

KANT'S CONCEPT OF REFLECTIVE JUDGMENT

by

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ABSTRACT

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In the *Critique of Pure Reason* and the *Critique of Practical Reason* Kant develops models of knowledge and morality in which we know and exist in a world of sensible appearances while also belonging to a world of transcendent morality. This creates a gulf for us between the world as it is and the world as it ought to be. In the *Critique of Judgment* Kant develops an account of reflective judgment as taste, whereby the experience of beauty bridges the gap between these two worlds.

Evaluating the success of Kant's account requires us first to understand the conditions taste as reflective judgment must meet in order to mediate between knowledge and morality and secondly to ask whether it does meet these conditions. The thesis begins by examining sections of the *Critique of Pure Reason* and the *Critique of Practical Reason* in order to unearth a Kantian model of the requirements of a successful mediator. The discussion then focuses on whether taste as reflective judgment and its concept of purposiveness without purpose meet these requirements. A major challenge to this is the relationship between reason and taste as reflective judgment; the goal of the discussion is to show that this relationship is not an obstacle to its mediation of knowledge and morality but, instead, that it helps to preserve the autonomy that makes the experience of beauty a bridge between the world as it is and the world as it ought to be.

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References to Kant's Works

All English references to the *Critique of Judgment* are to the translation by Werner S. Pluhar (Indianapolis: Hackett, 1987) and will be cited in the text along with the page numbers from Volume V of the *Akademie Textausgabe* in *Kant Gesammelte Schriften* (Berlin: Walter de Gruyter, 1968). The order of citation will be *Akademie* pages, sections in the main text, and page number in Pluhar. References to the *First Introduction* to the *Critique of Judgment* are to Pluhar's translation in the same volume as his translation of the *Critique of Judgment* and will be cited as FI followed by the page in Volume XX of the *Akademie Textausgabe*, sections in the text, and the page number in Pluhar. All English references to the *Critique of Pure Reason* are to the translation by Norman Kemp Smith, (New York: Saint Martin's Press, 1965, from 1929), and will be cited in the text of the paper following the standard A and B references to the first and second editions respectively. German references are to Volumes III and IV of the *Akademie Textausgabe*. All English references to the *Critique of Practical Reason* are to the translation by Lewis White Beck (Indianapolis: Bobbs-Merrill, 1956) and will be cited by page number in the text after the page numbers from Volume V of the *Akademie Textausgabe*. All other references to works by Kant will be given in the page notes.

INTRODUCTION

In Kant's critical philosophy, there are three higher cognitive faculties or powers, understanding, judgment, and reason. The critique of our cognitive powers, frequently referred to by Kant as the critique of pure reason¹, investigates and sets limits to what these cognitive powers can achieve a priori, as distinct from their normal, merely logical and purely formal synthesis of empirical reality. (Ak.176-177, sec.III, Pluhar 16) The results of such investigation in the *Critique of Pure Reason* are the justification of the application of concepts of pure understanding to empirical reality and the corresponding restriction of such concepts in their theoretical use to empirical use objectively or constitutively; the first Critique also restricts the ideas of pure reason to *regulative* theoretical employment, outlining their possible constitutive practical use, and prohibiting their constitutive theoretical employment. The results in the *Critique of Practical Reason* are the systematic justification of the faculty of pure practical reason as the faculty of morality whose practical use is objective and constitutive. As a result of both the restrictions placed on pure reason and the role given to it as pure practical reason:

...an immense gulf is fixed between the domain of the concept of nature, the sensible, and the domain of the concept of freedom, the supersensible, so that no transition from the sensible to the supersensible (and hence by

¹In the third Critique he expressly subdivides the critique of pure reason into critiques, respectively, of pure understanding, pure judgment, and pure reason.

means of the theoretical use of reason) is possible, just as if they were two different worlds.... (Ak.175-176, sec.II, Pluhar 14-15)

Although Kant refers to the gulf between the sensible and the supersensible, this implies other dualities as well. For example, he speaks, in the *First Introduction* to the third Critique, of judgment mediating between laws of nature and laws of freedom (FI, Ak.202, sec.II, Pluhar 391-392) and between understanding as the faculty of cognition and reason as the faculty of desire (FI, Ak.207-208, sec.III, Pluhar 396). And, given his discussion in section II of the Introduction, it is clear that this connection of nature and freedom through judgment will also be a connection of appearances and things in themselves, though not a connection that will generate theoretical or practical cognition (Ak.175-176, sec.II, Pluhar 14-15).

In the *Critique of Judgment* Kant resolves these different dualities through the faculty of judgment, just so far as it is independent of understanding as the faculty of knowledge and reason as the faculty of morality but also connected to both. Therefore, I will take as the site of my discussion the general duality between knowledge as involving nature, appearances, and the sensible, and morality, as involving freedom, things in themselves, and the supersensible; the focus of the discussion of mediation will be the respective faculties involved, in their substantial relation to these areas.

As a faculty located between reason and understanding logically, judgment should be able to provide us with a pure transcendental mediation between pure reason and pure understanding, by way of a type of judgment Kant calls reflective judgment, in contrast to determining judgment, which is not independent of either understanding or reason.

Through reflective judgment we are able to think of freedom and nature as united in ourselves aesthetically and in nature teleologically.

In contrast to judgment that determines, judgment that reflects has its own principles and its own modus operandi. It has a technical principle of nature, the principle of the purposiveness without purpose of nature, and it operates by organizing the subject rather than by determining the object. These attributes, by allowing reflective judgment to be independent of reason and understanding in some sense, give reflective judgment the ability to bridge the gap between knowledge and morality, thus providing a connection between these central domains of rational human activity.

Kant's use of reflective judgment to bridge this gap has been criticized for different reasons. Hegel, for example, sees in the *Critique of Judgment* an unsuccessful attempt to circumvent the unpalatable consequences of the first Critique's distinction between the receptivity of sensibility and the spontaneity of concepts.² Alternatively, recent commentary on the third Critique understands Kant to be taking up themes not dealt with in the first and second, thereby significantly expanding the critical philosophy and remedying some of its defects, even if the mediation solution fails. J.D. McFarland, for example, sees Kant as taking up in the third Critique the problem of induction that he does not resolve in the first, and hence adding to his refutation of

²G.W.F. Hegel, *Lectures on the History of Philosophy*, vol.3, trans. E.S. Haldane & Frances H. Simson, (London: Routledge & Kegan Paul Ltd., 1955 from 1896), pp.464-478.

Humean scepticism³ while characterizing the larger mediation solution as “bogus unity.”⁴ Paul Guyer appreciates the aesthetic theory developed but wants to cut it loose from the larger metaphysics⁵ which he thinks undermines it.

When either critics or defenders actually grant Kant the mediation solution of the third Critique, they tend to argue that he has to give up the basic tenets of the critical philosophy, especially the first Critique’s distinction between the spontaneity of concepts and the receptivity of intuition. For example, John Zammito is representative in claiming that the kind of critical system exemplified in the first Critique by the distinction between sensibility, understanding, and reason, and dominated by the theoretical claims of understanding, gives way in the third critique to a system dominated by the claims of judgment on the one hand and reason on the other.

Whether or not these claims are true depends greatly on a) the nature of the problem of the gulf between knowledge and morality and b) how this gulf is bridged. In this Introduction I will briefly address what I take to be the nature of the problem and then how it needs to be addressed. The main concern of the thesis, however, is the

³J.D. McFarland, *Kant's Concept of Teleology*, (Edinburgh: University of Edinburgh Press, 1970), pp.8-11.

⁴McFarland, “The Bogus Unity of the Kantian Philosophy,” *Proceedings of the Ottawa Congress on Kant*, ed. Pierre Laberge, Francois Duchesneau, and Bryan E. Morrissey (Ottawa: The University of Ottawa Press, 1974, pp.180-196).

⁵In his recent *Kant and the Experience of Freedom*, (Cambridge: Cambridge University Press, 1993), Guyer modifies his resistance to larger concerns in the third Critique, particularly with regard to the sublime. As we see below, however, he then recasts the larger concerns along a rather specific path. He also still resists the connection of taste, specifically, to the larger project of mediation.

conditions for bridging the gulf: Specifically I will argue that judgment's role as mediator between knowledge and morality entails both the independence of judgment from the faculties being mediated and its homogeneity with them and that the independence requirement appears to be jeopardized by the relationship between reason and reflective judgment in the Critique of Aesthetic Judgment. However, I will also argue not only that this relationship can be explained while preserving the independence of reflective judgment but that it is necessary for this preservation. If my argument is successful I take this as evidence for the larger claim that the third Critique maintains and even amplifies the basic tenets of the critical philosophy, especially the distinction between spontaneity and receptivity, but the argument of the thesis is confined to the specific discussion of the independence of reflective aesthetic judgment as an essential condition for mediation.

The requirements for mediation are shown most clearly in two places in the first Critique: in the Schematism, which provides a model of mediation generally, though one which differs significantly from the mediation of the third Critique; and in the Regulative Employment of the Ideas of Pure Reason. In Chapter One I discuss the model of mediation provided in the Schematism and some difficulties with the model. My focus is on highlighting the importance of the independence requirement for schematism. The discussion of the Schematism reveals the main problems with mediation at the level of pure concepts and it indicates the general direction and model for any such mediation.

In Chapter Two I look at how the general conditions of mediation are modified significantly so as to become non-schematic mediation in the Regulative Employment of the Ideas of Pure Reason, and how this is the model that the mediation of knowledge and

morality has to follow, since it cannot meet the requirements for schematic mediation. In the same chapter I also look at the Typic of Pure Practical Reason from the second Critique, where the modified model of non-schematic mediation is exemplified in the case of pure practical reason.. In both Critiques the modifications are entailed by the nature of what has to be mediated; on the one hand, ideas of pure reason have to be mediated with empirical laws of understanding in order to unify the latter, while on the other hand, unconditioned noumenal morality must be mediated with empirical reality, so as to make comprehensible such morality being instantiated in a reality significantly different from it.⁶

In both cases this requires that the independence requirement be approached differently from the way it is approached by Kant in the Schematism; there is no “third

⁶In the course of extracting the conditions for mediation, I also argue that the reflective activity of judgment is present in both the Schematism, the Regulative Employment, and the Typic. While the goal of extraction is not dependent upon such an argument, showing the presence of reflective judgment in the first and second Critiques sheds light on the different types of mediation it is involved in and how different they are from the mediation of the third Critique. Such presence also, incidentally, undermines (though it does not refute) the notion that the third Critique subverts the doctrines of the first and second Critiques; the Regulative Employment is a crucial text on this point, since its discussion of empirical unity is often supposed to be superseded by the third Critique’s discussion of teleological judgment, whereas, as we shall see, the broad structures of both discussions, with regard to the higher cognitive faculties, does not change from the first to the third Critique. The broad structure I have in mind, which is what is usually seen as changing, is the assignment of unity to reason. In the third Critique unity is supposedly reassigned to judgment. A careful reading of the discussion of teleological judgment shows this to be untrue, since reason plays a dominant role there, but an equally careful reading of the Regulative Employment also strongly suggests that the assignment to reason in the first Critique is primarily terminological rather than functional and that judgment should be included as well. This reading is what Chapter Two will concentrate upon.

thing” that would be an independent mediating object, so independence must be preserved by analogy, indeterminacy, and symbolism. Reflection is crucial to such preservation, for determining a mediator would lead to dialectical illusion--no determinate object can fill the role of mediating between empirical understanding or empirical reality and theoretical or practical pure reason, for the latter are inexpressible in objective empirical terms. Any attempt to have a determinate object will lead either to rationalism and the hegemony of reason or empiricism and the hegemony of the senses, indicating that the independence of the mediator has been subverted. The same will hold true of the non-schematic mediation of the third Critique.

In Chapters Three, Four, and Five reflective judgment and its concept, purposiveness without purpose, will be examined to see whether they fulfill the independence condition of mediation, especially by being independent of the faculty of reason. Chapter Three examines the relationship between the cognitive faculties and some problems about the independence of purposiveness without purpose from the faculty of reason; the main texts for this examination are the Introduction to the third Critique and the so-called “first” Introduction to it. I argue for a revised view of reflective judgment and its central concept, a view that links both the faculty and its concept closer to the faculties of understanding and reason while keeping it independent enough for mediation. Chapter Four examines the Analytic of the Beautiful and the Deduction of Pure Aesthetic Judgments with this revised view of reflective judgment in mind in order to clarify the goals of these sections, particularly, the goals of the Deduction. My goal in doing this is to provide a reading of the Deduction that argues for the distinctive nature of its task in

separating and connecting taste to understanding, a task that both defines and justifies the nature of taste. I will not be assessing the success of the Deduction directly, though my discussion presumes that it is roughly successful.

Chapter Five then examines the Dialectic of Aesthetic Judgments in order to discuss and resolve the problem of the dependence of reflective judgment upon reason. In this chapter I provide a reading of the Dialectic and, especially, of the Antinomy of Taste, which elucidates a specific task for the Dialectic and which differentiates this task from the task of the Deduction. Kant himself claims a role for the Dialectic which does not concern the nature of taste; however, there is textual evidence which appears to support both positive and negative assimilations of the Dialectic to the earlier task of the Deduction. In order to separate the task of the Dialectic from that of the Deduction, and hence to maintain the independence of taste for the project of mediation, I recast this textual evidence in light of an overall alternate reading of the Dialectic which develops Kant's own claim for it. If successful, this reading resolves the apparent subversion of reflective judgment's independence from reason and hence clears the way for reflective judgment as taste to mediate between knowledge and morality. With this resolution in hand, I briefly examine the symbolic mediation between nature and freedom through beauty in the Dialectic in the light of reflective judgment as a viable mediator.

Before moving to the main discussion of the thesis, the nature of the gulf between knowledge and freedom needs to be examined briefly, since determining the conditions of bridging the gulf depend on what this gulf is taken to be. Although such a short discussion cannot settle this question, it is necessary in order to provide the working

context of the thesis.

The Nature of the Gulf between Knowledge and Freedom

A Gulf Between Feeling and Freedom?

In his recent work, *Kant and the Experience of Freedom*, Paul Guyer asks an important question concerning the problem to be resolved by the third Critique.

Commenting on the prevalence of solutions to the gulf between nature and freedom,

Guyer points out

But few pause to ask the question, What gulf? What problem about the relationship between the legislations of nature and freedom remains to be solved, in the *Critique of Judgment*, that was not already solved by the *Critique of Pure Reason* and the *Critique of Practical Reason*? Had not the proof of the actuality of freedom in the second Critique, already solved the problem of the relation between the causality of nature and the causality of freedom?⁷

However, having asked this most pertinent question, Guyer then answers it in a fashion that effectively subordinates the systematic purpose of the third Critique to the practical purpose of the second Critique:

...the *Critique of Judgment* should be seen as Kant's first sustained discussion of the way in which our feelings toward ourselves and our fellow humans can be brought into harmony with the claims of the pure practical reason that makes us free agents in the strictest sense. The gulf that needs to be bridged is not that between noumenal and phenomenal causality but between feeling and freedom--that is between the arbitrary realm of sensation and the law-governed autonomy of reason.... Aesthetic as well as teleological judgment assist in this enterprise by offering both sensible representations of key aspects of morality and opportunities for the cultivation of the moral feelings.⁸

⁷Guyer, *Kant and the Experience of Freedom*, p.28.

⁸Guyer, *Kant and the Experience of Freedom*, p.33.

Clearly a project of the third Critique is the development of sensibility with reference to the moral law; this is clear not only in the discussion of taste, but particularly in the discussion of the sublime and in the discussion of the methodology of teleological judgment. But is this the project, more specifically, the *systematic* project of the third Critique? If it is, then Kant's references to the gulf between the *legislations* of nature and freedom become meaningless; feelings are natural, but are not part of the *legislation* of nature, even as its matter or sensible content. Addressing the gulf between the concept of nature and the concept of freedom would have to involve the relationship between knowledge, as the theoretical realm, encompassing both understanding and theoretical reason, as well as sensible intuition, and morality, the practical realm, involving practical reason, feeling, and the territory of sensible intuition. Guyer's definition of the gulf involves only elements from the practical realm, the elements of feeling and freedom.

Nonetheless, his question is important. Is the third Critique, systematically speaking, a continuation of the second critique, or is it something quite different? In one sense it is a continuation of the second Critique, in developing an arena of non-pathological feeling⁹ that can assist in instantiating the moral law; in another sense it is a continuation of the first Critique, of the discussion of the systematicity of *empirical* laws. But it is also something more, as Kant clearly indicates in the introduction.

The problem is that two different problems of the relationship between freedom and nature are being conflated. The problem of the third Critique is the relationship

⁹Gordon Nagel characterizes pure aesthetic feeling in this way.

between the sensible and the supersensible and Kant does say that theoretical dictates aside, the latter is to have or ought to have an effect on the former. But he then goes on to deal with the problem by saying that we need to find a basis or ground that unites the *supersensible* that underlies nature and the supersensible that is contained practically in freedom. (Ak.176, sec.II, Pluhar 15)

This is not the problem of the second critique. The second critique's problem is the relationship between our practical rationality and our sensible desire for happiness. Kant resolves this problem through the discussion of the summum bonum and the subsequent discussion of the postulates of practical reason. It is true that the postulates require amplification and Kant does provide such amplification, at least for the postulate of God's existence, in the third critique, in the Critique of Teleological Judgment's Methodology. But that amplification is not a discussion of mediation as such.

The problem more akin to that of the third Critique is not the problem of the summum bonum or the postulates, but the earlier problem of the typic. Here, pure practical reason must be capable of instantiating in a sensible world that is unrelated to it. The entrance into this world is provided by the intelligible form of the sensible world, the understanding, which provides sensible meaning for supersensible morality through the form of law. As sensible beings we can only comprehend (and hence instantiate) supersensible morality by conceiving of it as a law, analogous to theoretical laws. But it is fairly obvious that such a solution does not square the circle of supersensibility being unlike sensibility; rather the problem is imaginatively circumvented by appealing to the form of sensibility, rather than schematically or even empirically solved by an appeal to

sensibility itself. Hence, as Kant himself points out, the understanding's lawfulness can only symbolize supersensible morality, it cannot exhibit or schematize it. However, the symbolization of morality by beauty takes this a step further, into the sensible realm qua sensible, rather than the sensible realm as comprehended by understanding, thus furthering the instantiation of pure practical reason more than the *typus*. However, this is not the only reason for the symbolization of morality by beauty.

Subjectivity as the essential problem of the gulf of the critique of judgment.

The essential problem which is to be solved by the critique of judgment goes beyond the instantiation of morality, though this is, of course, aided by our aesthetic experience, which is analogical in certain ways to moral experience, and is aided again by the teleological use of judgment that is theoretical but akin to presuppositions of morality. But the fundamental systematic problem of the third Critique has to do with incompleteness in us as *subjects*; the gap between the concept of nature and the concept of freedom is not, purely conceptually, of great significance. It is only of significance when we, as judging subjects, keep tripping over it in our activities, both theoretical and practical. And even strictly speaking in those activities, the systematic problem is not the issue.

The systematic problem is an issue for us purely as judging subjects, purely because the arenas of our judging are so uncomfortably unrelated; to put it crudely, but in third critique context, we feel disrupted and rationally uncomfortable when these two vital domains of experience are sundered. This does not *directly* impinge on the

functioning of the domains themselves, but it affects us directly as subjects of both knowledge and action. In this way, however, such disruption does affect knowing and acting, but only indirectly; directly, knowing depends upon the categories as acting does upon the categorical imperative. Subjective unity is a condition for knowing and acting, but a subjective condition. As such, since subjective conditions do not involve the determination of an object, either theoretically or practically, we look to indeterminate reflection to provide a system for the unity of the subject.

Reflective Judgment and the Conditions for Subjective Unity

Kant opens the first Introduction to the *Critique of Judgment* by distinguishing the system of philosophy, "rational cognition through concepts" (FI, Ak.195, sec.I, Pluhar 385), from the critique of pure reason itself:

For though a critique of pure reason contains a philosophical inquiry into the possibility of such cognition, it does not belong to a system of philosophy as a part of it, but outlines and examines the very idea of such a system in the first place. (FI, Ak.195, sec.I, Pluhar 385)

In this difference from the system of philosophy, the critique of pure reason is akin to judgment, insofar as judgment has no share in the system of philosophy.

Kant then distinguishes theoretical and practical philosophy. He is especially concerned to show that so-called practical philosophy, such as statesmanship, political economy, household management and so on, is simply the application of theoretical philosophy, so that it is indeed practical in one sense, in the sense of bringing something about purposefully, but not practical insofar as the rules for bringing about the existence

of the object are theoretical rules. This is because the object is an object of nature, taken in a large sense, and any rules for deriving objects of nature are rules of theoretical philosophy, rules derived from our cognition of nature.

Truly practical philosophy, on the other hand, is concerned with the production of things in accordance not with the laws of nature, but the law of freedom. Thus our will is determined by the law of freedom to act purely from the law itself, not because of empirical determinations, in which case we would be back to theoretical philosophy.

In theoretical philosophy, the art (*Kunst*) of bringing something about has to do with skill and hence belongs to what Kant calls the technic (*Technik*) of nature, and hence to theoretical knowledge of the same. But he also wants to extend the term 'technic' to other situations, namely, to when we merely (*bloss*) judge natural objects as if (*als ob*) they were possible through art:

In those cases the judgments are neither theoretical nor practical (in the [proper] sense just discussed), because they *determine* [*bestimmen*] nothing about the character of the object, nor about how to produce it; rather, in them we judge nature itself, though merely [*bloss*] by analogy with an art, in its subjective relation to our cognitive power, rather than in its objective [*objectiv*] relation to objects [*Gegenstände*]. (FI, Ak.200-201, sec.I, Pluhar 390)

Kant stresses that it is not the judgments themselves that he calls technical, but the power or faculty of judgment on which the judgments are based. He will also call nature so judged by this power or faculty, technical as well. He then adds the all-important proviso, that because such a 'technic' "contains no propositions that are determinative objectively, it also forms no part of doctrinal philosophy, but only a part of the critique of our cognitive powers." (FI, Ak.201, sec.I, Pluhar 391) In contemporary language, such a

'technic' forms the high point of the context of discovery in science, the point at which discovery is ready to move into justification, what the second introduction calls 'determinability.'

