficiently clear in the thesis itself, I want to emphasize that this is not because I find his work faulty. On the contrary, Guyer's work stands out as worthy of detailed comment and response just because it represents such a high standard of interpretation. While other philosophers writing on the third Critique have understandably tended to slide over some of the difficult issues in Kant's aesthetic theory, hesitating to offer detailed readings of the trickier passages, Guyer has been both scrupulous in laying bare all of the difficulties presented by the text, and fearless in proposing solutions to these difficulties. It is precisely this combination of thoroughness in analysis and boldness in interpretation that makes Guyer the obvious target of criticism for anyone approaching the text with assumptions significantly different from those that underlie Guyer's own reading. I have found Guyer's analysis and discussion invaluable in trying to come to an understanding of Kant's theory of taste, and while my interpretation is in substantial disagreement with his, the fact that I have been able to arrive at this interpretation in the first place is in large part due to what I have learned from his work.

Chapter One

Pleasure in the Beautiful and Judgments of Taste¹

Some recent interpretations of the Critique of Aesthetic Judgment have distinguished two elements in Kant's theory of taste, specifically of the beautiful: the aesthetic response and the aesthetic judgment.² The first of these is phenomenologically identifiable through a feeling of pleasure, and turns out under Kant's examination to consist in the freely harmonious interplay, or relation, of the faculties of imagination and understanding. The second of these is a judgment, made on the basis of having such a feeling in the apprehension of an object, the content of which is that everyone else ought, if they apprehend the object in question, to have this feeling too. On the basis of this division into two elements, the central question of the Critique of Aesthetic Judgment has been conceived as that of how, given that one has the relevant response, one is entitled to make the corresponding judgment. The answer that Kant seems to give to this question, in the Transcendental Deduction of Aesthetic Judgments, is that the pleasure, qua freely harmonious relation of imagination and understanding, manifests a certain cognitive capacity necessary for making ordinary judgments about objects. We have to assume (on pain of scepticism) that this capacity is universally shared: consequently, if we feel our faculties harmonizing in the presence of a given object, we are entitled to demand that the faculties of everyone else harmonize with respect to that object as well.³

This answer is not altogether satisfactory. Firstly, apart from general

problems about understanding Kant's transcendental psychology, it is hard to make out what the harmony of the faculties is, and in what sense it is presupposed by the determinate relation of imagination and understanding that is involved in ordinary cognitive judgments. Secondly, it is not clear why the harmony of imagination and understanding should manifest itself specifically as a feeling of pleasure. Thirdly, the assumption that the capacity to judge is universally shared is open to question and in any case does not seem to follow from the First Critique, which apparently offers a successful challenge to scepticism without the benefit of any assumptions about intersubjectivity. And finally, it is hard to see how an argument invoking an assumption about other people's cognitive capacities can give us anything more than a rational expectation of agreement in our aesthetic responses, as opposed to the title to demand agreement which Kant clearly wants to defend.

The most sophisticated attempt to develop an interpretation along the lines that I have sketched is that of Paul Guyer, in his Kant and the Claims of Taste, and Guyer has, accordingly, the strongest responses to the various objections that may be raised against this interpretation. Guyer deals with the first two that I have mentioned by interpreting the "harmony of the faculties" as "the preparation of a manifold for cognition," an activity roughly identifiable with regard to the Critique of Pure Reason as the first two steps of the threefold synthesis described in the first edition Deduction. This provides an answer to the question of the relation between cognitive judgment and the harmony of the faculties, and also allows us a way of explaining the connection between the harmony and the feeling of pleasure. According to Kant's general theory of pleasure that Guyer draws from the Critique of Practical Reason and the Anthropology, pleasure is felt on the

attainment of any goal. The preparation of a manifold for cognition represents the satisfaction of a cognitive goal: so it must be attended with pleasure.⁴ However, Guyer has to admit the inadequacy of Kant's account to meet the third objection (indeed he is one of those to make it most forcefully against Kant). And, with regard to the fourth objection, Guyer responds implicitly by undermining the force of the distinction between demanding agreement and predicting it: a move which saves Kant's argument by depriving the view for which he is arguing of much of its bite.

We might, as Guyer does, draw from this the moral that the argument is not particularly successful but that the general view of taste surrounding it has many features that are instructive for a psychological theory of aesthetic experience, despite their failure to serve Kant's stated purposes. Or we might continue to look for ways of defending the argument against its objections while preserving its interest. Either of these alternatives might be acceptable, were it not for a number of problems, quite independent of the question of its plausibility, in reconciling the argument as generally understood with Kant's text. The most easily specifiable of these problems is that Kant sometimes seems to suggest that the pleasure, rather than preceding the judgment of taste, can in fact be viewed as a consequence of it. One example of such a suggestion is at the notorious #9, which is headed "Investigation of the question: Whether in the judgment of taste /Geschmacksurteil/ the feeling of pleasure precedes the judging /Beurteilung/ of the object, or the latter precedes the former." In this section, Kant clearly opts for the latter solution: "now the merely subjective (aesthetic) judging of the object or of the representation through which it is given precedes the pleasure in it and is the ground of this pleasure in the harmony of the cognitive faculties." The implications of this

passage, and of others like it, offer at least a prima facie reason for supposing that the argument as generally understood, in rough accordance with the sketch I gave in the first paragraph, does not reflect Kant's real view. For the claim that the pleasure does not precede the judging of the object casts doubt on the seemingly straightforward distinction between aesthetic response and aesthetic judgment, and thus on any reading of Kant's central argument that takes this distinction for granted.

Nevertheless, passages like this one have not been taken as demanding a re-evaluation of Kant's argument, and with reason, for to accept Kant's claim at face value is to accept what looks like a clear paradox. The judgment of taste, in claiming universal validity for a feeling of pleasure that I experience, presumably presupposes that this feeling of pleasure has already taken place prior to the judgment, otherwise there would be nothing of which I could be claiming that it was universally valid. Thus it seems absurd to say that the pleasure could be consequent on the judgment. This paradox is evaded by a theory that Guyer develops, according to which not one, but two judgmental procedures are involved in the making of a judgment of taste. In the first place, there is an "unintentional" mental activity of judgment, that is the harmony of the faculties, which gives rise to the aesthetic response of pleasure; but in the second place there is a further, intentional, act of judgment which consists in the subject's reflection on this pleasure, issuing in the recognition of its universal validity. These two acts are logically independent, although they may coincide from a phenomenological point of view; and while the pleasure, in accordance with the requirement of #9, is consequent on the first, it nonetheless precedes the second.

There is, however, good reason for rejecting Guyer's ingenious solution

and adopting instead the apparently paradoxical implications of the more obvious reading of #9. In the first place, as I shall argue in the present chapter, the evidence that Guyer brings to bear for the "two-acts" reading turns out to be unconvincing. In the second place, and more importantly, the initially natural assumption of the priority of the feeling of pleasure over the judgment of taste, which Guyer is trying to defend, is responsible for more difficulties in reading the Critique of Judgment than just the one we met at #9. The most baffling textual questions raised by the Critique of Judgment do not arise from the discussion of aesthetic judgment itself but from the two introductions (the one published with the Critique of Judgment, and the posthumously published "First Introduction"), where Kant tries to connect the theory of taste with a discussion of the faculty of judgment in general, and particularly with what Kant takes to be the principle of that faculty, namely the presupposition of nature's systematicity. As I shall argue in chapter four of this thesis, a re-thinking of the relation between pleasure and judgment allows us to make these connections intelligible, something that Guyer, and indeed most serious commentators on the third Critique in the analytic tradition of philosophy, have regarded as a hopeless task. Finally, as I shall be trying to show in the rest of the thesis as a whole, this re-thinking turns out to yield an interpretation which makes Kant's account of the claims of taste both more plausible and more interesting than previous commentators have been willing to allow.

In this chapter, I shall lay the basis for this interpretation by discussing some of the specific textual difficulties facing the distinction between aesthetic response and aesthetic judgment, and by arguing instead that the feeling of disinterested pleasure in a beautiful object and the judgment that

the object is beautiful, are one and the same. In section I, I shall present objections against the "two-acts" view, which is required to support the distinction which I am criticizing, and in section II I shall go on to present my own view of how the pleasure and the judgment are related.

I: The two-acts view

On a superficial reading of the Critique of Judgment, it appears obvious that Kant regards the actual feeling or sensation of pleasure that we derive from a beautiful object, as a distinct phenomenon from the judgment that the object is beautiful. For Kant repeatedly indicates that the pleasure in taste precedes the judgment of taste, and he does so in two different ways. In the first place, he says that the feeling of pleasure is the "ground" of the judgment. Thus at section VIII of the First Introduction, he describes an aesthetic judgment in general as one whose "determining ground" lies in sensation, specifically sensation "immediately connected with the feeling of pleasure and displeasure" (p. 220); an aesthetic judgment of reflection, or judgment of taste, is one where the sensation which is its determining ground is the feeling brought about by the harmony of imagination and understanding. Later on in the section (pp. 224-5) Kant refers twice to the feeling of pleasure itself as the determining ground of the judgment of taste. While it is not clear from these contexts exactly what Kant means by "determining ground," a natural reading (one that Guyer adopts) is that the pleasure serves as the evidence for, and therefore must precede, the judgment of taste. In the second place, Kant suggests that the pleasure precedes the judgment because it is in some sense what the judgment is about: someone who makes a judgment of taste is claiming universal

validity for the pleasure which he or she experiences. To quote a few examples: "Through the judgment of taste (on the beautiful) one imputes the delight [*Wohlfallen*] in an object to everyone" (#8); "the pleasure [felt in the determination of an object as beautiful] is declared through the judgment of taste at the same time to be valid for everyone" (#11); "one who judges with taste...may impute...his delight in the object to everyone and take his feeling to be universally communicable" (#39).⁵ The textual evidence that Kant takes the feeling of pleasure to precede the judgment is reinforced at the Remark to section VIII of the First Introduction, where Kant raises the question of whether the judgment of taste is by means of [*vermittelt*] the pleasure or displeasure, or concerning [*über*] it ("either alternative," remarks Guyer, "implying that the felt pleasure precedes the judgment")⁶ and answers in a way that suggests that both alternatives apply.

However, the situation is complicated by some further suggestions which, while upholding the distinction between the feeling of pleasure and the judgment, do so in a diametrically opposed way. For Kant indicates in a number of contexts that the pleasure does not precede, but rather is consequent on, the judgment. In addition to the explicit pronouncements of #9, which I shall come back to later, there is more indirect evidence suggesting that the harmony of the faculties which "brings about" [*bewirkt*] the pleasure (EE VIII, p. 224) is itself the act of judging the object to be beautiful. To begin with, Kant takes awareness of the harmony of the faculties to amount to awareness of the relation of imagination and understanding that is required for judgment in general. At section VIII of the First Introduction he explains the harmony of the faculties in terms of schematism, which, according to the Critique of Pure Reason takes place in all applications of the pure concepts to what is given in sensibility, that is to

say, in all objective judgments:

For in the power of judgment, understanding and imagination are considered in relation to one another, and this relation can indeed in the first instance be considered objectively, as belonging to cognition (as happened in the transcendental schematism of the judgment); but one can also consider this same relation of two cognitive faculties merely subjectively, in so far as one helps or hinders the other in one and the same representation and thereby affects the state of mind [Gemütszustand], and thus as a relation which is sensible. (p. 224)

The context makes it clear that this relation required for judgment is "sensible" by means of the "so-called sensation" (p. 224), or feeling, of pleasure, specifically the pleasure of taste. A similar point is made at #39 where Kant says that "the pleasure accompanies the ordinary apprehension of an object through the imagination...in relation to the understanding...by means of a procedure [Verfahung] of the power of judgment which it must practise also for the sake of the commonest experience." In other words, the pleasure, qua pleasure in the harmony of the faculties, makes us aware of a relation that is present, or a procedure that is carried out, in all judgments. It is tempting to infer that, in the special case of the harmony of the faculties, this relation or procedure can also be characterized as the making of a judgment, though, fittingly, one of a special kind: viz., a judgment of taste. This temptation is reinforced by Kant's implicit identification of the harmony of the faculties with an act of reflection. This happens where Kant refers to pleasure as arising from reflection in contexts where it would seem equally appropriate to refer to it as a consequence of the harmony of the faculties, for example at section VII of the published Introduction where Kant says that "the feeling of pleasure in a judgment of taste is...the determining ground of this judgment only through the fact that one is conscious that it [the pleasure] rests merely on reflection" (p. 191). Now the significance of this is that reflection is, at

least in human beings, an exercise of the faculty of judgment (see EE V, p. 211) and would seem therefore to have to issue in a judgment (here in the sense of "claim"): what kind of a judgment could this be if not the judgment of taste itself?

In the face of this conflicting evidence, the proposal to shrug off the last question, and to suppose that Kant is talking about two different episodes of judgment, is an attractive one. Crawford addresses the conflict as it appears in the text at #9 by arguing that the "judging" [Beurteilung] of the object is distinct from the "judgment of taste" [Geschmacksurteil]: the pleasure precedes the "verdictive" judgment but is consequent on the judging.⁷ He expands on this distinction by giving a psychological account of the activity of judging, which connects it with the notion of reflection ("the judging of the object is...the contemplation of and reflection on the form of the object, the utilization of the powers of imagination and understanding to discern a significant organization of elements -- a rule-governedness")⁸ but sets it apart from the judgment, in the sense of the verdict that is delivered or the claim that is made on the basis of this reflective activity and of the pleasure to which it gives rise. Crawford does not attempt to provide independent evidence for the distinction other than the difference in terminology and the fact that it is required to overcome Kant's conflicting claims as to whether or not the pleasure precedes the judgment. Guyer makes a similar distinction to Crawford's, though in a more articulated way. In particular, as already mentioned, he gives a fuller account of the harmony of the faculties which both explains with reference to the text (specifically, to Kant's definition of reflection at section V of the First Introduction) why it should be an activity of reflective judgment, and accounts for its connection with pleasure. He also provides the

distinction with strong independent motivation. This consists partly of an analysis of section VII of the published Introduction and section VIII of the First Introduction that supposedly reveals the "two-acts" structure of aesthetic judgment, but partly also of a broad-ranging interpretation of the overall argument of the Critique of Aesthetic Judgment which is built around the "two-acts" structure and shows that it can be incorporated into an apparently satisfactory and coherent account of Kant's theory of taste as a whole. I shall not now try to examine the latter aspect of Guyer's defence of the "two-acts" view,⁹ but it will be useful to look in detail at the former, specifically textual, considerations that Guyer brings to bear in its favour.

Guyer concedes from the start that the contrast invoked by Crawford between "beurteilen" and "urteilen" does not consistently distinguish between the two acts of judgment. He notes for example that the form "beurteilen," though used in #9 to indicate what is apparently the initial pleasure-producing reflection on the object, is used at section VII of the published Introduction to mean the second act of judgment. However he adopts the term "estimate," as opposed to "judge," to translate "beurteilen," and sometimes relies on this contrast in terms to make the distinction vivid, although not to justify it. (Actually, the contrast between Kant's use of the terms "urteilen" or "Urteil," and "beurteilen" or "Beurteilung" seems to be purely grammatical: as one might expect from their morphological structure, "beurteilen" is always used transitively and "Beurteilung" always relates directly to an object. "Urteilen" on the other hand does not take a direct object, except where a verb clause follows, in which case the expression functions as a contraction of "urteilen, dass..," and an "Urteil" is never immediately of, but always about, or concerning the thing being judged.)¹¹ In addition, Guyer invokes the contrast between Kant's

expression "blosse Reflexion," which he translates as "simple reflection," and the expression "aesthetic judgment," as in actual fact capturing the distinction; although he concedes also that this is neither intended by Kant as a difference in technical terms, nor universally applied where one would expect it to be.

Terminological questions aside, Guyer supports his account by citing a passage, from section VIII of the First Introduction, that I already touched upon in giving evidence for the first kind of precedence that the pleasure appears to have over the judgment: in the aesthetic judgment of reflection, "the harmonious play of the two cognitive faculties of the judgment ...effects /bewirkt/ a sensation...which is the determining ground of the judgment" (p. 224). Here, Guyer claims, we see three distinct stages in the making of the judgment of taste: the harmony of the faculties, the sensation of pleasure caused by this harmony, and the judgment itself made on the basis of this pleasure. Guyer reinforces the claim that the second two are distinct by citing a passage, from the Remark to the same section, that alludes to what I have called the second kind of precedence: here Kant suggests that the judgment of taste determines "that pleasure or displeasure is necessarily connected /verbunden sein müsse/ with the representation of the object," and, to similar effect, that if the judgment of taste is shown to possess universality and necessity, it will determine something a priori...concerning the universality of the rule connecting the feeling [of pleasure and displeasure] with a given representation" (p. 229). Guyer's next move is to give the model more structure by arguing that the judgment proper results from assigning the felt pleasure to the harmony of the faculties as its cause. In support of this comes the following quotation from section VII of the published Introduction (I quote from Guyer's translation:

When the form of an object (not the material of its representation, as sensation), in simple reflection on it, without the intention of deriving any concept from it, is estimated /beurteilt/ as the ground of a pleasure in the representation of such an object, then the pleasure is also judged /geurteilt/to be necessarily connected with such a representation, that is, as /so connected/ not merely for the subject that apprehends this form but for every judging /subject/ in general. The object is then called beautiful... (p. 190)

Here, Guyer says, we see that the judgment of taste proper results from judging or "estimating" (here Kant's terminology deviates from what Guyer would wish) that the pleasure has resulted from "simple reflection" or the harmony of the faculties. In other words, before we can deliver a judgment that something is beautiful, we need, firstly an act of reflection on the object that produces pleasure, secondly the feeling of pleasure that results from the reflection, and thirdly the judgment that the pleasure results from reflection.

This model, by apparently confining the role of reflection to the production of pleasure, seems to belie Kant's suggestions that reflection is involved in the making of the judgment of taste itself. But Guyer goes on to argue that the judgment made subsequently to the experience of pleasure, which attributes the pleasure to the harmony of the faculties, is itself the immediate outcome of an act of reflection. This act of reflection is distinguished from the first kind of reflection ("blosse Reflexion" or "simple reflection") by being, not about the object, but about the pleasure, or more specifically the source of the pleasure. Such an act is needed, on Guyer's model, to distinguish pleasure resulting immediately from sensory stimulation, which licenses only a judgment that something is agreeable, from pleasure resulting from the harmony of the faculties, which licenses a genuine judgment of taste. This is suggested, according to Guyer, by a passage at section VIII of the First Introduction where Kant distinguishes the

aesthetic judgment of sense (or judgment on the agreeable) from the aesthetic judgment of reflection. Only the latter involves "the higher faculty of cognition," but both are based on pleasure: in the case of the latter, since there can be "no definite concept of its determining ground, this ground can only be given by the feeling of pleasure, so that aesthetic judgment is always a reflective judgment" (p. 225). Guyer glosses this last clause as showing that, in the case of a judgment based on pleasure, reflection is always needed to determine what the source of the pleasure is, otherwise one has no way of knowing whether it is a judgment of taste or a judgment on the agreeable that is in order.

Guyer's argument is, however, flawed in two ways. In the first place his evidence appears to include an unnatural reading of one important passage and a mistranslation of another: secondly, as I shall argue later, there is an incoherence, independent of these textual issues, in the model of aesthetic judgment that he defends. The first textual difficulty for his argument is that the evidence for there being a judgment which assigns the felt pleasure to the harmony of the faculties as its cause is Kant's saying at section VII of the published Introduction:

Wessen Gegenstandes Form (nicht das Materielle seiner Vorstellung, als Empfindung) in der blossen Reflexion über dieselbe (ohne Absicht auf einen von ihm zu erwerbenden Begriff) als der Grund einer Lust an der Vorstellung eines solchen Objekts beurteilt wird: mit dessen Vorstellung wird diese Lust auch als notwendig verbunden geurteilt... (p. 190)

The natural reading of this is to take "in der blossen Reflexion" as modifying the verb "beurteilt wird" and not "Wessen Gegenstandes Form," so that the sentence reads "When the form of an object...is judged, in the mere reflection on it...as the basis of a pleasure in the representation of such an object, this pleasure is also judged as necessarily connected with this

representation." Guyer's reason for adopting his more strained reading of the passage is presumably not just that it provides evidence for the point in question, but that the alternative looks to him to be incoherent. If one assumes, as he does, that "blosse Reflexion" refers always to an act of reflecting on an object (or its representation) to produce pleasure, and never to the act of determining the source of a pleasure, then nothing could be judged in "mere" or "simple" reflection to be the basis of pleasure.

However, as I shall be arguing that the distinction between two levels of reflection is in any case misplaced, this consideration need not deter us from adopting the more natural reading.

Even if this deprives Guyer of his direct evidence for a judgment that assigns the pleasure to the harmony as its cause, it looks as though his view should be saved by his next move, of identifying the judgment with an act of reflection on the source of the pleasure. For if Kant is, as Guyer suggests, committed to there being such an act, then he is also committed to there being a corresponding judgment. However, Guyer's suggestion that all judgments require an act of reflection that traces the pleasure to its source is founded on a mistranslation. At section VIII of the First Introduction (p. 225), after making the distinction between the aesthetic judgment of sense and the aesthetic judgment of reflection, in terms of whether just the senses, or the higher cognitive faculties, are involved, Kant goes on specifically to describe the aesthetic judgment of reflection. After making clear its connection with the faculty of judgment, Kant continues: "Dieweil aber eine bloss subjective Bedingung eines Urteils keinen bestimmten Begriff von dem Bestimmungsgrunde desselben verstattet, so kann dieser nur im Gefühl gegeben werden, so doch, dass das aesthetische Urteil immer ein Reflexionsurteil ist" (my emphasis). Guyer, and James Haden before him,

translate "so doch, dass" as "so that" and "immer" as "always," with the implication, explicitly taken up by Guyer, that Kant is concluding, from the fact that the determining ground of the aesthetic judgment is given in feeling instead of in concepts, that aesthetic judgments (that is, those attributing mere agreeableness as well as those attributing beauty) are always judgments of reflection. This conflicts not only with Kant's clear intention in the passage of distinguishing aesthetic judgments of reflection from aesthetic judgments of sense, but with the correct meaning of "so doch, dass," namely, "yet in such a way that." Kant in other words is stressing that although the aesthetic judgment of reflection, like the aesthetic judgment of sense, is based on pleasure, it is, unlike the aesthetic judgment of sense, based on pleasure in such a way that it is still [immer] a judgment of reflection.

These criticisms show that Guyer's attempt to give structure to the relation between the harmony of the faculties on the one hand and the judgment of taste on the other lacks support in the text. However, the initial claim that they must be distinct still stands, and we may conclude that something like the two-acts theory must still hold in order to avoid the paradox of the feeling of pleasure being both the consequence, and the determining ground, of the judgment of taste. Yet if we look more closely at the opening stages of Guyer's argument, we see that there is something paradoxical here also. Guyer, it will be recalled, argues on the basis of the text at section VII of the published Introduction and section VIII of the First Introduction that the pleasure precedes the judgment proper in two ways: as its determining ground, which he glosses as "evidence," and as the subject of the judgment, in that the judgment asserts its necessary connection with the representation of the object (or, which comes to the same thing, its

universal attributability). Now there is a prima facie conflict in the idea that one and the same thing can be both the ground of, or evidence for, a judgment, and what that judgment is about. It would seem that the object of our judgment cannot itself play a role in justifying the judgment, that is, in showing that we should attribute this or that property to the object: the object (more precisely, the existence of the object) may serve as the precondition for making a judgment about that object in the first place, but more than just that object is needed to provide evidence that would justify us in making one particular judgment rather than another. In this case, if the judgment of taste says something about a feeling of pleasure, i.e. that it is universally attributable, the evidence for this claim cannot be the feeling of pleasure itself, since the fact that I feel pleasure admits equally well of my making the contradictory judgment that the pleasure is attributable only to people with my particular psycho-physiological constitution. Something of a different order from the pleasure itself, say, consciousness of some feature of the pleasure such as disinterestedness, or independence from specifically sensory components, is needed to serve as evidence for the claim that that pleasure is universally attributable.

Now the role of such an additional consciousness as what justifies the judgment of taste is specifically acknowledged by Guyer. In fact it serves as part of the motivation for his claim that a further act of reflection, subsequent to the occurrence of the harmony, is required to make a judgment of taste. Thus, in the course of arguing for this claim, he cites a passage at section VII of the First Introduction (p. 191) where Kant says that "pleasure is the determining ground of the judgment of taste only insofar as one is conscious /dadurch, dass man sich bewusst ist/ that it rests merely on reflection," and glosses it as saying that the feeling of pleasure can play the

role of evidence for a judgment of taste "only if one is in fact conscious that it does indeed stem from simple reflection rather than from something else." Guyer draws from this support for his conclusion that "an act of reflection on the nature of one's pleasure must be required in order to reach the latter conclusion [i.e. the conclusion that an object is beautiful] -- or, certainly, to justify it."¹²

What Guyer apparently fails to see here is that this conclusion conflicts with the claim that it is the feeling of pleasure which is evidence for the judgment. According to this conclusion, what justifies us in claiming universal attributability for a feeling of pleasure is the consciousness, pursuant on an act of reflection, that the pleasure stems from "simple reflection" or the harmony of the faculties. This consciousness, and not the pleasure itself, is what plays the role of evidence. This is borne out if we look a little more closely at what Guyer takes this "consciousness" to be. Most important to note, it is not the outcome of incorrigible introspection, nor of any transcendental act of the mind, but of a thoroughly empirical exercise of "hypothesis and conjecture about causal connections in one's mental history."¹³ On feeling pleasure, one conducts a search "in the network of one's thoughts and associations"¹⁴ to determine whether or not the pleasure is due to any interest. As long as no interest is found, one may regard the pleasure as disinterested, which in turn entitles one to assign the pleasure to the harmony of the faculties.¹⁵ Consciousness that one's pleasure is due to the harmony of the faculties can thus be equated with awareness that no interest has so far been discovered to explain the pleasure, or more precisely, though more puzzlingly, with absence of awareness of any such interest; and it is ultimately this awareness, or lack of awareness, that justifies one in claiming the universal attributability of

the pleasure. It is clear that on this view the judgment of taste is justified by successive appeals to facts about the pleasure -- its dissociation from any interest and its inferred origin in the harmony of the faculties -- but that the occurrence of the pleasure itself does not ever enter into the chain of evidence. What the evidence is, is summed up by Guyer thus: "That a given feeling of pleasure is disinterested, and that it has been occasioned by the perception of the purposiveness of a given object's form, are facts about it which, in Kant's view, may be manifest to consciousness, may be used to assign it to the harmony of the faculties rather than to some other source, and which, consequently, may be used to justify the claim of intersubjective validity for that pleasure."¹⁶ As one would expect regarding a judgment about a feeling of pleasure, the evidence consists of what may be perceived about the pleasure, but not of the pleasure itself.

It should be clear at this point that the difficulty here does not just affect Guyer's interpretation, but poses the general problem of how to account in any way at all for Kant's claims that the pleasure is both subject and determining ground of the judgment of taste. As we have seen, Guyer gets around this problem by tacitly dropping the requirement that pleasure be the determining ground of the judgment. Another way to go might be to drop the requirement that the judgment be about the pleasure, and to construe the pleasure as evidence for a judgment about the object. (The pleasure would not of course conclusively determine its being beautiful, as opposed to good or agreeable; but it would determine its being one of those three rather than any of a range of objective properties, and the paradox of the pleasure's having to determine something about itself would no longer arise.) However, both of these routes leave something to be desired. To put it very briefly, the first proposal demands either that the evidence for the

judgment be empirical, or that it involve some consciousness, distinct from the feeling of pleasure, of the harmony of the faculties (or of whatever transcendental-psychological condition it is that supports a claim to subjective universality). But with regard to the first option, Kant is far from suggesting that empirical considerations of the kind envisaged by Guyer play any role at all in the making of a judgment of taste;¹⁷ and with regard to the alternative option, Kant makes quite clear at #9 (p. 219) that our only awareness of the harmony of the faculties is through the feeling of pleasure itself. And the second proposal, meanwhile, has even more serious consequences. Specifically, it requires that we abandon Kant's whole idea of explaining the subjective character of the aesthetic judgment by taking it to consist, not in the application of a concept to an object, but in the universal attribution of a purely subjective state of mind.

In the next section, I shall argue for an interpretation of the relation between the pleasure and the judgment which gets us out of this difficulty. For the moment, however, I want just to draw the provisional moral that Kant's individually unambiguous claims as to the precedence of the pleasure over the judgment cannot, together, be understood in a straightforward way. More specifically, this moral should make us question the two-acts view hinted at by Crawford and developed by Guyer, and consider with more seriousness the possibility that the "judging" [*Beurteilung*] on which the pleasure is said at #9 to be consequent is the judgment of taste itself. It will turn out that, as befits Kant's characterization of #9 as the "key to the critique of taste," this approach will lead us to the desired understanding of what the relationship between the pleasure and the judgment really is.

II: The "key to the critique of taste"

The main point of #9 is already foreshadowed in a passage to which we have already alluded, in the Remark to section VIII of the First Introduction, where Kant asks whether the judgment of taste is by means of, or concerning, the pleasure. The passage runs:

Das aesthetische Reflexionsvermögen urteilt also nur über subjektive Zweckmassigkeit (nicht über Vollkommenheit) des Gegenstandes: und es fragt sich da, ob nur vermittelt der dabei empfundenen Lust oder Unlust, oder sogar über dieselbe, so dass das Urteil zugleich bestimme, dass mit der Vorstellung des Gegenstands Lust oder Unlust verbunden sein müsse. (p. 229)

What is important here for our purposes is the word "dabei." Haden suppresses it, translating "vermittelt der dabei empfundenen Lust" as "by means of the experienced pleasure." But it seems clear that Kant's use of "dabei" indicates that the pleasure is felt in (better, perhaps, "through" or "by means of") the act of judging; and the context requires that we take this judging to be that of the judgment of taste itself. This emerges more explicitly from #9, whose main purpose, as we have seen, is to argue that the judging of the object precedes the feeling of pleasure in it. Kant begins by claiming that if the feeling of pleasure were to precede the judging, there would be a contradiction in attributing "universal communicability" to the pleasure, since the pleasure would be merely sensory and have only private validity. The implicit conclusion is that the judging, accordingly, precedes the pleasure; and we can take this as glossed by Kant's explicit conclusion:

Thus it is the universal capacity for being communicated [*Mitteilungsfähigkeit*] of the state of mind in the given representation, which, as subjective condition of the judgment of taste, must serve as its ground [*zum Grunde liegen*] and must have the pleasure in the object as its consequence [*zur Folge*]."

Now although I will not discuss here exactly what Kant means by "universal capacity for being communicated" or "universal communicability," we can adopt the provisional interpretation, suggested by the context, that Kant means just what we have been calling "universal attributability" or "universal validity" (or, to use a more accurate although more technical term, "universal imputability"): it will turn out that this interpretation is close enough for our present purposes.¹⁸ In support of this, it may be noted that "mitteilen" in the eighteenth century does not have a specifically linguistic connotation, but means "to share with others," so that a state of mind which is "universally communicable" is not one that can be described or made comprehensible to all others, but one which everyone can, or perhaps must, have in common.¹⁹ A state of mind which I am entitled to impute to all others may thus be described as "universally communicable." So Kant is explicating the claim that the judging of the object precedes the pleasure, by saying that the pleasure is a result of one's being able to impute universally, or demand universal agreement for, one's state of mind in representing the object.

This passage brings into focus the apparent paradox that has been implicit all along in Kant's conflicting claims as to the respective precedence of the pleasure and the judgment. For since one's state of mind in representing the object is nothing other than the feeling of pleasure itself, Kant seems to be claiming that one feels pleasure as a consequence of being able to demand universal agreement for one's feeling of pleasure. This makes it clear that Kant wants to claim that the judging on which the pleasure is consequent is indeed the judgment of taste itself. But it also involves an apparent incoherence. According to Guyer: "Kant's present statement is...equivalent to the assertion that the universal communicability

of a mental state of pleasure is the cause of that pleasure. This is obviously absurd."²⁰

Guyer does not of course leave it unaccounted for that Kant should be led to make an obviously absurd claim. He provides two explanations of Kant's mistake. One is that Kant has simply "conflated the three phenomena considered in his initial explanation -- estimation, pleasure, and the judgment of taste -- into two phenomena, a feeling of pleasure and an undifferentiated exercise of reflection,"²¹ thus equivocating two kinds of reflection that should have been kept distinct. More speculatively, Guyer suggests that Kant may have been misled by an early view of his own, according to which the pleasure in taste is dependent on agreement with others, or on the communicability to others of one's own experience. This theory, according to Guyer, had to be rejected after 1787, when Kant gave up the idea that aesthetic judgments were empirical, but it still retained a hold over him: and it is this theory that emerges briefly at #9, despite its conflict with Kant's mature view that pleasure in taste, as a consequence of the harmony of the faculties, is independent of agreement with others. To illustrate the enduring influence of this early theory, Guyer points to a passage from the Anthropology, written (or compiled from earlier notes) in 1797, where Kant continues to hold that pleasure in taste is itself based on the communicability of one's experience: "a satisfaction that can be considered valid not only for the subject who feels it but for everyone else as well" is "a satisfaction in the agreement of the subject's pleasure with the feeling of everyone else according to universal laws" (Ak. VII, p. 111). Here, according to Guyer, Kant is "capable of letting past" a statement from his early view "in spite of its obvious circularity."²²

On purely methodological grounds, however, there is something

suspicious about this kind of patchwork theory, supported though it is by the undoubted fact that Kant wrote the Critique of Judgment in a hurry; for one would assume that however careless Kant may have been in the text as a whole, he would have been more conscientious in writing a section that he emphasizes as being "worthy of all attention." For this reason alone it seems worth adopting another construal of Kant's adherence to this early "communicability" theory: namely, that he does not hold to the key element of this theory by mistake, but because it is in fact compatible with his mature theory. What I want to suggest, then, is that we take the problematic sentence of #9 as meaning exactly what it says, despite all appearance of circularity. The pleasure is, I want to suggest, consequent on its own universal communicability; and it is on this ground that the judging of the object must be regarded as consequent on the feeling of pleasure rather than as preceding it.

But how can a feeling of pleasure be consequent on its own universal communicability? Clearly the relation of consequence here cannot be construed in the way that Guyer does, as a causal relation. Instead, I want to suggest, the relation is an intentional one: the pleasure constitutes awareness of (consciousness of, sensitivity to) its own universal communicability. And this in turn is possible if we adopt the following two-part proposal for explaining what a judgment of taste consists in. In the first place, this proposal runs, we must consider the judgment of taste, not as a judgment which claims the universal communicability of a prior feeling of pleasure (however caused), but as a self-referential claim to its own universal communicability. In taking an object to be beautiful, I am in the first instance demanding, not that others who perceive the object do so with pleasure, but simply that they agree with me in how they take the object to

be: that is, that they share my very state of mind in perceiving the object. And in the second place, on this proposal, we must suppose that a judgment of this kind is manifested in nothing other than a feeling of pleasure. To take one's state of mind in a given object to be universally communicable, we must suppose, is just what it is to feel the kind of pleasure that is characteristic of aesthetic response. On this proposal, we can see how the feeling of pleasure in a judgment of taste is consequent on its own universal communicability. For it consists in the awareness²³ of one's present state of mind (with respect to a given object) as one which anyone else perceiving that object ought to share, and hence as one which is universally communicable: where one's present state of mind is, of course, that very awareness mentioned earlier in the sentence.

Now this proposal enables us to make sense of Kant's problematic claim at #9 that "it is the universal communicability of the state of mind in the given representation which...must have the pleasure in the object as its consequence." But how can we in turn make sense of the idea of a judgment which claims its own universal communicability and is manifested in a feeling? While there is a great deal that looks puzzling about this idea, it is borne out by much of what Kant has to say about feeling, and in particular about the disinterested pleasure characteristic of taste. In the first place, it is clear from Kant's views on the role of feeling in general that, if there could be a judgment which claimed, self-referentially, its own universal communicability with respect to an object, the state of mind of making it could not be other than a feeling. This is because such a state of mind would neither constitute a cognition (since it would not involve the application of a determinate property to the object) nor serve as the basis for any cognition. But for Kant, a state of mind which does not afford any

cognition of the object to which it is referred, is always a feeling: specifically, a feeling of pleasure or displeasure.²⁴ Thus Kant says at section VII of the published introduction:

That subjective [element] in a representation which cannot become cognition, is the pleasure or displeasure connected with it; for through these I cognize nothing in the object of the representation (KdU VII, p. 189).

Or, as Kant puts it in his later discussion of the same topic in the Introduction to the Metaphysics of Morals:

If the subjective [element] in ~~or~~ representations...cannot become an element of cognition, on account of its containing merely the relation of the representation to the subject, and nothing that can be used for cognition of the object, then this receptivity of the representation is called feeling. (Ak. VI, p. 211n.)

Why, however, should a state of mind in which I claim the universal communicability of my present state of mind, be a feeling of pleasure rather than displeasure? And why should it be the specific feeling of disinterested pleasure characteristic of the exercise of taste? I want to approach these questions by considering the explicit definitions of pleasure and displeasure that Kant gives at #10:

Pleasure is the consciousness of the causality of a representation in respect of the state of the subject, to maintain it in the same state...whereas displeasure is that representation which contains the ground of determining the state of representations to its own opposite (of hindering or removing them). (p. 220)

To feel pleasure, then, is to be aware of being impelled to continue in the same state of mind as that in which one presently is, while displeasure is consciousness of the reverse tendency. Now to see more concretely how this definition applies in the particular sub-species of pleasure (namely, in the agreeable, in the good and in the beautiful) that Kant sees as jointly constituting the phenomenon of pleasure in general, we can turn to section III of the First Introduction. Here Kant makes clear that, in the case of the

agreeable and the good, the "causality" of the representation through which it brings about its own continuance is mediated through the faculty of desire. When I experience pleasure on account of an object's being agreeable or good, my representation of it influences my will in such a way as to impel me to act in order to keep the object present to me, and thus tends to maintain me in the same state, that of continuing to have the same representation. But, Kant thinks, there is a third kind of pleasure which does not involve the will: "analysis of the faculties of the mind incontestably shows a feeling of pleasure which /is/ independent of the faculty of desire" (EE III, p. 207). This kind of pleasure, which he will subsequently identify as the disinterested pleasure characteristic of our experience of the beautiful, is more fundamental than the other two kinds, since it exhibits their self-perpetuating structure, but without the mediation of desire. Moreover, the experience of disinterested pleasure, according to Kant, involves a unique set of relations among the subject, the representation and the object: one which distinguishes the capacity for feeling pleasure, as a basic faculty, from the faculties of cognition on the one hand and desire on the other. In the exercise of cognition, representations are "related merely to the object and to the unity of the consciousness of it," and in the case of desire, representations stand in that "objective relation" through which they are regarded as the cause of the reality of the object" (EE III, p. 206). But in the case of disinterested pleasure, the representations (as one might expect on the evidence of the last paragraph) have no relation to the object at all. Here, Kant says, the representations are considered

merely in relation to the subject, in that they serve as their own grounds /da sie für sich selbst Gründe sind/ for maintaining their own existence in the subject, and to that extent are regarded in relation to

the feeling of pleasure. (p. 206)

In the disinterested pleasure characteristic of taste, then, my representation bears the self-perpetuating character of pleasure, not through any feature of the object, but because it "serves as /its/ own ground" for its continued existence in me.