Kant then moves to a discussion of the system of higher cognitive powers. When we are concerned with pure reason as thinking alone apart even from pure intuition then as a system our ability to think is composed of three parts, understanding, judgment, and reason. Understanding is the ability (*Vermögen*) to know the universal; it is the faculty of rules. Judgment is our ability to subsume particulars under universals, and reason is our ability to determine particulars through universals.

Although judgment subsumes, it can also search for universals when it has a group of particulars that require subsumption. When judgment searches for universals for particulars, Kant terms it reflecting or reflective judgment (*reflektierende Urteilskraft*); when it simply subsumes under given universals, it is determinative judgment¹⁰ (*bestimmende Urteilskraft*). These are two activities of judgment, rather than two kinds of judgment, and they can blend into each other; reflection can end in determination or it can stop at reflection, while determination presupposes reflection¹¹.

¹⁰However, as I will argue in Chapter Three, subsumption per se does not distinguish reflection and determination.

¹¹This will be discussed further in chapter three. I am indebted to Gordon Nagel for clarifying this point to me. See Ralf Meerbote, "Reflection on Beauty" in *Essays in Kant's Aesthetics*, ed. Ted Cohen and Paul Guyer (Chicago: University of Chicago Press, 1982), Eva Schaper, *Studies in Kant's Aesthetics*, (Edinburgh: Edinburgh University Press, 1979) and Christel Fricke, *Kant Theorie des reinen Geschmacksurteils*, (Berlin: Walter de Gruyter, 1990) on the role of reflective judgment in empirical concept formation. See also Robert Pippin, on the role of reflective judgment as general pre-

Whether reflection issues in determination or simply stays reflective is important for unearthing a model of mediation in the *Critique of Pure Reason* and the *Critique of Practical Reason*. In the Schematism of the first Critique time serves the mediator between the categories and sensible appearances insofar as its transcendental determination furnishes schemata for the categories. (A137-139, B176-178) I argue in Chapter One that time's homogeneity with both categories and appearances rests upon a prior unity or homogeneity of time as intuition with the concept of time. Time is not a concept for Kant but a pure intuition; however, since time itself is not perceived directly (A183, B226; A200, B245) but must be explained and determined through a transcendental deduction (A87, B119-120), I argue that there must be a prior unity between the concept of time and the object that concept describes, namely time as a pure intuition. Without this unity, which I argue is a function of reflection, Kant could not have at hand the notion of a pure intuition which then serves as a schema between appearances and the categories. This is a reflective activity in the service of theoretical constitution, in service of theoretical constitutive judgment, what Robert Pippin has called pre-theoretical activity or orientation¹². To put it another way, this is theoretical judgment reflecting in order to constitute.

theoretical orientation in "The Significance of Taste: Kant, Aesthetic and Reflective Judgment" (*Journal of the History of Philosophy*, October 1996, pp.549-69) and Hannah Ginsborg's discussion of reflective judgment in taste as the basis for an intersubjective grasp of particulars in "Reflective Judgement and Taste" (*Nous*, March 1990) pp.63-78. What emerges from these discussions is the close relationship between judgment that reflects and judgment that determines.

¹²See Pippin's discussion of this in "The Significance of Taste", *passim*.

However, this type of reflection does not generate an independent function for reflective judgment in the Schematism. For reflective judgment genuinely to have such an independent function in this mediation, the pre-theoretical activity or ordering reflection that unifies time so that it in turn can schematize for us, must be *irreducibly* reflective. Since, as we will see in Chapter One, the reflection that unifies time also issues in definite schemata, the mediation of the Schematism is ultimately determinate.

In the Regulative Employment of the Ideas of Pure Reason the reflective activity of judgment uses the ideas of reason to provide an analogical and reflective unity of empirical laws, i.e., an analogical and reflective unity of empirical understanding with theoretical reason. Or, to put it another way, theoretical judgment reflects in order to regulate. In both the Schematism and the Regulative Employment we have theoretical judgment reflecting, i.e., judgment in the domain of the understanding reflecting, but since schematizing issues in unifying rules that produce what Pippin calls “the synthetic unity of any individual”¹³ reflection in its service must also issue in something which can determine such unifying rules, whereas the use of the ideas of pure reason requires reflection that remains reflective. In both cases, reflection is required precisely because an independent mediator is required; the difference is that in the Schematism such reflection culminates in determinate mediation, while in the Regulative Employment it remains an indeterminate and analogical mediation, since no object which is truly independent of either empirical understanding or theoretical reason is either required or even necessary,

¹³Robert Pippin, *Kant's Theory of Form*, (New Haven and London: Yale University Press, 1982), p.130.

since the ideas need only regulate.

In the Typic of pure practical reason practical judgment reflects in order to express the domain of morality within the domain of understanding, though in this case, it is reflection for the sake of constituting moral activity, even if only practically and not theoretically. Thus, while the Schematism contains reflection that culminates in determination for the sake of constituting theoretical activity and the Regulative Employment contains reflection that remains indeterminate for the sake of regulating theoretical activity, the Typic contains reflection that is indeterminate and explicitly symbolic but for the sake of constituting pure practical activity. Thus, while it parallels the Regulative Employment in being indeterminate reflection, the Typic parallels the Schematism in its reflection being for the sake of constitutive activity.

The regulative activity of the Regulative Employment will reappear in the third Critique but the analogical and hence reflective unity of empirical laws will be expressly named as a function of reflective judgment. Moral reflection also appears in the Critique, when beauty becomes the symbol of morality, hence expressing the domain of morality upon the territory of judgment and providing a sensible analogue for morality¹⁴.

In Chapter Three I will first discuss the problem of reflective judgment and its own concept, drawing upon the distinctions Kant makes between realm, domain, and territory with respect to the different faculties and their activities. In the end both mediation and the problem of reflective judgment hinge on the same solution:

¹⁴The typus has already provided an *intelligible* analogue for morality.

Subjectivity is distinct from objectivity, not as a separate item but a necessary though insufficient condition of the latter. This permits an approach to the mediation problem in which a resolution of reflective judgment's status as independent or dependent becomes crucial.

In this chapter the problem of mediation and independence will be addressed through presenting the status of reflective judgment's concept, purposiveness without purpose, as a problem that mirrors the ambiguous status of reflective judgment. A tentative solution will be proposed, based on the relationship between the faculties and the specific relationship between reflective judgment and reason. This will include a discussion of the relationship between reflective and determinative judgment.

The proposed solution requires a discussion of the specific relationship between reflective judgment and reason, in the two parts of the Critique of Judgment. However, I will only look, in Chapters Four and Five at the Critique of Aesthetic Judgment and the relationship developed between reason, reflective judgment, and purposiveness without purpose; this relationship culminates, for aesthetic judgment, in beauty as the symbol of morality. One of the reasons for not looking at the discussion of teleological judgment in the present work is Kant's claim that the discussion of teleological judgment is merely an extension, application, and completion of reflective judgment proper, unlike aesthetic judgment which is reflective judgment simpliciter.

The implications of this for mediation are evident. If aesthetic judgment is reflective judgment proper, then it must bear the primary responsibility for mediation, with teleological judgment in a secondary role. The burden of mediation would then

belong to the Critique of Aesthetic Judgment, and one of the obvious places would be the dialectic, particularly the resolution of the antinomy of taste and the section where beauty is taken to be a symbol of morality. The role of teleological judgment, on the other hand, would, perhaps, be primarily one of completion and unification, rather than essential mediation.

However, one relegates completeness and unity in a Kantian discussion to a back seat at one's peril. In the previous Critiques we get the essential rules of truth, theoretical or practical, in the Analytic; the Dialectic deals with misrule and overreaching. However, the Dialectic also deals, characteristically, with the extension of reason, legitimate as well as dialectical. These extensions are important over and above their status as completing the rules of truth. Both the regulative employment of reason in the first Critique as well as the summum bonum in the second, function in this way. Kant is so convinced of their importance that he speaks in the first Critique of the regulative employment of the ideas of pure reason being absolutely necessary for the activity of understanding and in the second of the absence of the summum bonum leading to the goals of pure practical reason being a delusion.

Therefore, the fact that Kant makes the critique of teleological judgment an extension or completion of reflective judgment, under the aegis of reason, in no way rules out it having a generally important role in the third Critique, and a specifically important role in the mediation between knowledge and freedom. It may function as a quasi-dialectic for reflective judgment generally, with aesthetic judgment supplying a quasi-analytic of reflective judgment. This would make aesthetic judgment the exemplar of

reflective judgment while teleological judgment would complete reflective judgment. Hence we might be able to say that, for the question of mediation, the essential function of reflective judgment is aesthetic, but its complete function is teleological.

However, the discussion of the thesis will not focus on teleological judgment, except in Chapter Three, where it is examined as part of the larger problem of the independence of reflective judgment, primarily for considerations of space and because it is a problem whose working out presupposes an initial solution under the aegis of aesthetic judgment. The working assumption of my discussion will be that aesthetic reflective judgment is at least the necessary condition for mediating between the domains of knowledge and morality; the sufficient condition may include teleological judgment, but that question will be left for another discussion. Here the discussion will focus on whether or not reflective aesthetic judgment, specifically, taste, meets the independence condition necessary for being a mediator between knowledge and morality, thus bridging the gap between nature and freedom.

Purposiveness without Purpose and the problem of the independence of taste

Purposiveness without purpose has a complex relationship to the higher cognitive faculties, a relationship that stems from the complexity of reflective judgment's own status as a higher cognitive faculty not under the governance of determinate concepts. Both these levels of complexity generate a *prima facie* problem of the independence of reflective judgment and its central concept in both the critique of aesthetic judgment and the critique of teleological judgment. In aesthetic judgment Kant makes a complex transition from purposiveness without purpose as the unifying concept of judgments of

taste to a concept of reason as the unifying concept of judgments of taste, one that seems to assume a relationship between the two that has yet to be proven, and which also appears to subordinate reflective judgment to reason, thus impinging on the latter's independence. In teleological judgment Kant makes the complex assertion that natural purposiveness is a concept of reason for our judgment. He explains this briefly in the second Introduction as a logical activity of reflective judgment undertaken under the aegis of reason, but this only takes the complexity back a step further, since now reflective judgment when teleological appears to have lost its independence and the possession of purposiveness without purpose.

These are both problems of independence but different problems. In aesthetic judgment we need to ask why Kant moves from reflective judgment and its concept of purposiveness without purpose to reason and a supersensible substrate.¹⁵ In the discussion of teleological judgment, on the other hand, purposiveness without purpose is not superseded by a concept of reason; it becomes a concept of reason. Again, this appears to threaten the independence of both purposiveness without purpose and its faculty,

¹⁵Pluhar points out that such a "mysterious switch" is not mysterious once we accept that the supersensible substrate of appearances, the purposiveness without purpose of nature, and the noumenal freedom of morality all refer to one and the same supersensible through three different ideas, a point made by Kant in the dialectic of aesthetic judgment. However, although this identification certainly captures the intentions of general mediation, it is difficult to see how one can use the identification of the three supersensibles as a *starting-point*, either of general mediation, or, specifically, as the rationale for the switch of the antinomy of taste. The resolution of the antinomy ought to forward the mediation of the supersensible substrate and noumenal freedom, not be based on it. See Pluhar, Introduction to the *Critique of Judgment* (Indianapolis: Hackett, 1987), pp.lxi-lxvi & pp.cii-civ.

reflective judgment.¹⁶

The problem then is this: how can Kant simultaneously maintain the independence of reflective judgment and its concept, an independence highlighted throughout the discussion of taste, while admitting their subordination to reason in both the dialectic of aesthetic judgment and the dialectic of teleological judgment? That reflective judgment is independent of reason is not only necessary for mediation but also for taste, and so it is necessary to reconcile this independence with its seemingly equally necessary subordination to reason in both dialectics.

The need for independence is clear. Without a truly independent faculty, concept, and field of activity, Kant cannot connect knowledge to morality without question-begging. If reflective judgment is too much the creature of either understanding or reason,

¹⁶It is true that the specific concept referred to is objective natural purposiveness, and this of course is a result of the logical employment of reflective judgment. But if judgment can reflect and be governed by another faculty such as reason, this calls into question some standard characteristics of reflective judgment, e.g., its independence of the other higher cognitive faculties and its exclusive possession of purposiveness without purpose. For natural purposiveness is a species of purposiveness without purpose, and since purposiveness without purpose is a concept of reflective judgment, natural purposiveness ought also to be a concept of reflective judgment and not of reason. The obvious answer might reside in what Kant says in both introductions concerning the relationship of aesthetic and teleological judgment. Aesthetic judgment is reflective judgment per se, while teleological judgment is an extension of the same (sec.XI, First Introduction); aesthetic judgment is essentially reflective, while teleological judgment belongs to theoretical cognition and is logical (sec.VIII, second Introduction). But on both counts there still remains something to be explained: if teleological judgment is an extension of reflective judgment, we need to explain how reflective judgment can come under the sway of reason and can comment on objects, without it becoming determinative; similarly, we need to explain how judgment that reflects can be part of cognition and can be logical and not be determinative. Without such explanation, the connection of aesthetic and teleological judgment appears ad hoc and based on Kant's determination to yoke together two unrelated kinds of judging.

then the mediation of knowledge and morality will be specious or, worse yet, the carefully demarcated lines between them will collapse. Like a good mediator, reflective judgment must keep some distance from both domains. However, not only is it impossible for reflective judgment to be completely independent of understanding and reason, it would not be desirable for mediation if this were the case. Mediation is only possible because reflective judgment, its concept of purposiveness without purpose, and its aesthetic activity are connected to the domains of knowledge and morality, thus being homogeneous with them, in some sense, and different, at the same time, both crucial requirements for mediation as modelled in the Schematism.¹⁷

Hence a discussion of purposiveness without purpose that is fruitful for mediation must show how purposiveness without purpose and reflective judgment are both independent of and connected to the other faculties. This discussion must, especially, show a relationship between reason and reflective judgment that balances the competing needs for homogeneity and difference, since the relationship between reflective judgment

¹⁷However, the Regulative Employment shows us, mediating homogeneity is modified and reduced by the use of analogy while mediating difference is implied in the very substitution of analogy for schema and is enhanced by this substitution. Hence independence is not only necessary for reflective judgment to mediate, but appears to be enhanced by its being reflective. This ought to mean that the primary textual problem of the third Critique, with regard to this particular issue, should be with homogeneity; but in fact it turns out, as this chapter and the next two will discuss, that it is difference which is problematic. Homogeneity will probably turn out to be a problem for Kant at a larger level, the level, for example, where we assess the adequacy of his mediation of the theoretical and the practical, or his synthesis of appearance and supersensible substrate, though this is beyond the scope of our discussion.

and understanding seems less problematic with regard to these criteria.¹⁸ Reflective judgment is connected to understanding in the discussion of taste, since it is the subjective working of the same faculties involved in cognition¹⁹; the very subjectivity of its relationship to understanding prevents it being completely subsumed under it.²⁰ Reflective judgment in taste is connected with reason in the Dialectic of Aesthetic Judgment, but there we will encounter a problem of whether taste, and hence reflective aesthetic judgment, becomes subsumed too completely under reason; the apparent completeness of this subsumption threatens the position taste as an independent mediator between knowledge and morality, since, as we will see in Chapter One, successful mediation in general requires that the mediator not be completely subsumed by either side.

¹⁸I do not wish to suggest that the relationship between reflective judgment and understanding is simple or unproblematic; in fact, as we shall see in Chapter Four, some of the problems with the Deduction of Aesthetic Judgments stem precisely from the complexity of the relationship between reflective judgment and understanding as a relation between subjectivity and objectivity.

¹⁹In the first Critique Kant refers to the understanding as a faculty of judgment, though it is, of course, determinate judgment he is thinking of.

²⁰It is true that the sublime contains a connection between imagination and reason paralleling that between imagination and understanding in taste. However, sublimity satisfies the connection requirement of mediation without the corresponding independence requirement; it is too bound up with reason and the experience of freedom to mediate between knowledge and morality. The parallel lies solely in the connection of imagination with another faculty. In all other respects, the non-harmonious and violent nature of imagination's relationship to reason is not parallel at all to imagination's harmonious relationship to taste; strictly speaking, one could speak of the disconnection between imagination and reason.

Chapter One

Mediation in the Schematism

Introduction.

The goal of this chapter is to examine the mediation of the Schematism in order to identify the salient general characteristics of such a mediation. Even where such characteristics are modified, as in non-schematic mediation, the modifications always take as a standard the paradigm of schematic mediation. In the first part of the chapter I will briefly review the nature of judgment as Kant discusses it in the *Transcendental Analytic*. This will also include a discussion of reflection, even though Kant does not join reflection with judgment in the first Critique. In part II, which takes up the bulk of the chapter, I will discuss the problem of mediation in the Schematism as a judgmental problem that has a role for reflection even though it results in determination. The goal of part II is to unearth the role of reflection in the mediation of the Schematism and, in so doing, to elicit the conditions for determinate mediation. These conditions, in turn, will serve as a standard by which to judge non-determinate mediations. As the exposition of the model will indicate, the central feature of the model of mediation is the independent status of the mediating item, an independence sufficient to keep the mediator at a distance from the mediated parties, but not so complete as to disconnect it from them.

Section One: Judgment and Reflection in the *Critique of Pure Reason*.

Logical judgment

In his *Logic* Kant defines judgment as subsumptive; in the *Critique*, it is also defined as subsumptive, but Kant here distinguishes between its logical, transcendental, empirical functions. Logically, judgment involves subsumption of the particular under the universal, whether this is an empirical matter or otherwise. Empirically, judgment is what Kant calls a function of “mother-wit”; he seems to believe that it cannot be taught, but only developed.¹

In the *Analytic of Concepts*, Kant gives us a general definition of a judgment (*Urteil*): “Judgment [*Das Urteil*] is...the mediate knowledge of an object, that is, the representation of a representation of it.” (A68, B93) Moreover,

...all judgments [*Urteile*] are functions of unity among our representations; instead of an immediate representation, a *higher* representation, which comprises the immediate representation and various others, is used in knowing the object, and thereby much possible knowledge is collected into one. (A69, B93-94)

Judgments (*Urteile*) are the product of judgment (*Urteilstkraft*) but judgment as a faculty is here only part of general logic. As Kant points out in the *Analytic of Principles*:

General logic is constructed upon a ground plan which exactly coincides with the division of the higher faculties of knowledge. These are: *understanding, judgment, and reason*. In accordance with the functions and order of these mental powers, which in current speech are comprehended under the general title of understanding, logic in its analytic deals with *concepts, judgments, and inferences*. (A130-131, B169)

¹This definition is sustained in the *Critique of Judgment*. Kant there speaks of the development of aesthetic judgment along the same lines, of development but not argument. One cannot teach someone that something is beautiful through arguments, but one can hope that a person’s judgment will improve.

Thus the judgments (*Urteile*) produced earlier by the activity of understanding are, in fact, products of judgment as a *faculty* (judgment as *Urteilkraft*) in tandem with understanding as the faculty of rules; together these two faculties produce the process of *urteilen* (judging), making sense of Kant's remark at B94 that "we can reduce all acts of the understanding to judgments, and the *understanding* may therefore be represented as a *faculty of judgment [urteilen]*." (A69, B94) Since all judgments are a function of unity and judgment as a general logical faculty is responsible for producing them, with understanding as the source of their rules, judgment is essentially a unifying faculty, at least logically.

As the generator with understanding of judgments (*Urteile*), the faculty of judgment is also a *mediating* faculty logically:

Judgment is...the mediate knowledge of an object, that is, the representation of a representation of it. In every judgment there is a concept which holds of many representations, and among them of a given representation that is immediately related to an object. (A68, B93)

However, we cannot decide from these statements whether or not judgment has a separate substantive status in the first Critique from reason and understanding, since these are also unifying faculties. Reason and understanding themselves are not completely distinct, but can at least be distinguished by the functional definitions of 'unconditioned' and 'conditioned'. Judgment, however, is not, when content is dealt with, clearly distinguished from understanding²; both are necessary for judging (*urteilen*).

² As will be seen in Chapter Three, this dependence of judgment upon reason and understanding for its content, leads to some difficulties in developing a viable concept of a truly independent judgment that can mediate between the other two faculties. Even reflective

Transcendental logic

However, as we saw above, judgment *is* distinguished from understanding as one of the three higher cognitive faculties. There are three higher faculties of knowledge, understanding, judgment and reason, which correspond to the divisions of general logic. The elements of such a logic, its analytic, consist of concepts, judgments, and inferences. These divisions are reproduced in transcendental logic, in which the faculties are analyzed substantively, though the reproduction is only complete for understanding and judgment.

Transcendental logic deals only with pure a priori knowledge, so it cannot follow general logic completely in its division. The analytic of transcendental logic, which Kant calls a logic of *truth*, includes only concepts and judgments; the transcendental employment of reason, presumably inferences of pure a priori knowledge, belong to dialectic, to the logic of illusion. But understanding and judgment “find, therefore, in transcendental logic their canon of objectively valid and correct employment...” (A131, B170)

Kant then makes a significant distinction. The Analytic of Principles will, he says, be a canon for judgment that instructs it in how to apply the categories to appearances. But for this canon Kant has two names, one that emphasizes the origin of the elements of the canon, and one that emphasizes what the canon is for. He calls this section a doctrine

judgment, as we will see, is not exempt from such dependence.

of judgment (*Urteilskraft*), although as he says, his theme is the principles of the understanding (ie., the categories applied).

He goes on to say that "If understanding in general is to be viewed as the faculty of rules, judgment [*Urteilskraft*] will be the faculty of subsuming under rules; that is, of distinguishing whether something does or does not stand under a given rule (*casus datae legis*)." (A132, B171) This is still a formal distinction: Understanding provides us with one thing, the concept, although this is the synthesis of a manifold; judgment as a process (*urteilen*) involves two things, the concept, supplied by understanding, and the particular to be subsumed under it, whether the latter is a concept or something else. The actual subsumption then takes place through the faculty of judgment (*Urteilskraft*).

As we saw above, understanding provides us with concepts, judgment with judgments, reason with inferences. Transcendentally, understanding and judgment still provide us with concepts and judgments, but reason provides us transcendentally with ideas, which do not have a function in a transcendental analytic. There is no corresponding transcendental inference to match the syllogism³ in a transcendental

³This is why there is no role transcendentally for reason to play in the analytic, since there is nothing in the object, considered purely a priori, beyond concept and intuition, and even concept finds its legitimation in intuition. Reason gives us ideas, transcendentally, but ideas cannot be justified in direct relationship to the object, considered purely with regard to its form. Where ideas have a role to play is in indirect relation to the object, through our subjective thought. Hence, in both the postulate of necessity and in the regulative employment of the ideas of pure reason, necessity plays a unifying role for our thinking and is indirectly justified by the object.

analytic, though Kant does give the ideas of a reason a role to play in the Appendix to the Dialectic. That role, however, is not part of a constitutive logic of truth, but part of regulative subjective unity.

Transcendental judgment

The transcendental doctrine of judgment shows how, when restricted to pure judgments, judgment must conduct itself. The Analytic of Principles is a manual for the correct functioning of judgment, when it has to apply pure categories to the sensible world⁴. The Schematism shows how this takes place through the transcendental schema, while the Principles indicate how in each case a pure category can be translated into sensible form, generating multiple schemata. Such a translation mediates between pure categories of thought, on the one hand, and sensible appearances, on the other, two sets of items that appear quite heterogeneous.⁵

⁴Given Kant's language in the Dialectic it is clear that it too serves the purpose of guiding judgment, not however as a manual of correct use, a canon, but mainly as a book of proscriptions for judgment, for showing its limitations to possible experience. However, parts of the Dialectic indicate a proper use of the ideas of reason by judgment, in particular, the Appendix, in which Kant discusses the regulative employment of the ideas of pure reason.

⁵Such mediation, however, amounts to no more than a mediation between the categories and the *form* of sensible appearances. The sensible particular as such does not directly participate in this mediation. The synthesis of these particulars appears to be the function of empirical imagination, not the transcendental imagination and certainly not understanding; such empirical synthesis awaits the *Critique of Judgment's* mediation through aesthetic judgment, though, given the austerity of Kant's aesthetic norms, the imaginative synthesis of sensible particulars may still not have more than the subjective psychological role mapped

When Kant refers to judgment depending on *motherwit* and not teachable by means of rules, he clearly does not mean logical judgment, which has only to do with the form of the object, whether the object is pure or empirical. Non-teachable judgment belong to material judgment, but is concerned with the empirical; it cannot be taught through determinate rules since understanding of the relation of the rules to particulars presupposes that such judgment is already firmly in place.

But pure material judgment, or transcendental judgment, unlike judgment in general, can be given material rules, and unlike empirical judgment, its objects are pure, specifically, the pure concepts of understanding and pure intuitions. And, unlike empirical judgment, transcendental judgment does have determinate principles to follow.

In the Schematism, Kant shows how the categories can be applied to sensibility, or, how sensible intuition can be subsumed under the categories. Transcendental judgment makes use of the pure intuition of time to subsume intuition in general under the categories.⁶

The Principles

The specific principles which, as synthesis a priori, give the categories sensible meaning are the Axioms of Intuition, the Anticipations of Perception, the Analogies of

out for it in the A Deduction of the first Critique. It is not clear that the third Critique really deals with the sensible as such, in spite of the role of feeling, since feeling governed purely by sensibility can never aspire to the subjective universality of the beautiful.

⁶In third Critique language, this is determinative or determinate judgment, since we have subsumption under specific concepts or rules, which then generates further determinate rules, i.e., the Principles.

Experience, and the Postulates of Empirical Thought. The first two types have the mathematical employment, the second two types have dynamical employment. Their employment is dynamical because they have the “character of *a priori* necessity, but only under the condition of empirical thought in some experience, therefore only mediately and indirectly” (A160, B200) unlike the principles which can be employed mathematically, which, as pertaining to the *a priori* conditions of intuition, are “unconditionally necessary, that is, apodeictic.” (A160, B199)

The schemata which made possible the actual system of principles are valid temporal translations of the categories because they are, in effect, subsumed under them. For example, the valid temporal translation of the category cause and effect is the temporal “succession of the manifold, in so far as that succession is subject to a rule” (A144, B183); such necessary temporal succession therefore gives meaning to cause and effect. Thus the schemata as principles for transcendental are “simply the rules for the objective employment of the [categories]” (A161, B200) and are “the true and sole conditions under which these concepts obtain relation to objects and so possess *significance*.” (A146, B185) They thus mediate between objects and the categories; as transcendental determinations of time, the schemata are supposed to have a relation to both appearances and the categories which permits this mediation. We will now turn to some problems with this relation.

Section Two: Mediation, Reflection, and Judgment in the Schematism

The section on schematism in the Critique of Pure Reason has been criticized for many reasons⁷. One important criticism is that the section either subverts or confuses the claims of the critical philosophy through the introduction of time as a mediator between appearances and pure concepts⁸. The burden of the criticism concerns one of Kant's central claims, a claim that on his own account differentiates him from his predecessors. This is his claim that there are two separate sources of our knowledge, namely, understanding and sensibility. The understanding generates concepts and sensibility generates intuitions. The role of the Schematism is to mediate the subsumption of

⁷Reasons given include textual confusion and the supposedly awkward role it plays in the Transcendental Analytic. These criticisms take their tone from Kemp Smith's discussion of the section. There has been, however, a steady, though sometimes thin, stream of scholarly opinion which has seen the schematism as a necessary, though sometimes confusing, component of the Transcendental Analytic. One of the earliest of these commentators was H.J. Paton, who took the Schematism, as he took so many other aspects of Kant's analytic, to have a genuine role to play in the system, and one close to the role that Kant said it had. H.J. Paton, *Kant's Metaphysic of Experience*, (London: George Allen & Unwin, 1936), Chapter XXXII. (His only real complaint concerns Kant's style of exposition of the Schematism, rather than its substance)

More recently, Henry Allison has successfully rehabilitated the Schematism as a necessary component in the Analytic. According to Allison the Schematism gives the overall condition for the realization of the categories, although their validation has been provided by the Deduction. Allison, *Kant's Transcendental Idealism*, (New Haven and London: Yale University Press, 1983), Chapter 8. This now generally accepted position has, however, been criticized by Paul Guyer. Guyer's point is that there is no genuine validation of the categories separate from their realization, and that Kant was sidetracked from his original project, which involved the theory of time-determination, into the argument from the unity of apperception. Thus, the Schematism and its succeeding chapter "contain the basic materials for his [Kant's] only successful deduction of the categories." Guyer, *Kant and the Claims of Knowledge*, (Cambridge: Cambridge University Press, 1987), p.157, and chapter 6.

⁸See Kemp Smith, *A Commentary to Kant's 'Critique of Pure Reason'*, (London: Macmillan, 1923), pp.334-342; Moltke S. Gram, *Kant, Ontology, and the A Priori*, (Evanston, Ill.: Northwestern University Press, 1968), pp. 128-129; and David Bell, "The Art of Judgement," in *Immanuel Kant, Critical Assessments*, vol.4 (London and New York: 1992), p.21.

intuitions under pure concepts, items otherwise taken to be heterogeneous. However, Kemp Smith points out that "if category and sensuous intuition are really heterogeneous, no subsumption is possible; and if they are not really heterogeneous, no such problem as Kant here refers to will exist."⁹

The point that Kemp Smith misses, however, is that it is not, as Lorne Falkenstein points out, a metaphysical issue of whether or not category and intuition are heterogeneous, but an epistemological question of what we can know about their putative homogeneity. Thus they could be perfectly homogeneous, but we might be unable to know this, hence Kant's concern for a valid account of our knowledge of their relationship.

However, Kemp Smith's formulation of the problem does highlight its relevance for our discussion of the problem of mediation. The Schematism is an important model of mediation and the objection points to the essential problem that mediation must solve, the problem of the connection of heterogeneous items. If the Schematism can do this, even if what it does is purely epistemological, it will succeed in providing a more general model for mediation, since its mediation is at the most basic level in the Kantian system, the distinction between concepts and intuitions, between spontaneity and receptivity.

The relevant question for our discussion concerns not only the features of the mediation model generally, but, more specifically, if time as an intuition is actually heterogeneous with the categories, how can it serve as a mediator in the subsumption of

⁹Kemp Smith, p.334.

appearances under the categories? And if time and the categories are not really heterogeneous, what force is there to the assertion that time is an intuition, which is the basis for its affinity to appearances and its ability to mediate between them and the categories?

Kant certainly *claims* that time is homogeneous with both categories and appearances, but can he do this coherently without sacrificing the concept/intuition distinction so essential to the critical philosophy¹⁰? Time of course is not a sensuous intuition but a pure one, but the question remains, qua intuition can it be homogeneous with the categories¹¹, given that the need for schematism arises precisely because the

¹⁰Allison does not see this as problematic, since he argues (pp.180-183) that there are formal intuitions which are both sensible and intellectual, which partake of the nature of both intuition and concept. These formal intuitions are geometrical concepts. However, if Kant cannot make a *general* argument for the combination of intuition and concept, then these formal intuitions are simply anomalous in his system, unless something special about them leads to the general argument for such combination. And since geometrical concepts concern space, they cannot lead to a general argument about the union of concept and intuition, because space is not a condition for all representations, but only for those of outer sense. Arguments from formal intuitions of time could do this, but there are no obvious formal intuitions of time.

¹¹One of the reasons this question is important is that recent commentary on the Critique has made use of the concept/intuition distinction as though we had concepts on the one hand and intuitions on the other, and intuitions, moreover, that are not conceptual. This is a received opinion, but one that does not seem to see the absurdity of claims from a transcendental idealist perspective about representations that are non-conceptual. In an otherwise sensitive and illuminating discussion, Sarah Gibbons repeatedly refers to intuitions and concepts in a fashion that conflates their metaphysics with their epistemology. Gibbons, *Kant's Theory of Imagination*, (Oxford: Clarendon Press, 1994). Lorne Falkenstein's recent commentary on the Aesthetic and Richard Smyth's 1978 discussion of intuition are exceptions in being sensitive to meta-Critique concerns, such as how we can have access to intuitions that are supposed to be rooted in a non-conceptual faculty. See Falkenstein, *Kant's Intuitionism. A Commentary on the Transcendental Aesthetic*, (Toronto: University of Toronto Press, 1995) and Smyth, *Forms of Intuition. An Historical Introduction to the Transcendental Aesthetic*, (The Hague-Boston: Martinus Nijhoff, 1978). Oddly enough,

categories are taken to be heterogeneous with intuitions, albeit sensible ones? One can answer with Falkenstein that metaphysically time is really homogeneous with the categories and with appearances, so that its ability to mediate between the latter two is not really mysterious, but only of concern epistemically; however, this question can be asked from the epistemic perspective as well. The putative metaphysical homogeneity of time, the categories, and appearances does not settle the epistemic issue. As will be seen, we know time in such a way that it is postulated to be something other than a discursive concept; as such, it is different from the categories and associated with appearances. We also know the discursive concept of time, described in detail for us by Kant in the *Transcendental Aesthetic*. If the latter is what is like the categories, then the argument fails, since the discursive concept's being like other discursive concepts is no surprise, but says nothing about whether pure discursive concepts, such as the categories, are applicable to intuitions or singular concepts.

What we need to know is how a pure intuition *as* pure intuition can have affinities to pure concepts. As we will see, the affinities between these seemingly heterogeneous items are a) the pureness of both, since they are both independent of experience, and b) an analogy between the way in which time unifies its manifold and the way in which pure concepts unify. That this is an analogy becomes clear when we look at the distinctions of the *Aesthetic* between the ways in which concepts and intuitions unify; they unify so differently, that for their unifying to be what makes time and the categories alike, then it

Smyth's work has not received much attention in the literature, not even in such an otherwise comprehensive discussion as Falkenstein's.

must be both analogical and non-robust. Moreover, such unification would not really be very different from the way in which any empirical intuition unifies its own manifold, except in the purity of the way both time (and space) and the categories unify.

I argue that the epistemic homogeneity of time with the categories can be preserved without either violating the strictures of the critical philosophy¹² or jeopardizing time's homogeneity with appearances. However, to do this requires the use of reflection, and with it the subjective conditions of thought. While Kant is more concerned with why subjective conditions of thought have objective validity, and hence only deals separately and explicitly with them in a few sections of the Critique, the subjectivity of thought plays a much more central role than its explicit discussion might indicate¹³. It becomes particularly significant in the Schematism, since it is the linchpin of the realization of the categories and hence an important section in making subjective conditions of thought objective. Making the initial move in the realization of the categories, that is, making time the mediator between the categories and appearances,

¹²One of these strictures, which will be discussed in more depth later on, is what Lorne Falkenstein calls the "blindness thesis" or often, simply "blindness"; since he uses it to restrict interpretations of Kant's position, I shall refer to it as the 'blindness restriction.' See Falkenstein, p.55

¹³Subjective conditions are explicitly important in the second and third Critiques. In the second critique Kant devotes considerable space to the discussion of incentives to morality and the instantiation of morality and in the relationship of these subjective conditions to the objective concept of the moral. And the third Critique is the locus classicus for the discussion of what we can know a priori about such subjective conditions of thought, specifically with regard to aesthetic sensibility, scientific methodology, and a very restricted sort of physico-theology. Gibbons is one commentator who has paid considerable attention to the role of subjective conditions in the first Critique, though her focus, which is the role of imagination, is not concerned with the status of time and which in fact stresses its non-conceptuality.

requires the use of what is itself a subjective activity of thought, namely, reflection, and the development of a reflective mediation prior to a determinate schematic mediation. As we will see more fully later, this implies, since it is taking place at such a basic level, that reflective, indeterminate, non-schematic mediation is a crucial component of any model of mediation. We will also see that this does not result in the model itself being reflective, indeterminate, or non-schematic¹⁴.

I shall briefly discuss the distinction between schematic and non-schematic mediation and what the criteria for the latter are. I then briefly examine the need for the mediation of the Schematism and then go through its discussion of the mediating role of time. This will elicit the criteria for mediation generally, criteria that will generate the need for non-schematic mediation. I show why the nature of time's homogeneity with the categories lends initial force to the heterogeneity objection, and generates a duality within time itself, and then sketch a solution to the objection, based on reflective unification. The plausibility of this solution depends on two points. One is the point that as a pure intuition time is also a concept, but not a discursive or general concept, an argument made in some detail by both Richard Smyth and Lorne Falkenstein. The second point, recently argued by Falkenstein, is that the conceptuality of time is part and parcel of Kant's epistemic turn and can be distinguished from metaphysical conclusions about

¹⁴Chapter Two will show in detail that for a mediation to be a non-schematic, reflective, and indeterminate mediation something else is necessary; the concept being applied must not only be indeterminate, it must be *indeterminable*. Indeterminability relegates forever the application of a concept to the territory of reflection, indeterminacy, and non-schematic mediation.

what such a concept represents. When applied to the Schematism, the notion that time is conceptual and not simply some sort of given, shows that objections such as Kemp Smith's about the general heterogeneity of intuition and concept are beside the point, given the project of transcendental idealism. Nevertheless, its conceptuality indicates a reflective synthesis that must be in place for determinate mediation to take place. Indeed, paradoxically perhaps, it is the standard generated by the demand for determinate mediation, in the formulation of the problem of the Schematism, that will generate the problem with time as both pure intuition and concept; to meet this objective standard, a subjective synthesis becomes necessary.

Schematic and non-schematic unification in the Transcendental Aesthetic and Analytic.

To determine the presence of reflective activity in the Analytic we need to enumerate the characteristics of such activity which can then serve as criteria for judging the presence or not of such activity. Drawing upon the model of the third Critique¹⁵, these characteristics are roughly:

1. Subjectivity.
2. The lack of determinate rules to constrain imagination or judgment
3. Symbolic unification on the basis of analogy.

When such symbolic unification concerns intuition, such symbolic unification takes place through symbolic imagination and when the object is pure intuition, symbolic

¹⁵See the *Critique of Judgment*, particularly the Introduction, Ak. 179-181, and sections 34 and 35, Ak.286-287, for the elucidation of these criteria.

productive imagination that "assumes", to use Genova's term, from sensible intuition to pure concepts rather than subsuming through schematic productive imagination. Ordinary symbolic imagination uses the rules by which we think about one object to think about another. We compare a despotic state to a handmill, as Kant does in the third Critique, not because there is an objective basis of comparison, but because we reflect upon a despotic state as if it were a handmill, the latter symbolizing the former. In schematic productive imagination we determine a pure concept, such as causality, by the schema of succession in time; the latter stands in for the former and does so objectively. The category of cause and effect *only* has the meaning, for cognition, of objective and necessary succession of the manifold in time according to a rule; the relationship between the category and its meaning is not merely analogous and based on likeness but is determinate and objective. However, as we will see, in *obtaining* the objective schema, likeness is an important component, because the schematic determination of the categories through time, rests upon a symbolic unification of time as intuition with time as concept, a unification necessitated by the standards for schematic mediation.

Symbolic imagination cannot use a schema, because a schema is a rule for production, and symbolic imagination cannot have rules for production, even though it does produce. Symbolic imagination seeks for such rules, but does not have them either fixed or legitimated. It is lawful, without having definite laws; hence it makes use of symbols, rather than schemata. The symbol is avowedly subjective, and serves to unify faculties rather than objects, as it is used in the third Critique. Since the unification of an object does, nonetheless, presuppose the unification of the faculties of the unifying

subject, symbolic imagination appears to be a necessary precursor of objective unification, much as the context of discovery in science, frequently the site of intensely imaginative and symbolic experience, is a necessary precursor, at some stage to the context of justification¹⁶

Thus, schematic imagination is also symbolic imagination. However, schematic imagination begins, symbolically, with seeking rules, and being lawful; but it ends with rules and laws, that is, with definite objects, unlike symbolic imagination, that remains lawful but does not generate laws. At the same time, the model of schematic imagination, because it ends with rules and laws, becomes the standard by which all such mediation is measured. It is a model by which to judge the success of mediation.

So finding reflection, or reflective judgment, or symbolic imagination in the Analytic of Principles, need not mean that it remains reflective to the end. It may be imaginative and analogical but still issue in lawfulness.

The working hypothesis of this analysis is that reflective mediation will bridge the seemingly irreducible gap between intuition and category referred to before, a gap that cannot be bridged schematically without begging the question. It can only be closed by appealing to a pre-theoretical unity generated non-schematically through the imagination, in this case, the productive imagination. As we will see, this pre-theoretical orientation functions as a pre-determinate mediation, but this pre-determinate or reflective mediation

¹⁶Chapter Three will explore this in more detail.

in the Schematism finally issues in determinate, schematic mediation and as the paradigm for mediation to which even non-determinate mediation must approximate.

The Need for Schematism

In the section of the *Analytic of Principles* entitled "The Schematism of the Pure Concepts of Understanding" Kant tells us that "[w]e must be able to show how pure concepts can be applicable to appearances." (A138, B177) The central point of the section is that time as the pure form of all our sensibility, or what Kant also calls a pure intuition, is capable of mediating between pure concepts, such as cause and effect, and sensible appearances.

Having validated space and time as the formal conditions of our receiving appearances in the *Transcendental Aesthetic*, in the *Transcendental Analytic* Kant sets out to justify us in thinking them. In the *Analytic of Concepts* he first obtains the categories from the table of logical judgments in the *Metaphysical Deduction* and then in the *Transcendental Deduction*¹⁷ he grounds the categories in the original unity of self-consciousness otherwise known as transcendental apperception. The *Analytic of Principles* then endows these general conceptual expressions of unity with specific meaning through determinations of time; for example, the category or pure concept of substance, which began life as the logical judgment of subject and predicate, ends up as

¹⁷The second edition deduction, usually called the B Deduction.

the transcendental judgment or schematized category of permanence in time¹⁸. Causality, whose logical ancestor is ground and consequence, is cashed out as succession in time¹⁹.

Kant's general concern is that concepts need to be justified in their application to sensible intuition. This would not be the case if we had intellectual intuition, since then there would be no distinction between concept and intuition; as we conceived, so we would intuit. However, given our sensible intuition, there is nothing obvious about the applicability of our concepts to it; hence the need for an account of such application. The account given in the *Analytic of Concepts*, specifically in the transcendental deduction, is insufficient, for that account is primarily an abstract account of pure unity in general and its expression in the pure concepts of the understanding²⁰. The object of such concepts is still abstract, without meaning for us²¹, so that these concepts still require "sensible

¹⁸As both Allison and Gibbons point out, Kant does not use the term 'schematized category.' This, however, does not seem a reason for avoiding what is useful shorthand for the results of the *Analytic of Principles*.

¹⁹Sarah Gibbons objects to the characterization of the schematism as a temporalizing of the categories, arguing that even with temporalization the categories would need schematizing. However, it is not clear from her discussion why they would need schematizing in any other way. See Gibbons, pp.75-78.

²⁰There is, of course, considerable overlap between the discussions of the Deduction and the Schematism, but for the purposes of the paper I will only highlight the distinctions.