Now what I want to suggest at this point is that a state of mind in which I take my present state of mind to be universally communicable qualifies as a feeling of disinterested pleasure precisely because it has this self-perpetuating character. For the formal structure that it exhibits in claiming its own universal communicability qualifies it, I want to argue, as a representation "which serves as /its/ own ground for maintaining /its/existence in the subject." In laying down a judgment of taste, on my interpretation, I am demanding, without ascribing any property to the object, that anyone who perceives the same object that I perceive, share my state of mind in that object. This demand, because it is universal, is binding not only on other people but on myself also. My particular state of mind in perceiving the object consists in a demand that anyone who perceives the object share that state of mind: because I am someone perceiving the object, this demand applies unconditionally to me. Yet this demand that I make of myself has no ground in any property that I recognize to belong to the object. When I take it that I ought to have the very state of mind that I am having now, it is not because I recognize the object as having some property of which my present state of mind is a true representation. Rather, I take it that I ought to be having that state of mind in virtue of the universally binding demand I make through my judgment of taste, namely that everyone perceiving the object should have that state of mind. But if, as follows from my analysis, my state of mind just is the judgment of taste,

then it serves "as [its] own ground for maintaining [its] existence" in me. My basis for having the representation of the object that I do have - a representation whose sole content is that everyone ought to represent the object in the same way that I do - is nothing other than that very representation. And in this way my state of mind qualifies both as a judgment as to its own universal communicability, and as a feeling of disinterested pleasure.

The effect of the interpretation that I am suggesting is to collapse aesthetic response and aesthetic judgment into one another, on the grounds that the disinterested pleasure that constitutes aesthetic experience is intrinsically "judgmental": that it is not merely the causal outcome of a psychological process, but that it itself consists in a self-referential act of judgment. But whatever the actual details of Kant's theory of disinterested pleasure, this identification of a feeling with a judgment may still strike the reader as highly counter-intuitive. For at least on a widespread view of feeling, one that is typical of most empiricist conceptions of the mind, human beings are entirely passive with regard to pleasure and its negative counterparts. Pleasure, on this view, is the kind of state that we most obviously have in common with animals: it is a simple, unstructured, sensory given, which may affect our desires and thus our behaviour, but does not bear on our more refined capacities for cognition. How, then, can a feeling of pleasure consist in an act of judgment, specifically a judgment of the sophisticated self-referential kind with which I have identified the judgment of taste? I want to begin my answer to this question by pointing out that Kant's theory of disinterested pleasure has to be read as a direct challenge to this empiricist conception of feeling. For while Kant accepts this conception as regards pleasure in the agreeable (and, to a limited

extent, as regards pleasure in the good also), his claim that there can be a kind of pleasure which is "independent of the faculty of desire" suggests an entirely different understanding of what sort of a phenomenon pleasure can be. Our capacity to feel pleasure and displeasure, he says, "does not rest on mere empirical grounds, but on a priori principles" (EE III, p. 207): and he is able accordingly to describe it, not as merely passive or receptive, but as a faculty [Vermögen], on a par with cognition and desire. So while the more prevalent empiricist understanding of pleasure as a brute sensory given, may seem more familiar to us than Kant's conception of pleasure as involving the active exercise of a faculty, we have to take Kant's conception of feeling into account in considering whether it makes sense to identify a feeling with a judgment.

Given the difficulty we may have in understanding Kant's own conception of feeling, this may not be a very satisfactory response. But I want to continue my answer to the question about whether a feeling can intelligibly be identified with a judgment, by suggesting that this identification does better justice to our intuitions about aesthetic experience than does the alternative account, on which the feeling of pleasure and the judgment are two distinct occurrences. It makes sense, I want to suggest, to regard an aesthetic judgment, not as a claim which is made on the basis of having a certain feeling of pleasure, but simply as the experience of the pleasure itself. To judge an object to be beautiful is not in the first instance to make a public pronouncement of the form "This is beautiful," but rather to perceive the object in a certain way: for example, to regard it as beautiful, find it beautiful, see beauty in it, and so on. While we may on occasion go on to express what we perceive in the object by saying "this is beautiful," this statement is not the judgment of taste proper: the judgment has

already been made, as it were, through our experience of the object as beautiful. But this experience in turn is most plausibly regarded as, itself, the feeling of disinterested pleasure that is involved in the exercise of taste. This suggestion is borne out when we consider the role of disagreement and, more specifically, of criticism in taste. When we criticize someone's taste, we are not impugning their capacity to make correct inferences from the nature of their feelings, as to whether or not those feelings are universally communicable. Instead, we are denying the appropriateness of those feelings in the first place. I can be made to feel ashamed of experiencing aesthetic pleasure in a painting which my companions regard as over-sentimental, kitschy, or simply uninteresting, whatever explicit judgments I go on to make about it. But this suggests that my pleasure already involves an "evaluative" or "normative" component, whereby it represents an attempt to conform to a standard of correctness which is here exemplified by the reactions of my companions. In other words: the fact that my feeling itself is open to criticism suggests that it already embodies a kind of judgment, whose correctness the criticism is implicitly questioning.

Finally, to return to Kant's own view, it should be noted that the idea of aesthetic pleasure as intrinsically "judgmental" is of a piece with Kant's account of perceptual experience. Perceiving an object as having such-and-such a property does not amount to receiving a brute, sensory given on the basis of which we may make the further, explicit judgment that object O has property P. Our initial perceptual experience of the object already involves a synthesis according to concepts, and may thus itself be regarded as an act of judgment. So if an objective conceptual judgment can be realised in the form of perceptual experience, it makes sense in Kantian terms to suppose that a judgment which makes a non-conceptual claim might similarly be

realised in an experience of a different sort, namely the aesthetic experience of disinterested pleasure.²⁵

Leaving aside now these questions about the overall coherence of my interpretation of the judgment of taste, further questions arise as regards its compatibility with the rest of Kant's text. For even if these three assertions are mutually inconsistent, Kant does claim at various points that the pleasure is consequent on the act of judgment, that it is the subject of the judgment, and that it is the determining ground of the judgment. How does my view that the pleasure is identical with the judgment, fit in with Kant's own claims about their relation? As regards the first, I want to suggest that the pleasure is described by Kant as "consequent" on the judging of the object, despite the fact that the two are, so to speak "ontologically" identical, just because it is natural to explain the former in terms of the latter. If someone feels disinterested pleasure in an object, it makes sense to account for that pleasure by appealing to the act of judgment which the person is making with respect to that object, even though, strictly speaking, the act of judgment just is the experience of pleasure.

As regards Kant's second claim, the answer is that the judgment of taste is indeed about the feeling of pleasure, but only in a secondary sense. Being a self-referential judgment, the judgment of taste is in the first instance about itself: and it is only about a feeling of pleasure in virtue of the further point that the judgment of taste and the feeling of pleasure are one and the same. This is borne out initially when we consider that, in any case, the judgment of taste cannot be viewed as imputing pleasure tout court. The demand that everyone else feel pleasure in the object could in principle be satisfied by everyone else's finding it agreeable; but this is not sufficient

for a judgment that something is beautiful. At the very least, what is demanded by the judgment of taste must be that everyone feel disinterested pleasure, or pleasure already viewed as the sort of pleasure which is itself involved in making a judgment of taste. But if we look at Kant's descriptions of how the judgment imputes pleasure universally, we see that the judgment demands still more: it is not just disinterested pleasure that is universally imputed by my judgment of taste, but the actual pleasure which I feel. In other words, the judgment is about a particular state of mind relativizable to a subject at a time: "pleasure" or "delight" enter in as ways of characterizing that state of mind, or of pointing out which state of mind it is, but it is left open that the state of mind be referred to using other means. This is just what appears to be going on when Kant describes the judgment of taste as demanding, not specifically that everyone share a feeling of pleasure, but simply that everyone agree with it, i.e. that they make that very judgment. At #8, for example, the judgment is described as imputing agreement [*Einstimmung*] to everyone (p. 216), and at #19 the same description is followed by the remark that "someone who describes something as beautiful insists [*will*] that everyone grant approval to the object in question and, equally, describe it as beautiful." Now the temptation is to regard the universal imputation of agreement as a consequence of the universal imputation of pleasure, but there is nothing to stop us, in accordance with my account, from supposing that the judgment is initially to be regarded as demanding that everyone agree with it, and only as a corollary, that everyone feel the pleasure which is the state of mind of agreeing with it. And in fact there is some evidence that Kant takes this to be the right way round. As a preliminary, we should note that Kant explicitly recognizes these two ways of regarding the judgment of taste, and

takes them to be in some sense equivalent. This emerges in the by now familiar passage from the Remark to section VIII of the First Introduction (p. 229) where Kant asks whether the judgment is by means of "or even [*sogar*] concerning" the feeling of pleasure. Kant expands on the latter option (by means of and concerning, as opposed to just by means of) with the clause "so that [*so dass*] the judgment equally determines that pleasure or displeasure must be connected with the representation of the object." He then goes on to say that this question must wait until it is decided whether the judgment carries with itself universality and necessity. However, if it does, the judgment will determine something a priori "indeed by means of the sensation of pleasure and displeasure, but yet also equally concerning the universality of the rule of connecting it [*the sensation*] with a given representation." This last quotation shows that Kant is characterizing the second option (the judgment's being by means of and concerning the pleasure) in terms of the judgment's being by means of the pleasure and concerning the universality of the rule connecting the pleasure with a given representation. Consequently, as suggested also by the first quotation, the judgment's being about the pleasure is identified with its being about the universal imputability or universal validity of the pleasure in respect of those apprehending a given object (which of course is what, following Kant's usage, I have been calling "universal imputability" or "universal validity" without explicit qualification throughout).

Now the apparently most natural way to understand this is in accordance with the idea that the judgment of taste is in the first instance about a feeling of pleasure, that is, that the judgment of taste is about both the pleasure and the universal validity of the pleasure simply because it claims that the pleasure is universally valid. However, this is explicitly ruled out

at #37, where Kant says that "it is not the pleasure, but the universal validity of this pleasure, perceived as connected with the mere judging of an object in the mind, which is represented a priori in a judgment of taste as a universal rule for the power of judgment, valid for everyone (Kant's emphasis)." In the judgment of taste we demand, in the first instance, not that everyone feel pleasure in the given representation, but that everyone take their feeling in the given representation to be universally valid. This in fact (in the second instance, so to speak) amounts to a demand that everyone who apprehends the represented object feel pleasure, which explains why the feeling whose universal validity is imputed may be referred to, as Kant does, as "this pleasure." But the same fact entails that what the judgment of taste takes to be universally valid (namely the universal validity of the feeling in question) is itself what is immediately asserted by the judgment of taste. So the judgment of taste is, according to #37, taking itself to be universally valid. This rather bizarre-sounding conclusion is, however reinforced by Kant's theory that the judgment of taste has "exemplary" necessity. We can see this at #18, where Kant qualifies the claim that the judgment of taste is necessary by saying that the necessity is one of the "agreement of all to a judgment which is regarded as an example of a universal rule that cannot be specified [*angeben*]." Now in normal cases of judgment for Kant one demands that a given representation (an intuition in the case of perceptual judgment, otherwise a concept) be subsumed under, or viewed as in accordance with, a rule that is specified; and it is specified by the determinate concept that serves as predicate for the judgment.²⁶ But in this case the rule cannot be specified in the form of a concept; instead, the judgment itself serves to exemplify the rule. In other words, the demand for agreement made by the judgment cannot be

made specific except with reference to the judgment itself: I am not demanding that others regard the object in question in some determinate way (e.g. with contemplative pleasure, or any other non-indexically characterizable feeling per se) but simply that they judge it in the same way that I do. Since my judging it in the way that I do is just my making a judgment of taste about it, my judgment of taste demands universal agreement with nothing other than itself.

To return to the three-part issue which I raised on p. 25, this leaves only the question of whether my account is compatible with Kant's claim that the pleasure is the determining ground of the judgment of taste. And here the answer is similar to the one that I gave in the previous case. In short, it is again only in a secondary sense that the determining ground of the judgment of taste is a feeling of pleasure; in the first instance, what justifies me in making a judgment of taste is the universal communicability of my state of mind. Thus, to return to our key sentence of #9, "it is the universal capacity for being communicated of the state of mind in the given representation which, as the subjective condition of the judgment of taste, must serve as its ground [*zum Grunde liegen*]..." If, as I have suggested, to make a judgment of taste is to assert that one's state of mind is universally communicable, that is to impute it universally, then it indeed seems natural to regard the communicability of one's state of mind as the determining ground of the judgment.

Here the reconciliation of this primary characterization of the determining ground with the claim that it is, rather, a feeling of pleasure which justifies the judgment, seems more problematic, since it amounts to the identification of a feature of the pleasure with the pleasure itself. However, at the beginning of the fourth paragraph of #9, in a sentence

which Guyer regards as another example of conflation (resulting here from confusion between the cause of the pleasure and the condition of aesthetic judgment),²⁷ Kant makes exactly this identification. "The subjective universal communicability of the mode of representation [Vorstellungsart] in a judgment of taste...can be nothing other than the state of mind in the free play of the imagination and the understanding." Now Kant makes clear later on in #9, where he says that the "subjective unity of the relation [of understanding and imagination] can make itself known [sich kenntlich machen] only through sensation" (p. 219), that the state of mind in the free play can only be the feeling of pleasure. (This point is also made in section VIII of the First Introduction, p. 226.) So the universal communicability of my "mode of representation" in the judgment of taste, that is of my feeling of pleasure, is specifically identified with the feeling of pleasure itself. On my analysis of the judgment of taste, though, this identification is not at all incoherent. Because the pleasure just is the judgment that one's state of mind is universally communicable, it may be regarded as consciousness of the universal communicability of one's state of mind.²⁸ Now consider what consciousness of the pleasure is. Because of the subjective nature of states of mind (at least, as long as they are not regarded as objective events such as one would discuss in a science of psychology), to be conscious of a state of mind is just to have that state of mind. So consciousness of the pleasure is just the pleasure, which makes it the same as consciousness of the universal communicability of one's state of mind. But now we can, so to speak, cancel out "consciousness of" in the two cases and be left with the conclusion that the pleasure and the universal communicability of the state of mind in the judgment of taste are identical.

A similar result can be derived from section VIII of the First

Introduction, where we read that, if the aesthetic judgment carries universality and necessity with itself, "it also claims that its determining ground lies not just in the feeling of pleasure and displeasure per se [für sich allein] but equally in a rule of the higher cognitive faculties" (p. 225). Kant, as in the parallel case of what the judgment is about (see the discussion of #37 on pp. 33-34), is not saying that the judgment has two determining grounds, but that the feeling of pleasure can be regarded as a rule of the higher cognitive faculties. This is borne out also by Kant's claims at #36 and #37 that, in the judgment of taste, the pleasure, like a concept, i.e. a rule, is predicated of a representation. But in regarding a feeling of pleasure as a rule, we are identifying it with just that rule which, as we saw in #18, while it cannot be specified, is exemplified in the judgment of taste. And that rule, which is unspecifiable in the strict sense because it can only be specified in a circular way, is that the judgment exemplifying it be taken to be universally valid: in other words, the rule can be identified with the universal communicability of the state of mind in the judgment of taste.

This provides the solution to the problem discussed above (pp. 18-19), about the two ways in which the pleasure is supposed to precede the judgment. Qua judgment about the pleasure, the judgment of taste has as its determining ground the universal communicability of the pleasure. Qua judgment demanding agreement with itself, the judgment has as its determining ground the feeling of pleasure. This latter claim makes sense because the feeling of pleasure is itself the judgment of taste, and the judgment of taste, since it admits of no external justification, is in a sense its own determining ground. This may seem to be stretching the notion of "determining ground" a little too far. However, this line of reasoning is suggested at the following passage of section VIII of the First Introduction:

"agreement with the rule can be recognized only in that which at the same time expresses a mere relation to the subject, that is sensation, as the mark [Merkmal] and determining ground of the judgment" (p. 226). Now the rule here is again just that rule which serves as predicate in the judgment of taste, so recognition of agreement with the rule must be the judgment itself. Thus when Kant says that agreement with the rule can be recognized only in sensation, he is saying that the judgment is made through a sensation; and so it is implicitly the judgment itself that is being characterized as the "mark and determining ground of the judgment." This is interesting to read in the light of a passage at A261/B316 of the Critique of Pure Reason, where Kant says that certain judgments (ones that we might call "self-evident") are the mark of their own truth. Here Kant is comparing reflection [Überlegung], which is closely related to the Third Critique notion of reflection [Reflexion], with investigation [Untersuchung].²⁹ He claims that all judgments require reflection, but that "not all judgments require an investigation, that is attention [Aufmerksamkeit] to the grounds of their truth; for if they are immediately certain, for example, that there can only be one straight line between any two points, one can point to no better mark [Merkmal] of their truth than that which they themselves express." It is tempting here to regard the judgment of taste, in so far as it has the feeling of pleasure as its "mark and determining ground," as a special case of these self-evident judgments which are themselves the mark of their own truth: and even to see its corresponding freedom from the requirement of investigation as part of what makes the judgment of taste a judgment of "mere reflection."

The way in which I have tried to account for Kant's claims that the feeling of pleasure is, respectively, the subject and the determining ground

of the judgment of taste, may disturb the reader for a reason that I have not yet addressed. For in saying that the judgment of taste is ultimately about itself, and serves as its own ground of determination, I appear to be depriving the judgment of taste of all content as regards the object with respect to which it is made. It becomes, on my account, a purely formal judgment which, while made on the apprehension of a particular object with particular properties, does not say anything about what that object is like. Because of its self-referential and self-justifying character, it cannot have any purchase on the actual empirical character of the object itself. But disturbing though this may seem, it is exactly what Kant wants, as shown through his explicit, and notorious, claim that the judgment of taste is a priori:

It is an empirical judgment that I perceive and judge an object with pleasure. But it is an a priori judgment that I find the object beautiful, i.e., that I may impute that delight to everyone as necessary. (#37, p. 289)

Now this claim has been much criticized. According to Lewis White Beck, it is "surely wrong." The making of a judgment of taste, Beck argues, may involve a priori principles, but Kant is mistaken in claiming that a judgment of taste, such as "This arabesque is beautiful," is itself a priori.³⁰ But if my account is correct, then the judgment of taste is indeed a priori. While it is an empirical issue whether or not I do in fact experience disinterested pleasure in a given object, that is, whether or not I make a judgment of taste about it, the judgment itself is a formal act of reflection in which I take my state of mind to be self-justifying, and is thus a priori.

But how can a judgment that seems to depend so much on our actually experiencing an object, be a priori? The answer, on Kantian lines, is that while it does depend on my experiencing the object, it does not depend on

my cognition of any particular fact about the object, or on any fact that might have to be -- to refer back to the passage from A261/B316 -- the subject of "investigation." The judgment "This is beautiful," made in the presence of a given object, requires no empirical ground of justification, and is indeed self-evident: no external factors can afford legitimate reason to doubt it.³¹ Now admittedly I cannot make the judgment unless the empirical circumstances are such that I perceive the object. But this alone does not make the judgment an empirical one, since the question of whether a judgment is empirical or a priori depends, not on the circumstances that enable us to make it, but on how we are to justify it. And it is because my judgment that the object is beautiful is independent of empirical grounds of justification, that Kant can describe it as a priori. Once I perceive the object as beautiful, no amount of evidence about other people's opinions, or about the empirical nature of the object, can serve as a reason to change my mind. In this sense, I can properly be said to hold to my judgment a priori.

While the interpretation that I have presented in this chapter provides a solution to some of the major textual difficulties of the Critique of Aesthetic Judgment, I do not claim to have made it entirely convincing. One failing is that my interpretation does not explain what the harmony of the faculties is, and how it fits into Kant's theory. Another is that the idea of a judgment which claims its own universal communicability, carries with it an air of paradox which is unlikely to inspire confidence in any interpretation which takes it as central. In the next chapter, which deals with the harmony of the faculties, I shall try to remedy the first failing and to make a start on overcoming the second. For in giving an account of the harmony of the faculties, I shall be beginning to show the role played by

taste in Kant's theory of cognition as a whole; and it is in the light of Kant's theory of cognition, rather than of aesthetic considerations alone, that the peculiar structure of the judgment of taste can best be understood and made plausible. Thus although I shall be relying on the present interpretation of the judgment of taste to serve as the basis of my discussion, in subsequent chapters, of the relation between taste and cognition, that discussion should in turn lend motivation and support to the interpretation presented here.

Notes to Chapter One

1. The main examples that I have in mind are Paul Guyer, Kant and the Claims of Taste (Cambridge, Mass., 1979), Donald Crawford, Kant's Aesthetic Theory (Wisconsin, 1974) and Georg Kohler, Geschmacksurteil und aesthetische Erfahrung (Berlin, 1980). The distinction appears also in Theodore Uehling, The Notion of Form in Kant's Critique of Aesthetic Judgment (The Hague, 1971) and in Ralf Meerbote's "Reflection on Beauty," in Essays on Kant's Aesthetics, edited by Ted Cohen and Paul Guyer (Chicago 1982) (see pp. 73-4). Because the distinction is, on the face of it, clearly marked in the Critique of Judgment itself, it appears, so to speak by omission, in a variety of other interpretations. A notable exception is Richard Aquila's "A New Look at Kant's Aesthetic Judgments," in the anthology mentioned above, where aesthetic response and aesthetic judgment are specifically identified. The view that I argue for in this chapter is in many respects similar to Aquila's, although my account goes further in trying to articulate the structure of aesthetic judgment itself.

It should be noted that, following most commentators, I use the term "aesthetic" in its modern sense, so that an "aesthetic judgment" is equivalent to a judgment of taste. (Kant's own use of the term "aesthetic" implies simply "belonging to sensibility.")

2. In using the term "judgment of taste" or "aesthetic judgment" (see note 1 above), I am confining myself to what Kant understands by a judgment of taste, namely a judgment that an object is beautiful. Thus I am not taking account of most of the judgments that are of interest to contemporary aesthetics, those, say, which describe a work of art or other object as being graceful, melancholy, filled with tension, or even ugly. In defence of this omission, I would claim, first that Kant himself is not attempting to provide a theory of such judgments, and second, that such judgments need not provide a counter-example to any theory of aesthetic discourse that one might try to develop along Kantian lines. It can be argued that the task of an aesthetic theory is first and foremost to give an account of the notion of beauty as the fundamental value in terms of which objects are to be judged aesthetically (something like this view is represented in Mary Mothersill's Beauty Restored, Oxford 1984). Once we have established the possibility of ascribing beauty to objects, it might be argued further, we can make sense of aesthetic discourse about works of art as capturing different ways in which objects succeed or fail in qualifying as beautiful. Something of this kind may be read into Kant's idea of the critique of taste "as an art," as distinguished from the critique of taste proper, i.e. "as a science," which we find in the Critique of Judgment itself: "[the former] criticizes the products of fine art, just as [the latter] criticizes the faculty itself of judging them" (KdU #34).

3. This model of the argument is elaborated explicitly by Guyer, by Uehling (see e.g. pp. 68-9), by Kohler (see e.g. pp. 311-2) and by Crawford, although Crawford takes the argument to be incomplete without an additional stage involving morality.

4. I argue against Guyer on both of these points in section II of the next chapter.

5. Kant's use of the term "Wohlgefallen" here to refer to the feeling of pleasure is discussed by Jens Kulenkampff, in Kant's Logik des aesthetischen Urteils (Frankfurt am Main, 1978) (p. 64). Kulenkampff points out that, since the German word "Lust" has a connotation of desire, the expression "interesselose Lust" sounds odd, whereas "interesseloses Wohlgefallen" is more acceptable, prompting Kant's use of the latter term in certain contexts. The issue of what is connoted by these terms will come up again in a later chapter.

6. Kant and the Claims of Taste, p. 112

7. Kant's Aesthetic Theory, 3.5

8. *Ibid.*, p. 73

9. This will be addressed in sections I and II of the next chapter.

10. The following sketch of Guyer's argument is based in pp. 110-116 of Kant and the Claims of Taste, in the section entitled "Two Kinds of Reflective Judgment."

11. Since the English word "judge" may be used transitively as well as intransitively, I use it for both "beurteilen" and "urteilen," and render the distinction between "urteil" and "Beurteilung" with "judgment" and "judging" respectively, in order not to beg the question of whether a significant contrast is involved. "Appraise," favoured by Eva Schaper, is perhaps a more natural rendering of the appropriate sense of "judge" in its transitive use than the word "judge" itself, but it does not preserve the connection between the notion in question and that of judgment in general (e.g. as involved in cognition) which is transparent in the original German.

12. Kant and the Claims of Taste, p. 114.

13. *Ibid.*, p. 205

14. *Ibid.*, p. 206

15. *Ibid.*, p. 169

16. *Ibid.*, p. 122

17. Indeed, Kant says that if we grant the claim of a judgment of taste to universality and necessity, "it would be preposterous /ungereimt/ to attempt to justify it by appealing psychologically to the origin of the judgment" (EE X, p. 238)

18. Guyer argues on p. 415 (notes 113 and 115) and on pp. 282-3, that "universal communicability" means the same as "universal validity." I think that this is correct, but I take the connotations for the two to be slightly different.

19. See Kulenkampff, p. 191 (note 15); see also Historisches Wörterbuch der Philosophie, edited by Joachim Ritter et al., (Basel, 1984), p. 1424, where "allgemein mitteilbar" is explicated as "jedem ansinnbar."

20. Kant and the Claims of Taste, p. 155

21. *Ibid.*, p. 159

22. "Pleasure and Society in Kant's Theory of Taste," in Essays on Kant's Aesthetics, p. 49.

23. I am making a leap here which I am not yet in a position to justify. For the feeling of pleasure does not consist in the awareness of the universal communicability of one's state of mind, as opposed to the mere experience of (possibly erroneously) taking one's state of mind to be universally communicable, unless the claim that one's state of mind is universally communicable is in fact correct. However, as I shall argue in section V of the next chapter, a claim of this kind can never be mistaken: so that in taking my state of mind to be universally communicable I am always aware at the same time of its being so.

24. Feeling, for Kant (at least from the Critique of Judgment onwards), consists exclusively in pleasure and displeasure, since these alone cannot be used to tell us anything about the object, but only about its subjective effect on us. See EE III, p. 206.

25. This point is emphasized by Aquila, in the essay mentioned in note 1.

26. For discussion of this point, see pp. 81-84 of the next chapter and section II of chapter three.

27. Kant and the Claims of Taste, p. 155

28. But see note 23.

29. The difference between "Reflexion" and "Überlegung" does not seem to be significant for Kant. In the Amphiboly, at A260/B316, "Überlegung" is glossed by the Latin "reflexio," and at #6 of the Jäsche Logic (Ak. IX, p. 94). "Reflexion" and "Überlegung" are treated as synonyms.

30. "On the Putative Apriority of Judgments of Taste" in Essays on Kant and Hume (New Haven, 1978), pp. 167-170. See also Eva Schaper, Studies in Kant's Aesthetics (Edinburgh, 1978), p. 20, and "The Pleasures of Taste" in Pleasure, preference and value, edited by Schaper, (Cambridge, 1983), p. 45n.

31. This raises the question of how a judgment of taste can be mistaken. I discuss this in chapter two, section V.

Chapter Two

The Harmony of the Faculties

No interpretation of Kant's theory of taste can afford to ignore the notion of the harmony of the faculties. As well as offering us the most promising clue towards an understanding of how the experience of beauty relates to our capacity for cognition, it plays a central role in Kant's deduction of aesthetic judgments. Kant's argument that a judgment of taste can, despite its non-cognitive character, make a claim to universal agreement, is based on the idea that the experience of beauty consists in a state of mind which manifests the universally valid conditions of cognition without itself being cognitive. Such a state involves the concurrence of two active faculties of the mind required for cognition, specifically imagination and understanding. But while in cognition itself the imagination is subservient to determinate rules laid down by the understanding, in aesthetic experience imagination and understanding come together in a free and harmonious accord to bring about the state referred to as the "free play" or "harmony" of the faculties.¹

The importance of the notion of the harmony of the faculties in Kant's theory of taste is matched by its unclarity, an unclarity which is largely responsible for the general reluctance on the part of commentators to see the Critique of Aesthetic Judgment as shedding any light on Kant's overall theory of cognition.² While we may have a metaphorical grasp of the notion in terms of the ideas of freedom and harmony as opposed to constraint and discord, major difficulties stand in the way of any deeper explanation of what the harmony of the faculties is and of how it is supposed to do the

work required of it by Kant's argument. At the most general level, we are faced with a problem that to a certain extent affects all interpretation of Kant, but that is perhaps at its most acute in the Critique of Judgment: that of how to make sense of Kant's transcendental psychology. While it is hard for the twentieth-century interpreter to take Kant's faculty model of the mind at face value, that is, as providing necessary conditions of human cognitive activity, there are also difficulties in adopting a purely empirical construal of it. More specifically, even if one is prepared either to waive one's squeamishness about faculty psychology, or boldly to update it as an empirical doctrine, there are difficulties in reconciling Kant's various descriptions of the harmony of the faculties into one coherent account that also meshes with Kant's views on the transcendental psychology of ordinary cognition.

In the previous chapter, I presented an analysis of the judgment of taste which was intended, at least in part, to undermine a distinction that has recently been emphasized between aesthetic response on the one hand and aesthetic judgment on the other.³ I argued in that chapter that the feeling of disinterested pleasure involved in making a judgment of taste should not be viewed as prior to, and independent of, the judgment of taste itself: to feel disinterested pleasure in an object is, I argued, nothing other than to judge it to be beautiful. While this is something that I did not make explicit in the last chapter, the distinction between aesthetic response and aesthetic judgment is correlated with a broader distinction between the psychological mechanisms underlying the making of aesthetic judgments, and the epistemological constraints which play a normative role in determining the validity of those judgments. So my attack on the former distinction could be viewed as having implications for the kind of status we should ascribe to

Kant's transcendental psychology of aesthetic experience, and, by extension, to his transcendental psychology in general. In this chapter, I want to make some of those implications explicit by putting my suggested analysis of the judgment of taste to work in providing an interpretation of the harmony of the faculties which comes to terms with the difficulties concerning Kant's psychology of aesthetic experience. This interpretation, in addition to addressing a problem internal to Kant's aesthetic theory, is intended to provide a new kind of answer to the broader question of how taste relates to cognition, and in particular to offer some explanation and justification for Kant's puzzling yet intriguing claims in the third Critique for the centrality of taste in the system of the mind's powers.

The structure of the chapter is as follows: In parts I and II respectively I discuss the general difficulty arising from the transcendental-psychological status of the harmony of the faculties and the more specific difficulties concerning its relation to Kant's discussion of the transcendental psychology of cognition. Part III recapitulates some considerations of the previous chapter as a way of motivating the interpretation of the harmony of the faculties that I go on to present in part IV. In part V, I address an objection to the interpretation and go on to provide a brief conclusion.

I: Problems with the psychological interpretation

As regards the first difficulty mentioned in the introduction, many commentators in the Anglo-American tradition have, more or less explicitly, adopted an empirical construal of the harmony of the faculties. In some cases this has taken the form of direct appeals to recent psychological theory to clarify what Kant is driving at. Francis Coleman, for example,

uses Gombrich's account of aesthetic perception as a basis for his characterization of the harmony of the faculties, while Harold Osborne claims that, with this notion, Kant was "working through a cloud of inapposite psychological terms towards the modern conceptions of Gestalt and perhaps organic unity."⁴ In a less extreme way, the role of the faculties in free harmony has been described as one of relating elements of a manifold to discover a possible unity, or as searching for a pattern in a complex of formal qualities, characterizations which it is hard to understand in any but an empirical way.⁵ The difficulty with all such empirical construals, however, is that they introduce an element of contingency into Kant's argument, which is at odds with his strong conclusion that a pleasure arising from the harmony of the faculties may be demanded from everyone as a matter of necessity. On the empirical construal we have to regard an occurrence of the harmony of the faculties as explicable in terms of the psychological make-up of the person perceiving the object that occasions it. This means that any extrapolation from an occurrence of the harmony in my own case to that of others must rest on the hypothesis that all others are psychologically constituted in the same way as I am. But even though, on this construal, I may have good reason for making this hypothesis, namely that the harmony of the faculties is a psychological requirement of cognition, and that I am entitled to assume that others like myself are capable of cognition, I cannot ever do more than predict that others will share the pleasure that I experience: I can never come to require it of them, in the way that is apparently demanded by Kant's characterizations of the judgment of taste as claiming universal validity.

This difficulty affects not only the above-mentioned attempts to give content to the notion of the harmony of the faculties in concrete empirical

terms, but, more generally, any view that is sceptical about a transcendental interpretation of Kant's psychology. It is explicitly recognized and discussed by Eva Schaper, who takes the notion of the harmony of the faculties to be providing a phenomenological description of what goes on in the mind of someone who makes a judgment of taste (or, in her terms, an aesthetic appraisal).⁶ Schaper argues that the difficulty lies in Kant's own account, which conflates the psychological or phenomenological features involved in making a judgment of taste with the transcendental or conceptual presuppositions of such judgments. Kant misleadingly describes these presuppositions in terms of mental functioning, but no account of aesthetic judgment in psychological terms can ground the claim that the pleasure they involve is felt as a matter of necessity. Schaper's solution is to "disengage the statements of transcendental requirements from their psychological overtones,"⁷ which she does by isolating as implicit in Kant's psychological talk the statement of purely logical connections holding between judgments of taste and empirical judgments, in terms of which the former may be allowed a claim to universal validity. Kant's talk of the play of cognitive powers as "free" is a way of making the logical point that judgments of taste are not subject to the rules and criteria that restrict empirical judgments, whereas imagination's concomitant "conformity to law" indicates that judgments of taste are nonetheless intelligible only against the background of empirical judgments and the rules that govern them. This latter dependence, crucial to the argument for the universal validity of judgments of taste in general, is made out by Schaper through the idea of judgments of taste as "estimates of form": since the capacity to perceive form is tied to the capacity to perceive objects, judgments of taste must share in the conditions of

empirical judgments of objects that are laid out in the Schematism chapter of Kant's first Critique, conditions that may be regarded as common to everyone. In this way, despite her implicitly empirical construal of the harmony of the faculties, Schaper takes Kant to be deploying a genuinely transcendental argument for the universal validity of judgments of taste.

Schaper sketches the argument, however, with the admitted reservation that it relies on the availability of an acceptably non-psychological reading of the Schematism chapter itself. The burden of finding grounds in Kant's psychology for conclusions invoking universal validity is thus shifted from the harmony of the faculties to schematism, with the hope that Kant's "notion of temporal priority and some sort of primordial rooting of imagination in 'the depth of the human soul' may be translated into less objectionable logical terms."⁷ However, in the absence of such a translation, the central difficulty remains, and its intractability might lead us to consider a more radical approach, that of taking Kant's psychology as a genuine component of his view, rather than as an excrescence to be removed by charitable interpretation. This approach is adopted by Guyer, who, far from seeing a problem in Kant's interweaving of conceptual and psychological considerations, takes Kant to be concerned with two distinct but interconnected questions to which the conceptual and psychological elements in his theory correspond.⁸ On the one hand, according to Guyer, Kant is attempting to determine the requirements of aesthetic judgment as a form of public discourse; on the other, he is giving a psychological account of aesthetic response, that is, of that kind of pleasure which can license a judgment of taste. The harmony of the faculties has to be understood as addressing this second concern: it is relevant to the first only in so far as any purported judgment of taste that is to meet the requirements of

universality and necessity must be based on a feeling of pleasure which is, as a matter of psychological fact, due to the harmony of the faculties.⁹

The distinction between aesthetic response and aesthetic judgment was, it may be recalled, challenged in the previous chapter, but for the moment I want to leave aside the issues raised there and concentrate instead on the correlated distinction between psychological and conceptual considerations. What is relevant to the present concern is the question of how the distinction comes to be surmounted, that is, of why a pleasure that is due to the harmony of the faculties should be deemed universally valid and thus license a judgment of taste. Here, unlike Schaper, Guyer does not see any difficulty, at least in principle, about adducing considerations about the psychological similarity among human beings. As we shall see later, he does raise a question about whether Kant's assumptions allow us to take human beings to be similar in the particular respect which Kant's argument, on his reading, requires; but the general principle, that Kant's argument must rest on some kind of claim about shared psychological make-up, remains unchallenged. This is because, rather than view judgments of taste as genuinely "demanding" or "requiring" agreement, in the way suggested by Kant's terminology ("verlangen", "ansinnen", "fordern", "zumuten"), he assimilates them to just that class of judgments from which I distinguished them in my statement of the difficulty, namely predictions.¹⁰ He takes them, however, to be predictions of a special kind: they are not empirical predictions, nor rational predictions (that is, predictions based on a priori inference from concepts), but "ideal" predictions, or predictions "which presuppose ideal knowledge of one's own responses and ideal circumstances of response for others".¹¹ That is to say: "the judgment that a particular object x is beautiful amounts to the claim that everyone who perceives x

should, apart from any predication of a concept of it, take pleasure in it, or that, under ideal conditions -- of noninterference from purely sensory pleasures and abstraction from any concepts that might effect an interested response -- everyone who perceives x will take pleasure in it".¹²

With the slide from "should" to "will", the difficulty addressed by Schaper evaporates. Judgments of taste are not claims on, but claims about others, or more specifically their responses; and claims about others' responses must rest on claims about their psychology. We might, however, want to resist Guyer's suggestion that what appears to be a demand for agreement can be reduced to a prediction or expectation, whatever its kind. But here we are challenging an assumption of Guyer's that goes beyond the question of whether or not Kant's psychology of taste may be taken seriously, to a question which bears on how to interpret judgments of any sort, aesthetic or otherwise. Guyer, that is, takes for granted that there is only one kind of demand on others that can be distinguished from a prediction, namely a demand that has moral or legal justification. He thus implicitly rules out the possibility of a purely cognitive demand, such as we might take to be implicit in any judgment which is put forward as deserving of assent: for example, that others agree with me because there are good reasons for what I say, or because what I say is true, or simply because what I say conforms to a shared standard of rationality. This emerges from his rebuttal of the view that the demand made by the judgment of taste has to be understood as carrying, not just cognitive, but moral weight. Guyer, in presenting this view, notes as one of its initial attractions that Kant, in his use of terms like "fordern", "verlangen" and so on, suggests "the imposition of a demand or request of some sort on another person, an imposition that would ordinarily require some legal or moral basis".¹³ Guyer counters this

attraction with the suggestion that Kant is "describing an epistemological rather than a moral responsibility...a requirement of rationality rather than morality."¹⁴ It turns out, however, that the epistemological or rational requirement that Guyer has in mind is not a cognitive demand of the kind I sketched, that is to say a demand for agreement that I impose on another person by appealing to their rationality, but a demand that is made on me by virtue of my rationality, and which constrains my predictions of the agreement of others. The issue for Guyer, in other words, is between "the rationality of expecting agreement...and the morality of exacting it from anyone";¹⁵ there is no mention of what is really appealed to in my claim on the agreement of others, namely the rationality of their agreement itself.

Two points need to be distinguished in assessing this aspect of Guyer's view. On the one hand, it seems prima facie clear, on the basis of what he has to say about ordinary empirical judgments, that Kant was committed to the possibility of demands for agreement that do not rely on moral justifications. (Section VII of the Introduction to the Critique of Judgment characterizes the demand for agreement on the part of someone making such a judgment as an "Anspruch", and in §§18-19 of the Prolegomena the terms "wollen" and "verlangen" are used in a similar context.) Moreover, it also seems clear that the demands in question, both because of their intersubjective nature and because they are apparently implicit in the judgments rather than providing constraints on the judgments, cannot be construed as "epistemological requirements" in the attenuated sense that Guyer has in mind. On the other hand, Guyer's apparent blindness to the possibility of intersubjective cognitive demands should not be too hastily dismissed, for it reflects not an oversight, but a substantive position on a deep philosophical issue, that of whether, at least from an empiricist

viewpoint, the idea of constraints or rules internal to discourse makes any sense at all. Viewed in the light of this question, Guyer's proposal to reconstrue judgments of taste as ideal predictions subject to an external constraint (albeit one that is unknown) rather than as themselves laying constraints on the responses of others, represents, not so much a misreading of Kant, as a reconstruction of Kant's view which tries to make sense in acceptable empiricist terms of one of its most irreducibly unempiricist features.