²¹Kant is, in effect, asking the same question that Hume asks about causality, namely, why are we justified in applying an abstract concept such as causality to appearances? Hume's answer, however, is that causality is justified through the impression of necessity generated within us through our exposure to the constant conjunction of various events. This *de facto* genetic explanation of causation, is, obviously, not available to Kant, since he has already ruled out any appeal to genetic explanations since these would be psychological and empirical rather than transcendental. Kant will also appeal to sensibility in order to justify the pure concepts of the understanding, but he will appeal to the *form*

meaning"²² as W.H. Walsh point out, a sensible meaning that can only be tied to what Robert Pippin calls their sensible use. Moreover, as Pippin further points out, this use "must be specified formally" with reference to the manifold the concepts are supposed to unify:

The concept is explained, is shown to have a meaning that is relevant to our experience, not by pointing to a variety of instances, or hunting for foundational impressions, nor by stipulating that the "rules of the thought of an object" simply constitute the form of any sensible object, but by understanding the use of the rule in terms of some universal, a priori, and above all formal characteristic of any received manifold.²³

The suitability of time for such formal specification rests on the homogeneity of time with appearances on the one hand and pure concepts on the other. However, given the status of time as a pure intuition, its homogeneity with the pure concepts of understanding implies either that concepts and intuitions are not as heterogeneous as we might think or that there is something peculiar about the nature of time that allows for this homogeneity. In fact, as will be seen, both these points are what allow for the process of schematism.

of sensibility, not its content. Since the forms of sensibility, space and time, are pure a priori intuitions, this will be an a priori justification of the categories.

²²W.H. Walsh, "Schematism" in *Kant: A Collection of Critical Essays*, ed. R.P. Wolff, (New York: Doubleday Anchor, 1967), p. 74. Robert Butts amplifies this point by characterizing the schemata as semantical rules for the categories in "Kant's Schemata as Semantical Rules" in *Kant Studies Today*, ed. Lewis White Beck, (LaSalle, Ill.: Open Court, 1969). As he puts it, the categories "supply the epistemological grammar for any system that is to make truth claims about matters of fact"(pp.290-291) while the schemata provide *meaning* to this grammar by "specifying the kinds of observables that are relevant to deciding the applicability of a category." (p.293)

²³Pippin, *Kant's Theory of Form*, p.133.

Subsumption, Homogeneity, and the "third thing."

Kant opens the Schematism with a discussion of subsumption²⁴. "In all subsumptions of an object under a concept the representation of the object must be *homogeneous* with the concept; in other words, the concept must contain something which is represented in the object that is to be subsumed under it." (A137, B176) That is, thought and what is thought must have something in common. Where the representation (*Vorstellung*) is empirical, as with a plate, then it is easy to see what it has in common with the concept of a circle, though the latter is a pure concept and the former an empirical one.

This presents us with the essential and explicit condition for subsumption, but, the essential condition for subsumption will turn out to be the essential condition for mediation as well.

The example of the plate works because the pure geometrical concept of a circle is constructed in pure intuition and the empirical concept of a plate is constructed in empirical intuition, and hence both have intuition in common, and an image as the basis

²⁴Because he considers Kant's talk of 'subsumption' to be misplaced, Allison glosses every reference to 'subsumption' in the Schematism as really being a reference to 'application.' His argument is that subsumption is really only a process of placing particulars under universals, of subsuming under concepts, and that such a process obviously cannot be available for applying concepts to intuitions. See Allison, pp.177-178.

However, doing something like this ignores the actual language that Kant uses and the location of the Schematism. Kant does use the term 'subsumption' co-extensively with 'application' and the Schematism is located in the Transcendental Doctrine of Judgment. Now if Allison is correct, then such application is not a judgmental procedure, since judgment classically subsumes; but in that case what is the Schematism doing as the opening section of the doctrine of judgment?

of the schema. But the categories, as pure concepts of the understanding have no such commonality with empirical or sensible intuition. Per se, they can never be found in intuition at all and have no corresponding images. As one commentator puts it,

One can call something a dog because of what it looks like--it presents a doggish appearance--but one cannot call something a cause because it presents a cause-ish appearance!²⁵

Kant obviously accepts Hume's strictures on this point, namely, that a pure concept such as causality cannot be part of sensible experience as such. "For no one will say that a category, such as that of causality, can be intuited through sense and is itself contained in appearance." (A137-138, B176-177) Kant then poses the crucial problem for this section:

How, then, is the *subsumption* of intuitions under pure concepts, the *application* of a category to appearances, possible? A transcendental doctrine of judgment is necessary just because of this natural and important question. We must be able to show how pure concepts can be applicable to appearances. (A138, B177)

He then concludes that "there must be some third thing, which is homogeneous on the one hand with the category, and on the other hand with the appearance, and which thus makes the *application* of the former to the latter possible." (A138, B177; emphasis added)

The necessary requirement for such a third thing is that it be both intellectual and sensible, a transcendental schema, which partakes of the nature of both intuition and concept. The schema is necessary for the sensible instantiation of the pure concept. The pure formal and sensible condition that both instantiates and restricts a pure concept is

²⁵Lauchlan Chipman, "Kant's Categories and their Schematism," *Kant-Studien* 63 (1972), p.40.

called "the *schema* of the concept" (A140, B179) and since there is more than one pure concept of the understanding we need not just one schema but many schemata²⁶. Finally, the activity of the understanding as expressed in the schemata is called "the *schematism* of pure understanding." (A140, B179)

With the language of "some third thing" we have the mediation problem clearly expressed as mediation rather than as subsumption. It is crucial, however, to note that mediation really is subsuming, only the mediator is subsumable under both the items to be mediated. In this particular case, what is needed is something that subsumable under both the categories and appearances, under both the intelligible and the sensible. It can then function as a mediator between the two. Note, too, that the implication of being a "third thing" is that the mediator in question cannot be wholly subsumable under either the intelligible or the sensible, for then it could not reach out to the other party in the mediation. Homogeneity, the initial condition for mediation, must be limited by difference sufficient to keep the mediator as a "third thing."

Unity, Conceptuality, and Time.

²⁶There is no consistent one-to-one correspondence of schema and concept. For example, although each of the pure concepts of relation and modality has a corresponding schema, the categories of quantity do not have corresponding schemata as such, but only the axioms of geometry in total on the one hand, and the principle of extensive magnitude on the other. In fact, one of the difficulties with the Axioms of intuition, the first set of schemata, is that first of all, they concern space as well as time, although time is supposed to be the dominant pure intuition in the schemata and secondly, as Paul Guyer remarks, there is really only *one* transcendental principle for the Axioms, namely, the principle of extensive magnitude. See Guyer, p.190.

The categories, as variations on the pure concept of understanding, unify the manifold in general and purely. They are form in general. Time is the formal condition for the diverse representation of inner sense; it is therefore the formal condition for the connection of all *Vorstellungen* or representations, since all representations belong to inner sense. As the discussion of the Transcendental Aesthetic has shown, both space and time as pure intuitions contain a manifold, but they contain not only the empirical manifold of sense, but also the pure manifold of themselves; as pure intuitions they are simultaneously unified and diverse. There is one space and one time but there are also parts of space and parts of time. These parts, which are spaces and times themselves, are a pure manifold that space and time contain and unify. Hence time is itself a pure unity of a manifold and is therefore like the categories, insofar as the latter are functions of unity.

This is the likeness of time to the conceptual unity of the categories; time contains pure synthetic unity of an intuition (itself), while the categories or pure concepts contain pure synthetic unity in general. But what is the nature of this likeness? The likeness of time to the conceptual unity of the categories involves subsuming the particular pure synthetic unity of time under the concept of pure synthetic unity in general. The pure synthetic unity of time is a *particular* whose character is that of pure synthetic unity in general. This appears to be a subsumption of an intuition under the pure concept of understanding, albeit a pure intuition, but in fact pure synthetic unity is being predicated of time, which is an act of discursive understanding. Thus, it appears that it is not insofar as time is something received or given that we predicate pure synthetic unity of it; it is insofar as we *conceive* time that we understand its pure synthetic unity to be a subspecies

of pure synthetic unity in general. We are making a judgment about the nature of time, and determining what it has in common with the categories, following the initial rule for subsumption that Kant laid out at the beginning of the section.

This is important to note because, as we will see later, time is already conceptual qua intuition, but it is still not, according to the discussion of the Aesthetic, a discursive or general concept. It is a singular concept, though pure and a priori. But here, in its subsumption under pure unity in general, time is conceptualized discursively or generally; it is made intelligible through concepts as per Kant's injunction at the beginning of the transcendental logic, namely, that concepts must be made sensible and intuitions made intelligible²⁷. Pure synthetic unity in general is being predicated of the particular concept of time, so that we understand time as a pure synthetic unity, i.e., we subsume time under pure synthetic unity.

Now this presents a puzzle. If time is being understood, and since the understanding's activity is discursive and general, this would imply that time has now become discursive and general.²⁸ Since discursive general concepts are class concepts,

²⁷There seems every reason to suppose that this injunction applies to pure concepts and pure intuitions.

²⁸Falkenstein argues cogently that the province of understanding is not limited to discursive general concepts but includes perceptions and intuitions. If this is the case then the application of pure synthetic unity in general to time would not render time discursive and general, since the understanding covers more activity than that of generalization. But to do this he has to argue that although immediacy is a characteristic of intuitions, singularity cannot be, though it may be an inferred characteristic. This seems to contradict Kant's emphasis on intuition involving wholes, though Falkenstein explains this as a conflation on Kant's part between a metaphysical and logical use of these terms. See Falkenstein, pp.66-71

this would make time a class concept, something that could be predicated of other items. This, of course, is precisely what Kant wanted to avoid in the discussion of the Aesthetic; he wants to make it clear that time is a singular, immediately given whole, not a general predicate of appearances. Time contains appearances, it does not simply describe them.

Thus, although time is being understood, and through such understanding is being subsumed under the pure unity of the categories, it cannot *be* a discursive general concept. It must be understood without being part of the understanding. It must be the object of the activity of understanding, without being taken up into it; its subsumption under unifying conceptuality must not be a reduction to such conceptuality. It must, in more modern parlance, remain underdetermined by its conceptuality.

This, of course, is easily done with *empirical* objects. Fido is understood to be a dog without our thinking that this makes Fido a discursive general concept. Fido is underdetermined by the concept of 'dog.' But, unlike Fido, time cannot be picked out in experience without the aid of abstraction; the Transcendental Aesthetic is clear on this. Kant could not argue his claim that time and space are intuitions by appealing to our perceptions immediately; instead, he infers that space and time are intuitions. As Falkenstein points out, he does this by means of examining their concepts. Hence, discursive general conceptuality must somehow be a bridge to singular pure intuition.

Now the discussion of the Transcendental Aesthetic also makes it clear that space and time are not discursive general concepts (A24-25, B39 and A31-32, B47). For example, the way in which the pure intuitions unify their manifold is different from the way in which a concept unifies the particulars that stand under it. Nevertheless, there is

evidence from both the Aesthetic and the Analytic that Kant perceives himself as discussing the concepts of space and time. In the Analytic, he refers to having to justify our use of the concepts of space and time²⁹; and in the B edition of the Aesthetic, new subheadings are added that make it clear that the discussion is about concepts. This evidence does not contradict Kant's intention that time be a pure intuition, since there would necessarily be a concept of time anyway, but it does raise the philosophical question of how something which is non-perceptual, since it is not empirical, and which is epistemically obtained through abstraction from the empirical, can then claim the metaphysical status of an intuition, of a given. So we are left with the question, how can time be a pure intuition when the understanding is not only clearly doing the work of thinking about it but seems, in effect, to be producing it? To answer this, we need to look at the meaning of the concept of time.

The concept of time.

Recently, Lorne Falkenstein has pointed out that what Kant is doing in the Aesthetic is not a stripping off of concepts to arrive at pure intuitions, but a discussion of

²⁹In fact, he refers at A87, B119-120 to having made use of a transcendental deduction to validate the concepts of space and time. Both Falkenstein and Smyth make extensive use of passages such as these, although their purposes are different; Falkenstein wants to show that intuitions are fundamentally conceptualized by the understanding and that their nature as intuitions is relegated solely to being immediate, whereas Smyth's point is that intuitions are singular concepts. Falkenstein in fact wants to keep singularity out of the initial definition of intuitions, since he wants to attribute this singularity to the work of the understanding, and because of the blindness restriction. He does concede that Kant defines intuitions as singular, but thinks that Kant is confusing logical and metaphysical terminology.

what it is that we can *know* about our sensibility a priori, i.e., what we can know about the formal conditions of sensibility, space and time. Falkenstein argues that Kant is not discussing the relationship between concepts and intuitions as such, which would be a metaphysical enquiry, but the nature of our knowledge of intuitions of space and time, a transcendental enquiry. Even here, as Falkenstein notes, we do not get an exhaustive discussion of space and time per se, but only a discussion that effectively situates them in the framework of transcendental idealism. Hence, as he concludes, what we have in the Aesthetic is a conceptual discussion, which is, in any case, the only means by which intuitions could be expressed³⁰.

Richard Smyth takes this discussion of the conceptuality of the Aesthetic a bit further³¹. Time is conceptual in the Aesthetic, says Smyth, because for Kant an intuition is a *conceptus singularis*, unlike a discursive concept, which is a *conceptus generalis*³². Part of the evidence that Smyth cites is B118 where Kant indicates that both intuitions and concepts are species of the genus 'concept.' More evidence for this is also that when Kant denies in the Aesthetic that space and time are concepts, he only denies that they are either empirical concepts or discursive general concepts. And these denials come under subheadings entitled as expositions both metaphysical and transcendental of the *concepts*

³⁰See Falkenstein, *passim*, but especially at pp.148, 152, 154. The issues of conceptual expression and the difference between metaphysics and epistemology undergird the commentary generally, as does the blindness thesis.

³¹See Smyth, pp.139-153.

³²Smyth points out that the term *conceptus singularis* is a regular alternative for 'intuition' in Kant's Latin writings. Smyth, p.151.

of space and time, subheadings, as mentioned previously, that were added in the B edition. And in the Schematism itself Kant says

... pure *a priori* concepts, in addition to the function of understanding expressed in the category, must contain *a priori* certain formal conditions of sensibility, namely, those of inner sense. These conditions of sensibility constitute the universal condition under which alone the category can be applied to any object. (A139-140, B178-179)

So the categories are not the only pure a priori concepts; the formal conditions of sensibility are also pure a priori concepts³³.

We can conclude from this evidence that a) there is a pure *a priori* concept of time, though time itself is not a concept and that b) the conceptual discussion of the Aesthetic is designed to give us access to time as pure intuition.³⁴

In the Schematism, time is related to the pure concept of understanding. This means that time gets conceived discursively, since the pure concept of unity is predicated of it. Hence the discussion of the Aesthetic, and of the Schematism, is a general conceptual discussion of a singular concept. This I take it is partly what Falkenstein's

³³Since Kant only mentions *inner sense*, the implication seems to be that only the formal condition of inner sense, time, is a pure a priori concept. However, since he does say the formal conditions of sensibility, we can assume he must mean space as well, and of course, as the Refutation of Idealism makes clear, space is also a formal condition of inner sense, but mediately, whereas time is the immediate formal condition of inner sense.

³⁴As Paton points out, space and time as forms of sensibility "are concepts only in the looser sense of the word, being pure intuitions rather than pure concepts." (Paton, p.317) However, Paton has just previously commented on the passage at A85, B118 where Kant points out that "pure concepts are two distinct kinds, according as they originate in sensibility or in understanding." (Paton, pp.316-317) Paton also points out in a note that "space and time are frequently referred to as concepts." (Paton, p.317, n.2)

point about conceptual expression means. No matter what is being discussed in the Critique, it has to be expressed conceptually.

Now, conceptuality, at least at the general discursive level³⁵, is the province of the understanding. This means that the understanding is conceptualizing time in such a way as to render it a mediator between the understanding and empirical representation. In one sense all empirical intuition is also conceptualized, since we express such representations as empirical concepts, but the element of intuition is preserved by reference to the evidence of the senses. I understand Fido to be a dog, but I also see him run across the street, thus confirming his extra-conceptual existence. As we saw before, such evidence is not directly present for time, which required the abstract conceptual discussion of the Aesthetic in order to be validated as an intuition. Even accepting Smyth's point that time as intuition is actually a singular concept, the problem is pushed back to how it can retain its singularity in the face of the generalizing process of understanding. And even conceding Falkenstein's point that the understanding is not limited to discursive general concepts, but can encompass the singularity of intuition as well³⁶, this still does not explain how it is that time is both a singular object and hence the ordering principle of all

³⁵Falkenstein argues that singular concepts, such as those involved in perception, are also the province of the understanding.

³⁶It is not entirely clear why this should be the case. Imagination would appear to have a stronger claim to the synthesis of intuition, though, of course, empirical understanding has a large role to play in shaping the synthesizing power of empirical imagination. Nonetheless, the understanding still primarily appears to be a unifying generalizing faculty, not one that can encompass particulars as particulars, and hence cannot encompass intuition as intuition, rather than as a synthesized manifold.

our representations, and the object of the intellectual activity of understanding.

Understanding conceives time; what is the force, then, of its non-perceptual singularity, except that Kant conceives it to be such?

Concepts and Intuitions

The answer may lie in Kant's own epistemic imperative at the beginning of the *Transcendental Logic*, that since "[t]houghts without content are empty" and "intuitions without concepts are blind", it is

...just as necessary to make our concepts sensible, that is, to add the object to them in intuition, as to make our intuitions intelligible, that is, to bring them under concepts. (A51, B75)

The *Analytic* performs the former task for pure concepts, the *Aesthetic*, the latter task for pure intuitions. It turns out in the *Schematism* that the pivotal move for adding the object to pure concepts is bringing the pure intuition of time under the pure concept of understanding, a task dependent on the success of bringing time to concepts in the *Aesthetic*.

However, a fresh problem presents itself. If understanding can bring time to concepts in the *Aesthetic*, it looks as if the move in the *Schematism* is unnecessary; what the understanding can do for one intuition, albeit a pure one, it should be able to do for all intuition, without the mediating role of time. Time would simply be the exemplary intuition, along with space, that understanding could bring to concepts; schematism would have occurred, already, in the *Aesthetic*.

Of course the point is that understanding does bring empirical intuition to concepts all the time, in its empirical employment, but here it must bring empirical

intuition to pure concepts, to the categories. And for this time is necessary, since the understanding's subsumption of it under the pure concept of understanding means that everything bound up with time, everything irreducibly temporal, has also been subsumed. But since it is the concept of time that has been subsumed, does this mean that only the conceptual aspect of empirical objects is subsumable under the categories? Does this mean that insofar as empirical objects are not conceptual in the discursive and general sense, insofar as they are singular and immediate, that they are not subsumable under the categories? The response may be that it is their singular conceptuality that falls under the categories but it is not clear what this means.³⁷

This seems to lead to a certain scepticism about the relation between object and concept. One could also criticize such a procedure as no different from full-blown idealism, insofar as we cannot have access to sensibility unsullied by concepts; the latter point follows from what Falkenstein calls the 'blindness' thesis, Kant's well-known reference to intuitions without concepts being blind. We cannot directly examine blind intuitions without violating this restriction; what we can examine and evaluate is our knowledge of intuitions. But this sort of examination is always conceptual, and generally

³⁷Of course, the notion that it is the singular conceptuality of objects that falls under the categories makes sense in a way. The categories are pure concepts, pure intellectual unifications. They do not deal directly with the immediate sensible nature of objects; that, as J.M. Young has pointed out, is the function of imagination. Imagination works up the object into some singular intuition, which intuition (or singular concept) is then unified by the understanding, empirically of course, but, also purely, since whatever empirical unification a given intuition possesses, it must, universally and necessarily, pass the unification of the categories. Otherwise, it is unthinkable. See Young, "Kant's View of Imagination" *Kant-Studien* 79, 1988, pp.140-164, *passim*.

conceptual, not singularly conceptual³⁸. This is why, in spite of Smyth's point about intuitions being singular concepts, the discussion of them in the critical philosophy is essentially a discussion in terms of general concepts, i.e., what do we know generally about singular concepts such as space and time? And, in the case of space and time, it appears as if their conceptual singularity is manufactured by the understanding, leading to questions of the authenticity of such singularity. Are they really singular or are they general concepts whose singularity is more desired than actual?

What is at stake for the Schematism, is, of course, the mediating role of time as a pure intuition. If time is not really a pure intuition, then it cannot have the status of obtaining in all appearances and, moreover, is too bound up with concepts. It loses both its homogeneity with appearances and its difference from concepts. On the other hand, if time is genuinely an intuition (leaving pureness aside for the moment) then the Schematism is at best anti-climactic, since the results of the Aesthetic would indicate clearly a connection between concept and intuition, even if it is not clear what that connection is.

So how can we prevent critical or transcendental idealism from being convicted of either idealism or scepticism without making the Schematism redundant? Obviously, we would first have to show that it is still meaningful for Kant to talk of intuitions, concepts, and ideas as distinct entities representing different modes of knowing while

³⁸Even if Falkenstein is correct about understanding governing more than just discursive general conceptuality, the Critique itself is assembled along the lines of discursive general conceptuality and must obey the rules and restrictions of such conceptuality.

acknowledging that the parameters of such talk are conceptual in the general sense. That is, we have to show that talk about immediate relation to objects, as in intuition, is meaningful in a discussion fundamentally governed by the other source of knowledge, that is, a discussion governed by the understanding³⁹. In the case of time, this would involve showing that although time is understood by the understanding, and hence conceptualized generally, that it is not thereby made into a discursive general concept, losing its status as intuition. This is how the essential condition for mediation, homogeneity, also implies its opposite, difference, since time needs to be homogeneous with both categories and appearances, but also sufficiently *different* from both, in this particular case, sufficiently different from discursive general concepts. We would then need to explain why Kant waits until the Schematism to do something he is already doing in the Aesthetic.

Falkenstein's suggestion that the understanding governs more than just discursive general concepts is the beginning of a solution to this problem, but although this works well enough for empirical intuition, whose singular empirical conceptuality can be subsumed under at least empirical understanding, it will not work for time. Time, as a *pure* intuition, does not, obviously, have a pure perceptual reference, though we might be said to have an *empirical* consciousness of time generally. Moreover, although the blindness restriction suggests that our perceptions are governed in part by understanding,

³⁹Kant's idealist critics seem to have grasped this point all along; Hegel, for example, sees Kant's philosophy as a philosophy of understanding, contrasting it to his own, which relies upon speculative reason.

it is not at all clear that this governance is not just at the discursive general level, rather than at the level of the singular intuition. Intuitions may not be accessible to us if not made intelligible, but this seems a rather strong conclusion, especially given Kant's own distinction, no matter how correct or suspect, between the contributions of sensibility and the contributions of intelligibility.

Therefore, if time's singular conceptuality is to be brought under the jurisdiction of the understanding, it must be done in such a way as not to produce a definite or determinate general concept. Time must be thought by the understanding but not become part of the understanding; it must certainly not be governed by the understanding. The most promising candidate for such a non-determinative activity is reflection, since reflection does not have to issue in determinate concepts, though it can do so; and since the area of reflection by the understanding is sensibility, the specific form of reflection will be imagination. I will sketch briefly what this might look like.

Reflection, imagination and the dual role of time.

Reflection for Kant is the subjective aspect of thought, an aspect not much dealt with in the first Critique, except in the Subjective Deduction, the Appendix to the Dialectic, and in parts of the methodology. Broadly speaking, Kant is more concerned, and legitimately so, with the way in which thought is objective, with the way in which it is objectively valid and real. However, the fact that thought can be objective does not mean that we should ignore its subjective side, and the discussion of the Amphiboly highlights the importance of such subjectivity.

Kant defines reflection in the *Amphiboly* as follows:

Reflection (reflexio) does not concern itself with objects themselves with a view to deriving concepts from them directly, but is that state of mind in which we first set ourselves to discover the subjective conditions under which [alone] we are able to arrive at concepts. It is the consciousness of the relation of given representations to our different sources of knowledge; and only by way of such consciousness can the relation of the sources of knowledge to one another be rightly determined. (A260, B316)

He then adds that "All judgments... and indeed all comparisons, require *reflection*, i.e. distinction of the cognitive faculty to which the given concepts belong." (A261, B317) This presumably implies that all determinative judgments, including the application of the categories to appearances, require reflection. But reflection which is concerned with the source of a concept is not logical reflection but transcendental reflection:

The act by which I confront the comparison of representations with the cognitive faculty to which it belongs, and by means of which I distinguish whether it is as belonging to the pure understanding or to sensible intuition that they are to be compared with each other, I call *transcendental reflection*. (A261, B317)

Although Kant makes it clear that such reflection involves comparison of concepts, he also makes it clear that reflection is not "mere comparison (*comparatio*)" but is "transcendental consideration (*reflexio*)" (A262, B318). It is logical reflection that is simply comparison, and in logical reflection all representations are treated without distinction, just as in general logic:

Transcendental reflection, on the other hand, since it bears on the objects themselves, contains the ground of the possibility of the objective comparison of representations with each other, and is therefore altogether different from the former type of reflection. (A262-263, B319)

He then adds obliquely that "Indeed they do not even belong to the same faculty of knowledge." (A263, B319) Reflection, then, although concerned with subjective conditions, is the source of "objective comparison of representations", though in the third Critique Kant will also explicitly allow for such reflection to remain subjective but not merely logical.

Now the selection of time as the mediator between the heterogeneous particulars of category and appearance involves, at least implicitly, reflection on the source of representations, for this is how Kant indicates the suitability of time as this mediator, since it is sensible and an intuition like appearances but also pure, like the categories. In particular, its grounding in the faculty of intuition is what makes it especially eligible for mediation, since it is not merely a concept, in spite of all the difficulties surrounding its conceptuality. However, this mediation is also transcendently determinative⁴⁰, and in fact Kant does refer to the mediating schema as a transcendental determination of time (A138-39, B177-78)⁴¹. The mediation achieved through time must be objective, and thus cannot be placed solely under the jurisdiction of what the third Critique will develop as purely subjective but still transcendental reflection. What appears to be left as a candidate for such subjective reflection is the dual role of time as pure intuition and as thought by the understanding.

⁴⁰Though, of course, all determination is also reflective, though not vice versa.

⁴¹The implication at B177-78 is that Kant is not only talking about the general mediating of time between appearances and categories, but that he is talking about the specific schemata.

Subjective reflection here is nothing but the non-determinative claim that determinative understanding can comprehend what metaphysically falls outside of its jurisdiction, but which can only be known through determinative understanding⁴². I am not referring to the content of the discussion of the Aesthetic or the Schematism; this content is our transcendental knowledge that time is an intuition, not a discursive general concept, and this falls under the jurisdiction of determinative understanding. But the form of the discussion of both sections, and indeed, of the Critique as a whole, is that of a logical system, made up of concepts, judgments, and syllogisms, though the last mentioned are somewhat hobbled by the restriction of the logical system to significance within the framework of possible experience. This form is a form of understanding, a discursive, general form and it is reflection, as Kant defines it in the Amphiboly, for the discussion concerns the sources of our knowledge and to which faculty something belongs. Hence time is a general characteristic of appearances insofar as it contains them, because it can be understood through its general concept which includes containing appearances; all this is part of a general conceptual discussion of time. But the form of discursiveness or generality does not commit Kant to a metaphysics of time as simply a discursive general concept; the form of general conceptual discussion is simply the way

⁴²I am drawing upon Falkenstein's distinction between the metaphysical and epistemic aspects of Kant's discussion of intuition. See Falkenstein, p.152 especially, though he discusses the distinction throughout the book.

in which we *reflect* upon time and such reflection leads us to the conclusion that time could not simply be a discursive general concept⁴³.

Note that this problem of time's duality is a problem of mediation as well, where the concept of time has to be conceptual but also express a singularity. It has to indicate a whole, which is what Kant designates time as, but it is a concept, which means that it inclines toward discursive generality.

The non-schematic unity of time with pure conceptual unity

Now the homogeneity that time has with pure conceptual unity is not the homogeneity of Fido with the concept 'dog.' Fido is an instance of 'dog,' even if he is underdetermined by the latter, which will not be a complete description of him. But given what Kant says about time, it is not an instance of the concept 'pure conceptual unity' or 'pure concept'; were this so, then time would not be a pure intuition. It is an instance of 'pure intuitional unity' though both 'pure conceptual unity' and 'pure intuitional unity' are instances of 'pure unity' in the end. But the pure unity of which they are instances appears to be nothing but logical unity applied to a pure object, namely, pure transcendental unity. There are no determinate marks, however, of pure transcendental

⁴³Falkenstein makes this point as well, though slightly differently, since he does not make use of the distinction between singular concept and discursive general concept. He is concerned to show that in the exposition of the concept of time and space, we come to understand that time and space must have originated from that which is non-conceptual. Of course, the question of how thought can go beyond itself is a question as difficult for Kant as any other philosopher, though it is beyond the scope of this thesis to address it; here we must simply show how his discussion of time is consistent, requiring only the reflective consideration of different sources of knowledge.

unity per se, other than it being logical unity applied to a pure object, and such logical unity appears to be purely the activity of the logically judging subject.

Nonetheless, there is indeed something *similar* about the way in which time unifies its own pure manifold, in this logical sense, with the way in which a pure concept unifies; unity, in a formal sense, plus being non-empirical. This, of course, is the unification of time and the categories purely in terms of a general logical function, but it would suffice, not for determinate homogeneity, for that requires a unity under a concept and not merely a function of judgment, but for quasi-homogeneity achieved through judgment as a logical faculty. This type of quasi-homogeneity is not determinate, is a type of subsumption under a faculty rather than a concept, and is, essentially, analogical; time is *like* the categories in its unification, though relevantly different, since it is an intuition.

From this analogical unity with the categories, the homogeneity of time is generated, but since it is an indeterminate and logical homogeneity, indeed a homogeneity generated through the judging subject and not through the concept of an object, such homogeneity means that time is only indeterminately subsumed under the categories and is not in danger of becoming a pure discursive concept itself. It is reflectively synthesized with the categories, producing Pippin's pre-theoretical orientation, that allows for the mediation with appearances, and then the determination of schemata for the categories.

The subsequent schematic determination of the categories, whereby they are uniformly denoted by such items as permanence in time, succession in time, and so on,

means that there is no reflective judgment per se in the Schematism. Reflection that issues in determination is only reflective judgment in the very weakest sense, since such reflection is merely the subjective side of every objective judgment; in the strong sense, the sense of the third Critique, reflective judgments are judgments that take the place of determinate judgments.

Conclusion

The Schematism then involves at one level a general conceptual reflection on transcendental judgment; the concept of time as a pure intuition can be subsumed indeterminately and non-schematically under the pure concept of understanding. Nonetheless, this reflection issues in determination, in the cognitive connection between intuitions and concepts, since, once time is assumed to be the basis of the connection of appearances and the categories, the concepts that are used to describe that connection are genuine schemata, determinations of time that are taken to be unique determinations for their corresponding categories. Once schematism has been achieved, causality, for example, is no longer under-determined theoretically; theoretically, causality is only to be conceived as succession in time--no other candidates need apply. Conversely, causality is left indeterminate on other levels, such as the pure practical level, where it can then be determined by the concept of freedom.

The Schematism is therefore reflective in its initial step, the step of mediation, since this requires non-determinate mediation through a logical function based on a formal analogy between time and the categories. But the determination of its second and

final step, the cashing out of the categories by means of the schemata, means that its mediation is determinate; specific forms of time are to stand for specific categories. When we say "cause" (and are speaking as knowers) we can, in Donald Crawford's language, specify in advance, that it means "succession in time" and nothing else.⁴⁴

However, though its mediation is determinate, the Schematism gives us the basic model of mediation which will be used to discuss indeterminate mediation. It does this by outlining the necessity for an independent mediator and the problems inherent in finding such a mediator. Mediation requires 1) some third thing, 2) homogeneous with both parties but 3) sufficiently independent of both. When mediation is also indeterminate its homogeneity is 4) analogical⁴⁵. What is interesting in the case of time is that its mediation between the categories and appearances requires the presence of all four conditions, since the resemblance between it and the categories is *initially* analogical but, since based on a logical function and not a *mere* analogy⁴⁶, is not finally analogical. The

⁴⁴Donald W. Crawford, *Kant's Aesthetic Theory*, (Madison, Wisconsin: University of Wisconsin Press, 1974) p.139. Crawford is specifically contrasting the inability to specify in advance what will exemplify beauty empirically with our ability to make such specification in advance for, say, the concept of "dog."

⁴⁵My numbering of these characteristics has no significance other than convenience in the text; neither do I claim that this is an exhaustive list of features of mediation, whether schematic or not. For example, I do not include important features of mediation through reflective judgment, such as transferring reflection on one item to reflection on another or subsuming one faculty under another, rather than subsuming under a concept (though this is implied in indeterminacy). These are features of the process of mediation. The features I adduce, however, appear, to be central features of any likely candidates for being a mediator in the first place.

⁴⁶Such real relation or similarity does not invalidate the essentially analogical homogeneity; all that is required for this is that the real relation does not completely

Schematism thus involves indeterminate mediation, but that indeterminate mediation is not *indeterminable*; it migrates from indeterminacy to determinacy, once the analogy is established as a logical function, and hence, as a real characteristic shared by time and the categories. It may seem bizarre to speak of a logical function as establishing reality, but this is the case for pure concepts such as the categories and time. The categories *are* logical functions and time unifying itself *is* a logical function; it is not merely *like* a logical function, though in the context of discovery, it is certainly *like* a logical function and continues to maintain this likeness, though now on the basis of being a logical function.

Thus, for determinacy to be achieved a fifth feature must be added to the model. It will not be enough for the mediator to be a third thing, homogeneous with both parties, sufficiently independent of both, and analogical. It must also 5) be really like both parties as well as analogical, thus providing a real relation between the parties in question, i.e., a lawful mediation. In this case, the real relation of time to the categories is logical while its real relation to appearances is sensible. Thus both the connection of the mediator to the

assimilate the mediator to one of the parties being mediated. Time can be really related to the categories but to mediate it cannot be completely subordinated to them. Similarly, in the third Critique reflective aesthetic judgment in taste is the play of the cognitive faculties, their subjective side. This is a real relation, not simply an analogy. But it is not a complete relation; the subjective play of the faculties *resembles* the objective process of understanding, for the good reason that it *is* the precursor to such understanding (Pippin's pre-theoretical orientation), but in the end it is *not* the objective process. Real relation is the basis of the resemblance but does not completely subsume subjective play under objective understanding. On the other hand, analogy need not involve real relation at all; the analogy Kant makes between a handmill and a despotic state is based purely on our transferring a way of thinking about one item to thinking about another, via the imagination.

parties as well as the independence of the former from the latter is a real connection and a real independence: Time is an actual item with objective similarities to both the categories and appearances and real differences.

Conversely, mediation which is to remain *indeterminable* must replace the fifth condition with the limitation that the mediator also 5) not be susceptible of becoming fully substantial and hence never be able to provide a completely real relation between the two parties⁴⁷. Thus, such a mediator provides lawlike mediation but not lawful mediation. This should mean that the mediator's connection to and independence of the parties in question cannot be objective and real in the way time was independent and connected. As we will see in the next chapter, two important examples of lawlike but not lawful mediation are 1) the unification of understanding through the ideas of pure reason and 2) the instantiation of pure practical reason in the sensible world by analogy with the laws of understanding. The mediator in the first case is an *analogon*; in the second, a *symbol*. Both involve mediating reason with a manifold; in the first case pure theoretical reason with the manifold of empirical understanding, in the second, pure practical reason with the manifold of sensible experience generally. Since pure reason cannot, as the unconditioned, be schematized with sensibility, the model of mediation changes to

⁴⁷As I point out in the previous note, the real relation between the experience of beauty and the faculty of understanding does not preclude the mediation of understanding and reason by beauty. However, if beauty were completely subsumed under understanding, then it could not mediate between it and reason. This is the reason why the discussion of the Dialectic of Aesthetic Judgment appears so problematic; it looks as if Kant is completely assimilating beauty to morality in this discussion, which would be fatal to the project of mediation.

accommodate this, and the relation between the mediator and the mediated does not merely involve analogy but *remains* analogical⁴⁸.

⁴⁸However, as we will see in the discussion of Chapter Three, reflective judgment can remain merely lawlike and analogical while verging on lawfulness and determinacy, just as long as it does not actually *become* lawful and determinate. If this is possible, then the distinction between remaining analogical and becoming objective and substantial may be more nominal than real.

Chapter Two

Non-Schematic Mediation in the Use of Pure Theoretical and Pure Practical Reason

Introduction

A central text for non-schematic mediation is "The Regulative Employment of the Ideas of Pure Reason," a section of the Appendix to the Dialectic of the first Critique. The theme of empirical unity developed in this section is also discussed at length in the second part of the third Critique. As with the general interpretation of the third Critique's relationship to the other two, this crucial section has been seen by most commentators as radically different from the third Critique doctrine it anticipates. I argue that the discussion of empirical unity in "The Regulative Employment of the Ideas of Pure Reason" contains a fundamental anticipation of the third Critique's discussion. In particular, I argue that the basis of the regulative employment of the ideas of pure reason is a non-schematic mediation, and hence the work of reflective judgment, thus connecting the discussions of the first and third Critiques. I begin by looking at a "received view" of the relationship between the first and third Critiques on the topic of empirical unity and by outlining some problems with this view. I then move to an analysis of the Regulative Employment, showing that it contains a transcendental principle of unity not identical to the logical principle of hypothetical reason.¹ This transcendental principle is validated

¹Michelle Grier also notes this distinction between hypothetical reason as a logical principle and the transcendental principle that grounds it. In the literature on the Regulative Employment this distinction has been otherwise overlooked, leading to confusing claims and counter-claims about the relationship between hypothetical reason and reflective judgment. Grier, however, in addition to distinguishing them, also makes the valuable point that the

through a mediating procedure that meets the criteria stated in Chapter One for mediation, but as modified for non-schematic mediation. Since non-schematic mediation is the province of reflective judgment, this is evidence for the presence of reflective judgment in the Regulative Employment and for its role in empirical unity. Some further evidence will also be adduced, namely, the couching of the problem of mediation in the Regulative Employment in judgmental terms.

After the discussion of the Regulative Employment, I briefly look at the Typic of Pure Practical Reason, as another example of non-schematic mediation, but one in the domain of morality rather than knowledge. In the Typic, Kant uses the understanding's form of law to give conceptual meaning to the moral law and to the activity of pure practical reason. This "schematization" of pure practical reason, as Beck calls it, allows it to be something that can be active in the domain of the sensible, although it is in fact supersensible.

It is much easier to argue for the presence of reflective mediation in the second Critique and to exhibit the model of non-schematic mediation it offers, than it is for the first Critique. In the second Critique the gap between pure practical reason and the sensible world creates a need for mediation, which must, of a necessity be non-schematic,

procedure of the transcendental principle is hypothetical, though it is not the hypothetical use of reason. See Grier, "Kant on the Illusion of a Systematic Unity of Knowledge" *History of Philosophy Quarterly* 14 (1) January 1997, pp.1-28. Christel Fricke also notes the hypothetical nature of reflective judgment generally, though she is discussing this in the Third Critique, in Fricke "Explaining the Inexplicable: The Hypotheses of the Faculty of Reflective Judgement in Kant's Third Critique" *Nous* 24(1) March 1990, pp.45-62. See also my unpublished paper "Is Hypothetical Reason the Precursor of Reflective Judgment?" for discussion of the pros and cons of identifying hypothetical reason with reflective judgment.

since pure reason, practical or otherwise, cannot be schematically exhibited in intuition. What is required is what one commentator, following Kant's later terminology, calls "analogy-schematism."² The presence of such analogy-schematism is marked by the typical characteristics of reflective judgment: heterogeneity of judged items, mediation through a faculty rather than through something objective (typical when the reflective judgment is about pure objects), and, most importantly, the use of analogy or symbol to express or exhibit the putative mediation³ and to prevent the mediation from being judged objective. This fits the model of mediation from the Schematism, modified, as the Regulative Employment is, by the need for non-schematic mediation. It is also exemplary of the way in which pure practical reason must be mediated with sensible reality, since this mediation takes place by way of a symbol, as it will in the third Critique.

²Y.A. Kang, *Schema and Symbol, A Study in Kant's Doctrine of Schematism*, (Amsterdam: Free University Press, 1985), pp.133-152. He is not referring specially to the second Critique, but is concerned with the first Critique and develops the theory of analogy-schematism with reference to the ideas of pure reason. Surprisingly, Kang's careful and suggestive study has received very little attention in the literature.

³There is a marked tendency in discussions of reflective judgment to conflate 'analogy' and 'symbol', even in a sensitive discussion like Kang's. Frequently, as in the typic, they are the same; but in some cases they are not. One example is the analogical relationship in the third Critique between the process of experiencing the beautiful and the process of understanding; unlike the relationship between beauty and morality, which is expressed in beauty being a symbol of morality, Kant never makes the same claim for beauty and understanding. He does not do this because, as clearly indicated in the definitions of symbol and schema in the third Critique, symbols exhibit *ideas*. Ideas require exhibition, whereas concepts of the understanding, in its ordinary use, do not, since they are already exhibited empirically. However there is an *analogy* between understanding and the appreciation of beauty, since the latter is the process of the former without an object, which is reflective but not symbolic. The relevant case for this section is the relationship between self-contentment and happiness. Kant calls the former an analogon of the latter, but the latter, being a feeling, would not require exhibition at all, still less symbolization.

The Received View of Empirical Unity in Relation to Reason and Judgment

In the Regulative Employment Kant connects reason, the faculty of the unconditioned concept, and understanding, the faculty of the conditioned concept, and hence the faculty of knowledge. Reason unifies the empirical concepts of the understanding, and such unity is necessary for the work of the understanding. In the *Critique of Judgment*, on what I will call the "received view", this empirical unification takes place under the aegis of judgment, although reason has a certain role to play in it: Empirical unity is assigned to reflective judgment (*reflektierende Urteilskraft*), the process of searching for a universal to explain given particulars. When the universal is already given, however, the particulars need only be subsumed under it, and Kant calls this determinate judgment (*bestimmende Urteilskraft*).⁴

⁴"Determinate" and "reflective" are misleadingly adjectival; the German connotes an activity, rather than a static quality. "Determinate" and "reflective" tend to suggest that there are really two distinct things, two different types of judgment; in fact, even in Kant's description of both "types" it becomes clear that there are two activities of judgment, one in which judgment determines and one in which it reflects. However, there are reflective judgments and determinate judgments.

Frederick Van de Pitte argues that Kant's distinction between determinate and reflective judgment does not really hold up because, given the organic unity of the system of categories, their "end" is the transcendental unity of apperception, and no such organic unity can be perceived without the use of reflective judgment, making it an essential part of the work of determinate judgment. In breaking down the distinction between reflective and determinate judgment, Van de Pitte seems to have shown that reflective judgment plays a fundamental role in the first Critique; however, this does not necessarily imply that the distinction is invalid, only that it is invalid to make determinate judgment a completely different activity from reflective judgment. See Van de Pitte, "Is Kant's Distinction Between Reflective and Determinant Judgment Valid?" *Akten des 4. Internationalen Kant-Kongresses*, (Berlin, 1974).

On the received view, we are faced with a major question about empirical unity namely, why, does Kant re-assign empirical unity to judgment in the third Critique without a mention of the doctrine of the Regulative Employment?