Despite this caveat, we can conclude that Guyer does not do justice to what, at least on the face of it, looks like an essential aspect of Kant's view, and that his apparent reconciliation of the psychology of aesthetic response with the demands of aesthetic judgment preserves an empirical construal of the former by failing to recognize the latter. What we need, in order to bring about a genuine solution to the conflict, is some sort of a transcendental construal of the harmony of the faculties, one that could ground a genuine claim to agreement by showing the harmony of the faculties to be an a priori condition of cognition. But what could such a construal look like? It might be easy enough just to stipulate that the harmony is to be understood as taking place on the transcendental level, and to point out that the similarity between human beings that we are entitled to suppose on the basis of our agreement in cognition holds, not of our empirical, but of our supersensible natures. This could not, however, be any more than an appeal to an empirical analogy on just that point (namely, that of saying something about what is not empirical) where empirical analogies are least helpful.

Later in the chapter, I shall try to introduce what I think is a genuinely transcendental construal of the harmony of the faculties, one which avoids

the danger just mentioned. Before this, however, I want to turn to some of the less general problems concerning more traditional construals: problems that have to do with what role imagination and understanding are playing in the perception of the beautiful object, what the connection is between that role and the role they play in cognition, and how the harmony is related to the feeling of pleasure.

II: Other problems

As one might expect, in view of the role that it has to play in Kant's argument, the harmony of the faculties looks in two different directions. On the one hand, the harmony is supposed to exemplify a requirement of cognition. This is brought out, for instance, at #9, where the harmony is described as "a quickening of both faculties (imagination and understanding) to an undetermined but...harmonious activity, namely that which belongs to a cognition in general" and where Kant describes the cognitive faculties in this state as being in "that proportionate accord which we require for all cognition"; it is also suggested in a different context at #39, where Kant says, of the pleasure in the beautiful, that it "accompanies the common apprehension of an object through the imagination...in reference to the understanding...through a procedure of judgment [*eines Verfahrens der Urteilskraft*] which it must exercise on behalf of the commonest experience." On the other hand, the harmony of the faculties is unlike anything that goes on in actual cognition, in that it yields, not a determinate objective judgment, but a subjective feeling through which we are aware of our own mental activity. In considering the harmony of the faculties, Kant says, we are regarding the mutual relation of understanding and imagination

"merely subjectively, in so far as one helps or hinders the other in one and the same representation, and thereby affects the state of mind, thus as a relation which is sensible /empfindbar/" (EE VIII); the determining ground of the judgment of taste is "not a concept, but the feeling (of inner sense) of that harmony in the play of the powers of representation, in so far as it can only be felt /empfinden/" (#15). As well as being a condition of our capacity to relate representations so as to arrive at cognition of objects, then, the harmony is also the condition of our becoming aware of the subject's capacity to cognize, since it is only in the occurrence of the harmony that the mutual relation of imagination and understanding may be directly felt, as opposed, say, to its being inferred through reflection on actual cognition.

A natural approach to interpreting the harmony of the faculties is to begin with the question of what mental capacities have to be exercised in order to arrive at cognition, and then to ask which of them may conceivably be exercised in a given case without in fact issuing in an objective judgment. These sorts of considerations have yielded accounts of two different kinds. One kind, taking as a clue Kant's indications that pleasure in the beautiful involves reflection on the mere form of an object, takes the harmony of imagination and understanding to be the non-conceptual recognition of purely formal features of a manifold. The line of argument behind this is that, of the features of a manifold which come to hold through the exercise of imagination, the only ones which can harmonize with the understanding are formal or relational ones. Robert Zimmerman, followed by Theodore Uehling, have it that these formal features are spatial and temporal relationships among the elements of a manifold, these being the only properties "which are common to both the imaginative entity and the understanding."¹⁶ What differentiates the harmony here from ordinary

empirical cognition, is, according to Uehling, the fact that these spatial and temporal relationships that are the product of imagination, are not "directed" by, but find an analogue in, the rules of the understanding.¹⁷ A more sophisticated account, although on similar lines, is offered by Ralf Meerbote, who also invokes the notion of properties of the manifold ("invariant features") which conform to the requirements of the understanding.¹⁸ Meerbote has in mind, however, not specific relational features, but general characteristics of coherence and unity, which conform to the understanding's demand for orderability and lawlikeness. This means that he does not need an additional assumption of freedom in the activity of productive imagination to differentiate the harmony of the faculties from ordinary cognition, but can rely instead on the contrast between these general invariant features and the specific spatial and temporal features of a manifold which would conform to determinate concepts.¹⁹

One disadvantage of explaining the harmony of the faculties by reference to the notion of form is that the formal "property" of an object which Kant himself says is perceived through the aesthetic pleasure is its "subjective purposiveness" (#11), but, as Guyer points out,²⁰ this "subjective purposiveness" is in turn nothing other than the object's standing in such a relation to the subject as to give rise to the harmony of the faculties (EE VII, p. 221; KdU VII, pp. 189-90); if the formal features perceived in the harmony of the faculties are, as they ought to be, supposed to amount to what Kant calls the object's subjective purposiveness, then any account of this kind will have a disturbing air of circularity about it. This disadvantage is overcome in the second kind of account, suggested by Crawford and presented in detail by Guyer, which appeals more directly to the mental activities involved in cognition by invoking Kant's doctrine of synthesis.

Crawford's idea is that the harmony of the faculties involves a synthesis which takes place without being determined by empirical rules or concepts and which is thus "free to relate the parts [of the manifold] in whatever way it can to obtain a synthetic unity of the manifold."²¹ In Guyer's account, this suggestion is expanded into the view that the harmony of the faculties consists in the first two stages of the threefold synthesis that Kant presents in the Critique of Pure Reason's first edition Deduction. The harmony of the faculties is made up, that is, of the synthesis of apprehension in intuition and the synthesis of reproduction in imagination, but without the synthesis of recognition in a concept: in other words, it is a state in which "a manifold of intuition is run through and held together as a unity by the imagination without the use of a concept."²² Imagination's activity here is free because it is not guided by concepts and so does not directly involve the understanding, but it harmonizes with understanding "in the sense of accomplishing everything that is ordinarily requisite for the successful relation of the understanding to a manifold of intuition."²³

The starting-point in the text for Guyer's account is Kant's statement at section VIII of the First Introduction (pp. 223-4) that, in an aesthetic reflective judgment,

the faculty of judgment, with no concept ready for the given intuition, unifies the imagination...with the understanding...and perceives a relation between the two cognitive faculties, which constitutes in general the subjective and merely sensible [*empfindbar*] condition of the objective employment of the faculty of judgment -- namely the harmony of those two faculties with each other.

On Guyer's view, the "subjective" condition of the objective use of judgment, that is of cognition, is the synthesis of the manifold, since "from a psychological point of view the synthesis or unification of a manifold is what produces an objectively valid judgment."²⁴ Moreover, Kant's further

designation of the condition as "merely sensible" shows, according to Guyer, that what is meant is that contribution to synthesis that is due to sensibility and imagination (Guyer rightly notes that the third Critique has sensibility and imagination belong together under the same heading of the "faculty of intuitions") as opposed to understanding.²⁵ This yields the conclusion that the harmony is the first two stages of the threefold synthesis, a conclusion that appears to find further confirmation from other related passages. For example, Guyer glosses Kant's puzzling statement at section VII of the First Introduction, that in the harmony of the faculties "the apprehension of the manifold [of a given object] in the imagination agrees with the presentation of a concept of the understanding (regardless of [*unbestimmt*] which concept)," as a claim that "the ordinary condition for the application of a concept -- the imagination's unification of a manifold -- obtains without the application of any concept."²⁶ A similar interpretation is applied to Kant's preceding contrast between the harmony of the faculties, where "imagination and understanding are regarded in the relation in which they stand to each other in the judgment in general" as opposed to "the actual relation between them in a given perception" and for Kant's subsequent references to "cognition in general" at section VIII of the First Introduction (p. 224) and throughout #9: the point is, according to Guyer, that in the harmony of the faculties, the general condition of cognition is satisfied without the use of any concept. The construal of this condition, as having to do with the imagination's activity of synthesis, receives reinforcement from Kant's reference at #35 to the "condition that the understanding in general pass from intuition to concepts" and from the related remark that the free play of the imagination consists in the fact that it "schematizes without a concept." In addition to its support from these and similar passages, Guyer's

account has the attraction that it not only provides a plausible candidate for a condition of cognition that can be realized without itself yielding cognition, but also an explanation of why that candidate -- synthesis without concepts -- issues in a feeling of pleasure. This explanation turns on the idea that the synthesis or unification of our manifolds represents a subjective goal of cognition (as opposed to the objective goal, which consists in true beliefs or objectively valid judgments), and that the harmony of the faculties, in fulfilling this goal, is accompanied by the kind of pleasure which, according to Kant in section VI of the Introduction to the Critique of Judgment, attends the achievement of any purpose at all.²⁷

A number of points may be raised against Guyer's account as I have sketched it here. The first is a textual one concerning Guyer's readings, respectively, of the terms "subjective" and "sensible" in the key phrase "subjective and merely sensible condition of the objective employment of judgment." In the first place, Guyer's assumption that "subjective" is to be understood in the sense of "psychological" seems to be open to question, as does, more generally, his view of a subjective condition as an "event" which has cognition as its "outcome", rather than as something that is required for cognition in a rather less straightforwardly causal way. As a preliminary, it is worth noting that where Kant uses the term "subjective condition" in another context, namely in reference to space and time as the "subjective conditions" of sensibility or of intuition (for example at B42 and B51) he does not seem to mean a psychological state or process, but something that is again presupposed in some more subtle way that makes it internal rather than external to our sensible representations. More relevantly to our present concern, what Kant does in fact intend by the term "subjective" in the context at hand is suggested in a passage in the Second Paralogism of

the first edition Critique which not only gives an example of a subjective condition of cognition, but also explains what it is about it that makes it subjective:

The formal proposition "I think"... is admittedly no experience, but the form of apperception, which attaches to /anhängt/ and precedes every experience, but which must nonetheless be regarded in regard to a possible cognition in general, as its merely subjective condition, which we wrongly /mit Unrecht/ make into a condition of the possibility of a cognition of objects, that is, into a concept of a thinking being in general [Kant's emphasis]. (A354)

Kant's point here, in describing the "I think" as a "merely subjective condition" of cognition, is not to assign it a psychological status. Rather, he is making the point that, while it is a formal a priori requirement of cognition, it does not have any content as regards objects. Any cognition must conform both to the form of apperception (what Kant calls the analytic unity of apperception (B133)) and to the pure concepts of understanding (which make up, as a whole, the synthetic unity of apperception). But the pure concepts are not only conditions which govern my cognition, qua act of representing an object, they are also conditions on, or concepts applying to, objects. As Kant puts it at B138:

The synthetic unity of consciousness is... an objective condition of all cognition, not one which merely I myself require, in order to cognize an object, but one under which any intuition must stand, in order to become an object for me [Kant's emphasis]

A subjective condition would, presumably, be one which I require in order to cognize an object but which is not itself one that applies to those objects which I cognize.

On this understanding of the term "subjective", Kant's description of the harmony of the faculties as a subjective condition of judgment carries no special psychological connotation. What it conveys, rather, is something already entirely familiar about the harmony of the faculties, namely that it

does not and cannot amount to cognition of an object. Moreover, to turn to the second subject of dispute in the expression "subjective and merely sensible", the term "sensible" [*empfindbar*] carries a related meaning. Guyer reads "sensible" as referring to that aspect of synthesis which involves sensibility and imagination, as opposed to understanding. But where the English "sensible" is to be read as meaning "pertaining to sensibility [*Sinnlichkeit*]," it corresponds, not to the German "empfindbar", but to "sinnlich". The word "empfindbar" relates not to sensibility but to sensation [*Empfindung*] which Kant uses as applying to feeling (although, it may be noted, not without misgivings: see the reference to "so-called sensation" at section VIII of the First Introduction, p. 224). "Empfindbar" here, then, indicates a state that is felt, as opposed to cognized. Thus, taken as a whole, the expression "subjective and merely sensible condition of the objective employment of judgment" suggests neither that the harmony of the faculties is a psychological phenomenon, nor that it is related to sensibility, but simply that it does not predicate a property of an object and so can be manifested only through feeling.

Leaving aside questions about the textual justification for Guyer's view, there are also more substantive problems concerning the relation of the harmony of the faculties to the feeling of pleasure. One of these bears on Guyer's view that the pleasure felt in the harmony of the faculties is a case of the kind of pleasure felt on the attainment of a goal, in this instance the "subjective goal of cognition." Guyer's view is based on passages in which Kant states that pleasure always accompanies the attainment of an objective, and which, according to Guyer, come nearer than anything else in Kant's work to providing a general theory of pleasure. But both of these passages occur in contexts where Kant is discussing a kind of pleasure which

is specifically differentiated from aesthetic pleasure: namely the intellectual pleasure felt in discovering an unexpected order in the heterogeneity of nature (KdU VI, p. 187) or in solving a geometrical problem (General Remark to Book I of KdU, p. 242). In these cases Kant can speak explicitly of an "objective [*Absicht*] of understanding" or of a "purpose in respect of cognition," whereas in the case of pleasure in the beautiful our mental activity has no purpose at all: the pleasure is "nothing other than the subjective purposiveness in the representation of an object, without any goal (neither objective nor subjective)" (KdU #11, p. 221). Another problem, related to this issue, arises not merely for Guyer's view but also, in one way or another, for every interpretation of the harmony of the faculties so far considered. The nub of this difficulty is the question of why, if the harmony of the faculties is involved in all cognition, all cognition is not pleasurable. In terms of Guyer's account, the question is that of why, since all cognition involves the synthesis of a manifold and hence the fulfilment of the subjective goal of cognition, there is not, in every case of cognition, not only the objective judgment that is yielded by the synthesis, but also the pleasure felt on attainment of the goal. Guyer's explanation is that there is a contrast to be drawn between the activity of synthesis itself and our becoming aware of synthesis as such without bringing it under concepts. In cognition, synthesis is performed, but our awareness of the corresponding unity in the manifold is conceptual rather than through feeling; in the harmony of the faculties, we have not only the synthesis of the manifold, but also the non-conceptual awareness of unity in the manifold, and it is this awareness only which can yield the feeling of pleasure that comes from satisfying the subjective goal of cognition.²⁸

This contrast, however, raises a further difficulty for the interpretation

of Kant's overall argument. As Guyer recognizes, it drives a wedge between what is required for cognition and what is required for aesthetic response, a wedge that makes it impossible to demand that others share our feeling of disinterested pleasure in the perception of a given object simply on the grounds that the conditions of cognition are the same in all of us. For if we accept the contrast, we admit that aesthetic response requires, not just the capacity to synthesize, but also the capacity to synthesize without concepts, or to feel, rather than think, the unity of a manifold, a capacity which is not itself required for cognition.²⁹ We are thus forced into a dilemma: if we take the harmony of the faculties to be the syntheses of apprehension and reproduction, with or without concepts, then we cannot explain what makes beautiful objects different from ordinary objects of cognition, but if we take it, specifically, to be those syntheses in the absence of concepts, then the essential connection between aesthetic response and ordinary cognition is lost. This dilemma appears, as Guyer's discussion shows, to be present in Kant's own characterizations of the harmony of the faculties in terms of a "proportion" between imagination and understanding. While the general thrust of Kant's argument, as typified by his claim at #39 that "the proportion of these cognitive faculties /imagination and understanding/which is required for taste, is requisite also for common and sound understanding," would seem to propel us on to the first horn of the dilemma, there is also evidence, from Kant's account of the harmony at #21, which might drive us in the direction of the second. Here Kant claims that the "proportion" of cognitive faculties is not something common to all cognition but varies with different objects; moreover there is one special proportion "in which this internal relation for the quickening /of the faculties/ is most advantageous for both powers of the mind in respect of

cognition of given objects generally," and it is this proportion that constitutes the harmony of the faculties. Thus even Kant's own account gives us reason to suppose that the harmony of the faculties is not a straightforward requirement of cognition itself.

It should be noted that this dilemma, while brought out very clearly by Guyer in the context of his account of the harmony of the faculties, does not arise from the particular details of his account, but from a more general tension, already implicit in our initial characterization of the harmony: that it is supposed, despite its being a state of mind required for cognition, to give us a kind of awareness --awareness, that is, of the subject -- that runs directly counter to the awareness granted by any objective cognition. It arises, accordingly, for other interpretations also, for example that of Meerbote, which explains aesthetic response in terms of conformity of "invariant features" in a manifold to features of the understanding. Since orderability and lawfulness must be present in any manifold which can provide material for cognition, Kant must either deem all sense-perceptible objects beautiful or, as Meerbote puts it, "introduce an inscrutable element into his notion of aesthetic form," by taking as a requirement for aesthetic pleasure, not just the degree of conformity which is attained in cognition, but some specific, particular degree, as suggested at #21. The choice, moreover, seems clear if we are not to put too much strain on our intuitions about what counts as beautiful. Meerbote thus opts for the second alternative, concluding that aesthetic judging is a "unique, *sui generis* activity."³⁰ This parallels Guyer's concession that "Kant's deduction cannot justify the claims of taste...because aesthetic response requires a facility in the use of one's faculties and a sensitivity to their operations that cannot be regarded as part of the minimal capability for knowledge."³¹

The disappointing character of this conclusion is not in itself a reason for rejecting any of the proposed accounts of the harmony of the faculties, as opposed to conceding the failure of Kant's deduction.³² But there are further problems which directly affect Guyer's (and Crawford's) view that the harmony of the faculties is a kind of synthesis, and which have repercussions also for accounts of the harmony in terms of the perception of formal properties of a manifold. We can lead into them by considering the difficulty, raised by Guyer himself, that the Transcendental Deduction in the Critique of Pure Reason appears to show that all synthesis must be subject to the categories, thus excluding the idea of a synthesis which is not subject to concepts. Guyer's response is to propose a reading of the Deduction on which the categories are not necessary conditions of all synthesis whatsoever, but conditions, simply, on all synthesis that is to count as knowledge, as opposed to belief or feeling. But leaving aside the question of whether such an interpretation is acceptable, we can push Guyer's question further, to ask whether there can be a synthesis of representations that is not subject to concepts at all, pure or empirical. While the threefold division of syntheses appears on the surface to suggest that the first two could be carried out independently of the third, Kant's underlying view seems to be that they are more closely related than such a possibility would allow.³³ In particular, he suggests that without the "synthesis of recognition in a concept" there would be no unity in the manifold at all:

all reproduction in the series of representations would be useless...the manifold of the representations would never, therefore, form a whole, since it would lack that unity which only consciousness can impart to it...the unitary consciousness [which constitutes a concept] is what combines the manifold, successively intuited, and thereupon also reproduced, into one representation (A103)

Because reproduction is in turn required "even for the purest and most

elementary representations of space and time" (ibid.), this suggestion tells also against the idea that we could come to perceive spatio-temporal features of a manifold without, by the same token, relating its elements according to concepts.

These considerations prepare the ground for a still more serious objection. This is that while synthesis is "the act in general of putting different representations together" (A77/B103), and the synthesis of reproduction, in particular, involves a "transition of the mind" (A100) from one representation to another, Kant clearly indicates that the harmony of the faculties involves a single representation only. To return to the passage from section VIII of the First Introduction (p. 223) that I quoted above: after his remark that the relation that holds between imagination and understanding in transcendental schematism "may be regarded purely subjectively," Kant goes on to specify that this is "in so far as one helps or hinders the other in one and the same /eben derselben/ representation, and thereby affects the state of mind" (my emphasis). This reference to "one and the same", (overlooked in Haden's translation, which has "a given representation" for "eben derselben Vorstellung") is reinforced by Kant's description, at the end of #9, of the harmony of the faculties as being brought about by a representation that is "singular /einzeln/ and independent of comparison with others"; relevant also are Kant's characterization at EE VIII of the aesthetic reflective judgment as taking place "even before attention is paid to the comparison [of the object] with others" (p. 223) and, at the note to EE VIII, of the feeling of pleasure as "a state of mind in which a representation harmonizes with itself" (p. 230). The express denial here that there is any multiplicity of representations to be brought together or compared by the harmony of the faculties, suggests that the harmony of the

faculties, whatever kind of an activity or state of mind it is, is fundamentally different from the activity of synthesis as it is generally construed.³⁴

III: The "key to the critique of taste" revisited

The objections that I have discussed in part II suggest two major desiderata for any construal of the harmony of the faculties that is to improve on the ones that I have criticized. First, without committing us to the view that all perception is pleasurable, it must do justice to the close relation that Kant clearly sees as holding between the harmony of the faculties and empirical cognition: sufficient justice, moreover, as to ensure that Kant's argument to the legitimacy of judgments of taste is a successful one. Secondly, it must make sense of the harmony of the faculties without characterizing it as, itself, any kind of synthesis or other activity involving the perception of unity in a manifold of diverse representations. Now at first glance, these two desiderata appear to stand in conflict, for it looks as though the best way to ensure a close relation between the harmony of the faculties and ordinary cognition is to identify the former with what is undoubtedly a necessary condition of the latter, namely the activity of synthesis. But this, I want to suggest, is a misconception that stems from a more general assumption about what kind of a phenomenon the harmony of the faculties is supposed to be. It is of course natural, given both the standard quasi-psychological (or straightforwardly psychological) understanding of Kant's talk of "faculties of the mind", and Kant's descriptions of the harmony of the faculties as "affecting" the state of mind or "producing" the pleasure, to construe the harmony of the faculties as an

inscrutable mental mechanism functioning in the depths of the soul and accessible to consciousness only through its effect on feeling. There are, however, a few passages where Kant himself seems to go against this picture. One is at #12, where Kant explicitly denies that the pleasure in taste can be caused by any kind of representation, on the grounds that the judgment of taste must have an a priori basis but a causal connection can only be recognized a posteriori. Another is at #9, where, rather than portray the harmony of the faculties as an independent mechanism underlying the pleasure, Kant claims that the quickening of the faculties into their harmonious activity is itself the pleasure:

the quickening of the two faculties (imagination and understanding) to indeterminate yet harmonious activity is the sensation whose universal communicability is postulated by the judgment of taste.

This suggests, however sketchily, that the harmony should not be understood as a hidden mechanism underlying the pleasure, but as standing instead in an a priori or conceptual relation to the pleasure, and perhaps even (if we discount the distinction between the "quickenings" of the faculties to activity, and the activity itself) as identical with it.³⁵

To see how the harmony of the faculties might be understood in this way, we need to return to the considerations of the previous chapter, in which I analysed the relation of the feeling of pleasure in an aesthetic experience to the act of making an aesthetic judgment. In that chapter, I drew attention to an apparent paradox in Kant's account of aesthetic judgment. On the one hand, it is a central feature of his account that to judge that an object is beautiful is to claim that the perception of the object occasions a feeling of pleasure which is universally valid or universally communicable. This suggests that there are two elements involved in making a judgment of taste: firstly the pleasure which is felt in the object, and subsequently the

judgment that this pleasure is universally valid. On the other hand, there are a number of passages in which Kant suggests that the relation between these two elements is in fact the reverse. In particular, at #9 of the Critique of Judgment, which Kant introduces as "the key to the critique of taste, and hence [as] worthy of all attention," Kant argues explicitly that the feeling of pleasure does not precede the judging of the object but is, rather, consequent on it. Now there have been attempts, most notably by Crawford and by Guyer, to defuse this conflict by arguing that what Kant means by "judging" at #9 is, not the full-fledged act of judgment by which I claim the universal validity of a prior feeling of pleasure, but the harmony of the faculties.³⁶ On Guyer's view, the harmony of the faculties, because it involves the concurrence of imagination and understanding, can, like the judgment of taste itself, be viewed as an exercise of the faculty of judgment, specifically reflective judgment. Thus, according to Guyer, the paradox is to be resolved by distinguishing two acts of reflective judgment: firstly the unintentional exercise of the faculties which issues in a feeling of pleasure, and secondly the conscious and deliberate procedure of reflection which issues in the claim that the feeling of pleasure is universally valid.

In the last chapter, however, I argued against this solution, and more generally against the sharp division that it draws between the aesthetic response to an object and the aesthetic judgment proper that is made about the object. To feel disinterested pleasure in an object, that is, pleasure of the kind that characterizes an aesthetic response to it, is, I argued, just what it is to judge that the object is beautiful. I tried to show this by appealing to the explicit statement with which Kant concludes the opening phase of his argument at #9, a statement which is (and is acknowledged by Guyer to be) incompatible as it stands with the view that I am contesting:

Thus it is the universal capacity for being communicated of the state of mind in the given representation which, as subjective condition of the judgment of taste, must serve as its ground [zum Grunde liegen] and have the pleasure in the object as its consequence.

This statement appears at first sight to be highly paradoxical. Since the "state of mind in the given representation" is nothing other than the feeling of pleasure, Kant appears to be asserting that the feeling of pleasure is consequent on its own universal communicability. But, as I argued in the previous chapter, this implication need not be dismissed as absurd. We can make sense of Kant's statement by construing the feeling of pleasure as a state of mind which I have in the presence of an object, in which I judge simply that everyone who perceives that object should share my state of mind. On such a construal, the pleasure is indeed consequent on its own universal communicability.³⁷ Moreover, while the bizarreness of this may seem a high price to pay for preserving a literal understanding of #9, this construal is borne out by the converse point that, if there can be a state of mind in which one judges without the use of concepts that one's state of mind is universally communicable, it cannot on Kant's principles be experienced as a cognitive state, but must instead consist in a feeling, specifically in a feeling of disinterested pleasure.³⁸

This leads us to the following view of the relation between the judgment of taste and the feeling of pleasure. The judgment of taste claims, in the first instance, not the universal communicability of a prior feeling of pleasure, but its own universal communicability. In accordance with Kant's conclusion at #9, the pleasure is "consequent" on the act of making the judgment, in that to judge without concepts of the universal communicability (with respect to a certain object) of one's state of mind is *eo ipso* to feel disinterested pleasure. This in turn allows us in a derivative

sense to understand the judgment of taste as a claim to the universal validity of a certain feeling of pleasure, namely the judgment of taste itself. Now as already noted, the effect of this line of reasoning is to deny that there is a distinction to be made on Kant's view between aesthetic response and aesthetic judgment. More generally, assuming that we take Kant's view to be plausible, it challenges the conventional view of pleasure as a kind of sensory given with respect to which the subject in which it occurs is passive, to suggest instead that there can be a kind of pleasure which essentially contains an evaluative or normative component, and in which, as in an objective judgment, the subject is "actively" seeking to conform to a standard of correctness which may or may not be met. The appeal of this suggestion, as I argued in chapter one, may be seen through two different considerations. In the first place, independent of Kant's views on the matter, it seems clear that disagreement about taste, and more specifically that form of disagreement which consists in criticism of someone else's taste, does not operate primarily on the level of explicit judgments to the effect that such-and-such is beautiful, but rather on the level of the feelings of pleasure which the explicit judgments express. And in the second place, to return to Kant's own view, the idea of aesthetic pleasure as intrinsically "judgmental" is of a piece with Kant's account of perceptual experience, on which perception does not consist in the passive reception of sense-data, but instead involves a synthesis according to concepts which qualifies it as an exercise of judgment.³⁹

This view of the relation of aesthetic response to aesthetic judgment has important consequences for the harmony of the faculties. It suggests specifically that we can re-read Kant's description of the pleasure in a judgment of taste as "produced" by the harmony of the faculties, not as

implying the existence of an inscrutable psychological mechanism, but simply as a way of conveying that the feeling of pleasure makes manifest the act of claiming the universal communicability of one's state of mind.⁴ We can make this suggestion more concrete by turning again to #9. After arguing, in the passage quoted above, that

it is the universal capacity for being communicated of the state of mind in the given representation which, as subjective condition of the judgment of taste, must serve as its ground and have the pleasure in the object as its consequence

Kant goes on to infer from this universal communicability of the state of mind, and from the additional fact of its independence from concepts, that the determining ground of the judgment of taste

can be nothing other than the state of mind which is met with in the mutual relation of the cognitive faculties in so far as they refer a given representation to cognition in general (Kant's emphasis).

He then goes on to characterize this state of mind more fully, first as a relation in which the cognitive faculties are in free play "because no determinate concept limits them to a particular rule of cognition," and, second, as a relation between the faculties, specifically, of imagination and understanding, since these "belong to a representation through which an object is given, in order that it should give rise to any cognition. Now it is standard to understand this state of mind as being, in the first instance, one in which a certain psychological mechanism is in effect. But there is another way to construe it. We might, that is, see the state of mind in which a given representation is referred to cognition in general, as consisting, as it were by definition, in that state of mind in which I take my state of mind to be universally communicable without the use of concepts. On this proposal, instead of taking Kant's subsequent description of the harmonious interplay of imagination and understanding as providing a deeper

level of explanation, we would take it as a derivative and metaphorical characterization of a state that is fundamentally to be understood, not in psychological, but in purely logical or conceptual terms.

IV: The subjective condition of cognition

Why should the feeling of pleasure, even assuming that it can be analysed in terms of a judgment that claims its own universal validity, qualify as a state of mind in which a representation is referred to cognition in general? And why should such a state, in turn, be describable as the harmony of the faculties? To answer the first of these questions, I want to return to the issue of how the harmony of the faculties is supposed to relate to everyday empirical cases of cognition, and ask again what Kant might mean by such expressions as "an activity which belongs to a cognition in general" (#9, p. 219), "that proportionate accord which we require for all cognition" (ibid.), "a procedure... which judgment must exercise on behalf of the commonest experience" (#39, p. 292), "the relationship in which /imagination and understanding/ must stand to each other in judgment in general" (EE VII, p. 220), "the subjective and merely sensible condition of the objective employment of judgment" (EE VIII, pp. 223-4) and so on. In what way is this "subjective condition" of cognition to be understood, if not as a psychological activity of synthesizing the given manifold? The suggestion I want to make is based on the following passage at #21 of the Critique of Judgment:

Cognitions and judgments must, together with the conviction that accompanies them, allow of being universally communicated; for otherwise no agreement with the object would befit them /kame ihnen zu/: they would be altogether a mere subjective play of the powers of representation, exactly as scepticism demands.

This passage, I claim, alerts us to an important and neglected feature of Kant's theory of cognition. In order for cognition in general to be possible, Kant is saying here, it must be possible for us to "communicate" our cognitions and judgments universally, that is to demand universal agreement on their behalf.⁴⁰ If cognitions as a whole could not be universally communicated, that is, if judgments could be taken as holding good at most for the individual making them, the possibility of their having objective truth would not apply to them.⁴¹ Why should we not then say that the "subjective condition of the objective employment of judgment" is the universal communicability of our cognitions? If this were so, we could explain Kant's view of the pleasure in taste as a state of mind in which this condition is perceived on the basis of its being, as I argued in the first chapter, a feeling of the universal communicability of one's state of mind.

Before pursuing this suggestion further, however, we have to consider how the condition of universal communicability enters into the making of any individual judgment, which is something that the sentence quoted from #21 does not tell us. What the sentence does is to lay down a general condition on the possibility of objective cognition as a whole. Thus it is not, as one might at first think, an implication of this passage that each and every cognition must be universally communicable in the sense of actually holding good for everyone. Any individual cognition may be false, or fail to "agree with the object," and in such a case it is certainly not universally communicable.⁴² That cognitions "must allow of being universally communicated" suggests, rather, that it must in general make sense to demand universal agreement for our cognitions, even though in any particular case we may not be justified in doing so. Kant's point, in other words, is that the ascription of universal communicability to an individual

cognition must not, if scepticism is to be avoided, be an arbitrary matter: and this, as we shall see in more detail later, amounts to the point that there must be some principle in virtue of which we are entitled to demand universal agreement for some cognitions but not for others.

This overarching condition on cognition, though, does have its bearing on individual cognitions. While any given cognition may or may not hold good universally, it must, in order to be a cognition at all, be made under the presumption that it does hold good universally. Any cognitive judgment, that is, in so far as it makes a claim to truth, must make a demand for universal agreement. This is suggested, albeit in an offhand way, at section VII of the Critique of Judgment, where Kant remarks that "a singular judgment of experience, e.g. of someone who perceives a movable drop of water in a rock crystal, rightly demands that anyone else must find it so." More tenuously, Kant's description of cognition at #9 as "a determination of the object which given representations (in any subject whatsoever) are to [sollen] agree" suggests that any cognition involves an implicit demand for universal agreement. But the locus classicus of Kant's view on this point is the discussion at ##18-20 of the Prolegomena, where Kant makes his notorious distinction between judgments of perception and judgments of experience. Leaving aside for the time being the difficulties concerning the distinction itself (particularly those involved in the notion of a judgment of perception) and concentrating instead on the implications of Kant's discussion for judgments of experience, we find clear evidence that Kant takes all objective empirical judgments to claim universal intersubjective validity. "All our judgments," Kant writes at #18

are at first merely judgments of perception: they are valid merely for us, that is for our subject, and only afterwards do we give them a new relation, namely to an object, and insist [wollen] that it should also be

valid for us at any time and just as much so for anyone.

The implication, that the insisting on, or wanting of, universal validity is to be understood as equivalent to the relating of the judgment to the object, is confirmed by Kant's further claims that "the objective validity of the judgment is nothing other than its necessary universal validity" (#18) and, at the beginning of #19, that "objective validity and necessary universal validity (for everyone) are interchangeable concepts."

The Prolegomena account does, admittedly, contradict the view of the third Critique that there can be judgments, specifically those of taste, which are universally valid without being objectively valid. It should, however, be noted that the Prolegomena came out four years before Kant's discovery in 1787 of "a new kind of a priori principle for the feeling of pleasure and displeasure"⁴³ and consequently before Kant had realised that there could be non-objective judgments that were universally valid. Provided that we keep this in mind, there seems to be no reason to think that Kant changed his mind about the converse implication from objective validity to universal intersubjective validity, especially in view of the passages quoted above from the third Critique. This leaves us with a way of articulating the "subjective condition" of objective cognition, not only in general terms, but also as a condition that is taken to be satisfied in the making of any individual cognitive judgment. In claiming the universal communicability of our judgment in any given case, we are claiming to meet the condition under which alone our judgment can rightly be regarded as objectively valid. So in each case of judging, our judgment is put forward as subject to the condition that it be universally communicable: to admit that it fails to satisfy this condition is tantamount to withdrawing the judgment. Now this condition, it should be noted, is not an external one that has to be

fulfilled (as it were, to the satisfaction of some independent authority) in order that anything count as a judgment. On the contrary, like the "objective" conditions on cognition that are constituted by the pure concepts of understanding, it is implicit in the judgment. A pure concept is not a condition of cognition in the sense that the cognition must meet it in order to count as such. The cognition, rather, can be seen as laying down a concept as a rule according to which the given manifold must be synthesized; in the same way, the judgment of taste can be seen as laying down the condition of universal communicability as a standard with which it must itself accord. This "way", it may be conceded, is somewhat obscure. But one important corollary of the "internal" character of the subjective condition of judgment is clear, namely, that the condition is not a psychological one. In the first place, it is not a psychological fact about human beings that our judgments are put forward as subject to a common standard of correctness, although, once the existence of a common standard is granted by us, we may be able to find all kinds of psychological or physiological explanations of why we are capable of judging while other animals are not. From the point of view of an empirical psychological (or any other kind of scientific) description, there need be no difference between a community of human beings who judge in accordance with a common standard, demanding agreement from their fellows, and a community of human beings who have learned to respond appropriately to stimuli in a way that exhibits all of the features, internal and external, which we take to be characteristic of cognitive activity.⁴⁴ Correspondingly, to put forward one's judgment as conforming to a common standard, is not to be in a certain psychological state, although there could conceivably be correlations between making judgments as opposed to expressing or having

feelings, and being in one kind of psychological state rather than another. To put it in a nutshell, cognition, on Kant's view, has an irreducibly normative component, and it is this component to which the "subjective condition" of cognition corresponds.

While the textual support for my claim that the "subjective condition" of an individual cognition is its universal communicability has so far been indirect, more immediate confirmation can be found from another of the rare passages in his published works where Kant is explicitly concerned with universal communicability and its equivalents, namely the section "Opining, Knowing and Believing" in the first Critique's Doctrine of Method. This section deals with "holding-true" [*Fürwahrhalten*], which is the state of mind in which one makes a judgment.⁴⁵ Kant begins by providing definitions of various kinds of holding-true:

If the judgment is valid for everyone, provided only that he has reason...then the holding-true is called conviction. If it has its ground in the particular constitution of the subject, it is called persuasion.
(B848)

In the light of these definitions, the following, at B849-50, is relevant:

I cannot assert [*behaupten*] anything, that is pronounce it as a judgment necessarily valid for everyone, unless it effects conviction. Persuasion I can hold to on my own account, if it pleases me to do so, but I cannot and ought not insist on [*wollen*]/asserting its claims [*sie geltend machen*] beyond my own case.

It is a condition, apparently, of my being able to make any assertion, that the state of mind associated with it be one of "conviction", that is, one of making a universally valid judgment.

Now we might question Kant's claim here, given that "conviction" is not merely a state in which one takes one's judgment to be universally valid, but a state in which one's judgment is universally valid. For it seems, given this strong definition, that one cannot make an assertion that does not hold good

for everyone, that is to say, the kind of assertion that, objectively speaking, is false. And while Kant is not always altogether clear on the distinction between a judgment's claiming universal validity, and its being universally valid (these are sometimes run together in the sections of the Prolegomena discussed above), it seems clear that in this section, it is the strong, normative sense of "universally valid" and correspondingly strong definition of "conviction" that he has in mind.⁴⁶ So how is his claim here to be understood? "Cannot", I would suggest, is not to be taken literally (otherwise "ought" in the second sentence would be entirely inapplicable), but as meaning something like "cannot legitimately". On this reading, the passage in question bears out the idea of universal communicability as a condition to which individual judgments are subject. The only legitimate assertion is one that "effects conviction" or is universally valid: in making an assertion, I commit myself to my state of mind's being one of conviction, and recognize that a failure to meet this condition nullifies the judgment.

This reading enables us, in turn, to add further evidence from the third Critique for my claim that the "subjective condition" of an objective judgment is its universal communicability. If we turn back to the first sentence of #21 we see that it explicitly refers to conviction:

Cognitions and judgments must, together with the conviction that accompanies them, allow of being universally communicated...

In the next sentence, Kant goes on:

If cognitions must allow of being communicated, the state of mind, i.e. the accordance of the powers of cognition for a cognition in general, and indeed that proportion which is owing to a representation (through which an object is given to us) in order that it constitute cognition /um daraus Erkenntnis zu machen/, must also allow of being universally communicated: because without this [proportion] as subjective condition of cognizing, cognition could not arise as an effect.

As indicated by the context, the "state of mind" which "must also allow of

being universally communicated is the "conviction" referred to in the first sentence.⁴⁷ This carries with it the requirement that the conviction be further identified with "the accordance of the powers of cognition for a cognition in general," that is, with the harmony of the faculties, which is in turn identified, as we would expect, with the subjective condition of cognition. But we have seen that conviction is simply the state of mind which corresponds to the making of a universally valid judgment. So while Kant does not explicitly claim that the subjective condition of cognition has any internal relation to the condition of universal communicability, instead explicating this subjective condition in terms of faculty psychology before going on independently to attribute universal communicability to it, we can read between the lines to the implication that it is the universal communicability of one's judgment that is required for cognition as its subjective condition.⁴⁸

In any case, whether or not this implication is accepted, we may use the broader conclusion that every individual cognitive judgment claims its own universal communicability to provide us with a coherent and non-psychological account of why the pleasure in taste should be a state of mind having to do with "cognition in general." Using the Prolegomena as our guide, let us look a little more closely at how the requirement of universal communicability enters into empirical cognitions, more specifically the cognitions involving direct perception of objects that are Kant's main concern in the passage under discussion. Any such perceptual judgment, according to the Prolegomena account, whether it be a judgment of perception or a judgment of experience, is complex, involving a connection of sensations.⁴⁹ The connection in a judgment of perception consists simply in the fact that I have these sensations together, as part of the same state

of mind:

judgments of perception express only a relation of two sensations to the same subject, namely myself, and also only in this present /diesmalige/state of perceptions, and are therefore...not supposed /sollen/ to be valid of the object.

But if I claim the universal validity of a state of mind involving more than one sensation, I am ipso facto claiming that the connection of the sensations is necessary. In the case of the judgment of perception, "I do not demand that I should always find it so, or that everyone else should find it as I do," but

if I want a judgment of perception to count as /heissen/ a judgment of experience, then I demand that this connection /of sensations/ stand under a condition that makes it universally valid. I want therefore that I always, and everyone else also, be obliged /müsse/ necessarily to connect the same sensations under the same circumstances. (#19)

Now this demand is equivalent to the claim that the two sensations stand in necessary connection to each other in accordance with a pure concept.

What is required for a judgment of experience may thus be restated in terms of the subsumption of given intuitions under concepts of the understanding.

"Before experience can arise out of perception," Kant says at #20,

/t/he given intuition must be subsumed under a concept which determines the form of judging in general in view of the intuition, connects the empirical consciousness of the latter in a consciousness in general, and thereby provides the empirical judgment with universal validity; such a concept is a pure concept of understanding a priori.

Or, as Kant goes on to put it in an example using the judgment that air is elastic:

Now before a judgment of experience can arise from a judgment of perception, it is first of all required: that the perception be subsumed under such a pure concept of the understanding; for example that air belongs under the concept of cause, which determines the judgment about the air as hypothetical in view of its expansion. In this way, the expansion is now represented, not as merely belonging to my perception of the air in my state, nor in several of my states, nor in the state of others' perception, but as necessarily belonging thereto, and the judgment that air is elastic becomes universally valid, and thereby for the first time /allererst/a judgment of experience.

In other words, it is through a given representation's being subsumed under a pure concept that it comes to be regarded as necessarily connected with another representation, that is, connected in a way that transcends anything about anyone's particular mental state at any given time, and thus can yield a judgment which claims universal validity (or, as Kant describes it here, a universally valid judgment tout court).

As we have seen, in making any empirical judgment about a particular object, I am ipso facto demanding that everyone find the object as I do, which is to say that I am claiming the universal communicability of my representation of the object. But, as the foregoing shows, I am at the same time relating my representation to the unity of consciousness, taking it to involve a necessary connection, under a pure concept, of specific sensory constituents (in Kant's not altogether transparent example, the sensory perceptions, respectively, of expansion and of the air). My representation thus "becomes" a cognition with specific conceptual content, which determines the object in a particular way. Now in feeling the pleasure in an object which amounts, on my interpretation, to a pure judgment of taste, I am demanding, just as in the case of an empirical judgment, that everyone find the object as I do. In other words, I am claiming the universal communicability of my representation of the object. In thus fulfilling the general criterion for a judgment's relating to an object, I am carrying out "a procedure which /judgment/ must exercise on behalf of the commonest experience" (KdU #39). But while claiming the universal communicability of my representation of the object, I do so without relating my representation to the unity of consciousness and thus without making any conceptual claim about the object. Unlike an empirical judgment, whose claim to universal validity may be further analysed into a claim that everyone ought to

associate this and that specificable sensation in such-and-such a way, my judgment has no content over and above what is shared by every possible judgment about that object. In other words, I am engaged in "an activity [that] belongs to cognition in general" (KdU #9).

Against this background we can come, I think, to a properly "transcendental" yet non-psychological understanding of what Kant means by those expressions invoking a "mutual relation", "harmony", or "free play" of imagination and understanding. Let us consider Kant's description at #9 as "the state of mind that is met with in the mutual relation of the faculties in so far as they refer a given representation to cognition in general." According to the considerations discussed above, this description should be read as implying that it is the state of mind in which I take a "given representation" (i.e. my state of mind in apprehending the object, which is the very state of mind in question) to be universally communicable uberhaupt. It should therefore be contrasted with an objective perceptual judgment, in which I also take my state of mind in apprehending the object to be universally communicable, but this time in such a way that it involves a necessary relation of sensations under a pure concept, and thus becomes a particular cognition of the object, rather than being referred to "cognition in general". Now the reference in this expression to the "mutual relation of the faculties", and the subsequent amplification of it as a free play of imagination and understanding, can be understood along the same lines if we bear in mind how Kant uses the vocabulary of faculty psychology in the third Critique to describe what might be called the "logical" or "formal" structure of ordinary cognition. Specifically, the subsumption of intuitions under concepts which we saw in the Prolegomena account to be required for all objective perceptual cognition, is redescribed in the Critique of Judgment as

the result of a determinate relation between the two faculties of imagination and understanding. One example is at KdU #40:

the aptitude of people for communicating their thoughts requires... a relation of imagination and understanding in order to bring intuitions together with concepts and concepts, in turn, together with intuitions, which come together in a cognition... the harmony of the two powers of the mind is lawlike, under the constraint of determinate concepts.

Another, less perspicuous but to the same effect, is at section VII of the First Introduction (p. 220), where Kant first introduces the idea of a judgment of taste in the abstract as an aesthetic reflective judgment: here he describes the roles of imagination (in apprehending a manifold of intuition), understanding (in uniting the manifold under a concept) and judgment (in "presenting" in intuition an object corresponding to the concept) in a way that suggests, similarly, that any empirical cognition of a given object requires a determinate "coming together" of imagination and understanding. If, then, we have a judgment that claims its own universal validity without claiming the applicability of pure concepts to given intuitions, a redescription of the situation in terms of faculties of the mind will naturally invoke the idea of some kind of a relation of imagination and understanding which exhibits the kind of harmony described by Kant as holding in the cognitive case, but in an indeterminate way, or free from the "constraint of determinate concepts." This relation, unlike the subordination of imagination to the rule of understanding which takes place when a given representation is referred to the unity of apperception, is a "mutual" one: or, as Kant puts it at the start of the fourth paragraph of #9, "the cognitive faculties are here in a free play, since no determinate concept restricts them to a particular rule of cognition." For my faculties to be in harmony, then, is simply for me to claim, without the use of concepts, that my state of mind in making that claim is universally

communicable.

We are now in a position to explain why Kant talks of the harmony of the faculties as an activity which yields a feeling of disinterested pleasure. Kant's reasons for taking the harmony of the faculties to be pleasurable have to do partly with its not being a determinate cognitive state (which means that it must be a feeling), but more decisively with the intrinsically self-perpetuating character which he takes it to share with the feeling of pleasure in particular (see chapter one, pp. 24-28). Thus in the course of his "transcendental definition of pleasure," at the note to section VIII of the First Introduction, as "a state of mind in which a representation is in harmony with itself as the basis, either merely for maintaining itself...or to produce its object," Kant interpolates parenthetically: "for the state of the powers of the mind in mutual assistance in a representation does maintain itself." And at #12, where he is expanding on his assertion that "consciousness of the merely formal purposiveness in the play of the cognitive faculties of the subject in a representation through which an object is given is the pleasure itself," Kant goes on to point out that, although the pleasure is not practical, since it arises neither (as with the agreeable) out of pathological grounds, nor (as with the good) out of intellectual ones, it nonetheless has intrinsic causality /Kausalität in sich/: "namely, to maintain the state of the representation itself and the engagement of the cognitive powers without further aim." This "intrinsic causality", or purposiveness without purpose, in the play of the cognitive faculties, is glossed by Kant in what are apparently empirical terms: "we linger in the contemplation of the beautiful, because this contemplation strengthens and reproduces itself." But the self-reproducing character of the contemplation which is associated with the self-perpetuating structure

of the feeling of pleasure is something that we can now understand in a deeper way. In claiming the subjective universal communicability of my state of mind, I am making a demand, not only on others, but also on my own present and future self. My state of mind, then, is one in which I take myself, as one perceiving the object, to be required to share that state of mind which I am presently in, and in which (as distinct from the case of cognition) I take there to be no other basis for requiring of myself that I be in that state of mind, than that state of mind itself. The harmony of the faculties may be viewed, that is, as a state of mind which tends towards its own perpetuation, independent of the mediation of any interest or desire in the object of which it is the representation: in other words, as a feeling of disinterested pleasure.

This analysis in turn shows us a way around two of the objections which, as we saw in Part II, are faced by the more established interpretations of the harmony.⁵⁰ In the first place, we can understand the relation of the feeling of pleasure to the purposiveness of the faculties, without having to suppose that the harmony of the faculties in fact tends towards any purpose, the attainment of which is accompanied by pleasure. My state of mind in representing the object is a feeling of pleasure, not because it constitutes the attainment of a purpose, but because it constitutes what Kant calls the "mere form of purposiveness," that self-perpetuating character that is common to all pleasures that depend on the satisfaction by the object of a specific purpose, but is here manifested in isolation. In the second place, we have a basis for explaining why it is that perceptual cognition does not issue in a feeling of pleasure, whereas the harmony of the faculties does. While in the case of cognition, the claim to universal validity which is implicit in a perceptual judgment takes the form of a demand that everyone (including

oneself) follow a determinate rule in their perception of the object, in the case of a judgment of taste one is demanding simply that everyone (including oneself) share, as such, one's state of mind in making the judgment. Thus, while in the former case one's state of mind consists in the recognition of the object as having a certain property, in the latter case the determinate reference to the object is suspended in favour of the indeterminate claim that all subjects should represent the object in the same unspecified way in which one is representing it now. Only in the latter case, then, do we have the peculiarly self-referential structure in virtue of which a state of mind exhibits the form of purposiveness and thus constitutes a feeling of disinterested pleasure.

IV: The legitimacy of taste

One difficulty has to be addressed before we can draw any general conclusions from this account. In identifying the harmony of the faculties with a state of mind in which I claim, without concepts, the universal communicability of my state of mind, I have in effect been identifying the harmony of the faculties with the judgment of taste itself. This raises the problem of what to do about a judgment of taste which is erroneous, one in which, on my analysis, I demand illegitimately with respect to some object that everyone who perceives that object share my state of mind in making the judgment. Such a case would appear to be, not one in which my faculties really are in harmony, but one in which I erroneously claim that my faculties are in harmony. And this has as its consequence that, even where my judgment of taste happens to be correct, it cannot itself be identified with the harmony of the faculties, but can at most be described as a state in

which I regard my faculties as being in harmony. This consequence is in fact stated explicitly by Kant at section VII of the First Introduction (p. 220):

But because in mere reflection on a perception it is matter not of a determinate concept, but in general only of the rule of reflecting on a perception on behalf of the understanding as a faculty of concepts, it can well be seen that in a merely reflective judgment imagination and understanding are regarded in the relation in which they must stand to each another in the faculty of judgment in general, as opposed to the relation in which they actually stand in the case of a given perception.

In "merely reflecting" on a perception (which on my reading is equivalent to taking it to be universally communicable without the use of a concept) my faculties are not in fact in "the relation in which they must stand to one another in the faculty of judgment in general" but merely regarded as so standing.

This conclusion takes us back to Guyer's "two-acts" view, on which the harmony of the faculties is a psychological process attended with pleasure, while a judgment of taste proper is an independent act of judging, about any given pleasure, whether or not it originates in the harmony of the faculties. As such, it contradicts not just the argument of the first chapter, but also the attempt of the previous two sections to show that the harmony of the faculties is not an inscrutable mental mechanism but an act of judgment with a clear intuitive connection to what is ordinarily involved in the making of cognitive judgments. However I do not think that this is a conclusion that we need accept. For I want to argue that it is an implication of Kant's Deduction of Judgments of Taste at #38, that a judgment of taste in the strict sense, that is a "pure" judgment of taste, cannot be mistaken.⁵¹ In claiming, without the use of concepts, that one's very state of mind in making the claim is universally communicable, one is in actual fact aware of, or perceiving, the universal communicability of one's state of mind; and one's state of mind is therefore, itself, universally communicable. Thus (to

fill in a gap that was surreptitiously smoothed over in section III) the pure judgment of taste, as a feeling of pleasure through which one claims the universal communicability of one's state of mind is at the same time a feeling of the universal communicability of one's state of mind, in the full-blooded sense which entails that one's state of mind is, in fact, universally communicable. There is, in other words, no gap between the making of the judgment and the truth of what it claims that requires us to suppose an independent state of affairs in terms of which the judgment may be verified or falsified and thus motivates the distinction between the disinterested and universally communicable pleasure on the one hand, and the claim to the pleasure's disinterestedness and universal communicability on the other.

While I am not going to examine the Deduction in detail, a brief look at #38 establishes that Kant does indeed take it to show that (on the assumption that intersubjectively valid cognitive judgment is possible at all) every pure judgment of taste is legitimate. Thus, after stating that, in the pure judgment of taste

judgment can only be directed towards the subjective conditions of the use of judgment in general (which are directed neither to the particular mode of sense, nor to a particular concept of the understanding); consequently, towards that subjective factor /dasjenige Subjektive/ which one can presuppose in all human beings as requisite for possible cognition in general,

Kant concludes that the pleasure involved in the corresponding relation of the cognitive faculties may be rightly imputed to everyone. And in the footnote to #38 he remarks that one is justified in demanding universal agreement for an aesthetic judgment as long as one assumes, firstly the identity of the subjective conditions of judgment among all human beings which has to be presupposed in order that representations be universally communicable, and secondly that one's judgment is concerned merely with

the relation of faculties required for cognition in general and is pure: since the two conjoined parts of the second premise amount to the same, any pure judgment of taste must, assuming the first premise, be warranted.

Why, however, should this be the case? Kant's argument, at #38, is both disappointingly brief, and couched in terms that we have learned to mistrust. In particular, it appeals to subjective conditions of cognition that may be presupposed to be common to all human beings, and which appear to admit of none but a psychological interpretation, with all the attendant difficulties discussed in parts I and II. But our previous discussion of the role of faculty psychology in capturing what (for want of a better word) I have been calling "logical" or "formal" features of cognitions, namely their employment of concepts and their associated claims to universal validity, should help us here towards a more useful reading of Kant's argument. The assumption that the "subjective conditions" of cognition are the same in all human beings, I would suggest, should not be taken as an independent presupposition of human beings' capacity to communicate universally their representations and cognition (as Kant has it at the footnote to #38) but simply as equivalent to the assumption that we have this capacity, or in the words of #21, that "our cognitions and judgments allow of being universally communicated." The "agreement of a representation with these conditions of the judgment" (#38) should be taken, then, as referring, not to some independent feature of the representation in virtue of which it is universally communicable, but to its universal communicability *per se*. As for "that subjective factor which we may presuppose in all men (as requisite for cognition generally)," we should take it, not as some psychological feature of the human constitution, but as a purely ideal capacity that, in virtue of our assumption that our cognitions allow of being universally communicated,

we ipso facto ascribe to ourselves and to all other human beings: nothing other, that is, than the capacity to communicate our cognitions universally.

These suggestions for paring down the apparatus of #38 make possible a reinterpretation of Kant's argument for the legitimacy of pure judgments of taste which captures its essential elements while remaining free from psychological commitments. Being directed only towards "the subjective conditions of the use of judgment in general," the pure judgment of taste claims nothing beyond its own universal communicability. It neither applies a concept to an object, nor (which would amount to the same thing) does it claim the universal communicability of an independently specifiable sensory state (e.g. the state of taking something to have a certain colour or shape). Now this already gives us the weak conclusion that the pure judgment of taste cannot be mistaken. It cannot be mistaken because it does not purport to state any particular fact, and thus can neither represent nor fail to represent the way things really are. But the point that Kant is making is stronger. In a pure judgment of taste one asserts nothing except that one's judgment fulfils the "subjective condition" under which all objective, empirical judgments are put forward, namely that of being universally communicable. Since all cognitive judgments make this same assertion in addition to (or better, as a formal requirement of) any specific conceptual claim, one's judgment expresses nothing but what is common to all cognitive judgments.⁵² Thus, if there is any cognitive judgment at all that we are justified in making, then the pure judgment of taste, which claims an aspect of what is claimed by that judgment (in common with all others, justified or not), must also be legitimate. Another way of putting this conclusion is to say that the legitimacy of making cognitive judgments at all requires that we admit the legitimacy in general of claiming universal communicability

for one's representations, which in turn stands or falls with the legitimacy of the pure judgment of taste. As Kant puts it in the footnote to #38: "The claim of the faculty of judgment [in making a judgment of taste] comes down only to this: the correctness of the principle of judging validly for everyone on subjective grounds." Since this principle is, as Kant makes clear at the heading of #35, "the subjective principle of the faculty of judgment in general," and thus a principle that governs all cognition, the pure judgment of taste may be seen as asserting nothing less than our overall right to demand universal agreement for our cognitions (notwithstanding the possibility that in individual cases the demand may be illegitimate) and hence the possibility of objectively valid judgment uberhaupt.⁵³

In the first place, this conclusion resolves the difficulty with which we began this section. The "activity which belongs to cognition in general," which I interpreted in the previous section as the act of claiming the universal communicability (without concepts) for one's present state of mind, is at the same time an activity whose "performance" ensures that one's state of mind is universally communicable. Kant's claim at section VII of the First Introduction that "in a merely reflective judgment imagination and understanding are regarded in the relationship in which they must stand to cognition in general" (p. 220), with its implication that the judgment of taste is a state of taking our faculties to be in harmony, is thus fully compatible with the claim that they actually are in harmony, a claim which Kant in fact goes on to make explicitly in the next paragraph: "in mere reflection understanding and imagination mutually harmonize for the furtherance of their work." Moreover, this enables us, further, to describe the judgment of taste as a state in which one is aware of, or perceives, the

harmony of the faculties: as Kant goes on to put it in a previously quoted passage from section VIII of the first Introduction (p. 224), the faculty of judgment in a merely reflective judgment "perceives a relation between the two cognitive faculties which forms the subjective and merely sensible condition of the objective employment of judgment" (my emphasis). This point in turn opens the way to a broader conclusion about the importance of taste in Kant's overall theory of cognition. Pleasure in the beautiful, we have seen in this section, amounts not merely to a claim that one's faculties are in harmony, that is to say, that one's state of mind is universally communicable, but to a full-fledged awareness of the harmony, that is to say, of the universal communicability of one's state of mind. So if we grant that there can be such a thing as a pure judgment of taste, or a disinterested pleasure in the beautiful (a point that might be open to doubt if we consider only judgments about works of art, but becomes easier to admit if we take as our paradigm the experience of beauty in nature), we are granting that, under certain circumstances, one can become directly aware of one's capacity to communicate a state of mind universally, or, to put it another way, of the legitimacy of claiming that one's state of mind is universally valid. This gives the experience of pleasure in the beautiful a unique role in exhibiting one of the presuppositions of empirical cognition generally. For while the possibility of universally communicating one's state of mind is, as we saw in Part IV, a necessary condition of empirical cognition, it is not something of which we can be aware in the exercise of cognition itself. In any act of cognition our state of awareness is exhausted in the recognition that an object has this or that determinate property. Only in the feeling of disinterested pleasure, then, are we aware of the actual tendency of our mental state towards its own perpetuation, which is an aspect of its

embodying a legitimate claim to its own universal communicability.

Finally, while we have not yet touched on Kant's technical notion of the faculty of judgment, we can begin to see what kind of considerations might lie behind the connection in Kant's architectonic (as drawn up in sections III and XI of the first Introduction, and sections III and IX of the second) between judgment and the feeling of pleasure. In particular, we can begin to understand why Kant might hold that

it is in taste alone, and indeed that regarding natural objects, that the power of judgment reveals itself as a faculty which has its own peculiar principle, and thereby makes a legitimate claim to a place in the universal critique of the higher cognitive faculties, which one might otherwise not have believed it deserved. (EE IX, p. 244).

The power of judgment, that is "of thinking the particular as contained under the universal" (KdU IV), is, I want to suggest, the power of responding to objects in ways that go beyond the instinctive reactions of desire and aversion, with their attendant associations, that we attribute to animals. It is the capacity of making claims about given empirical objects, the force of which is not limited to the individual who makes them, nor to the specific time or place at which they are made: claims that do not merely reflect the psychology of the individual in his or her interaction with the object, but which ascribe properties to the objects that hold independently of its perception by this or that subject. Now such claims carry with them the implication that any given individual, faced with the object in question, ought, in a sense of the word which is neither moral nor prudential, to agree with the claim. The question of whether the faculty of judgment merits a place among the higher cognitive faculties is the question of whether some sense can be given to this non-moral, non-prudential (we might say, "epistemic") "ought". On the account that I have given, the feeling of disinterested pleasure which is paradigmatically experienced in the

aesthetic appreciation of nature is taken by Kant to "reveal" the faculty of judgment, not because of any mysterious window it gives us on hidden psychological mechanisms, but because it consists simply in the awareness that my state of mind in perceiving the object is the state of mind in which, independently of any antecedent moral or non-moral interest, I ought, when perceiving that object, to be. And, as we shall go on to see in more detail in the next chapter, it is just this kind of "ought" that has to be presupposed if the conditions of cognition laid down by Kant in the Critique of Pure Reason are to have application to the heterogeneous sense-experience of human beings in a world of empirical objects.

Notes to Chapter Two

1. Two remarks about terminology: a) Although there is, strictly speaking, a difference between what it is for the faculties to be in harmony and what it is for them to be in free play, the terms "harmony" and "free play" of the faculties are used by Kant to denote the same phenomenon. Unless the context indicates otherwise, I use the terms interchangeably. b) I use the term "cognition" to mean what Kant means by "Erkenntnis". While this term is often translated (e.g. by Kemp Smith) as "knowledge", the term "cognition" is preferable, in that it preserves the implication that cognition may be false as well as true. See note 42 below.
2. An exception to this reluctance is a recent paper by David Bell, "The Art of Judgment" (Mind, April 1987). While I agree wholeheartedly with Bell's overall view on the relevance of taste in explaining the possibility of judgment in general, I think that his paper takes Kant's descriptions of the exercise of judgment as a special kind of mental activity too much at their face value. The force of this criticism will become clear in part III; see also note 34 below.
3. See above, note 1 to chapter one.
4. See Francis Coleman, The Harmony of Reason (Pittsburgh, 1974), ch. 2, and Harold Osborne, "Some Theories of Aesthetic Judgment" in the Journal of Aesthetics and Art Criticism, 1979, p. 139.
5. See Donald Crawford, Kant's Aesthetic Theory, p. 89, and Michael Neville, "Kant's Characterization of Aesthetic Experience", in the Journal of Aesthetics and Art Criticism, 1974, p. 198.
6. See Eva Schaper, "Aesthetic Appraisals", in Studies in Kant's Aesthetics, pp. 53-70.
7. Ibid., p. 75
8. See Kant and the Claims of Taste, pp. 9-10
9. See ibid., p. 68
10. See ibid., pp. 139-146
11. Ibid., p. 146.
12. Ibid., p. 146
13. Ibid., p. 141
14. Ibid., p. 141
15. Ibid., p. 261

16. Zimmerman in Kant, ed. Robert Paul Wolff (Notre Dame, 1968), p. 399
17. See Uehling, The Notion of Form in Kant's Critique of Aesthetic Judgment, pp. 60-62; cf. also Schaper's characterization of aesthetic appraisals as "estimates of form," op. cit., p. 71.
18. See Ralf Meerbote, "Reflection on Beauty", in Essays in Kant's Aesthetics, edited by Ted Cohen and Paul Guyer (Chicago, 1982), p. 72.
19. I take this to be implicit in Meerbote's footnote 38 on p. 73. In view of the following remark, it should be noted that Meerbote does not explicitly intend his account as a gloss on the notion of the harmony of the faculties.
20. Kant and the Claims of Taste, pp. 211-2
21. Kant's Aesthetic Theory, p. 90
22. Kant and the Claims of Taste, p. 86
23. *Ibid.*, p. 86
24. *Ibid.*, p. 85
25. See *ibid.*, p. 85; Guyer's evidence for this is at #35 of KdU, p. 287.
26. *Ibid.*, p. 88
27. See *ibid.*, pp. 79-85
28. Although Guyer does not actually offer this as an answer to the question I raised, I take it to be presupposed by the discussion on pp. 321-3.
29. *Ibid.*, pp. 322-3
30. Essays in Kant's Aesthetics, p. 86
31. Kant and the Claims of Taste, p. 324
32. It should, however, be noted that the conclusion of Guyer and Meerbote fails to do justice to Kant's suggestions that the harmony of the faculties is not so much a different activity from cognition, as the same activity viewed in a different light: "in the faculty of judgment, understanding and imagination are regarded in relation to one another, and this can indeed be regarded firstly objectively, as belonging to knowledge (as happened in transcendental schematism); but one can also regard this same /eben dieses/relation purely subjectively...thus as a relation which is sensible /empfindbar/...this sensation /is/ a sensible /sinnlich/representation of the state of the condition of the subject that is affected through an act of that faculty /of judgment/" (EE VIII, p. 223; my emphasis).
33. This is shown, for example, by the footnote to B162, where Kant explains the conformity of the synthesis of apprehension to the synthesis of

case under the title of imagination, and in the other, under the title of understanding, brings combination into the manifold of intuition."

34. This criticism affects also the view of David Bell who, in a recent paper ("The Art of Judgment", *Mind*, April 1987), takes up Kant's point that the freedom of the imagination in the harmony of the faculties consists in its "schematizing without a concept" (#35), and then goes on to gloss this latter activity as one of "discovering in the diversity of sensory experience a felt unity, coherence, or order, which is non-cognitive and non-conceptual, but which is a necessary condition of the possibility of all rule-governed thought and judgment" (pp. 238-9). On the subject of Kant's references to schematism in connection with the harmony of the faculties (EE VIII, p. 223 #35), which are cited by Bell as well as by Schaper, Meerbote and others, I should add that I do not at all reject the view that the harmony of the faculties is closely related to schematism and to transcendental synthesis. What I do reject is the attempt to explain the harmony of the faculties in terms of schematism and synthesis as they are conventionally understood in psychological or quasi-psychological terms. As will become clearer in the next chapter, I think that it is possible to reinstate the connection that I have so far dismissed between the harmony of the faculties on the one hand and synthesis and schematism on the other, but reinterpreting the latter notions in a non-psychological way, along the lines of my reinterpretation of the harmony of the faculties in parts III-V of this chapter.

35. Richard Aquila ("A New Look at Kant's Aesthetic Judgments" in Essay on Kant's Aesthetics) has argued in the same vein against the view that the relation between the harmony of the faculties and the feeling of pleasure is a causal one. He has proposed instead that the pleasure is structured by the perceptual form of the object, so that the workings of the faculties do not merely produce the feeling of pleasure, but "leave their mark" on it in the same way that they leave their mark on a manifold of sensation that is synthesized so as to constitute a perception (p. 105). While I agree with Aquila's suggestion that the feeling of pleasure is itself structured or judgmental in form, I think that he continues to share the assumption that I am challenging here, in that he still takes the harmony of the faculties to be an activity distinct from the feeling of pleasure itself, albeit standing in a closer relation to it than is usually thought. He takes the feeling of pleasure to be structured through the harmony of the faculties (qua activity of perceiving a given form), whereas, as I shall be trying to make clear later, I take the pleasure to be structured in such a way that it is the harmony of the faculties.

36. See in particular Guyer, op. cit., pp. 110-6, and Crawford, op. cit., pp. 69-74.

37. Strictly speaking, it appears that it would be consequent, not on its own universal communicability, but on the act of claiming its own universal communicability. However, as I shall argue in part V, a state of mind in which one claims, without concepts, that one's state of mind is universally communicable, is itself universally communicable.

38. See chapter one, pp. 24-28.

39. See chapter one, pp. 29-31.

40. While Kant's expression "cognitions and judgments" suggests that a cognition is different from a judgment, it should be noted that a cognition is in fact a kind of judgment (it can, for example, be false as well as true; see note 42 below). I take it that by "cognition" Kant means a member of that subclass of judgments which are objective, excluding, for example, judgments of taste, judgments of agreeableness and judgments of perception.

41. I read "befit" [zukommen] as making the point, not that the cognitions would not agree with the object (i.e. be false), but that there would be no such thing as agreement with the object in connection with them.

42. This has been urged by Gerold Prauss (*Erscheinung bei Kant*, Bonn 1970, pp. 63-64), who draws attention to Kant's mention of "false cognition" at A58/B83. It should, however, be noted that a cognition which fails to agree with one object may hold good of another, and that every cognition, even erroneous, is therefore at least partially true. See section VII of the Introduction to the Jäsche *Logic*, Ak. IX, pp. 51 and 54.

43. See Kant's letter to Reinhold, 28th December, 1787 (Ak. IX, pp. 514-5).

44. Quine, for example, takes this fact to imply that there is no difference between the two communities.

45. See *Logik* Busolt, Ak. XXIV, p. 637: "Fürwahrhalten bedeutet den Zustand des Gemüths, insofern es von einer Sache urteilt."

46. This is strongly suggested by the way in which, at B848-9, Kant raises the issue of how to distinguish persuasion from conviction.

47. This inference is considered but then rejected by Guyer (op. cit., p. 284).

48. This identification is further borne out by Kant's otherwise puzzling statement at #9 that "the universal communicability of the mode of representation in a judgment of taste...is nothing other than the state of mind in the free play of imagination and understanding." See above, chapter one, p. 36.

49. It should be noted that, in my usage, a "perceptual judgment" is objective and is not equivalent to a judgment of perception. This conflicts with the usage of e.g. Stephan Körner in *Kant* (Harmondsworth, 1955), p. 48.

50. See above, pp. 62-63.

52. One may notice here a resemblance to the formal proposition "I think" that is described at A354 as a "merely subjective condition" of possible cognition. This is touched on below in a different context (section III of chapter three, pp. 152-154).

53. This raises the question of how a judgment of taste, understood in the looser sense, can be mistaken. While this is a large topic, my answer, briefly sketched, is as follows. An impure or erroneous judgment of taste arises in one of two ways. I may feel pleasure based on the recognition of an object as good, and then, while correctly demanding universal agreement for my pleasure, wrongly take it to be required independently of the object's falling under any concept. Or (this seems to be more what Kant has in mind when he considers mistaken judgments of taste) I may feel pleasure due to an object's agreeableness to my senses, and then wrongly demand universal agreement for this feeling of pleasure. (Here, according to #9, I am engaging in a self-contradictory procedure.) In neither case does my judgment demand universal agreement with itself, as is the case in a pure judgment of taste. The possibility of error arises because on any occasion when I experience pleasure, and also take it to be universally communicable I do not know whether my state of mind is one of making a self-referential claim to its own universal communicability, or whether it is one of claiming the universal communicability of a prior feeling of pleasure. The only way that I can tell is, as Kant puts it at #8, from the "consciousness of the abstraction of everything belonging to the agreeable and the good from the delight remaining to [me]," and whether this consciousness is illusory (i.e. whether my judgment of taste is impure, and thus not a genuine judgment of taste) is always an open question.

Chapter Three

The Intersubjectivity of Cognition

The interpretation of the harmony of the faculties that I suggested in the previous chapter is guided by a particular conception of where the fundamental connection between taste and cognition is to be found. Rather than locate this connection in any psychological affinity between aesthetic and cognitive experience, this conception has it lie in the character of the claims that are made by judgments of beauty and cognitive judgments respectively. I argued in the first chapter that the claim to universal intersubjective validity without concepts that is carried by a judgment of taste is not merely a consequence of aesthetic experience's having a certain psychological character, but is essential to aesthetic experience itself. It is in virtue of this non-cognitive claim to universal validity, I went on to argue in the second chapter, that taste stands in the kind of connection with cognition that leads Kant to characterize the experience of pleasure in the beautiful as a "condition" of judgment in general. According to the guiding conception, then, the link between taste and cognition is to be found in the fact that aesthetic experience embodies in a completely general form a claim to universal validity that is involved in a more determinate way in all empirical cognition.

While I discussed in some detail the connection between experience of the beautiful and the claim to universal validity, I did not provide more than a cursory examination of the second aspect of this guiding conception, that

linking the claim to universal validity with empirical cognition. To make the connection, I relied mainly on Kant's remark at #21 of the Critique of Judgment that "cognitions and judgments must...allow of being universally communicated, for otherwise no agreement with the object would be owing to them," and on a few supporting passages from the Prolegomena (#18-20) and the first Critique's Doctrine of Method (B848-9). However, we are here faced with a difficulty regarding how seriously these passages can be taken in the context of Kant's overall theory of cognition, specifically as it is represented in the Analytic of the Critique of Pure Reason. Given the first person singular perspective of the Transcendental Deduction and related passages in the Critique, it seems unlikely that there can be room for a notion of universal intersubjective validity as an essential feature of cognition. So if my account is not to conflict with the central features of Kant's theory of cognition, we need some explanation of how Kant's claim for the role of universal validity in cognition are to be reconciled with the mainstream of his theory as it is presented in the Analytic.

Two possible positions on the role of universal validity in cognition serve as useful points of reference. The first is that of Guyer, who takes the universal validity of a cognition to be an empirical consequence of its satisfying the conditions of cognition discussed in the Analytic. A cognition which belongs to the unity of apperception in a single subject is thus intersubjectively valid on the additional assumption that a community in fact exists. This position, while it allows that all objective judgments made by members of an existing community are intersubjectively valid, does not take universal validity to be a genuine condition of cognition in the sense required by my account. For it does not allow that universal validity is a

condition of cognition in such a way that it could be satisfied, as in the case of a judgment of taste, without the resulting judgment's being objectively valid. An apparently more promising account is provided by W.H. Walsh. On Walsh's view (which Guyer explicitly criticizes), the argument of the Analytic already presupposes that any empirical cognition must be intersubjectively valid. The categories are necessary for cognition, Walsh argues, only because they serve as criteria for the universal agreement which is required if experience is to be possible. Because Walsh takes the condition of universal validity to apply to cognitions antecedently of their being subject to the categories, his account makes room, at least in principle, for a judgment's being universally valid without predicating a concept of an object.¹

In this chapter, I shall present an account of the role of intersubjectivity in cognition which is sharply opposed to that of Guyer. Like Walsh, I shall argue that the universal validity of a cognition is not a consequence but a presupposition of its belonging to the unity of apperception. But unlike Walsh, I shall not argue that the notion of universal validity plays any significant role in the argument of the Analytic. The attempt to read the Deduction as turning on an assumption about the universal validity of experience is, I shall claim, a misguided one. Instead, I shall argue, universal validity can be viewed as a condition of cognition only from a perspective which presupposes something that is not assumed in the Analytic: namely the existence of the empirical world and our existence as empirical beings in it. And while this may look at first like a reversion to Guyer's view, I shall try to show that, even though it is only from this empirical perspective that universal validity serves as a condition of

cognition, it is nonetheless not an empirical consequence but a necessary requirement of a given cognition's conforming to the unity of apperception. On the basis of this account, I shall go on to try to show, both that a judgment of taste is possible within Kant's overall view of empirical cognition, and that it plays an indispensable role in showing how that view is coherent.

The chapter has three sections. In the first section, I begin by raising some specific objections against Guyer's view. I then go on to consider some of the ways in which, along the lines of Walsh' view, universal validity appears to function as a presupposition of Kant's account of cognition in the Analytic, before concluding that this second approach is unacceptable also. In the second section, I provide a detailed interpretation of §§18-20 of the Prolegomena which provides the textual basis for my account of how universal validity serves as a condition of cognition. In the third section, I develop this account in the light of various objections, and draw out its consequences for Kant's theory of taste.

I: Objective validity and intersubjective validity

There are a number of misapprehensions about the scope and significance of Kant's notion of universal validity which are, I think, responsible for some of the opposition to the idea of its playing a significant role in Kant's theory of cognition. One of these, apparently shared by Walsh and others as well as by Guyer, is that the notion of universal validity necessarily involves reference to a community of subjects as opposed to an individual subject existing through time. This is a natural assumption to make if we confine

ourselves to the Critique of Judgment and the first Critique's Doctrine of Method, where universal validity is always discussed in terms of demands on the agreement of others, but if we look to the Prolegomena and to some of the lectures on logic we see that the notion of universal validity applies equally well to an individual in regard to his or her future states.² The contrast in the Prolegomena between the privately valid judgment of perception and the universally valid judgment of experience does not oppose one subject (myself) to all other subjects, but myself at a single time (that of making the judgment of perception) both to all other subjects and to myself at all other times.

Judgments of perception...hold good only for us (i.e. for my subject) and we do not until afterwards ...want that they shall always hold good for us and in the same way for everybody else. (my emphasis) (#18, p. 298)

/in the case of a judgment of perception/ I do not at all demand that I or any other person shall always find it as I do now; each of these sentences only expresses a reference to the same subject, i.e. myself, and that only in my present state of perception... Judgments of experience are quite a different story. What experience teaches me it must always teach me and everybody and its validity is not limited to the subject nor to its state at a particular time. (my emphasis) (#19, p. 299)

These passages imply that the notion of universal validity, while it may be most easily captured in intersubjective terms, can apply also in the case of a single individual.³ Does this mean, to adopt the terminology of the Critique of Judgment, that I can demand agreement from, or impute it to, myself as well as others? Something of the kind is suggested, albeit informally and with a perhaps misleading flavour of empirical psychology, in the Wiener Logik, notes from a lecture course given by Kant between 1794 and 1796. Here "conviction," which is described in strictly intersubjective terms in the Doctrine of Method as the subjective state of making a universally valid judgment, is explained in a way that invokes the idea of an

imputation to myself in future states of the judgment that I now hold to be true:

If I say that I am convinced...there is subjective necessity there, so there must be a ground in the object. Otherwise the state /of mind/could indeed change, even in myself. There is something in my holding-true that allows me to think that I will never give it up... I am convinced, when the thing is so logically perfect that I can communicate it to another, if I imagine that I would hold the thing to be true no matter what the risks /in allen Gefahren/; if I were then to hesitate, I wouldn't really be convinced. (XXIV, pp. 853-54)

Now part of Guyer's disagreement with Walsh, and more generally of his denial that universal validity is a necessary condition of cognition, is based on the claim that Kant's standpoint in the Deduction is one of "methodological solipsism". But we see from the above that even from the standpoint of solipsism, particularly one from which (as Guyer holds) the subject takes him- or herself to exist through time, the notion of universal validity need occupy no less significant a place than it would from the standpoint of a subject existing in a community. The contrast between myself at one time and myself at all other times, that is, is treated by Kant as on a par with the contrast between myself and all others:⁴ the only disanalogy that one may assume is the empirical one that actual differences of opinion between successive states of myself will not give rise to the kind of direct argument that may arise between myself and others. Guyer is mistaken, then, in his claim that universal validity can be a condition of one's experience only on the assumption that others exist with whom one can communicate. But his mistake rests on something deeper and more philosophically significant than the misapprehension that I have described. For while the immediate moral of the above discussion is that the existence of an individual through time can, so to speak, "do duty" for the existence of

a community, it is actually the case that universal validity can play a role in cognition whether or not I or anyone else in fact exist through time. For my cognition to be universally valid is not for others in fact to agree with it, nor for me to remain of the same mind at times in the future. The point is rather that others ought (in a non-moral, epistemic sense) to agree with me, and that I ought not to change my mind at any later time. But this prescription can hold with respect to a particular judgment made by me at a particular time whether or not anyone (including myself) ever entertains it again, and it can hold even if nobody else exists at all, or if I cease to exist after making the judgment. What is required for the notion of universal validity to gain a foothold as a condition of cognition is not the continued existence of myself or of others, but simply the possibility of such existence.