Commentators on the relationship between the first and third Critiques have provided a number of answers to this question, but their answers tend to be undergirded by the received view of the third Critique. They frequently say that Kant moves empirical unity from the jurisdiction of reason to the jurisdiction of judgment either because this serves empirical unity better or because it strengthens the critical philosophy in general. For example, A.C. Genova points out that since judgment deals with particulars⁵, unlike reason which, on Kant's own definition (A302, B359), does not deal directly with empirical particulars at all⁶ (A646, B674), judgment is better suited to dealing with empirical unification. J.D. McFarland, on the other hand, states that Kant wants to reserve reason as the faculty of moral activity, and thus wants to distinguish it sharply from scientific activity by assigning empirical unity in the latter to judgment.⁷ Genova adds to this argument by pointing out that because judgment governs empirical unity and is a distinct faculty, it provides a symbol for the transition from freedom to nature; it governs

⁵A.C. Genova, "Kant's Complex Problem of Reflective Judgment," *The Review of Metaphysics*, vol. XXIII (June, 1970): p.470, note 8.

⁶Now if reason in general does not deal with particulars, it is unclear why there should be an exception in the regulative use of the ideas of reason, where reason is said to unify the particular concepts of the understanding. Judgment, on the other hand, clearly deals with particulars; even when reason functions apodeictically, by subsuming particulars under a given universal, it is judgment that executes this subsumption.(A646, B674)

⁷McFarland, *Teleology*, p.80.

what is homogeneous with both, namely, a purposively organized nature.⁸ This otherwise perceptive assessment of judgment's suitability for unification does not explain why, if reason already has a connection with understanding through empirical unity in the first Critique, Kant still requires judgment as a go-between for them in the third Critique. H. W. Cassirer tries to justify the selection of judgment on the grounds that the empirical unity of the first Critique is, given its reliance on reason, strongly theistic and hence inclined to an inappropriate transcendence, whereas in the third Critique, given empirical unity's assignment to judgment, we get a more immanent version.⁹ However, aside from general considerations, the text of the third Critique does not sustain such a reading, given Kant's extensive use of a theistic explanation of empirical unity.¹⁰

What all these commentators have in common is their assumption that the treatment of empirical unity in the first Critique excludes judgment and that judgment only plays a role in empirical unity when we get to the third Critique. This is exemplified

⁸Genova, pp.464-465.

⁹H.W. Cassirer, *Kant's First Critique*, (London: George Allen & Unwin Ltd., 1954), pp.342-357.

¹⁰This is not apparent immediately, since the account of empirical unity in both Introductions to the third Critique is strongly immanent, relying upon a conception of empirical unity that is founded on the self-organizing nature of judgment. However, in the text of the "Critique of Teleological Judgment" Kant develops this concept of self-organization into an idea that is also made much of in the first Critique, the idea of the world as purposively thought by an ideal thinker, i.e., God. This idea also figures prominently in the Dialectic of the second Critique. Certainly the "Methodology of Teleological Judgment" develops this idea as fully and in as theistic a fashion as the first Critique, perhaps even more so.

by the following statement from a study that is generally illuminating about judgment in other respects:

In the Dialectic it was reason which was concerned to systematize the empirical detail of nature and which was required to presuppose that nature is not so heterogeneous that it will prove impossible to do so. But in the Introduction to the third *Critique* Kant has assigned this activity, and the presupposition underlying it, to reflective judgment.¹¹

I want to argue that accepting such a view is natural but mistaken.¹² I want instead to suggest that empirical unity in the first Critique involves the activity of judgment, and that the third Critique's version of this can be read as an expansion on the promissory note first set out in the "Regulative Employment of the Ideas of Pure Reason." Now if this is the case, then it would explain why Kant ignores any apparent prior connection between reason and understanding via empirical unity; such a connection was already mediated by judgment anyway, and had to be expanded on, as Kant does, in the third Critique.

¹¹McFarland, *Teleology*, p.80.

¹²Even Zammito's careful account of the third Critique takes for granted that systematic empirical unity is achieved by reason in the first Critique and judgment in the third. See John H. Zammito, *The Genesis of Kant's Critique of Judgment*, (Chicago and London: The University of Chicago Press, 1992) pp.158-169. Horstmann and Brandt also take this for granted in their exchange over transcendental deduction in the third Critique; they disagree about the extent to which one can compare the empirical unity of the first Critique to the systematizing function of reflective judgment in the third, but they share the assumption that there are different faculties governing empirical unity, reason in the first Critique, and judgment in the third. Rolf-Peter Horstmann, "Why Must There Be a Transcendental Deduction in Kant's *Critique of Judgment*?" in *Kant's Transcendental Deductions*, ed. Eckart Forster, (Stanford, California: Stanford University Press, 1989, pp.157-176) and Reinhard Brandt, "The Deductions in the *Critique of Judgment*: Comments on Hampshire and Horstmann" in Forster, ed., (pp.177-190). All three authors, and especially Zammito, offer important insights into the third Critique and its relationship to the first, but on this particular issue their recognition of the putative similarity of the hypothetical employment of reason and the systematizing function of reflective judgment, blinds them to the strong indications that judgment is as present in the former activity as it is in the latter.

To argue this successfully, I need to show that the traditional relationship between reason and empirical unity in the first Critique does not adequately explain the text of "The Regulative Employment of the Ideas of Pure Reason." I also need to show that the text is only adequately explained on the assumption that reflective judgment does the actual work of generating empirical unity, although reason still provides judgment with the idea of system or completeness that is required for the generation of empirical unity.¹³

Although the completion of my argument requires me to show that Kant essentially retains the arguments of the Appendix in the third Critique¹⁴, though with greater detail and expansion of the arguments, I will not address this here. I will concentrate on the first half of the argument, namely, that empirical unity in the Appendix involves judgment. I will examine the discussion of empirical unity in "The Regulative

¹³Which it continues to provide to judgment in the third Critique.

¹⁴J.J. Evans has an argument very similar to mine but different on one crucial point. He argues that the empirical employment allotted to reason in the Appendix to the Dialectic of the first Critique is developed further in the third Critique, so that, as far as systematic unity is concerned "the third *Critique* is simply an amplification of Kant's earlier concern for the rationality of the fundamentally hypothetical character of the kind of empirical employment of pure reason which he introduced in the first *Critique*." J.J. Evans, "The Empirical Employment of Pure Reason," *Proceedings of the Ottawa Congress on Kant in the Anglo-American and Continental Traditions*, October 10-14, eds. Pierre Laberge, Francois Duchesneau, and Bryan E. Morrissey, (Ottawa: The University of Ottawa Press, 1974, pp.480-486), p.485. I agree completely with his stress on the continuity of the two Critiques on this issue; in fact, a further development of my argument, though beyond the scope of the thesis, would be that the assignment of empirical unity to judgment in the third Critique is also a mistake of sorts, since reason still plays a very significant role in the cashing out of Kant's promissory note on this issue, in fact, the dominant role, since it supplies teleological judgment with its concept as Kant clearly states at various points in the third Critique (e.g. section 75, the end of section 76, and section 85). Where I differ from Evans is on the direction of the continuity; I stress that there is a two-way continuity from the third to the first Critique, insofar as judgment is crucially involved in the latter work's discussion of empirical unity.

Employment of the Ideas of Pure Reason" and isolate the crucial elements involved in it. I will then argue 1) that Kant's argument only works when re-defined in judgmental terms, and 2) that the basic structure of such a judgmental reading is in place already.

The Regulative Employment of the Ideas of Pure Reason

In "The Regulative Employment of the Ideas of Pure Reason" Kant discusses the way in which ideas of reason introduce systematic unity into the empirical concepts of the understanding:

Just as the understanding unifies the manifold in the object by means of concepts, so reason unifies the manifold of concepts by means of ideas, positing a certain collective unity as the goal of the activities of the understanding, which otherwise are concerned solely with distributive unity. (A644, B672)

There are four broad stages in the discussion of empirical unification. First, Kant discusses the general logical conception of reason's unifying function insofar as it is a method of idealization and hence a necessary illusion. Secondly, he examines the hypothetical employment of the ideas of reason, which is frequently taken to be an ancestor of reflective judgment, insofar as both are processes of logical unification.¹⁵

¹⁵Both Horstmann and Brandt accept the rough identification, while differing over the extent to which hypothetical employment can be mapped onto reflective judgment's systematizing. Rudolf Makkreel, however, argues persuasively that the *modus operandi* of reflective judgment is so significantly different with regard to universals when compared to the hypothetical employment of reason, that the two cannot be treated as co-extensive. Moreover, he further argues that since a regulative use of reason is merely hypothetical, the regulative empirical unity achieved in the Appendix to the *Dialectic* is not the same as that obtained as a transcendental principle through reflective judgment. While I agree with his general argument concerning the misidentification of reflective judgment and the hypothetical use of reason, I do not take the non-identity of these as the end of the story of the Appendix. In fact, the burden of my textual argument is that the transcendental principle that Makkreel correctly sees as different from the hypothetical employment of reason, is in fact already present and accounted for in "The Regulative Employment of the Ideas of Pure

Thirdly, Kant uncovers the transcendental basis for logical unity and breaks it down into three principles of reason.¹⁶ This involves, among other things, a discussion of whether these principles are purely logical or objectively real. Finally, Kant addresses the question of how these ideas of reason, ideas of unity and the unconditioned, can be schematized with the manifold empirical concepts of the understanding, concepts that are both diverse and conditioned.

1. *The general unity of reason*

Reason's attitude to the knowledge obtained by the understanding is one which both "prescribes and seeks to achieve its *systematisation*, that is, to exhibit the connection of its parts in conformity with a single principle." (A645, B673) Systematicity is therefore both a demand and a task; it is rooted in the concept of a whole of knowledge, essentially an idea of complete unity:

This unity of reason always presupposes an idea, namely, that of the form of a whole of knowledge--a whole which is prior to the determinate knowledge of the parts and which contains the conditions that determine *a priori* for every part its position and relation to the other parts. This idea accordingly postulates a complete unity in the knowledge obtained by the understanding, by which this knowledge is to be not a mere contingent aggregate, but a system connected according to necessary laws. (A645, B673)

Reason." Naturally, therefore, the term 'regulative' is not the happiest one available, but Kant has not as yet arrived at the notion of a reflective *judgment*. But in fact the transcendental principle elaborated in the section meets all the criteria of reflection, criteria that Makkreel makes clear in differentiating reflective judgment from the hypothetical employment of reason. See Makkreel, *Imagination and Interpretation in Kant*, (Chicago and London: The University of Chicago Press, 1990), pp.57-58. See also Makkreel, "Reflective and Regulative Uses of Purposiveness in Kant," *The Southern Journal of Philosophy*, Supplement: the Spindel Conference 1991, ed. Hoke Robinson, Vol.XXX, 1992, pp.49-63.

¹⁶These principles get only a cursory treatment in the introductions to the third Critique, and no mention in the body of the text; however, where they are mentioned, it is clear that Kant still considers them of importance, but essentially subordinate to the general conception of empirical unity.

In other words, the whole of knowledge must precede the parts of knowledge. Such an emphasis on the whole preceding parts is not surprising for Kant in general, but it poses a certain problem in this context since, as he adds in the next sentence, the concept of this whole is not a concept of the object, but only serves as a rule for the understanding, to bring its concepts into unity. This suggests a purely heuristic nature to such holism, but this is patently not Kant's intention in the section.

2. *The hypothetical employment of reason: The logical unity of knowledge*

Kant defines reason as "a faculty of deducing the particular from the universal", i.e., moving from the whole to its parts. If the universal or the whole is given and certain, then the particular can be subsumed under it, through judgment, and Kant calls this the apodeictic use (*Gebrauch*) of reason, a clear ancestor of the third Critique's determinate judgment. This subsumption excludes universals that are ideas of reason, since ideas of reason are not given and certain in experience, although the entire process is a process of reason.

Such universals or wholes are mere ideas and hence problematic. An abstract example of such a problematic universal is the idea of the complete whole of knowledge.

A more concrete example is given by Kant himself:

By general admission, *pure earth, pure water, pure air*, etc., are not to be found. We require, however, the concepts of them (though in so far as their complete purity is concerned, they have their origin solely in reason) in order properly to determine the share which each of these natural causes has in producing appearances. (A646, B674)

We cannot apodeictically subsume given particulars under such problematic universals, since this results in dialectical illusion, that is, in applying concepts beyond the bounds of possible experience. In the language of the third Critique, determinate judgment does not make use of problematic universals. In their case, we must follow a more uncertain procedure:

Several particular instances, which are one and all certain, are scrutinised in view of the rule [the universal], to see whether they follow from it. If it then appears that all particular instances which can be cited follow from the rule, we argue to its universality, and from this again to all particular instances, even to those which are not themselves given. This I shall entitle the hypothetical employment of reason. (A646-647, B674-675)

This has some resemblance to the role of reflective judgment in the third Critique, but there are at least three crucial differences.¹⁷ First of all, this definition leaves mysterious the process by which the rule was brought into relation with a given set of particulars in the first place; in the third Critique, judgment *searches* for a universal or rule for a given set of particulars. Secondly, as Rudolf Makkreel points out, with reflective judgment the instances or particulars do not follow from the rule with such semi-deductive severity; rather, reflective judgment uses a process of *analogy* to connect universal and particular, a process both looser and more creative than the hypothetical employment of reason.¹⁸

¹⁷Horstmann and Brandt discuss some other important differences, none of which are relevant, however, to this discussion.

¹⁸Makkreel calls this process 'reflective specification' but he seems to be restricting such activity to large systemic tasks of relating empirical laws; this would imply that reflective specification only has a pure use, when of course, like the activity of both understanding and reason, reflective specification has its empirical, non-transcendental, use. This empirical use might include the hypothetical employment of pure reason, something Makkreel himself may be suggesting when he says that "reflective judgment is not simply hypothetical". (Makkreel, "Regulative and Reflective Uses," p.55) It may not be simply hypothetical, but being

The third and most important difference lies in the kind of principle of unity provided by the hypothetical employment of reason. Kant reminds us that the systematic empirical unity provided by the hypothetical employment of reason is "only a *projected* unity, to be regarded not as given in itself, but as a problem only" (A647, B675):

This unity aids us in discovering a principle for the understanding in its manifold and special modes of employment, directing its attention to cases which are not given, and thus rendering it more coherent.¹⁹ (A647, B675)

This type of unity is *logical*. It helps the understanding "by means of ideas, in those cases in which the understanding cannot by itself establish rules" (A648, B676) and its chief function is "to secure coherence in every possible way." (A648, B676) As such, it is a heuristic and methodological principle. A *transcendental* principle of unity, such as the purposive unity of the third Critique, is a very different item, and so is the principle that Kant outlines here in the first Critique:

hypothetical may be one of its characteristics when not addressing systemic questions such as the unity of nature.

¹⁹In this sentence and in the next few Kant does not make it clear whether he is distinguishing between systematicity itself as a principle or anything more specific. He states in the next sentence that systematic unity is a logical principle, but in the above statement it is supposed to aid us in discovering a principle. It seems, therefore, that we have systematicity as a general idea on the one hand, and perhaps more specific instantiations of it, ranging from the solidly empirical, such as pure air, to the more universal, such as the principles of homogeneity, specificity, and affinity. In the third Critique Kant uses a general conception of systematicity and also a more specific conception of natural systematicity which he calls purposiveness without purpose. This is necessary since the role of judgment in the third Critique is not only to systematize empirical knowledge but to systematize the critical system itself by mediating between knowledge and freedom, between understanding and reason. (I distinguish two conceptions of systematicity in the third Critique only for the sake of convenience; in fact, the two conceptions are more like different functions of the same concept)

But to say that the constitution of the objects or the nature of the understanding which knows them as such, is itself determined to systematic unity, and that we can in a certain measure postulate this unity *a priori*, without reference to any such special interest of reason, and that we are therefore in a position to maintain that knowledge of the understanding in all its possible modes (including empirical knowledge) has the unity required by reason, and stands under common principles from which all its various modes can, in spite of their diversity, be deduced--that would be to assert a *transcendental* principle of reason, and would make the systematic unity necessary, not only subjectively and logically, as method, but objectively also. (A648, B676)

Kant then makes clear that he wants empirical unity to be objectively necessary, to be a transcendental principle, and not merely a heuristic one. He has two reasons for this. One is that the logical principle of unity requires a transcendental principle, because the unity reason prescribes for rules depends on presuming a real unity in objects:

For with what right can reason, in its logical employment, call upon us to treat the multiplicity of powers exhibited in nature as simply a disguised unity, and to derive this unity, so far as may be possible, from a fundamental power--how can reason do this, if it be free to admit as likewise possible that all powers may be heterogeneous, and that such systematic unity of derivation may not be in conformity with nature? (A651, B679)

This is the *de jure* question that informs all of the Critiques. The second reason why empirical unity must be transcendental is that without it we have "no coherent employment of the understanding, and in the absence of this no sufficient criterion of empirical truth. In order, therefore, to secure an empirical criterion we have no option save to presuppose the systematic unity of nature as objectively valid and necessary." (A651, B679) This reason is amplified in Kant's discussion of the specific principles governing empirical unity; as we will see in the next section, he shows how each one is necessary for the enterprise of knowledge. In the end, however, he is obliged to argue on

more general grounds that the principles governing empirical unity are really principles and not simply ideas, but without giving them the kind of objective reality accorded to the categories. And he does this by developing a conception of the employment of the ideas of pure reason which is really an implicit conception of reflective judgment.²⁰

3. The principles of empirical unity: The transcendental unity of knowledge

There are three principles that jointly govern systematic empirical unity. The principle of homogeneity calls for the subsumption of nature under more and more genera. The principle of specificity presides over the division of nature into more and more species. The principle of affinity, the most loosely defined of the three, directs the transition from homogeneity to specificity, from genera to species and back again, thus highlighting the continuity of the forms of nature.

²⁰However, the hypothetical use of reason does in the end turn out to be a type of reflective judgment, though not of the transcendental type required here in the first Critique or which plays the central role in mediation in the third Critique. In an unpublished paper, "Is the Hypothetical Use of Reason Identical to Reflective Judgment?" I argue, following some ideas of Anselm Mödel, that hypothetical reason is a subspecies of teleological judgment in which judgment uses reason empirically. Mödel draws attention to the relation between hypothetical reason and teleological judgment, drawing upon characterizations of reflective judgment taken from the First Introduction, characterizations that emphasize the exhibiting quality of reflective judgment rather than its quality of "searching" for universals. And in Chapter Three of the thesis I argue that such searching needs to be construed more broadly and cognitively, as judgment "making do" with the concepts it already has, rather than judgment romantically searching for concepts it does not have at all. However, I differ with Mödel in identifying hypothetical reason with reflective judgment in the transcendental sense; given the discussion of this chapter, hypothetical reason cannot be identified with the transcendental judgment that in the third Critique becomes teleological judgment a priori, and hence is not a candidate for the mediating activity required in synthesizing the totality of empirical laws. See Mödel, *Metaphysik und reflektierende Urteilskraft bei Kant* (Frankfurt am Main: Athenäum, 1987), pp.218-228.

In this discussion, Kant stresses the dependence of the empirical work of the understanding on the prior systematization of nature by reason. This dependence bolsters the need for empirical unity to be a transcendental, and not merely a logical, principle:

If among the appearances which present themselves to us, there were so great a variety--I do not say in form, for in that respect the appearances might resemble one another; but in content, that is, in the manifoldness of the existing entities--that even the acutest human understanding could never by comparison of them detect the slightest similarity (a possibility which is quite conceivable), the logical law of genera would have no sort of standing; we should not even have the concept of a genus, or indeed any other universal concepts; and the understanding itself, which has to do solely with such concepts, would be non-existent. (A653-654, B681-682)

Hence the logical law of genera requires a transcendental principle of homogeneity, the assumption that objects are similar to one another. Specificity is treated in the same way; it is the transcendental principle that validates the logical law of species. (A657, B685) Affinity is different; the logical law it validates is simply the prescription to move continually up and down from genera to species and back again. In other words, affinity instructs the understanding to seek for both similarity and difference, universal and particular; insofar as it ensures this balance, it too is necessary for the work of the understanding.

However, if these three principles are transcendental, they must be applicable to experience, and such application, after the fashion of the categories, is constitutive and hence objectively real. Any "application" of ideas of reason, however, must be regulative or else risk the dialectical illusion that in using them one is dealing with objects of possible experience. After a dense and difficult discussion of objective validity and objective reality, Kant finally endows the principles of empirical unity with objective but

indeterminate reality; there is an object represented by their systematic unification of the concepts of the understanding, but it is indeterminate. He is still left with the task of making such an object intelligible and at the same time justifying the universality and necessity of empirical unity, but not its reality. Its reality would involve an assertion about nature as an object, and such assertions are taboo when the concept involved is an idea of pure reason.

4. *The "schematization" of the ideas of pure reason*

Kant moves on to the question of what such indeterminacy could amount to, and, in so doing, returns to the opening point of the entire section, namely, that understanding is an object for reason, one that reason unifies, just as understanding unifies sensibility. Understanding can be an object for reason, but since it is never a closed system, never completely finished, it cannot be a determinate object.