Guyer's failure to recognize this point is due to his interpretation of universal validity as equivalent to the fact of agreement about a cognition rather than as a feature of cognition in virtue of which it demands agreement.⁵ It is this view in turn that is primarily responsible for his conclusion that universal validity is an empirical consequence rather than a condition of objective validity. The passage which appears best to support this conclusion is in the "Opining, Knowing and Believing" section at B848, where Kant describes "the possibility of communicating" something and of "finding it to be valid for the reason of each human being" as the "touchstone" by which we distinguish conviction from mere persuasion and hence, it is implied, truth or objective validity from merely subjective belief.⁶ Guyer glosses this by saying that "agreement with others, or intersubjective validity, is a consequence of truth, and a "touchstone" of it,

just because objective validity is the best explanation of intersubjective validity."⁷ I would agree with Guyer that agreement with others is a consequence of truth and a touchstone of it, as I would with his implied claim that it is the fact of agreement with others to which Kant is referring when he speaks of "the possibility of communicating" what one holds to be true, and of "finding it valid for the reason of each human being." This is made clear when Kant goes on: "For there is then at least a presumption that the ground of the agreement of all judgments with each other, disregarding the differences among subjects, rests on a common ground, namely the object." But while this shows that actual agreement about an object is best explained by the objective validity of the judgments concerned, and is thus a touchstone and a fortiori a consequence of objective validity, the same does not follow for intersubjective validity as opposed to agreement. On the contrary, we may even infer that it is only because of an a priori connection between objective validity and intersubjective validity, together with the empirical assumption that people usually conform to the constraints internal to cognition and thus lend agreement where agreement would be most rational, that there is any empirical connection at all between the objective validity of a judgment and the mere fact that human beings agree about it. Such an a priori connection, as well as being explicitly stated in the Prolegomena, where universal validity and objective validity are described as equivalent concepts [*Wechselbegriffe*] (#18, p. 298), is suggested in one of the Reflections that bears directly on the topics of the "Opining, Knowing and Believing" section of the Critique, and thus has more relevance for the present discussion. Here universal validity is described, not as following from objective validity,

but as constitutive of it:

That holding-true [*Vorwahrhalten*] is objective, which without distinction of subject is valid for everyone: it is thereby that an object is determined for it [*dadurch wird ihm ein Objekt bestimmt*]. (R2449)

How far this suggestion may be defended in the light of Kant's overall view, depends of course on how far it may be reconciled with Kant's "official" account of objectivity in the Analytic. But already our double deflation of the notion of universal validity can be seen to remove some of the prima facie obstacles to such a reconciliation. In particular, once we are prepared to discount the distinction between intersubjective agreement and the agreement that may hold between different tokens of the same judgment made by the same individual at different times (we might call this "intrasubjective" agreement), we can find within the Transcendental Deduction itself hints of an a priori connection between universal validity and objective validity which echo the statements to be found in the Prolegomena. Thus in the second edition Deduction at B142, where Kant is illustrating the contrast between an objectively valid relation of representations and one that is merely subjectively valid, he glosses a connection of representations "in the object" as one which holds "without distinction of the state of the subject [*ohne Unterschied des Zustand des Subjekts*]":

To say "The body is heavy" amounts to saying that both these representations are connected in the object, i.e. without distinction of the state of the subject, and not merely together in perception (however often it may be repeated).

This passage, with its implication (unfortunately obscured in Kemp Smith's translation, which suppresses the "i.e." [*d.i.*]) that an objective connection is by definition one that holds no matter what the state of the subject, can be read as making substantially the same point that Kant makes somewhat

more concretely in the passages already quoted from the Prolegomena (#19, p. 299) and from R2449.⁸

While it has often been recognized that there is some affinity between Kant's discussion of objective validity at B142 and his account of judgments of experience in the Prolegomena,⁹ there is another point of contact to be discerned between the Deduction and the Prolegomena account which is more surprising and also more suggestive. In a key passage of the first edition Deduction, where the notion of an object "corresponding to and yet distinct from our cognition" is introduced, Kant describes in the following way what this notion amounts to:

We find that our thought of the relation of all cognition to its object carries with it something of necessity: the object is seen as that which prevents our cognitions from being random or arbitrary, rather than being determined a priori in a definite way. For in so far as they are to sollen relate to an object, they must also necessarily, in relation to this object, agree with one another, that is, must have that unity which constitutes the concept of an object. (A104-5)

This passage has usually been interpreted as bearing on the unity of the different perceptual representations or ideas that we may have of one and the same object. According to Kemp Smith's commentary, the object "is conceived as being that which prevents our representations from occurring at haphazard, necessitating their order in such manner as, manifold and varied as they may be, they can yet be self-consistent in their several groupings."¹⁰ Paton, on similar lines, takes Kant's point to be that "the object is thought of...as a source of necessary agreement among ideas," where the ideas in question are elements of a complex idea such as "this white house."¹¹ For Robert Paul Wolff also, the point of the passage is that "relation to an object creates a connection among diverse representations," although, unlike the others, he makes the important observation that the

kind of connection created is one that gives rise to an objective judgment.¹² However, there is something not altogether satisfactory about these readings. Kant's claim, it should be noted, is that it is not our representations or ideas, but specifically our cognitions, which are prevented by the object from being random and arbitrary.¹³ To go into more detail: in the first place, as Wolff recognizes but Kemp Smith and Paton do not, it is cognitions or judgments, and not merely representations, of which the relation to an object is in question. But in the second place, the relation of cognition to its object is not described, as Wolff has it, in terms of the necessary agreement of the representations that combine to form the cognition (in Wolff's example, those of shape and solidity in the judgment "This rectangular desk is solid"). Instead it is the cognitions themselves that "in so far as they are to relate to an object, must necessarily, in relation to this object, agree among themselves."

What kind of agreement does Kant have in mind? Here, if we are prepared on the basis of our earlier discussion to overlook the absence of any explicit reference to subjects other than myself, we find a possible explanation at Prolegomena #18, where Kant is arguing for the conclusion, stated explicitly in the paragraph immediately succeeding, that "objective validity and necessary universal validity (for everyone) are equivalent concepts." Kant writes:

If a judgment agrees with an object, all judgments about the same object must likewise agree among themselves, and thus the objective validity of a judgment of experience signifies nothing other than its necessary universal validity. And conversely, if we have cause to take a judgment to be necessarily universally valid...we must also take it to be objective; for there would be no reason [Grund] why the judgments of others necessarily had to agree with mine, if it were not the unity of the object, to which they all refer, and with which they must agree and hence must all agree among themselves.

It is clear from the beginning of the paragraph from which this is drawn that the "agreement" to which Kant is here referring is that which I demand when I want "that a judgment should be valid for.../me/ at all times and equally so for everyone." So when Kant describes the "unity of the object" as, literally translated, the "ground" of necessary agreement between my judgments and those of others, he is saying that the unity of the object is that in virtue of which I can demand necessary agreement for a given judgment. Now consider again the quotation from A104-5. Here, along similar lines, Kant describes the necessary agreement among cognitions in virtue of which they are supposed to hold of an object, as "that unity which constitutes the concept of an object." Taking the Prolegomena as our guide, then, we can gloss the "necessary agreement among cognitions" as referring to just what I am demanding when I claim universal validity for a given cognition. On this interpretation, the "unity which constitutes the concept of an object" is not, at least in the first instance, a coherence of my own diverse representations of a given object, but the unity in the verdicts of others (or myself at various times) which I demand with regard to any judgment put forward by me as universally (and hence objectively) valid. The object, then, is seen as preventing our cognitions from being "random or arbitrary," not in the first instance because it ensures that the series of our perceptual representations will be orderly and coherent, but because it is in virtue of its postulated relation to an object that we can regard a given cognition as subject to a universal standard of correctness, and hence as something about which we may not indifferently change our own minds or concur in the conflicting verdicts of others.

My claim that the unity of the object, which Kant goes on to

characterize as "none other than the formal unity of consciousness in the synthesis of a manifold of representations" should be understood as bearing in the first instance on judgments rather than on immediate perceptual representations, may seem surprising. For the synthetic unity of consciousness is often characterized by Kant as bearing on the manifold of a given intuition, suggesting that this unity applies directly to our sensible intuitions. But I want now to suggest that this more conventional view is in fact compatible with the reading of A104-5 that I have suggested. To see first the nature of the compatibility, it will help to consider what may look like a third way of characterizing the "unity which constitutes the concept of an object." This emerges from a Reflection dating from 1797, recently brought to attention by Dieter Henrich, and discussed subsequently by Henry Allison.¹⁴ Here, in what Allison has termed the "judgmental conception" of an object, an object is conceived of as the logical subject of a judgment through which a variety of predicates is ascribed to it:

What is an object? That, the representation of which is a totality of several predicates pertaining to it. The plate is round, warm, made of tin, etc...

...In each judgment there is a subject and a predicate. The subject of the judgment, in so far as it can contain different possible predicates, is the object...

What is determinable in a judgment, the logical subject, is at the same time the real object. (R6350)

According to the views of both Henrich and Allison, the conception of an object that is being articulated in this Reflection is different from that which we find at A104-5. Allison makes out this view by alluding to a version of Strawson's distinction between a very general conception of an object as that which can count as an instance of a general concept and a "weighty" conception of an object, as that which can exist independently of

the occurrence of representative states.¹⁵ It is the latter conception (marked, on Allison's account, by Kant's use of the term "Gegenstand") which is at issue in the first edition Deduction; the "judgmental" account of an object provided in the Reflection corresponds to the former conception (marked by use of the term "Objekt") which is to be found only in the second edition Deduction. On this last point, Allison disagrees with Henrich, who claims that the "judgmental" account is to be found nowhere in the Critique. In contrast to both Henrich and Allison, however, I want to read Kant's remarks in the Reflection, not as introducing (or reiterating) a conception of objecthood that is distinct from that of the first edition Deduction, but as bringing out a feature already implicit in Kant's characterizations (in both editions of the Deduction) of the object as necessitating the synthetic unity of a manifold of representations. The initial basis for this may be found in some further remarks that Kant makes in the latter part of the same Reflection:

The subject of a judgment, in the representation of which is contained the ground of synthetic unity of a manifold of predicates, is an object.

The concept which contains the synthetic unity of the apperception of a manifold, is the concept of an object. It is also the subject of a judgment that has many predicates.

These remarks, especially the first, with its use of the telling expression "synthetic unity of a manifold of predicates", suggest an assimilation between the "unity" pertaining to the object as the logical subject of a plurality of predicates, and the unity of a manifold of representations which is associated in both Deductions with objecthood. This suggestion is further borne out by remarks in two other Reflections, to which Henrich also draws attention, in which "appearances" and "intuitions" respectively are characterized as "predicates of the object."

Appearance has an object, when it is a predicate of a substance, that is, when it is one of the ways of cognizing that which is permanent /beharret/. (R5221)

We know an object only as something in general, of which the given intuitions are only predicates. (R5643)

A final hint can be found in the first edition Deduction itself, where the concept of "an object in general," or the transcendental object, is characterized specifically in terms of its relation to empirical concepts and its role in unifying a "manifold," not of intuition, but of cognition:

The pure concept of this transcendental object...is what can alone provide relation to an object, that is objective reality, in all our empirical concepts in general. This concept...concerns nothing other than that unity which must be met with in a manifold of cognition, in so far as it stands in relation to an object (A109).¹⁶

The reason that I have stressed this point is that it provides a useful transition between my reading of A104-5 in terms of universal agreement among different subjects (or the same subject at different times), and the standard reading in terms of the unity of a manifold of sensible representations. For if we recast this latter unity as a unity among empirical predicates, we arrive at the conclusion that an object is that in virtue of which a plurality of different judgments can belong together. If the objecthood of the plate derives from our being able to say "The plate is round, warm, made of tin," then it may be regarded as deriving also from our being able to say (about one and the same plate), "The plate is round," "The plate is warm," and "The plate is made of tin." Now part of what is involved in our being able to make these judgments about the object is our being able to rule out the legitimacy of certain other judgments about the object such as "The plate is made of porcelain," "The plate is oval" and (assuming that we are considering simultaneous judgments only) "The plate is cold." If a set of predicates is to possess that unity in virtue of which

they are predicates of a single object, they must be consistent, which is to say that the judgments through which they are ascribed to the object must all agree among themselves. But this is in turn just to say that, with respect to any one of those judgments, we must require that no other judgment disagree with it. If I judge that the plate is made of tin, I am requiring in particular that no-one contradict me by taking it to be made, say, of porcelain or brass; more generally, I am requiring that among all possible judgments about the object that could be made by anyone at any time, there be none that disagree with the judgment that I am making now. And here we are very close to the Prolegomena unity of the object, in terms of universal agreement, as the reason for, or ground on the basis of which, "the judgments of others necessarily /have to/ agree with mine."

If I am correct in tracing this connection, we are faced with a tempting prospect. Rather than rest content with the compatibility of the Prolegomena account of objective validity and that provided in the Deduction, we could use the idea of necessary intersubjective agreement as it occurs in the former to explicate the difficult notion of the synthetic unity of consciousness which constitutes the focus of the latter. More specifically, we might want to generalize the suggested reading of A104-5 to yield the overall conclusion that the unity in virtue of which a manifold of representations comes, both to belong to an identical self, and to represent an objective and unified world, is not in the first instance an internal coherence or consistency: instead, we might want to suggest, it consists in that unity which we implicitly require to hold among our own experiential judgments and those of all other subjects by virtue of the claim to universal validity that each of them carries. The philosophical payoff of

this approach would lie in its providing an account of the nature of Kantian experience which would be strong enough to make plausible Kant's claim that the categories are "a priori conditions of the possibility of experience" (B126/A94) but not so strong as to construe experience from the start as cognition of objects, and hence to deprive the claim of much of its significance. The crucial move of the Deduction would then be from the premise that our experience consists essentially in the making of intersubjectively valid claims, to the conclusion that it must be in accordance with the categories and thus relate to objects.

This approach has, however, to be treated with caution. While there may be something right about using the notion of intersubjective validity in this way to shed light on the transcendental unity of apperception, there is a difficulty in principle which prevents our regarding the notion of intersubjective validity as more primitive than that of the unity of apperception and its correlates, or as in some way "built into" or presupposed by Kant's concept of experience. The difficulty can be illustrated with respect to Walsh's view, in which some of the features of this approach are contained.¹⁷ Walsh answers the question of what "experience" means for Kant by saying that it is "experience for a 'mutual us'... experience which must be shared or shareable rather than something which is essentially private."¹⁸ The objective validity of the categories derives from their role "in the constituting of shared experience."¹⁹ Since "experience of this kind is not so much given as agreed upon...we need criteria of what is to count as experience proper,"²⁰ and the categories may be regarded as underlying such criteria. But while these formulations may provide a plausible filling-out of Kant's fleeting references to the

connection between objective validity and universal validity, their mention of the "shareability" of experience, or of a "mutual us," is nowhere reflected in the Deduction. Nor does it improve matters if we substitute intra- for intersubjective validity, and replace the "mutual us" with an "enduring me." For, as is clear from Kant's discussion of the "I" in the third Paralogism, the "I think" of the Deduction no more denotes a person existing through time and remembering or anticipating past or future experiences, than it does a community of persons arriving at mutual agreement about shared cognitions. The standpoint of the Deduction, as indeed Walsh points out, is an "impersonal" one. And this impersonality, while it leaves room for a highly abstract notion of intersubjective validity, does not allow of this notion's being formulated in terms that make reference to an actual diversity of subjects or of their temporal states.

Now this is a point which I expressly discounted in my discussion of B142 and A104-5, where I was trying to challenge the position that the Deduction has no place at all for intersubjectivity. But now that we are concerned with the larger question of what kind of a role the notion of intersubjectivity is playing in the Deduction and whether it can be regarded as primitive, the issue re-emerges. We have to take account of the fact that, although Kant is prepared in his more informal discussions of cognition to make explicit references to intersubjectivity in terms of a multiplicity of temporally enduring persons, he expresses this notion in the Deduction only in the most elliptical of ways. Moreover we have to recognize that Kant's unwillingness to appeal directly to the notion of intersubjective validity in his "official" account of cognition, is not accidental. The perspective of the Critique, or at least of the Analytic, is one which abstracts from all

particularity among the objects with which it deals, including that particularity which would allow us to make sense of empirical diversity in or among those objects that are human beings.²¹ Transcendental logic is in this respect like pure general logic, in which "we abstract from all empirical conditions under which our understanding is exercised" (B77/A53): nothing less than such abstraction is required if we are to carry out the project of the *Analytics*, which is to exhibit the concepts of the understanding "in their purity," that is, "freed from the empirical conditions attaching to them." This means, paradoxically, that while the very purity of the pure concepts may consist in their holding good for all persons at all times, any statement of this fact implies a reference to the empirical diversity among persons which the universal validity of the categories is held to transcend, and thus cannot properly be made within the framework of the *Analytics*. Kant may thus intend, in his attenuated references in the *Deduction* to universal agreement, to convey the idea that the notion of the unity of apperception is somehow fuelled by that of intersubjective validity. But he cannot make this idea explicit without violating the constraint that the unity of apperception not be subject to any further explanation in terms of criteria for universal agreement, or for that matter, any further explanation at all: "the principle of the unity of apperception is the highest principle in the whole of human cognition" (B135).

In view of this deadlock, any attempt to integrate Kant's explicit claims that intersubjective validity is a condition of cognition into his "official" view of cognition as expressed in the *Deduction*, appears to be doomed. If, as Kant requires, we accord priority to the unity of apperception and the categories in describing the conditions under which cognition is possible,

how can there be any room left in his view for a conception of intersubjective validity in making possible "agreement [of a cognition] with the object" (KdU #21) or in ensuring that "an object is determined for" the cognition (R2449)? At best, it may seem, we can account for Kant's claims on behalf of the role of intersubjectivity in cognition in terms of the informal or popular contexts in which they often occur: the discussions of the avoidance of error (in the first *Critique's* Doctrine of Method and in various of the Reflections and Lectures on logic) where intersubjective agreement is invoked as a touchstone of truth; the related passages where intersubjective validity is used to distinguish "persuasion" from "conviction" and belief from knowledge; and of course §§18-20 of the *Prolegomena*, where Kant uses the notion of intersubjective validity to make, for expository purposes, what is *prima facie* an empirical distinction between judgments of perception and judgments of experience. These passages, it may be argued, cannot and ought not to be regarded as contributing directly to Kant's theory of cognition: Graham Bird, for example, suggests that they should be seen as providing mere "empirical illustrations" of the transcendental distinctions made in the first *Critique*. But while I want to accord a good deal of weight to the recognition that underlies this position, namely that the perspective that Kant adopts in his discussions of intersubjective validity presupposes the existence of empirical objects and as such is very different from that of the *Deduction*, I do not on that account want to ascribe to these passages a merely "illustrative" role. Instead, I shall try to argue that it is possible to integrate Kant's views on the role of intersubjective validity in cognition into his "official" view of the conditions of cognition, without interpreting intersubjective validity either

(as Guyer has it) as an empirical consequence of a cognition's conformity to the unity of apperception, or (as Walsh has it) as a condition standing in a direct conceptual relation with the unity of apperception. I shall begin by looking more closely at what role intersubjective validity is playing in Kant's more informal account of cognition, and specifically at the distinction between judgments of perception and judgments of experience, which will be the topic of the next section.

II: Judgments of perception and judgments of experience

Kant's distinction between judgments of perception and judgments of experience is introduced in the Prolegomena as a way of explaining what the categories are and why they are required for any objective experience. The distinction is intended to capture the contrast between a perceptual judgment that is merely subjectively valid, holding good only for an individual person at a given time, and one that is intended to hold good universally, that is, for all people at all times. The gist of Kant's argument in §§18-20 of the Prolegomena is that, while both kinds of judgment involve a connection of representations in the subject's mind, the universally valid character of the second kind must be based on a necessary connection of representations which is possible only through the employment of a pure concept of the understanding. The role of the categories is thus explicated as one of making possible the universally valid perceptual judgments which, on Kant's view, are what genuine experience consists in.

This argument ascribes a clear role to intersubjective validity as a condition of cognition, and indeed as a condition which is in a certain sense

prior to the categories, since it is in virtue of the original requirement of intersubjective validity that the applicability of the categories to any cognition is claimed to be necessary. However, a constellation of problems surrounding the distinction between judgments of perception and judgments of experience make it hard to take the argument seriously. The main difficulty concerns the notion of a judgment of perception, as making a claim that is merely subjective and does not presuppose the categories. As Lewis White Beck points out,²² Kant's notion of a judgment of perception contradicts Kant's definition, in the Critique of Pure Reason, of a judgment as "nothing but the manner in which given cognitions are brought to the objective unity of apperception" (B142). That the conflict here is not just a matter of terminology is shown by Kant's actual examples of judgments of perception, which bear out the definition given in the Critique in that most of them appear to make objectively valid claims and all of them seem to involve the categories. At least the first two of the judgments that "the room is warm, sugar is sweet, and wormwood nasty" (p. 299) which, according to Kant, "relate merely to feeling, which everyone recognizes to be merely subjective and which thus may never be attributed to the object" (p. 299n.), appear to attribute determinate properties to their objects and to make claims with which others can agree or disagree.²³ Even if we read them as direct reports of a person's feelings by translating them into first-person terms ("the room feels warm to me," etc.), they still make objective claims which someone other than the person uttering them may declare to be true or false. The judgment of perception that "if the sun shines on the stone, it becomes warm," which Kant goes on to contrast with the judgment of experience that "the sun warms the stone," is still more obviously an

objective claim. While the implicit rationale for its status as a judgment of perception is that unlike the correlated judgment of experience it does not invoke the concept of cause, as a description of an objective succession of events it relies, according the Second Analogy, on the causal principle. Finally, all of the judgments of perception cited by Kant refer to determinate physical objects and thus presuppose the category of substance, while in attributing properties with intensive magnitudes (warmth, brightness etc.) they implicitly invoke the categories of quality. These problems do not merely reflect an unhappy choice of examples on Kant's part, but point to a more general difficulty. Given the conclusion of the Deduction that any connection of representations in a single consciousness must conform to the categories and thus stand in relation to an object, how can we allow the possibility of a judgment of perception, on Kant's description of it as a "mere connection of perceptions in my mental state, without relation to the object" (p. 300) and which requires "no pure concept of the understanding, but only the logical connection of perceptions in a thinking subject" (p. 298)?²⁴

Many commentators addressing this problem have conceded that judgments of perception and judgments of experience are both objective judgments which are subject to the categories, but have tried nonetheless to accord the distinction between them some kind of a function in Kant's theory. One approach along these lines has been to take seriously Kant's apparent aim of distinguishing between what is merely subjective and private on the one hand, and what is objective and public on the other, and to regard his examples of "judgments of perception" as attempts to articulate what, strictly speaking, cannot be articulated. Graham Bird

argues that the distinction between judgments of perception and judgments of experience, while in actual fact an empirical distinction between two kinds of objective judgment, serves to illustrate the contrast between what is transcendently subjective and what is transcendently objective.²⁵ Since a transcendently subjective experience is one which can be considered without reference to any possible way of conceiving or describing it, all experience, in so far as we can conceive it, is transcendently objective. As a result, on Bird's view, the transcendently subjective cannot be directly exemplified in experience.²⁶ But we can understand the role of the categories as underlying the transcendently objective character of our experience through the analogy provided by the role of the categories in judgments of experience. While all judgments, those of perception as well as of experience, employ the categories, judgments of experience are related more closely to the categories than are judgments of perception, and that relation serves to illustrate the transcendental relation holding between the categories and all judgments. A similar view of this topic is held by Buchdahl, who also takes judgments of perception to involve the categories, but to do so in a weaker and more distant way than judgments of experience, which invoke them explicitly. While the concept of cause is a transcendental presupposition of the judgment "If the sun shines on the stone, it becomes warm," it is a conceptual (or logical, or formal) presupposition of the judgment "The sun warms the stone." The move from the first judgment to the second judgment, in which the "injection" of the concept of cause serves to convert a contingent sequence of events into a causal connection, is used, according to Buchdahl, as a model for the injection of causality into a sequence of perceptions to generate experience

of a sequence in the objective sense (as described in the Second Analogy).

A contrasting and more widespread approach is to discount Kant's explicit intentions in distinguishing subjective from objective validity, and to attempt instead to determine what distinction is indicated in the examples themselves. On this approach, the distinction between judgments of perception and judgments of experience does not serve to distinguish between judgments that are valid only for an individual subject from judgments that are universally and hence objectively valid, but to distinguish between two kinds of universally and objectively valid judgment: those that are about an individual subject, and those that are about an object. The judgments that the room is warm, that sugar is sweet and that wormwood is nasty, are construed on this view as first-person reports of feeling, which, as noted above, are objective even though they describe only the utterer's state of mind. Similarly, the judgment that, when the sun shines on the stone, it grows warm, is reconstrued as the judgment that, when I have perceived the sun shining on the stone, I have also perceived that the stone grows warm, which in turn can be understood as an individual's report on his or her mental state. In general, this approach has it that judgments of perception can be regarded as "Es scheint-" judgments, or judgments that such-and-such seems to be the case, where reports on how something seems are in turn to be taken as judgments that a person makes about his or her own state of awareness.²⁷

On neither of these approaches does the distinction between judgments of perception and judgments of experience appear to shed any interesting light on the role of intersubjective validity as a condition of objective experience. In both cases, judgments of perception and of experience alike

are viewed as intersubjectively valid, giving the lie to the impression initially conveyed by the text that intersubjective validity provides the criterion through which the two are distinguished. Both approaches, however, have drawbacks which might in any case lead us to question their adequacy. The first is able to do justice to Kant's stated aims in setting up the distinction only by attributing to it a rhetorical function which is not borne out by any suggestion on Kant's part that his account of the distinction is not to be taken literally as a way of indicating the actual role that the categories play in our experience. The second, while allowing for a more straightforward understanding of the distinction itself, divorces it altogether from the broader concerns relating to privacy and intersubjectivity with which it is apparently related, and in so doing attributes to Kant a considerable amount of confusion about these issues. In particular, this approach requires us to read Kant in the Prolegomena as conflating under the title of "subjective validity" two quite different notions, that of a judgment's holding true only for a particular subject, and that of a judgment's being about a particular subject. Moreover we have to read this confusion as spilling over from the Prolegomena into the discussion of subjective and objective unity at §§18-19 of the second edition Critique. At first glance, the contrast between a subjective and an objective unity of representations appears to be closely related, if not equivalent, to the earlier distinction between judgments of perception and judgments of experience. A subjective unity, in which representations are connected not in accordance with categories but through laws of association, is, like the judgment of perception, only subjectively valid, and the contrast between it and an objective unity is illustrated through a pair of examples analogous to

those given in the Prolegomena: "When I lift a body, I feel a sensation of weight," as opposed to "The body is heavy." However, on the approach in question, the two distinctions have to be sharply differentiated. This emerges if we consider the view of Allison, who adopts this approach. As Allison plausibly argues, a subjective unity of representations corresponds to what Kant describes in a famous letter to Herz as an orderly play of representations, such as might take place in an animal, which influences feeling and desire but provides no cognition, not even of the subject's own condition.²⁸ But this kind of unity, which is subjectively valid in the sense of being valid only for the subject, is regarded by Allison as quite different from the relation of representations in a judgment of perception, which on Allison's view is objectively valid and affords cognition of the subject's mental state. In rejecting an assimilation of the two which is taken for granted by proponents of the first approach, Allison is forced to conclude that when Kant illustrates the distinction between objective and subjective unity with the Prolegomena-like example, he is committing a conflation which, in the context of its occurrence, is "incredible".

Without claiming to provide an entirely coherent account of the distinction between judgments of perception and judgments of experience, nor one which exonerates Kant from all charges of confusion, I want to propose an alternative approach to the distinction which at least overcomes the drawbacks just mentioned. In particular, I want to suggest that we can after all make sense of what Kant means by a "mere connection of perceptions in my mental state, without reference to the object," and in so doing find an important role in Kant's theory for the distinction between what is intersubjectively valid and what is merely subjective. As we have

seen, both of the approaches considered reject the idea that a judgment of perception represents a merely subjective connection of perceptions. This is because they quite properly wish to avoid suggesting that a judgment of perception constitutes or expresses a level of sensory awareness which is prior to the application of the categories, for the obvious reason that the first Critique denies that any such pre-conceptual awareness could be accessible to consciousness. Instead of exemplifying a contrast between sensory awareness prior to, and full-fledged experience subsequent to the application of categories, they claim, the distinction has, at least in the first instance, to be seen as holding between two kinds of experience, both of which presuppose the categories. In other words, it invokes a contrast between two different kinds of empirical judgment, both of which are about empirical objects (including, on the second approach, the empirical self and its psychological states). Now far from disagreeing with this construal of the distinction as located in the empirical sphere, I want to suggest that it has in a certain respect not been carried far enough. While on both approaches the judgments that Kant is talking about are interpreted as being about determinate empirical objects, neither approach takes seriously their correlated status as consisting in, or expressing, states of mind of human beings in the empirical world who are physically affected by the objects about which they are judging. Instead, Kant's examples are considered solely in terms of the relation of sensory representations which they involve, in isolation from the empirical objects which physically occasion them in the subjects in which they occur. This kind of abstraction from the empirical causes of representations is of course necessary from the transcendental standpoint of the first Critique, where we have to consider representations

as such, irrespective of their empirical character or origin. But once we admit that we are dealing with a distinction that is made within experience, we can consider not merely representations as such, but representations as caused by objects. And this widening of perspective, I suggest, allows us to make better sense of the distinction between judgments of perception and judgments of experience than does either of the other approaches considered.

The idea behind this suggestion is that the distinction between judgments of perception and judgments of experience turns on the contrast between, on the one hand, a given sensory state's merely being occasioned by a particular empirical object, and, on the other, its amounting to cognition of that object. This contrast is most easily seen, not from the examples given in the Prolegomena itself, but from an example that Kant uses in one of the reflections on logic dating from around 1790, which was subsequently incorporated into the Jäsche Logic (#40, Ak. IX, p. 113n.):

A judgment out of mere perception is only possible in so far as I speak my representation out as perception. I who perceive a tower, perceive on it red colour /nehme an ihm die rote Farbe wahr/. But I cannot say: it is red; for that would not merely be an empirical judgment, but also a judgment of experience, that is a judgment through which I receive a concept of the object. E.g. In touching the stone I feel /empfinden/warmth, is the first; but the stone is warm is the second. It belongs to the latter that I do not attribute to the object that which is merely in my subject; for a judgment of experience is the perception, from which a concept of the object arises.

Now while it is tempting to read the examples in isolation as making a contrast between two kinds of objective assertions, one about my state of mind and one about the object in question (the tower or the stone), this kind of reading obscures the other and more significant contrast that Kant intends to make between judgments through which I do, and judgments through which I do not "receive a concept of the object." Kant's examples

can be read as making this distinction in so far as we consider it as holding, not between the assertions as such, but between the states of affairs which entitle me to make those assertions.²⁹ If I perceive a tower and at the same time have a sensation of red colour, but without that sensation's amounting to the recognition that the tower is red, my state of mind does not involve the ascription to the tower of the concept "red". (I may know that the tower is in fact a white one illumined by the rays of the setting sun.) Here the most that I can say with reference to the tower is that "I, who perceive it, perceive on it red colour"; as Kant goes on to specify, "I cannot say: it is red." Similarly, to feel warmth on touching a stone is not yet to have a conceptual state of mind in which the property of warmth is ascribed to the stone, and entitles me at most to assert that my touching of the stone is accompanied by a feeling of warmth. Only if the state of mind accompanying my perception of the object is referred to the object as conceptual cognition of it, am I making a judgment of experience about it which licenses me to make a statement like "the tower is red" or "the stone is warm."

How is this contrast connected with the contrast between merely subjective validity and universal validity in terms of which the distinction between judgments of perception and judgments of experience is defined in the Prolegomena? The answer is that my recognition that the stone is warm carries with it an implicit claim that anyone who touches the stone should share my state of mind, whereas my merely having a feeling of warmth on touching the stone carries with it no such claim, either on others or on myself at a later time. The condition of universal validity which attaches to judgments of experience thus bears not on assertions regarded in isolation

but on states of mind regarded in relation to a particular object. This is borne out by the way in which at #19 of the Prolegomena Kant describes the "merely subjectively valid" judgments that the room is warm, sugar sweet, and wormwood nasty. Disregarding for the moment Kant's subsequent change of mind on "warm" as a potential property of objects, let us consider how these judgments differ from those of experience. In the former case, Kant says, "I do not at all demand that I or any other person shall always find it as I do... Judgments of this kind I call judgments of perception." But he goes on: "Judgments of experience are quite another story. What experience teaches me under certain circumstances, it must always teach me and everybody" (p. 299). The demand characteristic of a judgment of experience is, in the first instance, not that others agree with a particular assertion, but that they "find as I do" whatever the assertion is about: that they find the room warm and sugar sweet, thus sharing my state of mind in the particular object which is affecting my, and their, sense-organs. Similarly, the condition of universal validity is stated as applying to experience in regard to what experience teaches me "under certain circumstances." It is with regard to a certain physical situation — tasting the sugar, touching the stone — that I demand that the experience of others agree with my own.

As the initial set of examples provided at #19 of the Prolegomena show, a natural way to capture the contrast between a state of mind's merely being occasioned in an individual by an object, and its involving, in addition, a claim to agreement which is binding on everyone who perceives the object, is in terms of the contrast between feeling and perceptual cognition. As generally understood, a feeling represents a personal response to something

which, while it may as a matter of fact be shared by other people, does not implicitly call for agreement.³⁰ A divergence of feelings does not amount to a genuine disagreement, with its concomitant claims on either side that one or other party must be mistaken. Perceptual cognition, on the other hand, while it may also be viewed as a response to an object, is one that claims universal validity for itself. It is in virtue of this claim, Kant suggests at #18, that we can regard it as relating to an object in the strong sense which involves the cognizing of the object as having such-and-such a property: "if we have reason to hold a judgment to be necessarily universally valid...we must also hold it to be objective, i.e. that it expresses, not merely a relation of perception to a subject, but also a property [Beschaffenheit] of the object" (p. 298). But the contrast need not be confined in its application to the particular distinction between feelings and cognitions. Even if we limit ourselves to cognitions, that is to states of mind which already involve a claim to universal agreement with respect to some object or other, we can make a further distinction on the same principles between two cognitions with respect to some other object. This explains Kant's subsequent example of the contrast between "If the sun shines on the stone, it becomes warm" and "The sun warms the stone." A situation which licenses me to make the former claim is one in which the sun's shining on a stone (which I then touch) is always accompanied by a state of mind in which I cognize the stone as becoming, or as having become, warm. However, while the sun's shining is always followed by my perceptual cognition that the stone is warm, and in all probability causes it, my state of mind in cognizing the stone's warmth does not thereby amount to a cognition of any property of the sun. Each time that, subsequent to the sun's shining on it, I touch the stone and

recognize that it is warm, I may demand that anyone who touches that stone in its present condition share my state of mind. But only if my state of mind involves, not only that demand, but also the demand that anyone who touches the stone subsequent to the sun's shining on it share my state of mind, am I making the further claim about the sun that it has the causal property of warming the stone. A similar approach can be used to understand Kant's example of the judgment "air is elastic". This, he claims, is "first only a judgment of perception," in which "I do nothing but refer two sensations [of air and of expansion] in my senses to one another." Only if I take this connection "to stand under a condition which makes it universally valid," i.e. to be subject to the concept of cause which connects the two "sensations," is my judgment a judgment of experience. The underlying contrast here, I suggest, is between the mere fact of my being aware, under given circumstances, that the air has expanded, and the further fact of that awareness being referred to the air itself, as the cognition that the air has a certain causal property (namely that of elasticity). In the first case, while I am on any particular occasion entitled to demand universal agreement for my state of mind with regard to the air in its present condition, my judgment does not (to repeat Kant's phrase at #18) "express a property of the object": only in the second case does it amount to what Kant regards as genuine cognition of the air as such. Here, admittedly, my reading may seem to place Kant on shaky ground. To claim that air has expanded, even though it is not to ascribe to air the intrinsic property of elasticity, is also to have a cognition of air in which something is predicated of it: no less so, at any rate, than when we claim, as in Kant's example at R3145, that the stone is warm. But the point remains that if we contrast the first and

second cases we see that, in the second, the cognitive state of perceiving the air's expansion is specifically referred to the air in a way that it is not in the first case, where we might instead imagine the observation of the air's expansion as being specifically referred to the pressure-reducing agent rather than as indicating any property of the air itself.

In my reading of Kant's examples as illustrating something about how states of mind relate to the empirical objects that occasion them, I am diverging in an important respect from most of Kant's own descriptions in the Prolegomena of what is involved in the distinction in question. For in contrast to his definition at R3145 of a judgment of experience as one "through which I acquire a concept of the object," Kant's explicit descriptions of the contrast in the Prolegomena involve, not a relation between my state of mind and an object, but a relation between two states of mind with no reference to an occasioning object: in a judgment of perception "I do nothing but refer two sensations in my senses to one another," whereas in a judgment of experience "I require this connection to stand under a condition which makes it universally valid" (#19, p. 299). In failing to take these descriptions into account, it may be objected, I am not only ignoring the primary evidence for the nature of the distinction, but also refusing to confront the central difficulty concerning the distinction, that of how there can be a "reference of sensations to one another" which does not accord with the categories. But I want to suggest in reply that my reading of the examples and the clue provided by R3145 serve precisely to throw light on what Kant means by his talk of a connection of representations which is not in accordance with the categories. While Kant's distinction between judgments of experience and judgments of perception is motivated

on my view by the contrast between a state of mind's amounting, and its failing to amount to, cognition of an empirical object, it can also be formulated in abstraction from the object and in terms only of how the subject's perceptions are related among themselves. Because of the use to which Kant puts the distinction in the Prolegomena, as a way of explicating the role of the categories as rules for the connection of representations in one consciousness, he adopts this secondary formulation of it: but the best access to an understanding of what the distinction actually involves is provided by examining it in terms of its primary motivation.

To see how the distinction, as I am reading it, comes to be formulated as a distinction between two ways in which representations are related to one another, let us begin by considering the case of a judgment of experience. In the first instance, on my reading, a judgment of experience occurs when I perceive some object as having a certain property. In this case, according to Kant, I not only have a perceptual state caused by the object's affecting my sense-organs, but I also require that anyone else affected by the object have the same perceptual state as I do. Moreover, if some object is perceived by me as having a number of different properties, say that of being a tower and that of being red, then my demanding that everyone who perceives the object share my sensation of red includes the more specific demand that everyone who shares my perception of the object as a tower, share my sensation of red. In other words, I regard my two perceptual states, corresponding to the recognition of the object as a tower and the recognition of it as red, as connected in a way that is universally valid.³¹ But if we abstract from the object itself, and more generally from the empirical character of my perceptual states in so far as they are caused by

the object's interaction with my sense-organs, the relation that holds between the two states can be regarded in a different way. From the point of view which I occupy purely as a subject of experience, in contrast to that which I occupy as an empirical creature with sense-organs that are affected by outer objects, it consists simply in my being conscious of a necessary connection between two intuitive representations. More specifically, it consists in my taking the two representations to be connected in accordance with a pure concept of the understanding.

On this reading, the description of a judgment of experience in terms of my taking a certain state of mind to be universally valid in respect of the object which causes it in me, and the description of it in terms of my connecting representations in the unity of consciousness, are different ways of describing what it is to have cognition of an object. The difference between them lies in their describing it from different perspectives. From the first perspective, I am viewed as a human being affected by physical objects and existing both through time and among other human beings; in cognizing a particular object, I require both of others and of myself at future times that their, and my, judgments about the same object do not disagree. But from the second, transcendental perspective, I am viewed in abstraction from my empirical status as a temporally enduring human being. From this perspective, any reference to universal validity or to claims on others or on myself in the future are out of place. They give way instead to the idea of myself as conscious of connections among the manifold of representations, the necessary character of which must be viewed as stemming not from the nature of the representations themselves but from the a priori character of the concepts through which I grasp them. Kant's

strategy in §§18-20 of the Prolegomena is, on this reading, to show the role of the categories in experience by arguing that in order to establish the possibility of cognition as characterized from the first perspective, we need to have recourse to the a priori conditions on cognition that are seen to hold from the second perspective. This strategy, with the attendant shift of perspective that I sketched in the previous paragraph, is reflected in three different ways in which the judgment of experience is characterized by Kant in #18, #19 and #20 respectively. In the last paragraph of #18, as we saw earlier, Kant discusses universally valid judgment in a way that makes clear that he had in mind the universal validity of a judgment with respect to some particular, empirical object. In #19 he makes the transition from the universal validity of my state of mind with respect to an object, to the universal validity of one state of mind with respect to another: "we cognize the object (even though it remains unknown in another respect, that of how it may be in itself) through the universally valid and necessary connection of the given perceptions." This connection of states of mind, which still involves reference to the empirical domain, is then re-characterized at #20 from a transcendental perspective like that of the first Critique: here the connection is described in terms of the joint contribution of understanding and sensibility in making possible "experience in general" through the determination of given intuitions under pure concepts. The pure concepts, as conditions of "experience in general," or experience as viewed from this transcendental perspective, are thus shown to be necessary for the experience of particular objects on the part of particular individuals, which provides the starting-point of Kant's argument in these sections.

This account, I think, helps us to understand Kant's characterization of a

judgment of perception as involving a merely subjective connection of representations which does not require the categories. This characterization is arrived at, not so much by analogy, as by an important failure of analogy with the preceding characterization of judgments of experience. Suppose (to capture what I take to be the intention of Kant's first example) I walk from a refrigerated closet into an unheated room and consequently feel warm. Here, while my sensation of warmth is brought about at least in part by the temperature of the air in the room, I do not ascribe warmth to the room as a property and would demand neither of anyone else entering the room nor of myself in other circumstances, that they or I take it to be warm. As Kant puts it, "I do not at all demand that I or any other person shall always find it as I do." Now what happens if we try to abstract from the object and its effect on me as an empirical subject, and consider the situation from the point of view only of the relationship of representations in my consciousness? Up to a point, we succeed. By analogy with the description of a judgment of experience as a claim that two of my states of mind are connected in a way that is universally valid, we can abstract from the object itself and focus on the relation of my sensation of warmth to the other sensations, or (for simplicity's sake) some one other sensation occasioned by the room. This relation, unlike its universally valid counterpart, is merely "a reference of two sensations to the same subject...in my present state of perception." It consists, that is, in the fact that I, as an empirical subject, have these two sensations together and am aware, while having the one, of the other also. But if we try, further, to abstract from my character as an empirical subject and to consider this relation of sensations from the perspective of transcendental

self-consciousness, the analogy breaks down. Where in the case of a judgment of experience we can abstract from the subject's particular empirical character and circumstances and still be left with a connection that holds from the subject's point of view between one representation and another, in the case of a judgment of perception the connection does not hold at all except in so far as the subject is regarded as empirical. What we have, then, is "merely a connection of representations in my state of mind [Gemützustand]," where "state of mind" connotes my consciousness as an empirical subject, as opposed to a connection of representations in "consciousness in general," which would be the consciousness that can still be ascribed to me when all distinguishing empirical features of myself are stripped away.

Here we can see where the connection lies between the notion of a judgment of perception and Kant's later notion of the "subjective unity" of representations. The subjective unity of representations, as a "determination of inner sense through which the manifold of intuition...is empirically given," is, I would suggest, that unity which holds among all of my representations in virtue of their belonging to the same empirical subject. The individual connections that hold among my representations in so far as they all stand in "subjective unity" are thus those very connections which constitute, on my reading, "judgments of perception," and which hold as a matter of empirical fact between different sensations that are in some way associated or juxtaposed in my state of mind. Now one aspect of Kant's discussion of subjective unity which I have not mentioned as playing a role in his account of judgments of perception is the idea of its being subject to laws of the reproductive imagination or laws of association. Thus while

Kant introduces the subjective unity of consciousness at B139 simply as a determination of inner sense, he subsequently mentions the apparently equivalent "empirical unity of apperception" as taking place "through association of representations" (B140), and he goes on to distinguish the objective unity of representations from the subjective, by distinguishing the relation between given cognitions in an objective judgment from their "relation in accordance with laws of the reproductive imagination (which has only subjective validity)" (B142). But this relation between representations can be seen not as fundamentally different in kind from, but as a more complex variant of, the relation in an empirical subject between two representations which are occasioned by the same object and which are thereby simultaneously present in my state of mind. In the more general case, the two representations are causally related in an indirect way, in that the object that occasions one occasions the other also. In the special variant, the two representations have become associated in the subject's mind, bringing about a direct causal relation between them. The second case, because it can be described without reference to the external object as a case in which representations are subject to a law which connects them directly is in a way more interesting, because it is easier to confuse with the connection of representations in the objective unity of consciousness and thus serves better to bring out the importance of the contrast.³² But the essential distinction between a "subjectively" and an "objectively" valid relation of representations, remains unchanged whether we take the relation to hold in virtue of general laws of association or simply in virtue of an unrepeated conjunction of representations in someone's mental history.

The assimilation that I am proposing between the way in which

representations are related in a judgment of perception and the way in which they are related in the subjective unity of representations still leaves unaddressed one aspect of the central difficulty concerning the intelligibility of the former notion. In what sense can the "subjectively valid" relation of representations in an empirical subject be counted as a judgment, especially in view of Kant's definition of a judgment at B141 as "nothing other than the way in which given cognitions are brought to the objective unity of apperception"? In the first instance, it should be noted that Kant's earlier definition of a judgment in the Prolegomena is somewhat broader than that given at B141. A judgment, Kant says at #22, is the "uniting of representations in a consciousness," where this can include not only their being united in "a consciousness in general, that is necessarily," but also their being "referred to and united in a consciousness in a single subject," in which case "the union arises merely relative to the subject, and is contingent and subjective." Now even this latter kind of judgment may seem too strong to accommodate my reading of a judgment of perception, if we take into account Kant's description of it at #20 and at #21a as involving an active comparison of representations, and specifically as being the work of the understanding which "makes" judgments of perception out of sensible intuitions, and through which the intuitions stand in "logical connection" (p. 304). But Kant's description of the unity of these states of mind in an empirical subject as a product of judgment and as involving a "logical" connection can perhaps be explained as serving a polemical function against a view of judgment which Kant is trying to undermine. According to Meier, whose popular and influential Vernunftlehre (1752) served as the basis for Kant's lectures on logic, but whose views were often criticized and modified

by Kant, a judgment is "a representation of a logical relation of a number of concepts" (where by "logical relation" Meier means "agreement [Ubereinstimmung] or disagreement [Streit]").³³ As part of his argument that the pure concepts are required for cognition of an object, Kant is trying to show that this traditional conception of judgment, in which we compare representations to see whether they agree or disagree, and thereby determine their logical relation, is inadequate. In this spirit, he claims at #20 that "it is not sufficient for experience, as is commonly imagined, to compare perceptions and to connect them in a consciousness by means of judgment." Rather the concepts that enter into a judgment must be, not merely compared, but subsumed under a pure concept of the understanding.

If all synthetic judgments are analysed in so far as they are objectively valid, it is found that they never consist in mere intuitions which, as is commonly believed, are connected in a judgment through comparison, but that they would be impossible were not a pure concept of the understanding added to the concepts abstracted from intuition, under which these concepts are subsumed, and thus connected in an objectively valid judgment in the first place.

Now in the second edition Critique, Kant challenges Meier's view head on, with a direct attack on his definition of judgment. Thus at B141 he begins his discussion of judgment by announcing that he has "never been satisfied with the explanation that logicians give of a judgment in general," namely that it is "the representation of a relation between two concepts," and goes on to present his own definition in terms of the objective unity of apperception. But in the Prolegomena, he adopts a more subtle but perhaps more confusing strategy, in which he concedes the possibility of judgment as involving a merely logical relation of representations, but argues that, contrary to Meier's belief, such a relation provides no cognition of objects, reducing instead to a "mere connection of representations in my state of

mind." In identifying such a connection of representations as a kind of judgment, Kant is in effect saying that it provides the only content that can be given to Meier's idea of judgment as the representation of a logical relation among concepts, and thereby showing that this idea is useless for capturing what goes on in objective cognition.³⁴

III: Human beings and empirical objects

In the previous section, my primary aim was to provide a reading of #18-20 of the Prolegomena which made sense of the distinction between judgments of perception and judgments of experience. In this section, I want to step back from the text of the Prolegomena itself and to consider the implications of my reading for the question of how universal communicability serves for Kant as a condition of cognition. The central idea that I want to stress as arising from my reading is that there are two distinct ways of characterizing the conditions of cognition, which arise from two different perspectives on the issue of empirical cognition. One perspective, familiar from the Critique of Pure Reason, is that of transcendental self-consciousness. In adopting this perspective, I abstract from the existence of empirical objects in space and time and from my own status as a temporally enduring human being affected by those objects according to causal laws: I consider myself solely as the subject of a manifold of representations which are themselves considered as independent of any empirical causality.³⁵ Objective cognition, from this perspective, is possible in virtue of necessary connections among the representations which belong to my self-consciousness. But the second perspective, which I take

Kant to be adopting in his formulation of the distinction between judgments of perception and judgments of experience, is one that takes the existence of empirical objects and of myself as a temporally enduring human being, into account. From this perspective, objective cognition is possible in virtue of a certain relation between my various states of mind and the various objects which affect my senses. Kant's claim that universal communicability is a condition of cognition derives from its role in bringing about this relation. A given state of mind brought about by an object's affecting my senses counts as cognition of that object, rather than as a merely subjective response to it, only if I take the state of mind to hold good for anyone perceiving that object: that is, if I take it to be universally valid or universally communicable with respect to the object.

The need for this second way of characterizing what is required for cognition, and its difference from the first, emerge in the first instance from a consideration of some of the limitations on Kant's account of cognition in the Critique of Pure Reason (specifically in the Transcendental Analytic.)³⁶ While it is true that Kant sets himself in the Deduction the task of determining "the a priori conditions on which the possibility of experience rests" (A95-6; see also B126/A94), he is not intending to provide an exhaustive account of empirical cognition. His argument that the categories are required for experience is put forward, not as part of a general account including both the sufficient and the necessary conditions of experience, but as a proof of the objective validity of the categories; and this proof is intended to establish the possibility, not of empirical cognition, but of synthetic cognition a priori. As Kant puts it retrospectively in the Preface to the Critique of Judgment, "[the Critique of Pure Reason] is

concerned solely with our capacity to cognize things a priori" (p. 167). This general point about the goals of the first Critique is reflected in two further limitations on Kant's account of cognition in the *Analytic*. Firstly, while Kant addresses the question of how our empirical representations come to be objective, he is not concerned with their relation to particular objects. The question for him bears, rather, on what it is for empirical representations to fall under the concept of an object in general. Because of this, his account of empirical judgment cannot include any reference to the possibility of an empirical judgment's being true or false.³⁷ For the truth of a cognition consists in its agreement with its object (A58/B83); and while synthetic a priori cognition is true in virtue of its agreement with the concept of an object in general, the truth or falsity of an empirical cognition must rest on its agreeing, or failing to agree, with some particular object. Secondly, Kant's concern in the *Analytic* with the a priori conditions of empirical cognition is largely confined to those conditions which determine what features objects must have in order that they belong within the scope of our possible experience. He is not primarily concerned, that is, with any a priori conditions which, while not determining the character of objects, nonetheless must hold of us in order that we be able to experience objects. According to a certain use of Kant's terminology, then, Kant's main purpose in the *Analytic* bears, not on the "subjective", but on the "objective" conditions of cognition, where an "objective condition" (here, the synthetic unity of consciousness) is

not merely a condition that I myself require in order to cognize an object, but a condition under which every intuition must stand in order to become an object for me (Kant's emphasis) (B138).

The question of the "subjective conditions" of empirical cognition is dealt

with only peripherally, in the form of transcendental psychology, as a means to Kant's primary purpose.³⁸ And in so far as the question bears on the conditions of my cognizing an object, where that object is conceived of as already existing independently of me, the *Analytic* does not deal with it at all.

These limitations on Kant's account of empirical cognition are inevitable given the perspective from which it is formulated. Any account of the relation between one of my representations and the particular object which it represents is out of place in a context in which "we have to deal solely with the manifold of our representations", and in which "that X (the object) which corresponds to them... is nothing to us" (A105). But if we are to give a full account of the conditions of empirical cognition, one which extends beyond what is required to show the possibility of synthetic cognition a priori, we cannot consider the object corresponding to our cognition as "nothing to us." For empirical cognition is cognition of particular objects which, through being cognized, become "something" to us: and we have to explain what exactly the relation of "correspondence", between any given representation and its object, consists in. Now one possible explanation is that the relation between the representation and its object is a causal one. But this explanation is not sufficient, since it fails to account for how I can be regarded as representing an object correctly or incorrectly. What we need is an account of the relation between a representation and its object which captures the idea of the representation's agreeing or failing to agree with the object rather than its merely arising from causal interaction with the object. And it is precisely in meeting this need that the notion of universal communicability serves as a condition of cognition. We can see

this from the passage at #21 of the Critique of Judgment where Kant most explicitly asserts the role of universal communicability as a condition of cognition. "Cognitions and judgments must...allow of being universally communicated, otherwise no agreement with the object would be owing to them" (p. 238). It is only because I can claim that a given cognition is not merely one that I or others happen to have, but one which all of us ought to have on perception of a given object, that I can take it to agree with the object rather than constituting a causally determined response to which the notions of agreement or disagreement would be inapplicable.³⁹

This requirement of universal communicability gives content to the idea of a specifically subjective condition of cognition, one which plays no role in determining what the objects of our cognition must be like, but bears instead on our capacity for cognizing the objects which impinge on our senses. In order to have genuine cognition of particular objects as opposed to the kind of sensory response that an animal would have under the same circumstances, we must be capable of demanding agreement with our representations from others and from ourselves at other times, and thus of taking our representations to be subject to universally applicable constraints. And this condition, although it applies to us in so far as we exist in the world of empirical objects, does not, for all that, constitute a merely psychological or otherwise empirical requirement. It captures, rather, the idea that even given the perspective of the empirical world, from which we view ourselves not as transcendental subjects of experience but as temporally existing human beings, we must nonetheless regard ourselves as subject to normative constraints which determine whether we are correct or incorrect in our judgments about the objects which affect our

senses.

The distinction that I have been making in this section between the "transcendental" and the "empirical" perspective on the issue of empirical cognition, has been intended to make sense of universal communicability as a condition of cognition which is not derived from, or in any way dependent on, the unity of apperception. In this way it has been intended also to make coherent the idea of a judgment of taste as making a claim to universal agreement which does not involve the application of the categories. And in the light of the conception of the "subjective condition" arrived at in the last paragraph, it begins to seem as though this purpose has been achieved. For if the subjective condition of cognition is independent of the objective condition constituted by the unity of apperception, then it can in principle be satisfied even if the objective condition is not. In such a case, however, the outcome will be, not a cognition, but a non-cognitive state of mind, which is to say a feeling. And this is exactly what we have in the case of a judgment of taste, which, on the account that I gave in the first chapter, is a state of mind which claims its own universal validity and consists in a feeling of disinterested pleasure. Because of its failure to satisfy the objective condition of cognition, this pleasure is, like any feeling, irrelevant to me from the perspective of transcendental self-consciousness. But it manifests a capacity that I possess in so far as I exist in the empirical world as a human being among particular empirical objects. In this way, to elaborate further on a theme of the previous chapter, my aesthetic judgment is the perception of "the subjective and merely sensible condition of the objective employment of judgment" (EE VIII, p. 223).⁴⁰

But despite its apparent conformity to Kant's account of aesthetic judgment, the conception that I am suggesting of the role of universal communicability as a condition of cognition, is open to a serious objection. This objection concerns my claim that what I am calling the subjective condition of cognition is independent of the unity of apperception. It arises from an apparent implausibility in my characterization of this subjective condition as applying to subjects of experience qua beings in the empirical world, but without itself being an empirical condition. This idea of a normative constraint which applies, as it were, from the perspective of the empirical world is prima facie puzzling. It is more natural, at first sight, to consider the normative, as opposed to the empirical, constraints on cognition as applying uniquely from the perspective of transcendental self-consciousness. Conversely, it would seem, the only constraints genuinely applying to us qua empirical beings must be the merely empirical laws that determine which representations we do in fact have, rather than those which we ought to have. Thus it may be objected that our recognition of ourselves, qua human beings, as subject to normative constraints which in a sense transcend what is merely empirical in our natures, implicitly relies on our being able to regard ourselves from the perspective of transcendental self-consciousness, as subject to the unity of apperception. The universal communicability of our representations, according to this objection, cannot be considered as an a priori normative, rather than empirical-psychological condition of cognition, unless we can see it as deriving from the genuinely transcendental conditions laid down in the Analytic of the first Critique. On this objection, then, it is only because we are entitled to conceive of ourselves, according to the perspective of the Analytic, as unified subjects

in possession of pure understanding, that we can regard ourselves, qua human beings, as subject to normative constraints. Putting the objection a simpler and more familiar way, it is only because we can relate our representations in accordance with the unity of apperception that we are able to regard them, qua states of mind occasioned in us by empirical objects, as universally communicable in respect of those objects. And put in this latter way, the objection is supported by Kant's explicit statements in the Prolegomena that claims to universal validity are possible only through the application of a category to the representations involved.

There are two reasons why I want to address this objection in detail. Firstly, if it is correct, then my account of Kant's theory of taste in the previous chapters is untenable, and, more seriously, the two most salient features of Kant's notion of an aesthetic judgment simply cannot be reconciled. There can, that is, be no such thing as a judgment which claims universal validity without being based on concepts. Secondly, however, I want to address this objection for a reason less closely connected with the theory of taste and more directly related to the purposes of this chapter. For in arguing that the universal communicability of our representations is not dependent on their conformity to the unity of apperception, I want to take the opportunity to argue for a new conception of how these two conditions are interrelated. More specifically, I want to argue that, while one condition is dependent on the other, the relation of dependence is the reverse of that suggested by the objection. Given my status as a human being in the empirical world, I want to suggest, it is not the interrelation of sensible representations in the unity of apperception which makes possible

my claims to the universal validity of my representations. Rather, it is my capacity to claim that my sensible representations are universally valid which makes possible their interrelation in the unity of apperception.

To see why this might be so, let us begin by considering, from the empirical point of view on myself as a human being, what it is for my representations to belong to an identical self-consciousness and hence to satisfy the basic premise from which their accordance with the unity of apperception is derived. In so far as these representations are considered merely as the effects of external objects on my empirical consciousness, it is not clear how they can qualify as the representations of a single self-consciousness, accompanied (or potentially accompanied) by a common "I think". The fact that they are had by the same temporally enduring human being does not guarantee that they are all related to the same identical consciousness,⁴¹ nor even that they amount to anything different in kind from the sensory experience of an animal. Now one reason why my representations do not, from this point of view, appear to belong to an identical subject of consciousness, is that their content would seem to be entirely determined in accordance with empirical laws: not only by what objects happen to be impinging on me at the time, but also by intervening physical circumstances affecting my sense-organs and by psychological laws determining how one representation in me brings about another. Given my particular psychological and physical circumstances, there is no way, it seems, in which I could fail to have any of the representations that I do in fact have. So there is in a sense no "I" to be distinguished from the representations themselves as something that they have in common. The "I", we might say, collapses into the series of representations itself,

yielding, in Kant's words, "as many-coloured and diverse a self as I have representations of which I am conscious" (B134).

What we need for my representations to relate to an identical consciousness is some way in which I can conceive of myself as autonomous with respect to the series of representations. Rather than consider my representations merely as modifications of my consciousness brought about by external factors, I must be able to conceive myself as having them as it were freely, undetermined by empirical causes. To use Kant's terminology at #16 of the Deduction, these representations must "be mine" or "belong to me," as opposed to being affections with respect to which I am passive, and which could not be said to belong to me any more than to the object causing them in me. They must be "mine", that is, in a way that presupposes an "act of spontaneity," or, as Kant puts it at #15, an "act of the subject's self-activity which can only be executed by the subject itself." Only through this kind of autonomous activity can I conceive of myself independently of the series of representations in my empirical consciousness, and thus remain conscious of my identity through a manifold of diverse representations. But now given the perspective we are adopting, one from which the existence of empirical objects and of myself as an empirically existing human being, is presupposed, how can such a self-conception on my part be legitimate? How can I concede, as it seems that I must given this perspective, that the contents of my consciousness are determined by laws of nature, while at the same time taking my representations to belong to a consciousness that remains identical through all their diversity?⁴²

The answer, I want to suggest, comes through the idea of universal communicability. In so far as I take a representation to be universally valid

with respect to a particular empirical object, I conceive of its relation to the object not as causal, but as normative. I take it, that is, not as a representation which I happen to have, but one which I ought to have with respect to that object. In this way I take it to be determined, not by external causal laws, but by a constraint which I myself lay down in so far as I make the demand for universal agreement. Now it is because I can conceive of my representations as subject to a normative and self-imposed constraint, I suggest, that I can take myself to be an "active" subject of experience. This emerges if we consider how my claim to universal communicability for a given representation bears on the series of my future representations. In claiming universal communicability for a given representation, Kant makes clear at #19 of the *Prolegomena*, I claim that everyone, including myself, ought to judge the object as I do now. But in so far as I claim that I ought to judge the object in a certain way in the future, I am implicitly considering myself in some sense as capable of judging it in that way rather than some other way, no matter what the particular psychological circumstances at the time.⁴³ So I am viewing the series of my future representations, not as determined by causal laws external to me, but as something with respect to which I exercise a kind of autonomy.⁴⁴ It is in this way that I conceive of myself as having the kind of independence from my representations which enables me to consider them as genuinely "mine" and thus as belonging to a consciousness which I can conceive of as remaining identical through their manifoldness.

In the light of these considerations, my capacity to claim universal validity for my representations appears as a condition of those representations' belonging to the unity of apperception. It is a condition

that must apply to me, qua human being, in order that the series of representations that I have in so far as I am one and the same human being, be conceivable also as belonging to one and the same consciousness. More broadly, it is a condition that must apply to me, qua human being, if I am to be able to regard myself as a unified subject of the kind denoted by the "I" of the Deduction: one endowed with spontaneity as well as receptivity, capable of activity as well as passivity, and, in short, possessed of understanding as well as of sensibility. So unless it is possible for me, as a human being, to take my particular representations to be universally communicable, I cannot regard them as subject to the conditions of understanding, that is to the categories. This is borne out by Kant's description, at #21 of the *Critique of Judgment*, of what our putative cognitions would be like if they could not be universally communicated. They would, he says, be "a merely subjective play of representations, exactly as scepticism demands" (p. 238). If our representations were not universally communicable, they would fail to satisfy those conditions under which alone they could conform to the concept of an object, namely the categories. No a priori connections could hold among them: they would be, as on the sceptic Hume's view, subject to no constraints other than the empirical laws that might be discovered by a science of the mind.

Once the universal communicability of one's representations is seen not as a consequence, but as a requirement, of their connection in accordance with the categories, it becomes easier to see how there might be a judgment which demands universal agreement without involving the categories. For if the capacity to communicate my representations universally is something that I (as a human being) require in order to apply the categories to the

series of my empirical representations, then it cannot in turn depend on my being able to apply the categories to those representations. There is thus no reason why I, as a human being, should not be able to exercise that capacity independently of the categories, and without its involving a necessary connection of representations in the unity of apperception. However, while this possibility makes room for the notion of a judgment of taste, it appears, as I mentioned earlier, to conflict with what Kant says in the Prolegomena about the need for the categories in making any universally valid judgment at all. For there the universal validity of a judgment of experience is seen, in contrast to the picture that I have just presented, as relying on its use of a pure concept. This is clear from the example Kant gives at the footnote to #20:

The judgment ["When the sun shines on the stone it becomes warm"] is a mere judgment of perception and contains no necessity... But if I say "The sun warms the stone," there is added over and above the perception the concept of the understanding of cause, which connects the concept of warmth necessarily with the concept of sunshine, and the synthetic judgment becomes necessarily universally valid... (p. 30In.).

It is, as Kant puts it at #19, "through the concepts of the understanding" that "the connection of representations given to our sensibility by [the object]... is determined as universally valid;" in other words, "the universal validity of empirical judgments... never rests on empirical conditions, or on any sensible conditions at all, but rather on a pure concept of the understanding" (p. 299).

Despite this apparent conflict, however, I want now to argue that the account I have presented is by and large compatible with Kant's views in the Prolegomena. And where there is an unequivocal divergence, as in Kant's claim at #19 that "objective validity and necessary universal validity (for

everyone) are interchangeable concepts" (p. 299), it arises, I want to suggest, because the Prolegomena (and the first Critique also) take for granted a narrower conception of judgment than that subsequently adopted by Kant in the Critique of Judgment. In the first place, it should be noted that the account of judgment given by Kant at ##18-20 of the Prolegomena deals only with judgments that involve a plurality of representations. Although, as I argued in section II, the contrast between a judgment of experience and a judgment of perception is motivated by the contrast between an individual representations's serving, and its failing to serve, as cognition of a particular object, it is still the case that both types of "judgment" can be reconstrued as involving some kind of a connection between different representations. (In the example given above, these are the concepts of sunshine and of warmth.) In the former case, the connection is merely "subjectively valid," involving as it does the coexistence of representations in a single human being at a single time; in the latter case, the connection is universally valid, holding good for all human beings at all times. Now it is easy to see that the connection between two representations can be universally valid only if it is determined by me in accordance with an a priori concept, rather than holding in virtue of an empirical law governing my psychological state. In so far as we consider the representations as a plurality, and ask how I must relate them in order that their connection be universally valid, it is clear that their relation cannot, as Kant says at #19, "rest on empirical conditions, or on any sensible conditions at all, but rather on a pure concept of the understanding." (p. 299). But now if we consider the representations individually, and ask the further question of how each of them is to be related to the other (or for

that matter, any other) in accordance with a pure concept of the understanding, the situation looks different. For on the lines of the account that I have given, each representation, in so far as it is considered as belonging to me qua human being can be necessarily related to my other representations only if I can take it to be universally valid with respect to some particular object. The universally valid relation of particular representations requires, not only that that relation, as such, be determined in accordance with a category, but that each representation, individually, be universally communicable. And this requirement, while by no means explicit in the Prolegomena, is foreshadowed there in Kant's characterization of the representations that are connected in a judgment of experience as already conceptual. "Synthetic judgments," Kant says at #20, never consist in mere intuitions which are connected through comparison into a judgment, but they would be impossible if a pure concept of the understanding were not added to the concepts abstracted from intuition, under which those concepts were subsumed and hence connected into an objectively valid judgment /my emphasis?" (p. 301).⁴⁵ By claiming that the pure concepts themselves apply, not directly to the subjective intuitions or sensations that are contingently connected in a judgment of perception, but representations in so far as they are already conceptual and hence already involve reference to a universally valid rule, Kant is implicitly appealing to a further condition on the objective validity of our judgments: the condition that we be able to abstract empirical concepts from the sensations given to us in so far as we are physically and psychologically affected by objects. And this capacity requires, as we saw in section II, that we be able to take our representations individually to be universally communicable with respect to the particular

object affecting our senses.

These considerations show how the Prolegomena thesis that universal validity depends on the application of the categories, and my suggestion that the application of the categories depends on universal validity, can be reconciled. In so far as we consider a relation of representations, where each representation is viewed as "already" conceptual, the Prolegomena thesis applies. But in so far as we consider each representation individually as the state of mind had by a human being on being affected by a particular object, it is my suggested account that comes into play. Now this helps my view up to a point. But it still does not show how there can be a judgment which, like the judgment of taste, is universally valid without involving the categories. For it is still the case that, on the Prolegomena account, the categories are a necessary condition of any universally valid judgment. Even though I must in a sense "already" be able to claim the universal communicability of a given representation in order to be able to view it as falling under a pure concept, it is also the case, on the Prolegomena account, that I cannot claim that a given representation is universally valid with respect to some particular object unless I relate it necessarily to some other representation. So within the constraints of the Prolegomena account, the most that can be claimed for the universal communicability of individual representations is that it is both a necessary and a sufficient condition of objective cognition in accordance with the categories. But at this point I want to argue that when Kant confines his attention in the Prolegomena (and at B141-42 of the first Critique) to judgments that involve a plurality of representations, he is taking for granted an artificially narrow conception of judgment. For he does not consider the possibility of a judgment, which,

like the judgment of taste, claims the universal communicability of an individual representation (namely itself) without committing the person who makes it to any relation between the representation in question and any other representation in his or her consciousness. It is not until the Critique of Judgment that he is able to uphold the notion of a judgment of taste as involving a representation of an object which is "singular and independent of comparison with others" (KdU #9, p. 219). Because such a judgment cannot be viewed as involving a plurality of representations, it falls outside the scope of the Prolegomena account: the condition that it involve the use of a pure concept is simply inapplicable to it.

It is not, of course, through mere oversight that Kant fails, in the Prolegomena and the first Critique, to consider the possibility of a judgment which does not involve any relation of representations. His omission is related to a deeper assumption which he holds until coming to write the Critique of Judgment, namely that I can legitimately claim agreement for a representation only in virtue of its representing some determinate property of an object. Given this assumption, any claim to universal agreement, whatever its content, must rely on the world's having the kinds of properties that (given the kinds of judgments we make) we can all agree about. It must rest on certain objective features corresponding to the logical forms of our judgments, or to put it another way, on the applicability of certain a priori concepts to our representations of the world. In this respect, our judgments must rely on the categories. But, as we saw earlier (pp. 145-149), there is another kind of condition required for objective judgment, one which does not bear on what the world must be like in order to be conceived by us, but bears rather on what must hold of us if we are to be able to conceive the

world in so far as it is independent of us. Moreover, as I went on to show (pp. 151-155), this "subjective condition" is not derivable from the "objective conditions" constituted by the categories, but is in a certain sense required in order for these objective conditions to be applicable to our particular empirical representations. Now the need for this "subjective condition" is only obliquely recognized in the Prolegomena and in the Critique of Pure Reason.⁴⁶ And while Kant does not explicitly address, in either of those texts, the issue of its relation to the objective conditions of cognition, it is clear that he must regard its scope as coextensive with that of the objective conditions, as on the model sketched at the beginning of the last paragraph. But in the Critique of Judgment, as I shall argue in the next chapter, the question of what is subjectively required for empirical cognition takes centre stage. Here Kant becomes aware that the independence of the subjective condition from the objective conditions of cognition offers scope for a judgment which is legitimate without making a claim about an object. There is room, he now thinks, for a judgment which grounds its claim to universal agreement, not on any objective feature of the world, but rather on its expressing our capacity to cognize whatever objective features of the world there may be. And this is precisely the function fulfilled by the judgment of taste in its claim to universal communicability independent of any concept.⁴⁷ It is in thus manifesting the "subjective...condition of the objective employment of judgment" that the judgment of taste can be legitimate without itself amounting to objective cognition of an object.

Having tried to argue that there is room in Kant's overall theory of cognition for a judgment which claims universal validity without being subject to the categories, I want to go on to draw a stronger conclusion from

the considerations that have brought us to this point. This is that the judgment of taste is not only possible on Kant's account, but in a certain way necessary for the success of that account. The judgment of taste, in so far as it manifests the subjective condition of cognition, plays a crucial role in defending Kant's theory of cognition against an attack which might otherwise seriously undermine it. To see this, let us go back to the account that I gave (pp. 151-155) about the relation of priority between the subjective and the objective conditions of cognition. Here I argued, against what I take to be the usual understanding of Kant, that we need to claim universal validity for our representations in order to be able to take them as subject to the categories. Putting the same point another way, I argued that we must in principle be able legitimately to demand others' agreement with respect to our representations in order that we be able to recognize the objects empirically affecting our senses as having determinate properties. But now, leaving aside the question of whether or not Kant is in fact committed to the view that I am ascribing to him, this account is open to a serious difficulty. If the universal communicability of my representations is required in order to ground my recognition of the empirical world as having determinate properties, what in turn can be left to ground the universal communicability of my representations? And if no legitimizing explanation is possible, than what enables Kant (on my reading) to maintain that we can nonetheless subject the empirical representations that we have, qua human beings, to the a priori constraints derived from the abstract perspective of transcendental self-consciousness?⁴⁸

Now I take this problem to raise a genuine issue for Kant's theory. For Kant, on my reading, does not believe that there can be any explanation of

how we are able legitimately to claim that our representations are universally valid. The capacity to communicate our representations universally is one which we have to ascribe to ourselves (qua human beings) as a condition of bringing representations under the categories, but which we cannot ground in any deeper facts about ourselves or about the world. But now it is precisely in addressing this problem that Kant's theory of taste shows its importance in supporting his account of cognition. For although the capacity to demand universal agreement cannot be explained, it is something of which the experience of pleasure in a judgment of taste makes us immediately aware. As we saw in the previous chapter (pp. 100-101), the pleasure in a judgment of taste, because it consists entirely in the perception that my present state of mind is universally communicable, allows me to experience directly the exercise of my capacity for universally communicating representations. Moreover, it is important to note here that the judgment of taste serves a function which cannot be fulfilled by ordinary cognitive judgments. While it is true that I am aware, in my discourse with others, that I can legitimately demand their agreement in respect of my cognitive judgments about objects, I take my demands always to be justified in terms of determinate properties of the objects in question. I am aware, that is, of my capacity to demand universal agreement only in so far as I take that capacity to be constrained by facts about the world which in turn rely for their objectivity on my experience being subject to the categories. My state of awareness, to put it another way, is exhausted in the recognition of an object as having a determinate property which commands agreement from all those who perceive it. It is only through the feeling of disinterested pleasure which I experience in taking an object to be beautiful

that I can become aware of the capacity to claim universal agreement for my representations in a way that does not presuppose their being subject to the categories, and that accordingly amounts to awareness of that capacity as such. Thus it is ultimately on the evidence of this feeling of pleasure alone that the particular empirical representations comprising my experience as an individual human being can be conceived by me as subject to the a priori rules in virtue of which they qualify as objective cognition.

The account that I have given, in this section, of the role of universal communicability in cognition, will inevitably strike the reader as highly speculative. The idea developed in the previous section, that the condition of universal communicability plays a role in explaining the cognition of particular objects by particular subjects is to a certain extent supported by Kant's account of the distinction between judgments of perception and judgments of experience. But my account of the role of universal communicability in making possible the applicability of the categories to empirical representations goes beyond anything that Kant has to say in the Prolegomena. Moreover, the question which I raised in order to motivate this account, that of how to establish the possibility of cognition from our standpoint as human beings in the empirical world, is not explicitly raised by Kant in any of the texts that I have discussed in this chapter. However, in the first place, despite the speculative character of my account, I take it to provide a plausible response in a Kantian spirit to a question which arises naturally if we consider how Kant's theory of cognition is to be applied to concrete cases of empirical judgment. And in the second place, I take it that this question is in fact raised by Kant himself as the central issue of

the Critique of Judgment, and that my suggested account, while not explicitly articulated in the text, nonetheless represents the most fundamental aspect of Kant's complex answer to it. This second point will be defended in the following chapter.

Notes to Chapter Three

1. The idea that intersubjective validity is a necessary condition of objective validity, is shared by a number of commentators in addition to Walsh. Prauss, in his Erscheinung bei Kant, assumes that Kant sees the two as related: see for example pp. 17 and 99. Henry Allison, in his Kant's Transcendental Idealism, p. 150, endorses but does not discuss the view that objective validity is necessarily connected with intersubjective agreement. Ralf Meerbote argues, on the basis of the "Opining, Knowing and Believing" section of the Doctrine of Method, that objective validity is to be explicated in terms of intersubjective agreement ("Kant's Use of the Notions 'Objective Reality' and 'Objective Validity'," Kant-Studien 1972).
2. Here I disagree with Prauss (pp. 166-74). Prauss's view is, I think, contradicted by the quotations that follow.
3. The general idea that universal validity may be construed in terms of a temporally extended human being as well as of a community, was first suggested to me by Daniel Warren.
4. Guyer claims (op. cit., p. 289) that "the particularity to which the universality of a rule contrasts is that of one's manifold at one moment as opposed to another, rather than the uniqueness of one's manifold as opposed to someone else's." But I do not think that the distinction Guyer is making is a genuine one for Kant.
5. Op. cit., pp. 290-91.
6. Guyer identifies objective validity with truth. As Allison points out (op. cit., p. 72) this is not correct for all of Kant's uses of this expression. But in this context, I think that Guyer is correct, and I have let the identification stand.
7. Guyer attributes to Kant in this passage the view that universal communicability is the touchstone of truth. Kant does not in fact say this in the passage in question. But he does say it elsewhere: see for example section VII of the Introduction to the Jäsche Logic (Ak. IX, p. 57).
8. Another Reflection which bears out the general claim that the connection between objective validity and universal validity is an a priori one, is R5729.
9. E.g. by Allison (pp. 148ff.), although he emphasizes the differences rather than the similarities. See also Prauss, op. cit., pp. 178-9.
10. A Commentary on Kant's "Critique of Pure Reason" (1918), p. 205
11. Kant's Metaphysic of Experience (London, 1936), vol. I, p. 384; see footnote 6 on p. 383
12. Kant's Theory of Mental Activity (Cambridge, Mass., 1963), p. 114

13. Kemp Smith obscures this point by translating "Erkenntnisse" as "modes of knowledge".
14. Dieter Henrich, Identität und Objektivität (Heidelberg, 1976), pp. 44-6, and Allison op. cit., pp. 146-8
15. Allison, p. 136
16. Erdmann's edition amends the last clause of the first sentence so that "allen unseren empirischen Begriffen" substitutes for "in allen unseren empirischen Begriffen" (my emphasis), resulting in a more natural-sounding construction. I have refrained from following his emendation because it seems to me to suppress an implication that Kant may have intended to convey, namely that the concept of the transcendental object provides relation to an object in a manifold of empirical concepts considered as a totality, rather than to the concepts considered individually. If this implication is indeed present, it reinforces the idea, also implicit in the expression "manifold of cognition", that the object brings unity to a diversity of empirical concepts or predicates.
17. It should be noted that Walsh takes his account to apply only to the second edition, on the grounds that Kant held a quasi-empiricist view of mental activity in the first edition which was not replaced by the notion of judgment until the second. As may be clear from the text, I do not take the move from the first to the second edition as constituting a break of this significance.
18. Kant's Criticism of Metaphysics, p. 42
19. Ibid., p. 60
20. Ibid., p. 42
21. This point was made clear to me by Stephen Engstrom.
22. "Did the Sage of Königsberg Have No Dreams?" in Essays on Kant and Hume, p. 50. The following summary of difficulties is based on the discussion of the distinction in Beck's article, which is also taken up by Allison (pp. 149-50).
23. Kant acknowledges as much at R3145 (#40 of the Jäsche Logic), which I quote on p. 130 below.
24. Cf. Allison, op. cit., p. 152, and Pippin, Kant's Theory of Form (New Haven, 1982), p. 78.
25. Kant's Theory of Knowledge (London, 1962), pp. 140-43
26. Ibid., pp. 145-47
27. Prauss's view differs from both of these approaches, in that he takes the judgment of perception to consist in the perception or state of awareness itself.