Now, in the analytic of the *Critique of Pure Reason*, understanding required something in common with the manifold of sensible intuition so that its concepts could be non-arbitrarily applied to this manifold; time, as the pure unified form of such a manifold, provided the common element or schema that allowed the categories to be applied and therefore gave them objective reality. Reason also requires a schema to apply its principles of systematic unity to the understanding; that is, it requires something in the manifold concepts of the understanding that is unified in the way the ideas of reason are unified. However, time as a schema is based on something real in our sensible intuition, something given, even there are problems with this claim, as we saw in the previous

chapter. This cannot, by definition, be the case for systematic unity, since no object adequate to it can be found in sensible intuition. If systematic unity had an object in sensible experience, then it would be a given universal and specific knowledge could be subsumed under it, which would be an apodeictic employment of reason, later known as determinate judgment, and would be the objective application of an idea of pure reason. Since such application is forbidden for want of an experiential object, making a real schema unavailable, what we need, says Kant, is "an *analogon* of such a schema" (A665, B693):

This analogon is the idea of the *maximum* in the division and unification of the knowledge of the understanding under one principle. (A665, B693)

Kant's solution, therefore is that the idea of the maximum lifts restrictions on the knowledge of the understanding, but not with regard to its objects, which risks dialectical illusion, but with regard to its employment (A666, B694):

Now since every principle which prescribes *a priori* to the understanding thoroughgoing unity in its employment, also holds, although only indirectly, of the object of experience, the principles of pure reason must also have objective reality in respect of that object, not, however, in order to *determine* anything in it, but only in order to indicate the procedure whereby the empirical and determinate employment of the understanding can be brought into complete harmony with itself. This is achieved by bringing its employment, so far as may be possible, into connection with the principle of thoroughgoing unity, and by determining its procedure in light of this principle. (A665-666, B693-694)

There are two significant points here for the argument of this chapter. One is Kant's emphasis on not determining the *objects* of experience but determining the *procedure* of the harmonization of the employment of the understanding. This emphasis on procedure and the strictures against determining the object are characteristic of Kant's discussion of

reflective judgment in the third Critique. However, this might simply mean that the form of reason's unification of knowledge is akin to reflective judgment; such a similarity does not in itself indicate a judgmental presence in the discussion of the *Critique of Pure Reason*.

The second and more telling point is the emphasis on the *employment* or *use* (*Gebrauch*) of the understanding. The principles of pure reason are objectively real insofar as they unify the employment or use of the understanding, but, as the title of the section indicates, this unification is itself the employment or use of the ideas of pure reason. So what we have strictly is not simply reason unifying understanding, but the correct employment of reason being the unification of the correct employment of the understanding. Emphasizing this suggests another sense to the analogon between reason and understanding, a sense which uncompresses Kant's all too brief account; although understanding always refers to conditioned knowledge²¹ and the procedure of reason is always unconditioned, understanding as a formal process unites the manifold of sense, though in a conditioned sense, while reason unites understanding, in an unconditioned sense. But the conditioned and unconditioned elements refer to the object; their mutual process is a process of unification. Hence, though reason seeks an unconditioned object, a whole never given in experience, and understanding's objects are always conditioned wholes, the procedure of unification is common to both and serves as the justification for a transcendental principle of unity. This, however, is only part of the story; as we will see,

²¹This is true even in the discussion of understanding's pure concepts, the categories; they are conditioned insofar as they are yoked to the limits of possible experience.

unity by itself, including the idea of the maximum, requires something else for it to work, even analogically.

This emphasis on employment and procedure, however, is what announces the functional presence of judgment²² in "The Regulative Employment of the Ideas of Pure Reason." I will argue, moreover, that it is reflective judgment, since the procedure of mediation fits non-schematic mediation, not schematic mediation. It may be the case, nonetheless, that such a presence has only a fleeting similarity to the later conception of reflective judgment, rather than being an intrinsic part of the critical system as presented in the first Critique. In order to ascertain whether there is such similarity and in order to argue further that such a judgmental structure is already in place in "The Regulative Employment of the Ideas of Pure Reason", we will have to go back to crucial points in the text.

The Reflective Validation of the Ideas of Pure Reason

In the second paragraph of the section Kant discusses dialectical illusion and transcendence, ascribing them to the misuse or misemployment of concepts or ideas. He then explicitly links this misuse to judgment:

Everything that has its basis in the nature of our powers must be appropriate to, and consistent with, their right *employment* For it is not

²²I do not claim, of course, that reflective judgment is historically present in the Regulative Employment in any sense, since, according to Zammito, he only comes to this actual concept later. Nonetheless, the essential function which Kant later conceives as 'reflective judgment' is already present in the discussion of empirical unity, and present, not as a philosophical necessity, as it was in the Schematism, but as actual textual discussion of the same function.

the idea in itself, but its *use* only, that can be either transcendent or immanent (that is, either range beyond all possible experience or find *employment* within its limits), according as it is *applied* to an object which is supposed to correspond to it, or is directed solely to the *use* of understanding in general, in respect of those objects that fall to be dealt with by the understanding. *All errors of subreption* are to be ascribed to a defect of *judgment*, never to understanding or reason. (A642-643, B670-671) [all emphases added]

We can draw two conclusions from this link between errors of subreption and judgment. One is that this implies that if the defect is in judgment, the solution will, to some extent, involve correcting judgment, rather than correcting reason or understanding. The second conclusion is that if wrong use can be attributed to defective judgment, then right use probably involves judgment set aright; employment or use (*Gebrauch*) is, at least in part, the concern of judgment.²³

With this in mind, we can turn to the first use Kant discusses, the apodeictic use of reason. This, as we saw before, involved a given universal and subsumption of particulars under it. Kant refers the process explicitly to judgment:

...if the universal is already *certain in itself* and given, only *judgment* is required to execute the process of subsumption, and the particular is thereby determined in a necessary manner. This I shall entitle the apodeictic use of reason. (A646, B674)

When, however, Kant moves to the hypothetical use or employment or reason, where the universal is problematic, he does not refer the process to judgment explicitly. Are there grounds, nonetheless for referring this process to judgment? One such ground would be

²³Zammito and Brandt both refer to this paragraph and they acknowledge that its theme of dialectic is generated through judgment, but they do not appear to recognize either the general ramifications of this point re dialectic, or the specific significance of linking judgment and *Gebrauch*. Brandt actually refers to the ideas having a flaw, which is their dialectical side generated through a use of judgment, but this way of characterizing them is incongruous with the text, where Kant makes it clear that the ideas per se are not flawed. Zammito, in fact, does recognize that judgment in general governs the process of cognition (as clear from the second part of the *Analytic*) but he does not exploit this insight further. See Zammito, p.167 and n.59, and p.386, and Brandt, p.179.

the above conclusion I draw about judgment's link to employment in general; if judgment is always linked to employment, then it must figure in this employment as well, especially since the only difference between apodeictic employment, where the process is referred to judgment, and hypothetical employment, where it is not, is that the latter operates with problematic universals.

Against this argument is Kant's general definition of judgment at A132, B171, as "the faculty of subsuming under rules". Under such a definition, Kant could not possibly refer hypothetical employment to judgment because there is no classical subsumption, only what Genova²⁴ aptly calls "assumption," since the universal is problematic. If my argument about judgment always being linked to employment holds up, then there is a conflict here. *Qua* hypothetical, hypothetical employment cannot be judgmental; *qua* employment, it has to be. Since it is the subsumptive characteristic of judgment that prevents it from governing the hypothetical employment of reason, it must be a non-subsumptive judgment that governs hypothetical employment. This is further supported by this consideration: If judgment does not govern the hypothetical employment of reason, then this hypothetical employment cannot be formulated in judgments, which is problematic to the point of absurdity. In order to express the relationship between a particular and a universal, even if this is not a subsumptive relationship, one must be able to express this relationship in the form of a judgment, namely, the judgment that this particular is linked to this universal, albeit non-subsumptively.

²⁴Genova, p.463.

In the third Critique reflective judgment does subsume, although what it subsumes under is not a concept. Its principle of subsumption is the harmony of the faculties; put another way, its principle is the principle of purposiveness without purpose, judgment's own principle for the ordering of itself. This will be taken up in the next chapter, but since reflective judgment does subsume, and since Kant defines judgment here in the first Critique as a faculty of subsuming, and since the hypothetical use of reason is clearly a species of reflective judgment, albeit not the transcendental species, we can say that hypothetical reason, in effect subsumes, and that this is an activity of judgment, though of judgment that is reflecting.

However, though the hypothetical employment of reason is essentially judgment that reflects, this does not directly imply that judgment is involved in the *transcendental* principles that provide a background of empirical unity for the workings of hypothetical employment. Hypothetical reason, in its logical use, is essentially the empirical employment of reason, not its transcendental employment, though the latter is to be a basis for the former. We need reflective activity to be at work, in some sense, in the transcendental principles that support empirical unity in general.

When we consider the actual principles of unity they do not appear to be directly connected with reflective activity; rather, they appear to be ideas of pure reason, as the section proclaims. Homogeneity, specificity, and affinity provide us with ideals that regulate the empirical work of both apodeictic and hypothetical reason. Together, these ideas of pure reason constitute the transcendental principle which justifies the logical use of reason in empirical unity.

There is, however, as we have already seen, good reason to believe that judgment figures in the transcendental *justification* of unity in "The Regulative Employment of the Ideas of Pure Reason" whereby the use of the ideas of pure reason is validated by providing them with an indeterminate object. Let us go back to the quasi-schema or analogon that provides a link between the unity of reason and the diversity of the laws of the understanding:

This analogon is the idea of the *maximum* in the division and unification of the knowledge of the understanding under one principle. (A665, B693)

Now this idea of the maximum is nothing but an idea of the unconditioned, that is, an idea of reason, whereas the diverse knowledge of the understanding is always conditioned. To say, as Kant does, that the idea of the maximum lifts restrictions on the knowledge of the understanding, is simply to say that we are making unconditioned what is conditioned. To be sure, this transformation only holds true of the process of knowledge, and not of the objects of knowledge; but it is unclear then as to why it is not purely heuristic, since the so-called analogon that ought to make it non-heuristic turns out to be an idea of reason itself. The essential problem is that the principles of empirical unity, homogeneity, specificity, and affinity, were necessary to keep the hypothetical employment of reason from being purely heuristic; but the idea of the maximum is also necessary to provide a bridge between the principles of empirical unity, which are themselves ideas of reason, and the diversity of empirical laws. This idea of the maximum itself turns out to be an idea of reason, so how can it provide a bridge to empirical diversity?

I suggested earlier that unification itself was the fundamental analogon underlying the compressed discussion of the idea of a maximum. Since understanding unifies sensibility and reason unifies understanding, the bridge between them is the idea of unity itself, expressed in the process of unification. This solution, however, is hampered by several considerations. First of all, when reason unifies understanding it unifies it *qua* diverse, so that the different empirical laws formulated by the understanding are not now being considered insofar as they themselves unify sensible experience, but insofar as they themselves are a manifold of laws. They have unity as laws, but only *individual* unity as particular laws covering particular circumstances; further unity would be found in a *system* of laws, but it is not clear that such a system is directly implied by the individual laws, not even by a great aggregate of them. Secondly, when understanding unifies sensibility it does so by means of time as a schema that is both formal and sensible; hence, the categories of the understanding can be cashed out as so many formal variants on sensibility in time. If reason's unity is to mimic the unity of the understanding, it first requires something that is common to the understanding in its *diversity*. The idea of the maximum, which is purely an idea of unity, hardly fulfills these requirements.

Nonetheless, since the idea of the maximum is supposed to be an analogon²⁵, Kant does not need to prove objectively or determinately that it has features in common with both reason and understanding. Now reflective judgment also works by means of analogy,

²⁵By the third Critique Kant does not use the term 'analogon' as such, though 'analogy' and 'analogize' are preserved. Instead, he tends to use 'symbol', which he has already used frequently in the *second* Critique as the equivalent of 'analogon.' This is particularly evident from the "Typic of Pure Practical Reason", where once again he is in need of a schema that is not a schema.

since it cannot work subsumptively with determinate concepts. It takes particulars, and finds the universal suited to explain them, without claiming that this universal uniquely determines them. Insofar as reason is a faculty of unconditioned concepts and understanding a faculty of conditioned concepts, they are two particulars, waiting for some universal to explain them. They require mediation, but not schematic mediation; there is no “third thing” that can be both unconditioned and conditioned. The universal involved is the idea of the maximum, but not just the idea of the maximum; since the idea of the maximum belongs to reason in virtue of its being an idea of the unconditioned, we require something else that can supply a common factor between reason and understanding. Otherwise, the mediator will be too homogeneous with reason and not sufficiently homogeneous with the manifold of empirical laws.

Evidently, this common factor is judgment. Judgment is a subjective factor common to both reason and understanding. Understanding is always undergirded by the process of judgment, as the Transcendental Analytic makes clear (A68-69, B93-94). And reason, explicitly in its apodeictic employment, and implicitly in its hypothetical employment, is also undergirded by judgment, as I argued earlier. Hence, what empirically diverse laws of understanding and non-empirically unified principles of reason have in common is the subjective process of judgment.²⁶

²⁶The problem of the common factor between reason and understanding is a problem of application, of how to apply a pure idea of reason to the diversity of the laws of the understanding, and as Wolfgang Bartuschat points out, application is the province of judgment. Wolfgang Bartuschat, *Zum systematischen Ort von Kant Kritik der Urteilskraft*, (Frankfurt Am Main: Vittorio Klostermann, 1972), p.24

It must be emphasized that the need for judgment at this point, and reflective judgment at that, is a need generated entirely within first Critique parameters, especially those supplied by the model of the Schematism. Kant must unify understanding without begging the question; he must apply an idea of pure reason to the diversity of the empirical laws of the understanding, without generating dialectical illusion on the one hand, the illusion that there is an unconditioned object available within experience, and without arbitrarily presupposing unity on the other hand, which would support a logical principle of unity but not a transcendental principle. The process that makes this application possible, that mediates between reason and understanding as their common factor, is the process of judgment. Kant does not name this mediating factor as judgment; in fact, he leaves the factor as the idea of the maximum in the division and unification of the knowledge of the understanding. Nevertheless, a reappraisal of the long paragraph previously quoted from the end of "The Regulative Employment of the Ideas of Pure Reason" will show that if reflective judgment has been omitted from this discussion, it is an omission in name rather than substance:

Now since every principle which prescribes *a priori* to the understanding thoroughgoing unity in its *employment*, also holds, although only indirectly, of the object of experience, the principles of pure reason must also have objective reality in respect of that object, not, however, in order to *determine* anything in it, but only in order to indicate the *procedure* whereby the empirical and determinate *employment* of the understanding can be brought into complete harmony with itself. This is achieved by bringing its *employment*, so far as may be possible, into connection with the principle of thoroughgoing unity, and by determining its *procedure* in light of this principle. (A665-666, B693-694) [all emphases added, except for line 4]

As I said previously, what we have strictly is not simply reason unifying understanding, but the correct employment of reason being the unification of the correct employment of the understanding, with a strong emphasis on 'procedure.' This account is an account of reflective activity; it wants only the actual name. Coupled with Kant's remarks at the beginning of the section on all errors of subreption being attributable to a defect in judgment, and his emphasis on the problem being with the employment of the ideas or concepts, it is therefore reasonable to conclude that his discussion of empirical unity at least implicitly and functionally contains reflective judgment, the central element of the theory of empirical unity contained in the third Critique.²⁷ Hence the discussion of the first Critique has not been discarded in favour of the discussion of the third, only, perhaps, amplified and modified in the third.

Thus, the need for judgment stems from the need for a quasi-deduction of the transcendental principles of unity whose application to empirical laws of understanding requires non-schematic mediation. Unlike the Schematism, such non-schematic mediation does not issue in determinate concepts since the empirical laws of understanding are not instances of rational unity and therefore do not exhibit rational unity, even though the latter may be used to unify them.

Does the analogy-schematism of the Regulative Employment actually fit the model of the Schematism? The model of the mediating item developed in the

²⁷In fact, what is striking about the third Critique's discussion of empirical unity is the extent to which it retains the role of reason that the first Critique highlights. Far from being a purely judgmental enterprise, empirical unity in the third Critique involves reason in a crucial conceptual role.

Schematism has five features, four of which characterize both schematic and non-schematic mediation; the fifth is different for each type of mediation. The mediator must be 1) a third thing, 2) homogeneous with both parties, but 3) independent of both as well. It must also be 4) analogical, but, in the case of non-schematic mediation, 5) it must *remain* at the level of analogy--it must not mediate substantively or materially between the two parties, unlike schematic mediation, for which this is a fifth condition. Does the analogon fit all these requirements?

The analogon is the idea of the maximum of the division and unification of knowledge under one principle; essentially, it is the conditioned manifold of knowledge with the condition lifted. It is a third thing, loosely speaking, since it combines the idea of maximum division and unification with the manifold of knowledge; it is homogeneous with reason, since the idea of the maximum is essentially an idea of reason and it is homogeneous with the manifold of knowledge since it is an idea of the maximum of this knowledge; this homogeneity is indeterminate and analogical, since there is nothing by which it can be specified in advance, no marks by which to recognize it [amplify] and because a maximized manifold of knowledge is *like* an idea of reason in its intended unconditionality and because such a maximized manifold is also *like* the manifold of empirical knowledge in its content. In both cases, the analogy is based upon real relation, the analogon really containing an idea of reason as well as referring to a manifold of empirical knowledge. But the independence requirement is still preserved, albeit barely, since the *combination* of idea with manifold makes the analogon independent of pure reason, while the same combination of manifold with idea makes the analogon

independent of empirical understanding.²⁸ Finally, it remains indeterminable, and therefore a mere analogon, since the idea of a maximized manifold of knowledge, as an idea, an unachievable totality in empirical terms, is not susceptible of becoming a logical function for theoretical knowledge.

In the peculiar independence through combination, the Regulative Employment adds something to our understanding of the requirements for mediation. The independence requirement, it seems, can be met in a purely formal manner. The independence of the analogon from either pure reason or empirical understanding is not a genuine “third thing” independence, in the way that time, for all its difficulties, was intended to be. The analogon, unlike time, does not make a claim to such “third thing” status in the strict sense; nonetheless, it is a third thing, in virtue of being a combination of two items, albeit items that appear mutually exclusive. Heterogeneity is overcome through a combination that appears semantic rather than substantive, and hence imaginative rather than real²⁹. Also, the formality of the combination anticipates the third Critique notion that reflective judgment involves the subsumption of one faculty under another faculty, rather than a particular under a universal. The analogon, the maximization of the manifold of empirical knowledge, is a combination of the faculty of reason (maximization, totalization) and the faculty of understanding (the manifold of empirical knowledge), and subsumes understanding under reason. This subsuming of

²⁸This type of cobbled-together principle is a specialty of reflective judgment, as we shall see in Chapter Three.

²⁹Such an imaginative combination, however, is not sensible but abstract.

faculties also takes place in the second Critique, though it is not formalized as reflective judgment until the third Critique. In this subsuming, however, to which we will now turn, reason is subsumed under understanding.

The Typic of Pure Practical Reason

In this discussion, in the *Analytic of the Critique of Practical Reason*, Kant links the understanding to reason insofar as the former provides the latter with the form it has to assume in the sensible world, namely, the form of law. This is analogous to the relationship between the understanding and reason in the regulative use of the ideas of reason, except that there reason provided understanding with systematic unity, whereas here understanding provides reason with a form for the world of possible experience. There reason systematized understanding, here understanding conceptualizes reason, thereby making intelligible the latter's instantiation in the sensible world.

Although the relation between understanding and reason in the typic is analogous in the way it is in the Appendix to the Dialectic of the first Critique, the real parallel, as Beck points out, is with the schematism of the first Critique, for here in the Typic an “analogous problem arises in judgments which are to subsume actions under practical rules or concepts”³⁰, and a problem complicated by the consideration that with “pure practical judgment the problem is more difficult, since the law is a law of reason, not of

³⁰Lewis White Beck, *A Commentary on Kant's Critique of Practical Reason*, (Chicago: University of Chicago Press, 1960), p.156.

understanding, and no intuition can be adequate to it."³¹ Thus, just as the first Critique's schematism had to make intelligible the application of pure theoretical concepts to the sensible world, the second Critique's topic must make intelligible the application of pure *practical* concepts to the sensible world³², a task complicated by the unconditioned nature of such concepts.

The Concept/Use Distinction.

Practical rules of reason determine the will in relation to an object, insofar as this concerns the existence of the object in accordance with the will's desire. Practical rules of *pure* reason determine the will's relation to its object entirely a priori, and concern the necessity of a given action. Since such determination cannot or must not contain anything empirical. However, since any possible action is something empirical, how can we apply the non-empirical law of freedom to any case in the world whatsoever? That is, how can the will be determined to an action a priori and independently of anything empirical and yet at the same time, the action it is determined to is in the world of sense and hence empirical?

Note that this is a question concerning the possibility of the application of freedom in the world since the actuality of freedom's application in the world has already

³¹Beck, *Commentary*, p.156.

³²Though presumably the application is really only of *one* pure practical concept, namely, the concept of freedom, since the other pure practical concepts, such as God and immortality, have no *direct* application.

been presented in chapter one, where the principles of pure practical reason are discussed.(Ak.19-57, Beck 17-59)

The reason Kant is justified in his use of principles of morality, is that their general basis, the concept of causality, has already been proven through the transcendental deduction of the first critique to be that without which we cannot think. Its possibility has already been justified, in general. And, the objections to using it as the basis for moral action have been defused by the discussion of the third Antinomy; free noumenal causality is left as an open question theoretically. Practice steps in and gives an answer to this question: noumenal causality is practically real or actual. Hence the ability to form principles on its basis. However, since we now have the principles of pure practical reason asserted, the theoretical question still remains as to how we can understand practical reason objectively, how we can have a concept of it.

It may sound as if Kant is trying to give a positive answer to the question of the third Antinomy, and in some sense he is. However, he is not trying to assert theoretically the existence of freedom, but only trying to understand theoretically the practice of freedom. This is the general theme of the *Critique of Practical Reason*, the knowledge of the structure of morality, but it is a knowledge of practice. And in this practice, the existence of freedom is assured; we just cannot go further than this. What chapter two does over and above this, and especially in the typic, is to understand how we can understand the place of pure practical reason in a world of sense. Theoretically it has no such place, practically actions based on it take place in such a world; hence, since we

already know that it does, from practice, we have to explain this, else it remains a mystery, and to accept this would mean that reason is a mystery to itself.