28. Letter to Herz, May 26 1789, Ak, XI, p. 52.
29. This is borne out by the way in which Kant phrases the parallel example at B142.
30. The feeling of pleasure felt in a judgment of taste is, as understood by Kant, an important exception.
31. The idea of this involving two distinct perceptual states is counterintuitive. But this is the model Kant uses in his description of "sugar is sweet," etc. as involving a relation of two sensations. The two states need not be regarded as phenomenologically distinct.
32. Specifically, it brings out the contrast between Kant's view and Hume's.
33. Auszug aus der Vernunftlehre #292, reprinted in Ak. vol. XVI, p. 624
34. Kant's characterization of the distinction in question as a distinction between two kinds of judgment, rather than between a judgment and a non-judgmental state of mind, may also be influenced by a parallel distinction that Meier makes between "Anschauungsurteile" and "Nachurteile" (Auszug aus der Vernunftlehre, #319ff., reprinted in Ak. XVI, p. 674ff).
35. See B144: "In this deduction, I must abstract from the way in which the manifold for an empirical intuition is given, in order to direct attention solely to the unity which enters into the intuition through the understanding by means of the category."
36. These limitations do not apply to the Appendix to the Dialectic or to the section "Opining, Knowing and Believing" in the Doctrine of Method (A820/B848 et seq.).
37. I am grateful to Peter Hylton for alerting me to the importance of this point.
38. See A xvi-xvii. (I am overlooking here the complexity of the issue of how to understand Kant's transcendental psychology.)
39. This is, I think, implicit in Kant's claim at A104 that "our thought of the relation of all cognition to its object carries with it an element of necessity." Kemp Smith fails to recognize the point when he equates the "necessity" of the connection that must hold between a representation and its object, with causal necessity: "Even a momentary state of the self is referable to an object in judgment only if that object is causally, and therefore necessarily involved in its production" (Commentary, p. 288, my emphasis).
40. See chapter two, pp. 58-62.
41. In the third Paralogism (A362-365), Kant argues the converse point that the numerical identity of a person (qua empirical substance) does not follow from the identity of consciousness. But his emphasis there on the

- identity of consciousness as a merely formal condition on the coherence of thought bears out the more general point that there is no inference to be made in either direction.
42. Here, to forestall a possible misunderstanding, it should be stressed that no kind of an answer is provided by appeal to the categories. This can be seen from the fact that the same kind of problem arises in respect of the categories' applicability to my representations: Given that the content of my consciousness is determined by laws of nature, how can I take my representations at the same time to be related in ways that transcend the order of their occurrence in me? What is at issue here is not the question asked, and answered, by Kant in the first Critique, which concerns the objective conditions of cognition and already presupposes the perspective of transcendental self-consciousness, but a separate question regarding what is subjectively required for cognition, and which has to do with how the empirical and transcendental perspectives are to be reconciled.
43. There is an obvious parallel here with Kant's discussion of the moral law as a law of freedom ("ought" implies "can"). See for example the Critique of Practical Reason, Ak. V, p. 30.
44. See EE VIII, p. 225, where Kant explicitly refers to the faculty of judgment as having autonomy (more specifically, heautonomy).
45. This idea is borne out also at #21a, p. 304: the category is "added" to "sensible intuition and its logical connection /in a judgment of perception/only "after it has been made universal through comparison." Note that "making universal through comparison" is the work of the faculty of judgment (see EE V, p. 211).
46. I take the passage "Opining, Knowing and Believing", at B848-9, and the discussion of the hypothetical employment of reason in the Appendix to the Dialectic, to show different ways in which Kant implicitly recognizes the need for this kind of a condition in the first Critique.
47. See chapter two, pp. 93-95.
48. Here it might seem natural to appeal to transcendental psychology, specifically to the harmony of the faculties. But for reasons explained in section I of the last chapter, I think that this is an empty move. I take the

notion of the harmony of the faculties to be best understood as a metaphorical elaboration of the "subjective condition" of cognition as I have characterized it here and in the previous chapter.

Chapter Four

Taste and Reflective Judgment

In the last three chapters, I have been trying to develop an interpretation of Kant's theory of taste which does justice to his view that the exercise of taste manifests a condition required for all empirical cognition. In chapter one, I presented a provisional argument for this interpretation based on the idea that the condition in question is that empirical cognitions be universally communicable, that is, make legitimate claim to universal intersubjective validity. Because a judgment of taste is, as I argued in chapter one, a judgment whose sole content is a claim to its own universal validity, it manifests this condition in a general or indeterminate way, without itself amounting to an empirical cognition. It is on this account, I argued, that it bears the kind of relation to our overall capacity for cognition which enables Kant to describe it as arising from the "harmony of the faculties." This provisional argument was refined in chapter three, where I tried to characterize more fully the role played by universal communicability as a condition of cognition. Here I argued that the requirement of universal communicability does not enter into Kant's discussion of the conditions of cognition in the Critique of Pure Reason, but can be seen, rather, to apply only from a different kind of perspective on the possibility of empirical cognition than that of the first Critique. While the first Critique adopts what I called a "transcendental" perspective on the possibility of cognition, one which abstracts from the subject's status as a temporally enduring human being and from the existence of the particular objects which he or

Notes for this chapter begin on p. 223.

she perceives, the requirement of universal communicability comes into play when we adopt a standpoint from which the empirical existence of the subject in a world of particular objects is taken into account. According to my argument, then, the exercise of taste, in manifesting our capacity to claim universal validity for our representations, reveals a condition of cognition which applies only in the context of a question that the first Critique leaves unaddressed: that of how we, as human beings, are capable of cognizing the particular objects that affect our senses.

Now although the interpretation that I have been developing may tell a coherent story about how a judgment of taste, as Kant characterizes it, can be seen to be relevant to a certain conception of cognition which is at least compatible with Kant's own, the story itself may nonetheless strike the reader as un-Kantian. The idea that we need an account of cognition which rests fundamentally on the capacity of human beings in the empirical world to agree and disagree with one another, is obviously at odds with the orientation of the first Critique, according to which the primary explanation of cognition is given by the principle of the unity of apperception as the "highest principle of all use of the understanding" (B135). Even if, as I argued in the last chapter, such an account is required if we are to explain the applicability of the unity of apperception to the particular experiences that we have as human beings, there is little evidence from the first Critique that Kant himself recognized the need for it. But I want now to argue that Kant is indeed concerned with the issue of how cognition is possible from the perspective of the empirical world, and that this concern is the explicit theme of the Critique of Judgment. The question of reflective judgment that is discussed by Kant in the two introductions to the Critique of Judgment (the introduction published with the work and the

posthumously published "First Introduction") is, I want to argue, precisely the question of how we as human beings can have cognition of the empirical world in which we exist. Accordingly, I want to argue, while Kant does not explicitly articulate the connection that I have proposed between the exercise of taste and the requirements of cognition, that connection is implicit in his claims in the introductions and in the Critique of Aesthetic Judgment that the judgment of taste is the exercise of reflective judgment as such.

In this chapter, then, I turn to Kant's discussion of reflective judgment in the introductions to the third Critique, with the underlying aim of showing that my interpretation of the role of taste in Kant's theory of cognition accords with Kant's own conception of that role as it is articulated in the Critique of Judgment. In doing this, I try also to fulfil the converse aim, of using my interpretation to shed some light on the theory of reflective judgment itself as it is articulated in the introductions, and specifically on the difficult question of how the connection between taste and the faculty of judgment is to be understood. I try, that is, to justify my interpretation of the role of taste in Kant's theory of cognition by showing that it is not only coherent in itself, but can also be used to make powerful sense of a Kantian doctrine that has often been dismissed as a futile architectonic exercise without philosophical value.

The chapter is structured as follows. In section I, I put forward an interpretation of reflective judgment that is broader than the conventional understanding of it as the capacity for scientific enquiry, suggesting instead that it has to be understood as the capacity for bringing given objects under empirical concepts. I argue for this interpretation in part by showing that it makes better sense of Kant's views on the systematicity of nature. In

section II, I broaden this interpretation still further, by arguing that reflective judgment is in the first instance the capacity for universally communicating one's representations; and I use this interpretation to show how taste and reflective judgment are connected. In section III, I discuss the implications of this connection for the role of taste in Kant's theory of cognition and in his metaphysical views as a whole. Here I try to argue, more fully than in the previous chapters, that the possibility of aesthetic experience is essential to the success of Kant's transcendental idealism.

I: Reflective judgment and the systematicity of nature

At section IV of the First Introduction to the Critique of Judgment, Kant raises an issue which provides the context for much of his subsequent discussion of reflective judgment. The issue, he suggests, arises on account of certain limitations on the theory of cognition given in the first Critique, which focussed on the faculty of understanding. It is to be addressed, he suggests further, through an investigation of the nature of judgment, a faculty which was not dealt with in the Critique of Pure Reason and which is to be the topic of the present Critique. "We saw in the Critique of Pure Reason," he says

that the totality of nature, as the sum of all objects of experience constitutes a system in accordance with transcendental laws, namely those that the understanding gives a priori (that is, to appearances in so far as their connection in one consciousness is to constitute experience). Precisely on this account, experience must (ideally) constitute a system of empirical cognitions according to universal as well as particular laws, in so far as it [experience] is, objectively regarded, possible at all... To this extent, experience in general is to be regarded in accordance with transcendental laws of understanding as a system, and not as a mere aggregate. (EE IV, pp. 208-9)

But the conclusion of the first Critique, that experience is a system under

transcendental laws, still leaves open a disturbing possibility. As Kant goes on:

...it does not follow from this that nature is a system comprehensible by the human cognitive capacity through empirical laws also, and that the the thoroughly systematic interconnection of its appearances in one experience, and hence this experience itself as a system, is possible for human beings. For this manifoldness and diversity of the empirical laws could be so great, that it might indeed be in part possible to connect perceptions into an experience in accordance with particular laws discovered by chance, but it would never be possible to bring these empirical laws themselves...under a common principle, were it in fact the case, which is perfectly possible (at least as far as the understanding can determine a priori) that the manifoldness and diversity of these laws, and similarly of the natural forms corresponding to them, were infinitely large, and presented us with a crude chaotic aggregate without the slightest trace of a system, even though we had to presuppose one according to transcendental laws. (EE IV, p. 209)

However, Kant continues, this possibility, while not excluded by any constraints laid down by the understanding, is ruled out by what Kant calls a "subjectively necessary transcendental presupposition," namely

that this dismaying unlimited diversity of empirical laws and heterogeneity of natural forms in nature does not occur, and that instead nature is fitted through the affinity of particular laws under general ones to experience as an empirical system. (ibid.)

This "subjectively necessary" presupposition is the transcendental principle of judgment, specifically of judgment in what Kant later characterizes as its "reflective" aspect. It is not the understanding but reflective judgment, which, in so far as it is required "to bring particular laws...under higher but nonetheless empirical laws" must "lay this principle at the basis of its procedure."

What exactly is the issue which Kant is raising here? The most prevalent reading takes it to concern the possibility of systematic natural science. The first Critique, according to this standard reading, has shown us that experience -- an experience consisting of particular cognitions of individual

objects — is possible. But it has not shown us that we are capable of the kind of systematically organized cognition that comprises a scientific theory. In order to be able to bring our experience into a higher-level unity of empirical science which holds over and above the lower-level unity that it has in so far as it is subject to the categories, we have to exercise reflective judgment, which is the capacity for discovering systematic empirical connections in nature, or, in short, for empirical scientific enquiry. And reflective judgment requires that we presuppose that nature itself is organized in a way that allows for such a systematization of natural phenomena. But this reading, while it is undoubtedly suggested in the text, is not without its drawbacks. For if we adopt it, we are compelled to recognize two major difficulties in Kant's view. One concerns Kant's claim that the principle of nature's systematicity is a "necessary" and "transcendental" presupposition of reflective judgment. The other concerns Kant's assertion of a deep connection between reflective judgment and the exercise of taste.

The difficulty about the necessary status of the principle is well characterized by Guyer, who adopts the interpretation that I have described and is thus led to find Kant guilty of serious confusion.¹ Taking the view that reflective judgment is the capacity for scientific enquiry, Guyer questions the claim that the principle of nature's systematicity is necessary for reflective judgment. According to Kant, reflective judgment needs the assumption that nature is systematic in order to carry out its activity in a non-random way:

For were we not entitled to assume this, and did not lay this principle at the basis of our treatment of empirical representations, then all reflection would be merely random and blind, and without legitimate expectation of its agreement with nature. (EE V, p.212)

But why should the search for systematic unity in nature's empirical laws display this random character in the absence of a prior presupposition that the search will meet with success? As Guyer reads it, Kant's claim is that scientific activity would lack rational motivation without the promise of success held out by the principle of nature's systematicity. But, as Guyer plausibly argues, this claim invokes a conception of rational motivation that is much too strong. For we can rationally engage in an activity even without the guarantee that it will succeed. Moreover, Kant's claim arouses a suspicion that, in presupposing that nature is systematic independently of the actual results of scientific enquiry, we are engaging in a kind of wishful thinking: or, as Guyer puts it bluntly, "that this principle does nothing but transform our own need for systematicity into a self-serving delusion that nature is systematic."²

The second difficulty emerges when we try to make sense of the connection that Kant draws between reflective judgment and taste. As we have already seen, Kant characterizes judgments of taste throughout the Critique of Aesthetic Judgment as judgments "of reflection." This is a usage which, while it suggests a possible connection with reflective judgment as discussed in the introductions, is nonetheless open to a variety of other interpretations. But in the introductions themselves, Kant makes the connection between taste and reflective judgment unequivocal. In section VII of the published introduction, for example, he characterizes the judgment of taste as involving the recognition of the object's conformity, specifically, to reflective judgment:

the pleasure [in taste] can express nothing other than the conformity of the object to the cognitive faculties which are in play in reflective judgment... in an aesthetic judgment, the object must be seen as purposive for reflective judgment.
(KdU VII, pp. 189-90)

Correspondingly, Kant goes on in section VIII to describe the exercise of taste as "containing" the principle of reflective judgment, namely that nature is systematically organized in a way that accords with our cognitive faculties:

[the power of aesthetic judgment] alone contains a principle which the power of judgment lays completely a priori at the basis of its reflection on nature, namely that of a formal purposiveness of nature for our faculty of judgment in accordance with its particular (empirical) laws. (KdU VIII, p. 193)

And at section XII of the First Introduction, he claims that

the power of aesthetic judgment must necessarily be seen as comprising under it no other faculty than reflective judgment. (EE XII, pp. 248-9)

As is hinted by the examples quoted, Kant motivates this connection through the idea of a "purposiveness" for our cognitive faculties that we take to be shared, both by nature in its systematic organization, and by the objects that we regard as beautiful. On the one hand, he takes the idea of the systematicity of nature, as it must be presupposed by us for the exercise of reflective judgment, to involve an essential reference to the idea that nature conforms to our cognitive faculties. From the principle of judgment, "that nature specifies its universal laws to empirical ones according to the form of a logical system on behalf of judgment... there arises the concept of a purposiveness of nature...as a distinctive concept of reflective judgment" (EE V, p. 215). This is signalled, he claims, by the feeling of pleasure involved in aesthetic judgment. Thus he says (EE VIII, p. 230) that "the feeling of pleasure in a judgment of taste is one and the same with the representation of subjective purposiveness." It is because the judgment of taste bears an essential reference to the purposiveness of its object, Kant apparently concludes, that we can connect it with the principle of nature's purposiveness for our cognitive faculties, and hence with the faculty of

reflective judgment, which has to rely on this principle as a condition of its exercise.

But Kant's argument, thus construed, is open to obvious criticism. As a number of commentators have pointed out, the purposiveness that nature displays in so far as it is amenable to scientific enquiry, and the purposiveness that individual objects display in so far as they give rise to disinterested pleasure, are of two quite different kinds.³ Most importantly, while the latter bears on the forms of individual objects, the former has to do, not with individual objects, but with their relations to one another, and more specifically, with the way in which the concepts describing them and the laws characterizing their interactions can be connected into a system. Correspondingly, it has generally been agreed that the kind of "reflection" that goes into a judgment of taste is a distinct activity from reflective judgment in the technical sense. At most, it appears, we can appeal to a tenuous analogy between, on the one hand, the activity of reflection (namely, the harmony of the faculties) which gives rise to disinterested pleasure, and, on the other, the search for a systematic theory of nature. We might say, for example, that aesthetic appreciation involves the discernment of order and unity in the form of the object perceived, in a way that is parallel to the scientist's recognition of coherence and systematicity in nature as a whole.⁴ This kind of parallel, however, is clearly not powerful enough to support Kant's strong claim that the exercise of taste is based on the principle of reflective judgment. The suspicion is thus inevitably aroused that the connection between taste and reflective judgment is an artificial one, contrived by Kant as a means of linking the exercise of taste to the faculty of judgment in general, and thus of satisfying his urge for architectonic completeness.⁵

However, the two problems that I have mentioned here -- the "self-serving" character of the principle of nature's systematicity, and the tenuous character of the connection between taste and reflective judgment -- are not, I want to suggest, problems with Kant's own view. They illustrate, rather, the inadequacy of the prevailing interpretation of Kant's theory of reflective judgment as bearing primarily on the question of how systematic natural science is possible. For, as I want now to go on to argue, it is possible to interpret the issue of reflective judgment in a way which evades these problems and which also accords better in a number of respects with the details of Kant's text. To see what this alternative interpretation is, let us go back to the passages from section V of the First Introduction which I quoted at the start of this section. Here, to recapitulate briefly, Kant introduces the theory of reflective judgment in terms of an issue which he takes to be left over from the Critique of Pure Reason. While the Critique of Pure Reason showed, he says, that nature as an object of experience is to be regarded as a system in accordance with transcendental laws, it does not follow from this that "nature is a system comprehensible by the human cognitive capacity under empirical laws also," and thus that "experience itself as a system is possible for human beings." Rather than see this issue as bearing directly on the possibility of systematic nature science, I want to interpret it more broadly, with the emphasis on "human beings", along the lines suggested in section III of the previous chapter. What is at stake, I want to suggest, is simply the possibility of empirical cognition in general, viewed not from the "transcendental" standpoint of the first Critique, where the subject is viewed independently of any empirical conditions bearing on its own existence or that of other objects, but from a standpoint which takes into account his or her empirical status as a human

being in the world of empirical objects. The problem that Kant is raising is that nature might, as a matter of empirical fact, be so diverse and heterogeneous that we, as human beings, could not discern any regularities in it and would thus be incapable of having any cognition of it at all. As a result, while it would remain true that any subject able to experience nature would have to see it as a system in accordance with transcendental laws, nature would not in fact be an object of experience for any human being. What we as human beings would have, faced with "a crude, chaotic aggregate totally devoid of system" and hence completely unamenable to empirical conceptualization, would not qualify as experience. So the double conclusion established in the first Critique, that experience is subject to transcendental laws of the understanding, and that nature, "as the sum of all objects of experience," forms a system in accordance with these transcendental laws, would not be impugned: but it would be irrelevant to us as human beings. While the objects comprising nature would satisfy the conditions laid down in the first Critique qualifying them as "objects of a possible experience in general," they would not meet the requirements for being objects of the particular experience of actual human beings, since their diversity and heterogeneity would make it impossible for human beings to bring them under empirical concepts.⁶ Kant's attempt to solve this problem, on the interpretation that I am suggesting, begins with the concession that this possibility is not ruled out by any of the constraints laid down by understanding, and hence cannot be denied as a matter of objective fact. But it is, Kant goes on to claim, a "subjectively necessary transcendental presupposition" that nature does in fact display the kind of systematic order that makes it cognizable by human beings. We as human beings cannot have cognition of natural objects except under the

presupposition that nature conforms to our human cognitive faculties. This presupposition, unlike the objective transcendental principles of the first Critique, does not determine anything objective about nature, since it is made against the background assumption that nature already exists with all of its empirical determinations: it is thus only "subjectively" necessary. But Kant takes it to be necessary nonetheless, in that we have to presuppose it in order to have empirical cognition of the particular objects which constitute nature: and accordingly, since it is an a priori condition of possible experience ("possible", that is, for human beings), he takes it to qualify also as "transcendental".

On this interpretation of the problem with which Kant is concerned and of its proposed solution, reflective judgment itself has to be seen as playing a more fundamental role than is assigned to it on the prevailing reading. Reflective judgment, more specifically, is required not just for the higher-level systematization of empirical cognitions but with empirical cognition itself at the most basic level, as the bringing of individual objects under empirical concepts. This reading is borne out by the explicit definition of reflective judgment that Kant gives in the Introduction, that is, as the capacity to "think the particular as contained under the universal... where the particular is given and the universal has to be found for it" (KdU IV, p. 179), as well as by a number of explicit and implicit characterizations of reflective judgment in the First Introduction. Thus at section V of the First Introduction, Kant indicates that reflective judgment "makes possible" concepts for given representations:

Judgment can be considered either as the mere capacity to reflect on a given representation according to a certain principle, for the sake [zum Behuf] of a concept that is thereby made possible, or as a capacity to determine a fundamental concept through a given empirical representation. In the first case it is reflective, in the second case

determining judgment. But reflection is: to compare and combine given representations, either with other representations or with one's cognitive faculties, in relation to a concept that is thereby made possible. (EE V, p. 211)

And Kant goes on in the rest of section V to suggest that the principle of nature's purposiveness for our cognitive faculties - construed here as involving the organization of nature into a hierarchy of genera and species - is required precisely in order that we be able to bring natural objects under empirical concepts. The principle that "for all objects in nature empirically determined concepts can be found" might appear, Kant says in the footnote to section V, to be tautologous:

for it is logic which teaches how a given representation can be compared with others, and how, by abstracting for universal use as a mark what they have in common, one can make a concept.

But, Kant goes on to say,

logic tells us nothing about whether, for each object, nature can show us many more as objects of comparison, which have much in common with it: this condition of the applicability of logic to nature is a principle of the representation of nature as a system for our judgment, in which the manifold, divided into genera and species, makes it possible, through comparison, to bring all natural forms that may arise under concepts of greater or lesser generality... (p. 211n.)

The principle of nature's systematicity, because it alone enables us to regard nature as divided into natural kinds on the basis of similarities among objects, is thus a presupposition of the comparison of representations that gives rise to empirical concepts. Kant makes this clear in another passage later in section V, where he restates the problem under discussion and its solution:

the question arises of how one could hope to arrive, through comparison of perceptions, at empirical concepts of what is common to the different forms of nature, if...nature, because of the great diversity of its empirical laws, had created such a heterogeneity in these [natural forms] that all, or at any rate most, comparison were incapable of bringing out a harmony and an orderly ascending arrangement of genera and species among them. All comparison of natural things presupposes that nature has observed, in regard to its empirical laws, a certain

economy proportional to our judgment and a similarity of forms which is comprehensible to us: and this presupposition, as an a priori principle of judgment, must precede all comparison. (p. 213)

Or, as he puts it towards the end of the footnote to V:

judgment (as reflective) which...seeks concepts for given empirical representations must...assume for this purpose that nature, in its infinite manifoldness has struck upon a division into genera and species which makes it possible for our judgment to meet with harmony in the comparison of natural forms, and to arrive at empirical concepts and their interconnection by ascending to more universal but still empirical concepts: that is, judgment presupposes a system of nature according to empirical laws...and does this a priori, consequently through a transcendental principle.

Why should it be the case, however, that the principle of nature's systematicity is required in order that we be able to bring given objects under empirical concepts? Kant does not argue this point explicitly, but I take his line of thought to be something like this. If I am to regard a given object as falling under a concept, I must regard it as having something in common with other objects to which the same concept applies. My use of a concept to characterize the object is intended to convey, not just how the object happens to strike me in my particular psychological state, but what the object is like: and it does so by picking out what the object has in common with other objects (actual or potential). This means that in bringing the object under a concept, I am taking it to belong to a certain class of objects all of which share a property that holds independently of my perception. This property can correspond to a well-defined natural kind, as when I take the object to be a particular sub-species of the cockroach family, or a sample of gold. Or, as for example when I take the object to be red or warm, it can correspond to a broader class with less relevance to science and more to our everyday concerns in making our way about the world. But, in either case, my use of a concept to characterize an object signals my belief that the object in question bears (or can in principle bear)

a certain similarity to a plurality of objects in nature, and that this similarity reflects, not just something about the way in which I happen to group them together, but something about their physical character in virtue of which they can be said to resemble one another objectively, as it were from the perspective of nature itself.

Now my individual claims that such-and-such an object falls under such-and-such an empirical concept are intelligible only against the background assumption that nature itself is in fact divided into classes to which my concepts can purport to correspond. In particular, the concepts that I derive immediately from perceptual experience can be taken by me to reflect something about how nature "really" is, as opposed to how I happen to perceive it, only if the observational similarities captured by the concepts that characterize the object on the perceptual level, are taken by me to reflect similarities, holding independently of observation, on the level of the constitution of the objects themselves. This point is suggested by Kant in a marginal note that he appended to section V of the First Introduction, at a point where he characterizes the "technic" (roughly: purposiveness) of nature as a necessary presupposition of judgment:

Could Linnaeus have hoped to construct a system of nature if he had had to be concerned that, if he found a stone which he called granite, this stone might be different in its inner constitution from every stone which looked just like it, and that he could thus never hope to encounter a class of things that could be brought under concepts of genera and species, but only individual things, isolated for the understanding as well /as for judgment/? (p. 216)

The observational similarities on the basis of which I characterize a given object as a piece of granite must enable me to infer similarities with other so-called pieces of granite on the level of "inner constitution" also. If this cannot be taken for granted, then it is impossible, not only, as Kant says explicitly in the note, to construct a system of nature, but also to apply the

concept of granite intelligibly, as picking out a class of objects, the boundaries of which are fixed in nature rather than reflecting the vagaries of my perception. Thus in order to apply concepts in a non-random way to the objects given to us in nature, we have to presuppose that nature is "purposive" for our cognitive faculties in the sense of being divided into classes which are in principle discernible by us through abstraction from experience, and which our concepts, accordingly, can be seen as reflecting.

But this presupposition of purposiveness can in turn be reinterpreted as the presupposition that nature is systematic in the sense of being ordered in a hierarchy of genera and species. For given that we cognize objects only as they appear, and not as they are in themselves, the presupposition that nature "in itself" is divided into classes cognizable by us cannot be taken as invoking a commitment to any absolute metaphysical classification of nature (say, as involving an appeal to Aristotelian forms which would determine the observational properties of objects with metaphysical necessity). Instead, the requirement that I be able in principle to infer similarities of "inner constitution" on the basis of observational similarities must take a form which does not commit me to an object's having an inner constitution in any absolute sense, but which enables me nonetheless to make an intelligible contrast between "how the object looks to me" and "how the object really is." This form is provided by the presupposition that nature is ordered in a hierarchy of genera and species. Given this presupposition, I can take an object to fall under a certain empirical concept and thus to belong in a certain class, by taking it to fall under some conjunction of higher-level properties that come closer to capturing its fundamental nature and hence make more claim to represent it as it is in nature. I can characterize this stone as "granite" with the coherent intention of recording

more than its surface similarities to other stones because I take the property of being granite to reflect something more fundamental about the object's looking and feeling a certain way: specifically, its being an igneous rock composed of quartz, feldspar and mica. I take the concept "granite", that is, to apply in virtue of a conjunction of higher-level concepts which constitute, as it were, the genus and differentiae in terms of which "granite", as a species, may be defined.⁷ Now I need not know, in order to bring an object under a concept in any given case, what exactly the higher-level properties are in virtue of which that concept applies. All I need to know is that there some such properties which are in principle discoverable and for which in turn a conjunction of still more fundamental properties can, again in principle, be specified. Thus, while I may know that granite is composed of quartz, feldspar and mica, I need not know in turn what it is about those objects observationally identifiable as quartz that makes them in turn similar as regards their "inner constitution". But the presupposition of nature's systematicity as a hierarchy of genera and species enables me to assume that there is some set of more fundamental properties that all items correctly labelled as quartz have in common: and so on indefinitely. The principle that nature is amenable to a systematic ordering of this kind thus allows me to take for granted that nature itself is divided into classes which I am in principle capable of discerning, and hence that the concepts which I abstract from experience can at least purport to reflect divisions in the actual world.

This account, while somewhat rough and ready, gives us a general idea of how the principle that nature is hierarchically ordered in a system of genera and species might serve as a necessary condition of our bringing given objects in nature under empirical concepts. However, it may be noticed

that in section IV of the First Introduction, where Kant first raises (in the passages quoted at the start of this section) the issue which this principle is intended to address, it is characterized in different terms as presupposing an "affinity of particular laws under general ones." The suggestion here that the "systematicity" of nature refers to a hierarchical ordering of empirical laws rather than of empirical concepts, is borne out by Kant's characterization in the published introduction of the principle of judgment as the "law of the specification of nature in regard to its empirical laws," and by his claim that judgment adopts this principle

for the sake of an order of nature which is cognizable for our understanding, in the division which it [judgment] makes of its universal laws in trying to subsume a manifold of particular laws under them.
(KdU V, p. 186)

Now Kant clearly sees these two characterizations of the principle as closely related. The individual forms of nature which we bring under empirical concepts, he regards as "conforming to" [*gemäss*] the empirical laws through which they are created (EE V, p. 213); and the presupposition that nature must be homogeneous as regards its empirical causal laws, he suggests, is required to ensure that nature is systematic in the sense of constituting a hierarchy of genera and species. But since it is not immediately obvious why this is so, and thus why it is that our capacity to bring individual objects under empirical concepts presupposes that empirical causal laws as well as individual empirical concepts be orderable in a hierarchy,⁸ it is worthwhile to look a little more closely at the issue. Here it is helpful to consider an aspect of Kant's discussion of reflective judgment that we have so far left out of account. This is his suggestion, at section IV of the published introduction, that the principle of reflective judgment is intended to guarantee not only the systematicity of nature (as regards both

empirical concepts and empirical laws) but also the necessary character of empirical laws themselves. More specifically, Kant suggests that the principle of nature's systematicity is a transcendental principle precisely because it allows us to regard nature as subject to necessary empirical laws: and he even goes so far as to describe himself, in showing how the principle of judgment plays this role, as providing it with a transcendental deduction (KdU V, p. 182).

The requirement that the particular empirical laws of nature must themselves be regarded as necessary is not explicitly mentioned in the First Introduction; and it looks at first sight as though Kant's appeal to it in order to justify the presupposition of nature's systematicity is a new development. But his line of thought here, I want to suggest, is based on the same kind of considerations as the line that I have just sketched in regard to genus-species systematicity: and it helps us to see how the presupposition of nature's systematicity as a hierarchy of empirical laws is required, like that of genus-species systematicity, for the empirical conceptualization of nature. To begin with, let us go back to the idea that to take an object as falling under a certain concept is to take it as being similar to other (actual or potential) objects in respect of what Kant calls its "inner constitution". One requirement that this entails is, as we saw before, that the object be in principle characterizable by us in terms of a conjunction of higher-level concepts. But another requirement is that the object be similar to the other objects falling under the same concept in respect of its role in the causal nexus. If our concept is to correspond to what the object is "really like," as opposed to how we happen to perceive it, it must record something determinate about the object as regards its causal interactions with other objects: for it is these interactions in virtue of which it qualifies as an

object of possible experience in general, and which determine, accordingly, those facts about it which count as objective. Thus if we are to take the object as falling under a determinate empirical concept, say "gold", we must take it to be subject to certain empirical causal laws in virtue of which it is malleable, appears yellow and shiny, dissolves in aqua regia, and so on. These laws must be in principle cognizable by us (otherwise we would have no empirical criteria on the basis of which to apply the concept) but at the same time they must be necessary, in so far as we must take them as applying to anything coming under the concept in question, no matter what it is or by whom it is being judged.

Now, as in the previous case, where the presupposition that nature is a system of genera and species served to give non-metaphysical content to the idea that nature is divided into natural classes cognizable by us, here the idea that nature is governed by necessary laws cognizable by us is given content by the presupposition that nature is a system of empirical laws. I can take the solubility of gold in aqua regia to be a necessary law that determines something about the constitution of anything I can legitimately call gold, just because I can take it to hold in virtue of more general laws governing interactions on the molecular level among gold, nitric acid and hydrochloric acid. Similarly, if I come to consider these more general laws, I can again regard them as necessary in virtue of still higher-level laws, say, in regard to the atoms which make up gold, nitrogen, hydrogen and chlorine themselves. And though I may not know in any case what these higher-level laws are, the presupposition that nature is cognizable by us as a system of empirical laws allows me to assume that they can, at least in principle, be specified. In this way the observable causal properties which serve as criteria for the application of empirical concepts can in principle be seen,

despite their derivation from my particular experience of a few individual objects, as corresponding to necessary laws that govern nature independently of my or anyone else's observation of it. (Whether it is correct in any given case to regard an observed causal property as corresponding to a necessary law is, of course, another matter.)

If this account, or something like it, is correct, we can see how the principle that nature is systematic is required by Kant, not only for the pursuit of natural science, but for all empirical cognition.⁹ This in turn allows us to give a more charitable reading than has often been allowed of Kant's claim that the principle is a "necessary" one. For it becomes clear that the role of the principle is not to provide rational motivation for an activity by holding out a promise of success, but to establish the very possibility of the activity itself. When Kant says at EE V that, without this principle, "all reflection would be merely random and blind," he means that the very enterprise of abstracting empirical concepts from experience would be meaningless, since we could not legitimately take our concepts to correspond to any actual fact about nature itself.¹⁰ There would be no "legitimate expectation" of agreement with nature because the very idea of agreement with nature would be devoid of content: and consequently we might just as well abstract concepts at random since no one concept would be more fitting for a given object than any other. (We might for example class objects together randomly by abstracting appropriate "grue"-type concepts with reference to the time or location of their being perceived, or to the person perceiving them.) It is because of this that the principle must, as Kant puts it at EE V, "precede all comparison" (p. 213): without the prior assumption that there are certain privileged respects in which we may take objects as resembling one another, there is no sense in which objects or their

representations can be compared at all. Only under that assumption, in other words, can reflective judgment "make possible" the concepts in respect of which different representations can be compared and their objects be recognized accordingly as having something in common.¹¹

II: Reflective judgment and taste

On the evidence of the previous section, my interpretation of reflective judgment, as involving the empirical conceptualization of individual objects rather than the pursuit of higher-level natural science, enables us to resolve one of the two difficulties which I identified (p. 176) as affecting the more traditional reading of what reflective judgment consists in. For on my interpretation, Kant's otherwise problematic claim that the principle of nature's systematicity is a necessary and transcendental presupposition, turns out to be justified. But now, having offered this as initial support for my interpretation, I want to go on to address the second difficulty, which is obviously more crucial for my project as a whole. I want to show, that is, how my interpretation can be expanded to give a plausible reading of the connection that Kant draws between reflective judgment and taste: a reading, specifically, which will turn out to be consistent with the general account of the relation between taste and cognition that I gave in the first three chapters. To do this, I want to begin by recalling the issue which Kant raises at section IV of the First Introduction, and which I took as the starting-point of my interpretation. Given that nature might, as a matter of empirical fact, be infinitely complex and heterogeneous, how is it that we as human beings are capable of perceiving regularities in it and thus bringing it under empirical concepts? As we saw, Kant addresses this issue by arguing

that the very activity of bringing objects under empirical concepts is intelligible only given the presupposition that nature is in fact organized in a systematic way which conforms to our capacity for empirical cognition. Thus while we cannot know that nature is systematically organized in the appropriate way, we have to assume it in so far as we are to make any empirical judgments at all.

Now the issue that Kant is raising here, of the possible infinite complexity of nature, is, as I have already hinted, an aspect of the larger issue discussed in section III of the last chapter: that of how it is possible for us, as human beings, to have cognition of the empirically determinate objects around us. In raising the worrisome possibility that nature might not be amenable to the cognitive capacities of human beings, Kant is focussing specifically on the question of what nature has to be like in order to be cognizable by us. But as we saw in the last chapter, there is a further and more fundamental question to be asked concerning the possibility of empirical cognition on the part of human beings: namely, what we have to be like in order to have cognition of nature.¹² Quite apart from the question of whether nature itself is organized in such a way that we can coherently cognize it as displaying genuine regularities, we must raise the question of how our interaction with objects in nature can allow us to cognize them at all, given that our relation, as human beings, to existing empirical things might (for all we know a priori) be a merely causal one. Independently of what nature is like, in other words, we must ask how it is that we as human beings can have the kind of capacities that enable us (on the further assumption that nature is appropriately organized) to make empirical judgments and thus to bring objects under empirical concepts. For just as the Analytic of the first Critique was silent on nature's particular

empirical character, leaving open the possibility that it might not be cognizable even by creatures with those capacities, it is silent also on our character as human beings, leaving open the possibility that we might be no different from animals in our relation to objects, capable, that is, of undergoing passive sensory responses but unable to make genuine judgments about the objects affecting us.¹³

This deeper question is not explicitly asked by Kant in either of the introductions, but his solution to the problem about the infinite heterogeneity of nature takes for granted that it can be answered also. As we saw in the last section, Kant resolves the problem of a possible infinite heterogeneity in nature, not by arguing that nature is in fact systematically organized, but by arguing that we cannot help but presuppose that nature is systematically organized if we are to be able to make any empirical judgments about it. This presupposition about nature, however, is incoherent, or at any rate empty, unless we can make a further assumption about ourselves: namely that we ourselves possess cognitive capacities with respect to which nature can be systematically organized. This emerges when we consider that systematicity is not an objective property which nature can possess independently of its being cognized, but a property which indicates a relation to the cognitive capacities of whatever subject is trying to conceptualize it:¹⁴ an organization of nature which is systematic to someone who sees nature as exhibiting "grue"-type resemblances, will not be systematic to someone who conceptualizes nature in the way that we do. For us to presuppose that nature is systematically organized, whether as a hierarchy of genera and species or as a hierarchy of empirical laws, is thus for us to take nature to conform to our cognitive faculties, a point which Kant brings out in describing nature's systematicity as being "for the benefit

of judgment" (EE V, p. 215) and, more generally, in his frequent characterizations of the principle of reflective judgment as a principle of the purposiveness of nature for our cognitive faculties. Accordingly, if we cannot in some sense already assume that we possess cognitive faculties, then the further assumption that nature conforms to them or is purposive for them has no content. We have first to regard ourselves as in principle capable of cognition in order to regard nature as amenable to being cognized by us.

Implicit in Kant's argument, then, is the requirement that we presuppose, not only that nature is purposive for our cognitive faculties, but also that we ourselves have cognitive faculties in the first place. But now the question arises of what form this second presupposition can take. For if it is cast in a straightforward way, as the assumption that we are capable of bringing objects under empirical concepts, it begs the question that it is supposed to address, in that it in turn assumes that nature is purposive for our cognitive faculties. We cannot, that is, regard ourselves as capable of bringing objects under empirical concepts except under the presupposition that nature is systematically organized in accordance with our power of cognition: as we saw in the last section, Kant's claim that the principle of reflective judgment is necessary and transcendental hangs on precisely this point. Consequently, if we are to presuppose that we have a capacity for empirical cognition in a way which is to make sense of the further presupposition that nature conforms to this capacity, we must be able to describe the capacity without making reference to the discovery or use of empirical concepts, and which is independent of the question of whether nature does or does not exhibit genuine regularities and resemblances. Putting the point another way: we have to regard ourselves as having a

capacity which explains, given the further assumption that nature conforms to it, how we are able to bring objects under empirical concepts. But this capacity itself, in order to fulfil this explanatory role, must be more fundamental than the bringing of objects under empirical concepts: it must be a capacity which can be possessed independently of any assumption about how nature itself is organized.

Does Kant's theory make sense of the presupposition that we have this kind of "intrinsic" capacity for cognition, one which corresponds, as it were, to what we have to do in order to bring objects under empirical concepts, while leaving open whether or not nature does her part also? My suggestion is that it does: namely, by invoking the capacity discussed in the last chapter, that of "universally communicating" one's representations, or of taking them to have universal intersubjective validity. As we saw in the discussion of judgments of perception and judgments of experience in section II of the last chapter, Kant takes the bringing of an object under an empirical concept to require that one claim the universal validity of one's state of mind. What distinguishes, in the first instance, my having a certain sensory response to an object (say, a sensation of red occasioned by my perception of a tower) from my making the perceptual judgment that the object has a certain property (the judgment that the tower is red) is that while the former involves a state of mind with merely "private validity," the latter involves the demand that anyone who perceives the object share my representation of it. It is in virtue of this claim to universal validity that my perception qualifies as a "judgment of experience," or, as Kant puts it in one of the reflections on logic, "a judgment through which a concept of the object arises" (R3145). Now the conclusion that I want to draw from this is that our capacity for empirical cognition, that is for bringing given objects

under empirical concepts, can be regarded at its most fundamental as the capacity to claim universal validity for our representations. It is only by ascribing this capacity to ourselves that we are able in the first instance to regard ourselves as different from animals in our relation to the world: that is, as intrinsically capable of cognition in a way that makes intelligible the further assumption that nature is structured in accordance with our cognitive capacities. For it is only if I can initially regard a given representation as holding good (that is, as being universally valid) for an individual object, that I can coherently construe nature as divided up in such a way that the same representation can hold good for a class of objects which I can regard, in consequence, as sharing a property detectable by observation. Thus it is only in so far as I can take my sensory state to be universally valid with respect to an individual object like the tower, that I can take it, not just as a personal feeling reflecting my particular psychological state, but as potentially recording something independent of me, namely a fact about the tower. And it is only in so far as I can relate my sensory states in this way to individual objects (this tower, and that ripe tomato) that I can make sense of the idea that the same state of mind might record something that they have in common, and hence amount to a perceptual judgment which brings them under a concept retrospectively designable as "red".

This appeal to the role of universal communicability in cognition allows us to broaden our initial conception of reflective judgment, from its being the capacity to bring objects under empirical concepts, to its being the capacity to take given representations to be universally valid with respect to objects. It is with this latter capacity that reflective judgment must be identified if we are to understand it, prior to any assumptions about nature's

systematicity, as that capacity "for the sake of which" nature's systematicity must be presupposed. But is this identification compatible with Kant's explicit definitions of reflective judgment? At section IV of the published introduction, Kant defines judgment in general as the "faculty of thinking the particular as contained under the universal" and then goes on to distinguish the case where the universal is given, in which judgment is "determining," from the case of judgment as reflective, where "only the particular is given and the universal has to be found for it" (KdU IV, p. 179). I suggested earlier that this "finding of the universal" for the given particular alludes to the activity of bringing an object under an empirical concept. But the "thinking the particular under the universal" which characterizes judgment in general can be seen now to allude equally well to the thinking of my state of mind as universally valid with respect to a given object: an act which qualifies, moreover, as one of judgment in its reflective aspect, since it concerns a particular state of mind for which some universal has yet to be found. The "finding" of a specific empirical concept for a given object can thus be seen as a determinate way of exercising reflective judgment in this more fundamental and general sense: for it is only in so far as I think a given representation as having universal intersubjective validity with respect to an object, that I am able to take it as more than a merely personal response to the object, and hence as the kind of representation which can in principle be informed by a determinate concept. This understanding of reflective judgment is consistent also with the definition Kant gives at section V of the First Introduction.

"Reflection," Kant says, is

to compare and combine given representations either with other representations or with one's cognitive faculties, in relation to a concept which is thereby made possible. (EE V, p. 211)

Here, with his reference to the comparison of representation with other representations, Kant is alluding to the specific abstraction of empirical concepts from a plurality of given representations. But the reference to the comparison of representations "with one's cognitive faculties" alludes, at least if we take what it is to have cognitive faculties in the way that I have suggested, to the exercise of reflective judgment in its broader construal. To compare a given representation with one's own cognitive faculties, is, according to my earlier suggestion, to compare it with one's capacity of universally communicating representations, which in turn is simply to take it to be universally valid. And the "concept which is...made possible" by the exercise of reflective judgment on this broad construal is not a specific empirical concept, but what Kant describes at KdU IX as "judgment's concept of a purposiveness of nature" (p. 197): namely, the principle of nature's systematicity itself, which, as we have seen, is intelligible only if we can already take our representations to be universally valid.

Now one might think, on the basis of considerations deriving from Kant's theory of cognition alone, that reflective judgment as the capacity to bring objects under empirical concepts, and reflective judgment in its apparently broader construal, as the capacity to universally communicate one's representations, must in fact be coextensive. If, as I have argued, each act of bringing an object under an empirical concept is at the same time an act of taking one's representation to be universally valid, the reverse, it might be thought, is equally true: each act of claiming universal validity for a given state of mind must involve me in bringing the object that occasions that state of mind under a determinate empirical concept. However, according to Kant's theory of taste, this is not the case; and it is on just this

point that the link between taste and reflective judgment depends. Every time I claim universal validity for a state of mind with specific sensory content (say, a sensation of red or a feeling of warmth) I am indeed at the same time ascribing some empirical property (redness or warmth) to the object which I take to have brought about that state of mind. But there is one kind of claim to universal validity which can be made on behalf of a state of mind lacking in specific sensory content. This is the judgment of taste, in which (according to the reading I gave in chapter one) I make the purely formal and self-referential claim that my present state of mind is universally valid, where my present state of mind is that of making the very judgment in question. Such a judgment claims universal validity for a state of mind (namely itself) without bringing the object which occasions it under a determinate concept. In taking an object to be beautiful, I take the state of mind occasioned in me by the object to go beyond a merely personal response, yet without representing the object as having a particular empirical property. I am thus exercising my capacity to cognize the object as falling under an empirical concept, but without actually applying any empirical concept to it.

This explains why Kant is able to claim, at section XII of the First Introduction, that "the power of aesthetic judgment must be seen as comprising under it no other faculty than reflective judgment," and, further, that

the feeling of pleasure /in a judgment of taste/ must be seen as depending only on reflection and on the form of reflection (the particular activity of the faculty of judgment) whereby judgment strives to advance from empirical intuitions to concepts in general.

For my judgment that a particular object is beautiful amounts to nothing more nor less than the claim that my state of mind should be shared by

anyone perceiving that object, which in turn manifests the exercise of reflective judgment at its most general and indeterminate. The feeling of disinterested pleasure in which (as we saw in chapter one) such a judgment consists, thus depends on an exercise of reflective judgment that we can characterize as the "form" of reflection, in that it constitutes a completely non-specific, hence purely formal requirement for all empirical conceptualization: namely that I be able to regard my representations as universally valid with respect to particular objects. From this we can see also why Kant characterizes the judgment of taste as a judgment of "mere reflection," in which we have to do "not with a determinate concept, but in general only with the rule of reflecting on a perception for the sake of understanding, as a faculty of concepts" (EE VII, p.220). This pure exercise of reflective judgment that takes place in a judgment of taste does not make possible any determinate concept, but it shows nonetheless what is required in order that understanding, "as a faculty of concepts," be brought to bear on our particular sensory experience. It is this idea of the potential but indeterminate applicability of the understanding to given representations that in turn gives rise to Kant's metaphor of the harmony of the faculties. As Kant goes on in the passage from which I just quoted:

...if the form of a given object in empirical intuition is constituted in such a way that the apprehension of its manifold in imagination agrees with the presentation of a concept in the understanding (undetermined which concept), then understanding and imagination mutually harmonize for the furtherance of their business, and the object is perceived as purposive for judgment alone... Such a judgment is called an aesthetic judgment of reflection.

The indeterminate mutual accord that Kant here describes, between imagination in its apprehension of the object, and understanding as the faculty of concepts, serves as a metaphor for the way in which my claim to the universal validity of my state of mind in a beautiful object satisfies the

general condition of my being able to apply a concept to the object in question, yet without my actually applying any concept to it.

Correspondingly, in making such a claim, I perceive the object as potentially conceptualizable without falling under any particular concept. In other words, as Kant puts it, the object is "perceived as purposive," not for the understanding, but "for judgment alone."

III: The autonomy of judgment

The account that I gave in the previous section suggests not only that there is a firm connection between taste and reflective judgment, but that taste has an important role to play in showing the possibility of reflective judgment, and hence in Kant's theory of cognition generally. On my account, the exercise of taste provides an immediate awareness on our part of our capacity for empirical cognition: an awareness which, as I argued in the last chapter (pp. 163-64) is not granted by any actual empirical cognition but is only available through the feeling of pleasure in which a judgment of taste consists. Taste thus plays a role which is significant, not just in relation to the third Critique, but in connection with the first Critique also. For in making us aware that we, as human beings, possess the capacity for universally communicating our representations, it shows us how the understanding, with its pure concepts, can in principle be brought to bear on our particular experiences of objects in the empirical world. It shows us, in other words, that despite our empirical status as human beings, each of us can coherently regard him- or herself as a transcendental subject of experience, all of whose representations can be accompanied by a common "I think" and all of whose representations are thus subject to the categories.

But the very grandiosity of my claims for the importance of taste may seem to suggest that there is something wrong with my account. For Kant himself does not appear to assign any such importance to the role of taste in showing the possibility of cognition. More specifically, the crucial element of my account -- namely, the construal of reflective judgment as the capacity for universally communicating one's representations -- is noticeably absent from his presentation. Rather than describe the connection between taste and reflective judgment in terms of their common reliance on the idea of universal communicability, Kant takes it to consist in the fact that they both rely on the same principle: a point which plays no explicit role in my account. Thus Kant claims, for example, that the power of aesthetic judgment "contains" the principle of nature's formal purposiveness (EE VIII, p. 230), and describes the judgment of taste as "the aesthetic representation of nature's purposiveness" (KdU VII, p. 188, section heading). However, while I take this divergence between my account and Kant's own presentation to be a serious one, I think that my reading can be defended as making explicit an assumption on which Kant implicitly relied, and that when this assumption is brought to light, the divergence begins to look more like a difference of emphasis than a discrepancy in content. The key to the difference between my reading of the connection between taste and reflective judgment, and Kant's own apparent account of the connection, lies in the question that I raised on p. 193, of how we can coherently regard ourselves as capable of cognition, that is, as possessing a faculty of judgment. As I noted there, Kant himself does not raise this question. He does not doubt that we ourselves have what it takes to bring objects under empirical concepts, and asks only what we have to presuppose

about nature in order for us to be able to apply this capacity to its products. As the preface to the Critique of Judgment makes clear, he takes for granted our capacity for judgment as a faculty

whose correct use is so necessary and universally requisite that it is just this faculty which is intended when we speak of sound understanding

and which

must contain in itself a priori a /peculiar principle belonging to it/because it would otherwise not be exposed, as a distinctive cognitive faculty, to the commonest criticism. (KdU, Preface, p. 160)

His primary concern is thus not to show that judgment itself is possible, that is, constitutes a "distinctive cognitive faculty" with its own a priori principle, but rather to show what that principle is, and how it can be seen as underlying the exercise of taste.¹⁵

Now given this orientation, where the possibility of judgment is taken for granted, Kant does not need to characterize reflective judgment at the most fundamental level, as the capacity for universally communicating one's representations, but can rest content with the less informative characterization of it as the capacity for empirical cognition, or for bringing particular objects under empirical concepts. Nor does he need to appeal to the idea of taste as a way of showing how judgment is possible. Rather, he can use the notion of reflective judgment in general as a way of explicating the possibility of taste: whence his characterization of aesthetic judgment as relying on the a priori principle of judgment, that nature is purposive for our cognitive faculties. But if my reading is correct, this characterization in turn relies on the deeper connection between taste and reflective judgment that emerges when we appeal to the more fundamental characterization of reflective judgment in terms of universal communicability. The claim that the power of aesthetic judgment

"contains" the principle of reflective judgment is derivative, on my reading, from this prior understanding of taste as manifesting the exercise of reflective judgment in its most general form. In the light of this deeper understanding of the relation between taste and reflective judgment, taste can be seen, not as requiring to be explicated in terms of the notion of judgment, but conversely, as showing how judgment itself is possible. And while Kant's own overall lack of concern with the question of how judgment is possible leads him to de-emphasize the role played by taste in the light of this question, he nonetheless drops some important hints that this role is a significant one. Thus at section VIII of the First Introduction he says that

if the aesthetic judgment carries with it a claim to universal validity and necessity, it also claims that its ground of determination...must lie in a rule of the higher cognitive faculties, and here specifically of judgment, which is thus a priori legislative in regard to the conditions of reflection, and demonstrates autonomy. (EE VIII, p. 225)

And in section XI, the role played by taste in demonstrating the "autonomy" of judgment is restated more emphatically:

The power of judgment reveals itself in taste alone...as a faculty having its own distinctive principle, and thereby makes legitimate claim to a place in the general critique of the higher cognitive faculties which one might otherwise not have believed that it deserved. (EE XII, p. 244)

On the reading for which I have been arguing, the autonomy of judgment consists quite simply in the fact that judgment can be exercised, in the form of a claim to the universal validity of a given representation, without the use of any concept. Through the exercise of taste, in which such claims to universal validity are made, judgment shows itself as independent both from understanding, with its determinate concepts, and from reason, with its principles for regulating the use of understanding. It thus "reveals itself" to be a distinctive faculty which requires no rules or principles save its own: the purely formal or contentless principle that nature is in accordance with

it.

Now Kant's reference to judgment's "revealing itself" as a faculty in its own right occurs in a section of the First Introduction bearing the title "Encyclopaedic introduction of the critique of judgment into the system of the critique of pure reason," one that is more heavily oriented towards architectonic considerations than perhaps any other section of comparable length in the whole Kantian corpus. But the notion of judgment's autonomy, and the consequent introduction of judgment into the system of higher cognitive faculties, cannot be dismissed as an empty feature of Kant's architectonic. For as I have already argued, although not in precisely these terms, the autonomy of judgment as a distinctive faculty is crucial to Kant's overall view of cognition. Thus in section III of the last chapter, I argued that we need to be able to regard ourselves as capable of universally communicating our representations in a way that does not depend on the pure concepts of the understanding, in order that we be able to regard the pure concepts in turn as applicable to the particular experience we have qua human beings in the empirical world. And in the previous section of this chapter, I argued that we need to be able to regard ourselves as having cognitive capacities whose possession is independent of any assumptions about nature's cognizability, in order that we be able in turn to make sense of the presupposition that nature is organized systematically in conformity with our power of cognition. Each of these arguments tended towards the conclusion that the autonomy of judgment is essential to some particular aspect of Kant's cognitive theory: in the first case, the applicability of the pure concepts to particular experience, and in the second, the intelligibility of the principle that nature is purposive for our cognitive faculties. And each of them did so by putting a certain specific interpretation on what the

autonomy of judgment consists in: in the first case, judgment's independence from the pure concepts of the understanding, and in the second, its independence from any assumption about how nature is organized.

But at this point I want to try to bring out a more general sense in which judgment is autonomous, and I want to use it to try to show in a broader and more intuitive way what role the autonomy of judgment is playing in Kant's overall metaphysical picture. At its most general, I want to suggest, the autonomy of judgment amounts to something like this: our ability to make universally valid claims about objects, that is to demand universal agreement for our judgments about them, is independent of our recognition of them as having determinate properties. This sense of judgment's autonomy is the one that is most obviously present in the idea of a judgment of taste, as a claim to universal agreement which is not based on any property of an object. But it is also the one that most clearly brings out the radical character of Kant's theory of judgment. While it is natural to suppose that our being able to demand universal agreement for our judgments about objects is based on our being able to recognize them as having properties that we can all agree about, Kant reverses this picture. On Kant's view, that is, we are able to recognize objects as having determinate properties that we can all agree about only because we are able to claim universal agreement for our judgments about objects. Even though any individual cognitive judgment rests on the recognition of its object as having such-and-such a property, the underlying "fact" that objects have properties at all rests on our capacity to judge.¹⁶ The capacity for judgment is autonomous, then, in the sense that it does not have to derive its overall legitimacy from a prior standard of factual truth which it has to

meet. Instead, it is by virtue of our being able to judge, that we can regard nature as having properties which we can recognize or fail to recognize: and hence judgment itself which makes possible the standard of empirical truth that individual judgments must aim to meet. It is in terms of this last point that we can best understand Kant's characterization of the autonomy of judgment as "heautonomy," a kind of autonomy through which judgment "gives the law, not to nature, nor to freedom, but only to itself" (EE VIII, p. 225).¹⁷ Judgment is legislative because in exercising it we recognize ourselves to be subject to a universally valid constraint in virtue of which our judgment, in each case, is one that we ought (or in case of error, ought not) to be making. But this constraint or law determines neither what objects in nature are like, nor how we ought to act in so far as we are to realise ourselves as free agents. Rather, it generates the notion of a standard of correctness that all judgments must meet: a standard which is not imposed on judgment from outside, but which is, as it were, immanent in the exercise of judgment itself.

This view of judgment as "heautonomous," as itself laying down the standard that it must meet, is essential to Kant's attack on transcendental realism. For if we rely, for the ultimate explanation of the legitimacy of our judgments, on our being able to gain cognition of a prior order of fact and thus to meet an external standard of truth, we are forced into what Kant calls dogmatic metaphysics. We are forced, that is, to appeal to a transcendent metaphysical explanation of how our limited cognitive capacities can afford us any reliable knowledge of a world that is external to us. There must, in other words, be some guarantee, independent both of us and of the world to be cognized, that facts about the world are in principle knowable: whether a pre-established harmony, a theory of the

transmigration of sensible species, or a directly intuited guarantee of God's veracity.¹⁸ Now it is, at least in part, Kant's conception of judgment as heautonomous, and more generally as autonomous tout court¹⁹, which enables him to avoid the push towards dogmatic metaphysics and its counterthrust towards scepticism. As a first step, this conception makes possible a non-metaphysical justification of empirical cognition. Our empirical judgments can be seen, at least in principle, as genuinely corresponding to empirical properties in the world, because the world can coherently be regarded as having those properties only in so far as we make judgments about it. And as a second step, it makes possible the non-metaphysical justification of a priori synthetic cognition that is provided in the first Critique. For once the legitimacy of empirical cognition is established, the synthetic a priori judgments specified by Kant in the Analytic of Principles can in turn derive their applicability to the world from that of empirical cognition. They can derive their own legitimacy, that is, from their status as the necessary truths that must hold of the world if we are to be capable -- as we in fact are -- of having empirical cognition of it.

The suggestion that I am making here, that the autonomy of judgment is required not only to establish the possibility of empirical cognition, but also, by extension, to guarantee the legitimacy of synthetic a priori cognition as well, is not at all obvious. But while I shall leave it here just as a suggestion, without arguing for it in detail, I want to point out in its support that Kant's conception of judgment as autonomous has a significant role to play in the first Critique as well as in the third. For this conception can be closely identified with Kant's well-recognized view of judgment in the first Critique, as in an important sense "prior" to concepts. As is often pointed

out, Kant's theory of judgment is unlike that of, say Descartes or Leibniz, in that Kant does not regard concepts as representational entities that can be given to us or acquired by us in advance of our making judgments. This is brought out by his characterization of concepts as "rules" for judging (A106), and thus as possible only under the assumption that judging itself is a well-defined and legitimate practice. Thus Kant says in the Metaphysical Deduction that "the only use that the understanding can make of concepts is to judge by means of them" (A68/B93); concepts, as he goes on to put it, are "predicates of possible judgments" (A69/B94). Judgment itself, then, is not in the final analysis to be viewed as the putting together of pre-given concepts, but as an activity which is itself required in order that concepts be possible. Now what we see in the third Critique's elaboration of the autonomy of judgment as a distinctive faculty, is a defence and illustration of just this idea of judgment as prior to concepts. Specifically, it shows what this idea of judgment amounts to when it is looked at, not from the abstract and "transcendental" point of view of the first Critique itself, but from the concrete point of view of human beings in the empirical world. What it is for us, qua human beings, to be capable of the kind of judging that Kant ascribes to us qua transcendental subjects of experience, is simply for us to be capable in principle of making intersubjectively valid claims about objects which do not rely on a prior recognition of their having determinate empirical properties. Without the assurance that this capacity is one that human beings can coherently take themselves to possess -- an assurance provided by the example of the judgment of taste -- Kant's notion of judgment in the first Critique must remain an empty abstraction.

If I am right in making this last point, then the account of judgment elaborated in the third Critique is needed to shore up one of the basic

presuppositions of the first. This need, however, is obscured in the first Critique itself by Kant's appeal to a notion which purports -- but fails -- to give content to the claim that judgment is prior to concepts. This is the notion of an intrinsically rule-governed mental activity, such as we find in Kant's account of transcendental imagination. By taking for granted that we are capable of this kind of activity, Kant tries to make concrete the idea that we are capable of a kind of intrinsically judgmental exercise of our mental powers, an exercise for which concepts serve as the rules. But this transcendental-psychological account of judgment fails to meet the need in question because it is formulated, not from the point of view of human beings in the empirical world, but again from the abstract perspective of transcendental self-consciousness. Thus the crucial question, of how the a priori conditions of cognition that are derived from this perspective can be realized in the experience of empirically existing human beings, remains unanswered. Or better, it arises again in a new form: how can we as human beings coherently regard ourselves as capable of this intrinsically rule-governed mental activity, and hence as able to carry out the tasks of synthesis and schematism which are required for experience? And here again, the answer can only be that we must be capable of making judgments about objects in the empirical world which do not involve the recognition of properties. We must, in other words, be able to recognize our representations as in a general sense rule-governed -- that is, as universally communicable -- in a way that does not presuppose our prior grasp of a concept under which the represented object falls.

Putting the point of the last three paragraphs at its strongest, Kant's conception of the autonomy of judgment constitutes nothing less than the kernel, albeit from the perspective of the empirical world, of the

Copernican Revolution in metaphysics. If objects are to conform to our cognition, rather than our cognitions' conforming to their objects, it can only be because the exercise of our faculty of cognition (namely judgment) does not in the final analysis depend on the object's conformity to it, but can be carried out independently of any prior recognition that objects are constituted in any particular way at all. Thus -- again putting the point at its strongest -- it appears that the role played by taste, in showing how judgment may be exercised in this autonomous way, is central to the success of the whole Critical system. Now this claim will raise a great many eyebrows. How can such a minor part of human experience as the exercise of taste play such an important role in Kant's philosophical system? Isn't our capacity to appreciate beauty an all too slender thread on which to hang the whole weight of transcendental idealism? And in the light of these questions, the friendly critic may well want to concede that the autonomy of judgment plays the central role that I have ascribed to it, but to deny that the appeal to taste is needed in order to uphold the claim that judgment is an independent faculty in the way that Kant requires. Why, he or she may go on to ask, can we not assume that we are intrinsically capable of making universally valid claims, and of demanding agreement from others, without calling for an actual demonstration of this capacity's being exercised without the use of particular concepts?

I want to respond to this line of objection in three ways. In the first place, as regards the worry about taste's being a peripheral phenomenon, I want to suggest that taste may well play more essential a role in our experience than many of us tend to believe. Mainly because the focus of most post-Hegelian aesthetics has been on art rather than nature, the exercise of aesthetic judgment has usually been considered by philosophers

to operate primarily in the rarefied sphere of museums and concert halls. But when we consider taste in the context of Kant's primary concern, that of the beauty of nature, we can see it as playing more of a role in our everyday experiences of, say, tree-lined streets on the one hand and drab cityscapes on the other. The degree to which the experience of beauty is part of commonplace perceptual experience can perhaps be brought out if we imagine what it would be like spending time with a person whose aesthetic experiences of objects were radically divergent from those that most of us would have of the same objects. Such a person might consistently stop to admire the most ordinary of objects on the street -- this garbage can, that cobblestone -- while regarding, say, flowers on window-sills or blossoming trees on the street, as random clutter that served no purpose and ought to be removed. She might, for example, decorate her apartment with arbitrarily placed twigs and heaps of earth, or stand enraptured for long periods of time at a window that looked out on to a brick wall, or enjoy listening to the trucks rolling by in the early morning with the same pleasure that others experience on hearing the dawn chorus. If this kind of reaction were absolutely constant throughout the person's life (not just consisting, that is, in frequent episodes of that kind of aesthetic experience where objects or views that might normally strike one as uninteresting or ugly come to seem beautiful through a sustained effort of looking at them in the right kind of way), it would be hard not to regard that person's perceptual experience as quite different from our own.

This first response is not intended to be conclusive, but only to serve as a reminder not to construe the exercise of taste in too narrow a way. My second response is intended to serve a similar purpose, though in the historical domain. This is to point out that, peripheral though the subject of

aesthetics may seem now to the problems of epistemology and metaphysics, the rise of aesthetics as a modern discipline in eighteenth-century German thought was closely connected to the reaction against Leibnizian rationalism that culminated in Kant's Critique of Pure Reason.²⁰ This emerges if we consider the work of Baumgarten, the philosopher who first used the term "aesthetics" in its current meaning, and who is considered one of the founding fathers of the subject. Baumgarten's treatment of aesthetics as a science is motivated by his opposition to the Leibniz-Wolffian view that there is a single faculty of the mind underlying the functions of understanding, sensibility and will. According to this view, sensibility is a confused form of intellectual cognition: one which represents, in an imperfect way, properties that would be more clearly cognized through understanding. Against this view, Baumgarten argues that sensibility is a distinct cognitive faculty, which is not merely an imperfect aspect of understanding, but has its own intrinsic perfection. As such, it has its own science, namely aesthetics, which lays out criteria for the perfection of sensibility in much the same way that logic, the science of understanding, lays out criteria for intellectual perfection. The possibility of aesthetics as an independent discipline -- and, more fundamentally, of the aesthetic experience which gives that discipline content -- thus plays an important role in Baumgarten's challenge to the rationalist reduction of sensibility to understanding.

This use of aesthetics to support the idea that sensibility is a faculty distinct from understanding, is taken over by Baumgarten's student Meier, and adopted independently in a somewhat different form by Sulzer. Aesthetics is thus a non-negligible part of the historical background to the very pronounced distinction between sensibility and understanding which

Kant makes in the Critique of Pure Reason. This point becomes more striking if we consider that the idea of judgment as an autonomous faculty is very closely tied to this distinction, whether (to put it the more obvious way) judgment as a faculty is needed to bring the concepts of understanding to bear on sensibility, or whether (to put it in a way which is perhaps truer to Kant's overall view) the distinction between understanding and sensibility is made inevitable in view of judgment's being an autonomous faculty. Taking this further connection into account, we can see that there is a strong historical reason to suppose that Kant's account of judgment might ultimately appeal to the notion of aesthetic experience.

But this response, while it explains why Kant might have thought it necessary to appeal (however obliquely) to the notion of taste, does not go to the heart of the objection either. For the real question is why the appeal to taste should in fact be necessary to support the idea -- common both to Kant and to many philosophers today -- that we are, as it were, "intrinsically" capable of following cognitive rules and applying concepts in the absence of absolute guarantees as to their applicability. Why isn't it enough, the question runs, just to point to the fact that we are able to make conceptual judgments about objects around us, without having to rely on transcendental justifications, but with the confident and legitimate expectation of others' agreement nonetheless? The answer is that, while it may be enough for all everyday purposes, the position that making such judgments is something "we just do" is unstable if adopted as a self-consciously reflective answer to the question of how judgment is possible. It is unstable because it collapses quickly into a naturalistic understanding of judgment which in turn leads into scepticism. This point can be brought out with reference to Kant by considering a passage in the first Critique's

Analytic of Principles which intimates a potential paradox arising from his conception of judgment. After defining judgment as "the faculty of subsuming under rules, that is of deciding whether or not something stands under a given rule," Kant goes on:

General logic contains, and can contain, no regulations /Vorschriften/ for judgment. For since general logic abstracts from all content of cognition, its sole task is to give an analytical exposition of the mere form of cognition in concepts, judgments and inferences, and thereby to provide formal rules for all use of the understanding. If it sought to show in general how we ought to subsume under these rules, that is, to decide whether or not something falls under them, this could only be by means of a further rule. This in turn, precisely because it is a rule, again demands instruction /Unterweisung/ from judgment. And so it appears that although understanding is capable of being taught and equipped with rules, judgment is a special talent, which cannot be taught, but only practised /welches gar nicht belehrt, sondern nur geübt sein will/ (A132-3/B171-2)

Here Kant himself appears to be adopting the position that following a rule is a practice, something that we just do. But the instability of this position emerges when we consider how Kant goes on to characterize judgment in more detail. Judgment, he says, is the "specific quality of so-called mother wit," in the absence of which "no rule is secure against misuse." If someone is unlucky enough to be born deficient in this natural talent (this deficiency being, Kant points out, what we call "stupidity"), there is no remedy. The want can be alleviated only through examples, "the go-cart of judgment, which no-one who is lacking in the natural talent can dispense with" (A134-5/B173-4). But if all that Kant has to say about judgment is that it is innate, cannot be taught as such, but can be helped along by the use of examples, then the regress remains unblocked. For the issue that the regress raises is not the psychological, anthropological, pedagogical or otherwise empirical question of how we can subsume under the formal rules of understanding, but the quite different question of how we ought to subsume under these rules: "wie man unter diese Regeln

subsumieren sollte." To provide, as Kant does in this passage, a naturalistic answer to the question of how judgment is possible, is in effect to suggest that there can be no "ought," or that the apparent "ought" has force only relative to an "is": namely, the empirical facts of how human beings together with their innate capacities are constituted in accordance with natural laws. And this suggestion in turn leads directly to a scepticism which undermines the very possibility of judgment as genuinely subsuming under rules at all.

Now in the Critique of Judgment, Kant alludes to the same potential infinite regress, but to different effect. For this time, taking very seriously the contrast between "how we /in fact/ judge, and how we ought to judge" (KdU V, p.183), and recognizing that the latter can never be explained in psychological terms,²¹ he rejects the idea that judgment is a "natural" talent. Instead, as we have seen, he regards it as a higher cognitive faculty with its own a priori principle: and the regress this time is invoked by him to show that the principle does not determine any property of an object:

/the faculty of judgment/ must itself indicate a concept, which does not in fact yield cognition of any object, but rather serves as a rule only for judgment itself: but not an objective rule, to which it can adapt its judgment, because then another faculty of judgment would be required in order to decide whether the case were one falling under the rule or not. (KdU, Preface, p. 169)

But if I am right in my account of what it means to say that judgment has a subjective a priori principle, Kant's point here is that the exercise of judgment has its own legitimacy independent of whether or not any particular concept is applicable in any given case. Thus the problem of the regress -- that no individual conceptual judgment can ever be justified, because its justification would in turn require a further conceptual judgment -- does not lead to the global sceptical worry that we can never legitimately

demand universal agreement for any of our putative claims. While individual judgments in particular contexts may require justification in terms of other judgments, the fact that these justifications must come to an end somewhere becomes irrelevant to the broader issue of whether intersubjectively valid judgment is possible at all. The question of whether any particular judgment I might make is in fact correct, is thus divorced from the question, implicit in the sceptical challenge, of whether I can ever coherently presume to claim universal validity for what is, after all, just my personal state of mind: and the fact that we cannot ever give a conclusive answer to the first ceases to be a reason for giving a negative answer to the second.

But this way of heading off the sceptical challenge to the possibility of judgment as a normative capacity, relies crucially on the example of taste. For it is only through the example of taste that the idea of our capacity to judge as being intrinsically legitimate despite the lack of a firm ground of proof for any individual judgment, acquires independent motivation. The claim that judgments do not need a ground of proof that goes all the way down, that our capacity to judge is in general legitimate even though justifications must come to an end somewhere, lacks conviction if it is motivated only by the realisation that judgments do not have a ground of proof that goes all the way down and that justifications must come to an end somewhere. What we need, to be able to claim in good faith that our capacity to judge is legitimate, is an independent sense that we can judge without relying on proofs and justifications: and it is this sense that aesthetic experience provides. Through the exercise of taste we become aware that it is possible in good faith to demand universal agreement for our subjective states without either appealing, or feeling the need to appeal, to

any ground of proof. And this awareness in turn is what allows us to accept the finiteness of our appeals to grounds of proof in support of our cognitive judgments, while retaining confidence nonetheless that we can legitimately put them forward as deserving of others' agreement.

Now this is not to say that taste provides an absolute bulwark against any sceptical challenge to the legitimacy of our power of judgment. For it is of course undeniable that taste itself is vulnerable to scepticism. The sceptic, that is, can perfectly well deny that taste is a genuine phenomenon, and, more specifically, that there is any distinction to be made between the feelings that we take to amount to aesthetic experience and the feelings of pleasure that we dismiss as mere personal responses to agreeable states of affairs. There is, he or she may insist, no such thing as genuinely disinterested pleasure: pleasure always presupposes an antecedent interest, and it is just a question of learning enough about human psychology to find out, in any given case, what that interest is. But even in the face of this further sceptical challenge, the appeal to taste is not an empty move, but leaves us in a better position than we would be without it. One reason is that the claim that there is such a thing as genuinely aesthetic experience is much less vulnerable to scepticism than the claim that we are capable of making conceptual judgments. For while the sceptic can deny flat out that a subjective state of mind can be universally communicable, and hence that aesthetic experience is possible, he or she cannot motivate that denial in any compelling way. To be effective, the sceptic must show, not just that our everyday beliefs are open to doubt, but that there are good reasons to doubt those beliefs: reasons which we might not have been aware of on the level of common sense, but which emerge as a result of philosophical reflection. Scepticism about the external world, for example, is effective

because it exploits our common-sense recognition of particular cases of illusion in a way that makes it seem unreasonable, on reflection, to trust the evidence of our senses under any circumstances at all. More relevantly to the case at hand, scepticism about our capacity to make conceptual judgments works through the suggestion that the specific kind of legitimation that we intuitively think we need for our judgments (legitimation through further judgments) turns out, on reflection, not to be forthcoming. In its most subtle form, as rule-following scepticism, it appears to render incoherent the very idea that we can apply determinate concepts at all, by showing that there is no fact of the matter that determines which concept we are applying on any given occasion.

However, the sceptical challenge to taste cannot be of this kind. Unlike the sceptical challenge to the possibility of conceptual judgment, it cannot proceed by triumphantly pointing out that some justification upon which our judgments of taste implicitly rely is not forthcoming: for the judgment of taste makes no claim to be justifiable. The sceptic here cannot claim that the judgment of taste is invalid because aesthetic experience does not reflect any property of the object: for the judgment of taste does not purport to say anything about the object in the first place. The rule-following arguments that have such force against the possibility of conceptual judgment are ineffective in the case of aesthetic judgment: for a judgment of taste does not involve the application of any determinate concept. The dispute between the sceptic and the anti-sceptic with regard to taste comes down, then, to a fairly even match. The sceptic on the one hand will challenge the distinction between pleasure in the beautiful and pleasure in the agreeable, on the basis that we cannot legitimately take any of our subjective states of mind to be universally valid. The anti-sceptic on

the other hand will argue that the possibility of pleasure in the beautiful as a phenomenon distinct from pleasure in the agreeable, shows precisely that we can legitimately claim universal validity for our subjective states of mind: and he or she in turn will challenge the sceptic's supposition that every occurrence of apparently disinterested pleasure is in fact based on a concealed interest.

But while it is important, if taste is to play the role that I have ascribed to it in Kant's theory, that it should be less vulnerable to scepticism than cognitive judgment as a whole, it need not in any case be invulnerable. It is a misunderstanding of Kant's theory of judgment to think that taste has to provide some absolute guarantee that we genuinely do have the capacity to judge. This is because, according to Kant, no such guarantee could in principle be forthcoming. We cannot know that we have legitimate authority to judge, since our possession of that authority is not a matter for objective knowledge. That we are able to judge is not an objective fact about the world, but something that we have to assume about ourselves in order to explain how any objective facts about the world are cognizable by us. If it were an objective fact, then we would in turn need to introduce a further assumption to explain how that fact too could be accessible to our cognition; this is the moral of the regress paradox which leads Kant to conclude that the a priori principle of judgment must be a subjective one. The role that taste plays in "revealing" judgment as a higher cognitive faculty, does not, then, consist in its establishing that judgment is possible as a matter of fact, for this would be, not just an impossible task, but a meaningless one. Instead, taste's role is to show that we can coherently, and in good faith, assume that judgment is possible for us. And it is just this assumption that is manifest in my state of mind each time I feel

disinterested pleasure in a beautiful object: for the experience of that pleasure is simply what it feels like for me to take my present state of mind to be universally valid, and thus for me to take myself to be capable of judgment.

Notes to Chapter Four

1. Paul Guyer, Kant and the Claims of Taste, pp. 43-53
2. *Ibid.*, p. 47
3. See Konrad Marc-Wogau, Vier Studien zu Kants Kritik der Urteilskraft (Uppsala, 1938), pp. 37-40, and Jens Kulenkampff, Kants Logik der ästhetischen Urteilskraft, pp. 42-3
4. In support of this overall idea, it should be noted that there are historical precedents for a connection of this kind (see Ernst Cassirer, Kant's Life and Thought (Berlin, 1921), ch. VI). But I agree with Marc-Wogau in his remark (*op. cit.*, p. 34) that historical grounds alone cannot suffice to explain the connection, especially given that Kant sees himself as breaking with the precedents in question.
5. This is the opinion of Lewis White Beck, who gives the following explanation of the role of the critique of aesthetic judgment in the Critique of Judgment as a whole: "Kant had always wanted to write a critique of taste, and here he saw a place where it could be fitted into his system as if it were an integral and necessary part of it" (Early German Philosophy, Cambridge, Mass., 1969, p. 497).
6. Kant does say that "it might in part be possible to connect perceptions into an experience in accordance with particular laws discovered by chance" (EE IV, p. 209), suggesting that isolated conceptual judgments might still be possible. But this is inconsistent with his claims in the published introduction, firstly that the laws of nature must be regarded as necessary, and secondly that they can be regarded as necessary only on the principle that nature is systematic (KdU IV, p. 180). What Kant perhaps has in mind with the remark from EE IV is that we might be able to connect perceptions by association into what he calls "judgments of perception," although this admittedly does not square with his use of the term "experience."
7. "Defined" here should be taken in a loose sense: in his remarks on definition at A727-9/B755-7, Kant points out that empirical concepts cannot, strictly speaking, be defined.
8. This is a point stressed by Guyer, who argues (*op. cit.*, pp. 44-5) that the two kinds of systematicity (as he puts it: taxonomic systematicity and explanatory systematicity) are unrelated.
9. Alan Code has pointed out to me that the assumption of nature's systematicity (whether as a hierarchy of concepts or of laws) is not required if we consider our use of concepts as reflecting purely observational characteristics. It is only once we consider concepts as indicating anything about causal properties of objects that the principle of systematicity is required. However, from Kant's point of view the use of empirical concepts in cognition must bear on causal properties of objects, since the categories of relation would otherwise have no application in experience.

10. I think that Kant is making the same general point in his well-known remark in the Appendix to the Dialectic that, without the regulative principle to search for systematic unity in nature, there would be "no sufficient criterion [Merkmal] of empirical truth" (A651/B680).
11. This point reflects a consistent theme in the work of Goodman.
12. The distinction being made here is not the one made in the last chapter between the objective and the subjective conditions of cognition, but rather (as will become clearer in the next paragraph) a distinction between two sorts of subjective conditions. These bear respectively, not on the objective character of nature and of ourselves, but on what we have to assume about nature and what we have to assume about ourselves.
13. This point needs some qualification. For the possibility that we might be no different from animals in this respect is in fact ruled out in the first Critique by Kant's claim that human beings have determinate forms of intuition, namely space and time. This already guarantees that our experience cannot just be a matter of passive sensory responses. But this claim abstracts from the fact that our intuitions result from physical interaction with empirical objects. Kant does not make the further move of showing how it is that we, as human beings in the empirical world, can impose an a priori form on our particular, empirically caused sensations. And it is this latter point that is at issue here.
14. This is pointed out by Guyer (*op. cit.*, p. 47, p. 51).
15. The a priori principle of judgment in general is, of course, the principle of judgment in its reflective aspect. Determining judgment, which "subsumes under universal transcendental laws given by understanding," has the law "marked out for it a priori"; it thus "has no need to think up a law for itself" (KdU IV, p. 179). Judgment in general, when regarded as an independent faculty, is thought of by Kant as being exercised in its reflective aspect: this explains why, on Kant's example, I have been sliding rather cavalierly between talk of reflective judgment and talk of judgment tout court.
16. It is worth pointing out that this view is not as idealist as it may look at first sight. The world would still be real if human beings did not make judgments about it. But given that, from a point of view independent of human judgment, any object might be regarded as sharing a property with any other object, it would not make sense to regard the world as carved up into determinate natural kinds or other empirical classes. For God, we might say, there are no empirical concepts.
17. While Kant in the First Introduction regards heautonomy as a kind of autonomy, he suggests in the published introduction that the two are mutually exclusive: "judgment prescribes a law, not to nature (as autonomy) but to itself (as heautonomy)." Accordingly, he does not describe judgment as autonomous anywhere in the published Critique of Judgment. However, because of the present-day familiarity of the term "autonomy", I shall continue to follow the usage of the First Introduction.

18. Spinoza's solution, unlike these others, consists in the denial that the world is external to us, a denial which effectively dissolves the problem.
19. But see note 17 above.
20. The thumbnail sketch that follows is drawn from Beck, Early German Philosophy, pp. 284-8.
21. See KdU V, p. 183, and EE X, pp. 238-9.