Causality is theoretically justified, of course, as one of the pure categories of thought³³, but although this is necessary in a sense for justifying pure practical causality, it is not sufficient. And the discussion of the Antinomy is only a negative justification for such causality, though an important one. Hence there is no specific theoretical justification of the use of causality as a principle of pure practical reason, and one is needed. Since, however, it is a justification of the specific *use* of this category, albeit a practical use, such a theoretical justification is in effect a discussion of schematization, of the application of freedom to nature, and how this is possible.

Judgments of pure theoretical reason also had this same problem in the first Critique, but there the basis of theoretical use was intuition in general, while pure intuitions themselves served as schemata between the concepts of the understanding and the manifold of sense. The same cannot apply to practice:

The morally good, on the contrary, is something which, by its object, is supersensuous; nothing corresponding to it can be found in sensuous intuition; consequently, judgment under laws of the pure practical reason seems to be subject to special difficulties, which result from the fact that a law of freedom is to be applied to actions which are events occurring in the world of sense and thus, to this extent, belonging to nature. (Ak.68, Beck 71)

Kant circumvents this problem in the following fashion: When an action is subsumed under a pure practical law, it is not subsumed in its character as an event in the world of

³³Excluding the schematization of causality through succession in time, of course, since this would not be applicable to noumenal moral causality.

sense; rather, the will is directed to the action purely through reason. Insofar as the event is in the world of sense, its possibility is determined according to laws of sensible nature, that is, its possibility is theoretically determined. There it is a natural event, and natural events are schematized to the concepts of the understanding through the transcendental imagination's use of pure intuition; in the case of morality, since the operative concern is with the pure determination of the will and not with any specific action as such, since such a specific action would be a sensible event, "we are concerned not with the schema of a case occurring according to laws but with the schema (if this word is suitable here) of a law itself". (Ak.68, Beck 71) However, since we are dealing with a will whose object is essentially supersensuous, there cannot be a schema of the type that the theoretical use of reason demanded. Non-schematic mediation is necessary.

Symbolic Mediation

Neither freedom nor the absolutely good is susceptible of the concrete presentation to the senses that was effected for concepts of understanding through the pure intuitions, because there is no pure intuition in principle for something which is supersensible, since pure intuitions are pure conditions of sensibility. Hence the moral law cannot be schematized through the imagination but only has the understanding per se as a "schema":

Thus the moral law has no other cognitive faculty to mediate its application to objects to nature than the understanding (not the imagination); and the understanding can supply to an idea of reason not a schema of sensibility but a law. This law, as one which can be exhibited *in concreto* in objects of the senses, is a natural law. But this natural law can,

for the purpose of judgment, be used only in its formal aspect, and it may, therefore be called the *type* of the moral law. (Ak.69, Beck 71-72)

We have to apply the moral law to the world on the model of the lawful unification of intuition through understanding; as a rational moral agent, I unify all my sensible actions under the concept of freedom, on the formal model of the law of nature³⁴. Only, since the former unification is purely practical, it does not tell me anything about the world, unlike the results of understanding's unification, but only what I ought to do in the world as a rational agent. (Ak.69-70, Beck 72)

Since the understanding's model for reason is purely formal and therefore gives the moral law only its *type*, what we have in the Typic is one faculty schematized through another faculty, as we did in the regulative employment of the ideas of pure reason. This implies that judgment in this case is reflective, not determinative or determining, which is further supported by Kant's reference to the power of this "schematization" being effective only as long as it is regarded as symbolic, rather than schematic.(Ak.70-71, Beck 73)

The *typus* as symbol guards against turning what is a symbol into a schema, simultaneously restricting and realizing the concept of freedom. In so doing, it is, of course, also analogical to the schemata of the first Critique, which simultaneously realize (determinately) and restrict the categories. The difference is that the *typus* prevents freedom from being turned into a sensible item, whereas the schemata prevent the categories from being used for illicit supersensible knowledge.

³⁴This is the formula of the law of nature from the *Grounding*.

This restriction occurs because, although the understanding itself provides pure practical reason with this form, it cannot be anything more than symbolic, and is in danger of overreaching itself otherwise. Kant does not dwell on the reasons why, but presumably this is because the form of understanding itself is sensibly valid because it is schematized to sensibility through time; but this schematization is not genuinely available to pure practical reason because temporal restriction is foreign to it; the noumenal rational unity of one's life-events is independent of the flow of time, which only governs the phenomenal unity of sensible appearances. Hence, since the understanding itself is schematized to sensibility via time, it cannot be the means for schematizing properly for something that is non-temporal. There is no objectively real schema that will make comprehensible the (already accepted) presence of pure practical reason in sensible reality; however, since there is a practical actuality of pure practical reason in sensible reality, there must be a practical possibility of pure practical reason in sensible reality.

Now a practical possibility of connecting pure practical reason to sensible reality does not have to conform to the restrictions of theoretical possibility, but it does have to conform to the understanding generally, as the faculty of cognition. This conformity is not for the sake of producing theoretical statements about pure practical reason, so as to extend our knowledge where it cannot, in principle, go. This conformity is, rather, part of reason's own self-organization and self-unification. We do not seek theoretical knowledge of pure practicality, but we do seek a reconciliation of pure practicality with the demands of theoretical reason: we seek to make pure practical reason comprehensible.

Hence, when Kant states that pure practical reason can be related to the sensible world by the form of law, where such a relation would not, unlike the schematization of the first Critique, be necessary to fashion principles we have already, he is saying that pure practical reason must be thought of as having the form of law in order for it to be comprehensible by the understanding, which is a requirement of subjective unity. Subjective unity does not require objective validation via schema but can rest content, as it did in the Regulative Employment of the Ideas of Pure Reason, with a symbol or analogue.

This also betokens the presence of reflective judgment, since reflective judgment is specifically connected in the third Critique with subjective unity rather than objective reality. We have to ask again, however, whether the *typus* conforms to the model of non-schematic mediation and what it may contribute to this model. Since it is a form of understanding it is clearly homogeneous with the sensible world as its *form*³⁵; since it is

³⁵Though this may not really fulfill the homogeneity requirement, since the form of the sensible world is not itself sensible; hence the sensible world, qua sensible, may not form part of the mediation. This is where Guyer's claim in *Kant and the Experience of Freedom* that the third Critique fills in this gap, is entirely plausible. My only objection to this claim is that it is seen as the main purpose of the mediation project of the third Critique, and, as I have discussed in the Introduction, the main purpose of the mediation project appears to be the satisfaction of the subjective desire for unity. However, satisfying such a desire certainly also strengthens Kant's moral framework.

Of course, the *typus* may not need to be sensible as such. If the will needs to exhibit itself in a world governed by understanding, it needs to be mediated via the *typus* with the governance of understanding, that is, with the form of the sensible world. The content of the sensible world is not under the governance or domain of understanding, though of that domain is, of course, over the territory of sensibility; this domain, whose hostility to pure practical reason was nullified by the resolution to the third Antinomy, is now required to provide a more positive welcome to morality. The only such positive item understanding can provide reason is its form of lawfulness.

the activity of pure practical reason expressing itself through this form it is clearly homogeneous with pure practical reason. The former homogeneity is indeterminate, since the expression of pure practical reason through lawful unity cannot be determined in advance, unlike the lawfulness of understanding, which is determined in advance by the schemata. Hence the *typus* is only analogous with understanding, not determined by it. The homogeneity between the *typus* and pure practical reason is also indeterminate, because, since pure practical reason is supersensible, no type of lawful unification of sensible actions under the concept of freedom could ever, in principle, be an adequate exhibition of pure practical reason; at most, it can symbolize the latter.

The independence requirement is fulfilled by both the inadequacy of the *typus* for exhibition, which makes the *typus* independent of pure practical reason, and by the fact that it expresses the activity of pure practical reason, making it independent of understanding. It is a third thing insofar as it combines pure practical reason with the form of understanding, thus being neither supersensible nor sensible, but a combination of both. And in its symbolization of pure practical reason, the *typus* adds something to the model of non-schematic mediation; the mediator's homogeneity with one of the parties mediated may take the form of *standing for* or *symbolizing* the intelligible party in the sensible realm. This did not obtain in the Regulative Employment because there the goal of mediation was unification, not exhibition; empirical laws by definition have sensible exhibition and are thus far "real", but require unification through ideas of pure reason in

order to obtain intelligibility as a whole³⁶. Here in the Typic, pure practical intelligibility is symbolically exhibited³⁷ through its type, the form of the understanding's lawfulness. This symbolic exhibition of the unconditioned in the realm of the conditioned is repeated in the *Critique of Judgment's* use of beauty as the symbol of morality, and there the mediation of reason with the sensible world completes the unity of the subject as moral agent and rational knower by means of a truly *sensible* symbol.³⁸

³⁶Individually, of course, each empirical law is made intelligible by the categories and their schemata.

³⁷As the symbol of morality in the third Critique, beauty will not be the *lawfully* sensible exhibition of morality (which morality can never have, as pure practical reason); rather, it will be the *lawlike* sensible exhibition of the latter.

³⁸However, insofar as the *typus* is the understanding's lawfulness with regard to the sensible world, perhaps it can be regarded as an *indirectly* sensible symbol.

Chapter Three

Reflective Judgment and the Concept of Purposiveness without Purpose

Introduction.

In the third Critique the activity of analogy-schematism and symbolism becomes explicit as reflective judgment, and is subject to the standards of the higher cognitive faculties; it also undergoes a critique, since such reflective judgment generates synthesis a priori, albeit indeterminate syntheses, distinct from the objective claims of the previous Critiques. As reflective judgment it becomes an important locus of several different kinds of mediation, aesthetic, teleological, and metaphysical, with all three kinds serving theoretical and practical purposes¹. In order to fulfill its mediation role it needs to meet the conditions for mediation generally, and non-schematic mediation specifically, as presented in the models from the previous Critiques, from the Schematism, the Regulative Employment of the Ideas of Pure Reason, and the Typic of Pure Practical Reason.

The received scholarly view of reflective judgment is that it operates without concepts, without subsumption, and independently of the faculties of understanding and reason, especially reason. On this view, any relationship Kant establishes between reason

¹For example, morality is served through: aesthetic mediation, which makes it sensible, though only symbolically and subjectively; through teleological mediation which makes the sensible rational, though only limitedly through organic forms, or analogically through comprehensive teleology; and through metaphysical mediation, whose reflective reconciliation of knowledge and morality draws the content of knowledge, i.e., the manifold of sense, closer to morality by making the indeterminate supersensible substrate of sensible appearance synonymous with noumenal freedom.

and reflective judgment is bound to undermine the peculiar autonomy of such judgment; given the need for such autonomy in the model of non-schematic mediation, such undermining of it needs to be resolved. In order, therefore, both to maintain Kant's use of reason in the third Critique as well as to retain reflective judgment as a legitimate mediator between understanding as the faculty of knowledge and reason as the faculty of morality, the received view of reflective judgment must be set aside in favour of a conception which allows reflective judgment a closer relationship with reason and with concepts generally. However, this relationship must not involve too close a linking of reflective judgment with reason; in a variant on the received view, Donald Crawford and R.K. Elliott both link reason and morality so closely to taste as reflective judgment that the autonomy of the latter is threatened by the relationship². Thus, an alternative conception of reflective judgment must carefully balance it in its relationship to the other faculties, especially reason. The alternate conception of reflective judgment I develop in this discussion permits a unified view of the relation between reason and reflective judgment, and hence a unified view of the relation between the metaphysical project of the third Critique and the theory of taste developed therein, without subordinating taste to reason³.

² See Crawford, *Kant's Aesthetic Theory* and R.K. Elliott, "The Unity of Kant's 'Critique of Aesthetic Judgment'" *British Journal of Aesthetics* 8, 1968, pp.244-59.

³Critics of the relationship between reason and reflective judgment such as Paul Guyer and Eva Schaper usually cite the project of systematic mediation as *responsible* for the undermining of the autonomy of reflective judgment, particularly the autonomy of taste. They argue that the introduction of metaphysical concerns into the *Critique of Aesthetic Judgment*, particularly in the Dialectic, subordinates Kant's otherwise interesting discussion of aesthetics to his overall architectonic. See Guyer, *Kant and the Claims of Taste*,

I want to focus in this chapter on the problem of whether reflective judgment meets the conditions for mediation, as exemplified in the Schematism and modified in the Regulative Employment and the Typic, thus permitting it to be the mediator in the case of the metaphysical or systematic mediation between knowledge and morality; I explore this by discussing the central concept of reflective judgment, purposiveness without purpose. This concept is the conceptual means by which judgment reflects in general, whether aesthetically, teleologically, metaphysically, or otherwise. Examining it will allow us to redefine reflective judgment differently from the received view of it.

The discussion of this chapter will focus on the problem of purposiveness without purpose as a special concept belonging to judgment itself. Part I focuses on this as a problem in the *Critique of Judgment*, contrasting the text of both Introductions, especially the Second, with the texts of both aesthetic and teleological judgment, though especially with aesthetic judgment. Part II outlines a general solution to the problem of the concept of judgment, arguing for a revised conception of reflective judgment, especially with regard to the meaning of its independence from concepts.

Part I: The Problem of Purposiveness without Purpose As the Special Concept of a Mediating Reflective Judgment

(Cambridge: Cambridge University Press, 1997, second edition), Chapters 10 and 11 and Schaper, "Taste, sublimity, and genius: The aesthetics of nature and art," in *The Cambridge Companion to Kant*, ed. Paul Guyer (Cambridge: Cambridge University Press, 1992), pp. 378-80. My argument, contrariwise, is that the autonomy of taste is *vital* to the project of mediation. Moreover, in Chapter Five I will be arguing as well that the metaphysics of the Dialectic are necessary for the autonomy of taste.

In this part of the chapter I look at the distinctions Kant draws in the Introductions between the faculty of judgment and the other higher cognitive faculties, understanding and reason, and the problems that emerge from these distinctions, given the project of mediation for the third Critique. In particular, I focus on the concept of the territory of judgment, a concept introduced in the second Introduction, in contrast to the domains of knowledge and morality. I then look at the definition of purposiveness without purpose as the special concept of judgment, as Kant defines this in both introductions, and then contrast this with the texts of both aesthetic and teleological judgment.

The Territory of Judgment and the Domains of Knowledge and Morality.

In the second introduction to the third Critique, Kant presents a discussion of the territory of judgment as opposed to the domains of reason and understanding. He speaks of the territory of experience upon which reason and understanding both legislate, and therefore have domains:

Insofar as we refer concepts to objects without considering whether or not cognition of these objects is possible, they have their realm [*Feld*]; and this realm is determined merely by the relation that the object of these concepts has to our cognitive power in general. The part of this realm in which cognition is possible for us is a territory (*territorium*) [*Boden*] for these concepts and the cognitive power we need for such cognition.
(Ak.174, sec.II, Pluhar 12-13)

When it comes to knowledge, however, we can cognize only part of this realm, "the sum total of the objects of all possible experience" (Ak.174, sec.II, Pluhar 13) and Kant calls this part a territory. Moreover, for this territory to be under the legislation of understanding, it can be so only "insofar as they [the objects of all possible experience]

are considered nothing more than mere appearances, since otherwise it would be inconceivable that the understanding could legislate with regard to them." (Ak.174, sec.II, Pluhar 13)

Since our faculty or power of thought is not different in this part of its realm, the difference can only be located in what is not thought, in our sensible intuition. Hence the territory of our cognitive power is the territory of sensible experience. Kant then draws a distinction between legislating over such a territory and merely residing in it:

That part of the territory over which these concepts legislate is the domain (*ditio*) [*Gebiet*] of these concepts and the cognitive powers pertaining to them. Hence empirical concepts do have their territory in nature, as the sum total of all objects of sense, but they have no *domain* in it (but only residence, *domicilium*); for though they are produced according to law, they do not legislate; rather, the rules that are based on them are empirical, and hence contingent. (Ak.174, sec.II, Pluhar 13)

Kant then refers two domains, those of the concepts of nature and those of the concept of freedom, to our cognitive power as a whole. The reason these are domains is because our cognitive power legislates a priori by means of these concepts, though in two very different ways: By means of the concepts of nature, the categories, our cognitive power legislates theoretically, so that all that we understand is subject to the categories; by means of the concept of freedom, our cognitive power legislates practically, so that all moral action is normatively subject to the categorical imperative. Both legislations, though so different in being conditioned and unconditioned, take place upon the same territory, the territory of the sensible.⁴

⁴In fact, in the *Critique of Practical Reason*, the theoretical legislation of the understanding provides the analogy necessary to understand how pure practical reason can instantiate itself in a sensible world. The lawfulness of the understanding provides pure

This is what leads to a huge gulf between these domains, which is not susceptible of being bridged through the theoretical use of reason. Kant says that "understanding and reason have two different legislations on one and the same territory of experience." (Ak.175, sec.II, Pluhar 13) But the way in which the territory of all objects of possible experience is legislated by understanding is by considering these objects as "nothing more than mere appearances" (Ak.174, sec.II, Pluhar 13). Pure practical reason legislates through the concept of freedom for the same set of objects, but in virtue of an object that is not a mere appearance. As Kant points out "the concept of freedom does indeed allow us to present its object as a thing in itself, but not in intuition". (Ak.175, sec.II, Pluhar 14) How can what is free, in-itself, noumenal, and real emerge, without contradiction, into what is determined, for-us, phenomenal, and appearance?

However, as we already know from the second Critique, the practical use of reason demands and achieves a bridge of sorts between these disparate domains, albeit one which, as the *typus*, does not sufficiently express the contingent, empirical, phenomenal nature of appearances⁵. Since such a bridge has already been constructed, it remains only to extend it genuinely into the realm of the contingent, into the sensible territory over which understanding legislates. In such a territory, however, our conceptual bridge cannot itself be the understanding, at least not in its legislative mode, since this

practical reason with what Kant calls its '*typus*,' giving unconditioned morality a symbolic mediation with the sensible world.

⁵While certainly a means of thinking morality into the sensible world, the *typus* is still a means by which it is thought as intelligible, through the form of the understanding's domain of intelligibility. However, this is incomplete without incorporating the sensible territory on which this domain legislates.

would merely take us back to what has already been accomplished by the *typus*. The bridge to the territory of sensibility needs to be independent of legislative understanding; the only candidate for this, since all objective concepts fall under the jurisdiction of either understanding or reason, is a subjective concept that belongs to neither understanding nor reason. Such a concept is the concept of judgment, when undetermined by understanding or reason, the concept of *purposiveness without purpose*.

This concept is specified further as the *purposiveness of nature* for our judgment, either subjectively through aesthetic experience or objectively, though indeterminately, as natural teleology⁶. Since this concept is to mediate between knowledge as located in the faculty of understanding and morality as located in the faculty of reason, it is necessary that it meet, in its relevant uses both aesthetically and teleologically, the conditions for mediation, especially the conditions of being both autonomous from either understanding or reason while simultaneously preserving a homogeneity with them, if only analogically or symbolically.

The Status of Purposiveness Without Purpose..

In both the Introductions to the Third Critique Kant stresses the fact that the *purposiveness of nature* is a principle intrinsic to judgment, and not a principle given to it by understanding or reason. The title of section V of the Introduction is "The Principle of

⁶I will not explore in this discussion the difficulty of having an *objective* and logical use of what is a subjective concept of judgment. Some of these difficulties will be addressed in the discussion of whether *purposiveness without purpose* belongs to reason or judgment, but not with a view to resolving the issue of objectivity, since this would require a much more extensive discussion of the *Critique of Teleological Judgment*.

the Formal Purposiveness of Nature Is a Transcendental Principle of Judgment". In fact, it is "only the pure concept of objects of possible empirical cognition in general and contains nothing empirical." (Ak.181-182, sec.V, Pluhar 21) Kant then goes on to say,

Now this transcendental concept of a purposiveness of nature is neither a concept of nature nor a concept of freedom, since it attributes nothing whatsoever to the object (nature), but [through] this transcendental concept [we] only think of the one and only way in which we must proceed when reflecting on the objects of nature with the aim of having thoroughly coherent experience. Hence it is a subjective principle (maxim) of judgment. (Ak.184, sec.V, Pluhar 23)

Kant also makes an important distinction between the manner in which purposiveness is used by judgment, a manner that stamps it as a principle of reflective not of determinative judgment (the latter never having its own principle by definition, since it always subsumes under principles got elsewhere):

...judgment also possesses an a priori principle for the possibility of nature, but one which hold only for the subject, a principle by which judgment prescribes, not to nature (which would be autonomy) but to itself (which is heautonomy), a law for its reflection on nature. This law could be called the *law of the specification of nature* in terms of its empirical laws. It is a law that judgment does not cognize a priori in nature, but that, in dividing nature's universal laws, it assumes a priori when it seeks to subordinate to them a diversity of particular laws, so that the division will have an order that our understanding can cognize. (Ak.185-186, sec.V, Pluhar 25)

This principle is not a principle "of determinative but merely of reflective judgment."
(Ak.186, sec.V, Pluhar 25)

This principle also involves the idea of nature making itself appropriate for judgment, amenable to judgment, and,

... so far as we think of nature as making itself specific in terms of such a principle, we regard nature as *art*. Hence judgment necessarily carries within itself a priori a principle of the *technic* of nature; this technic differs

from the *nomothetic* of nature, in terms of transcendental laws of the understanding, in that the nomothetic can assert [*geltend machen*] its principle as a law, while the technic can assert its principle only as a necessary presupposition. (FI, Ak.215, sec.V, Pluhar 403)

Kant then says that "judgment's own principle is: *Nature, for the sake of the power of judgment, makes its universal laws specific [and] into empirical ones, according to the form of a logical system.*" (FI, Ak.216, sec.V, Pluhar 403-404) This is the genesis of the concept of the purposiveness of nature. Kant then goes on to assert that,

This concept belongs to reflective judgment, not to reason, because the purpose is not posited in the object at all, but is posited solely in the subject: in the subject's mere power to reflect. (FI, Ak.216, sec.V, Pluhar 404)

This reflection, however, is upon objects, as the passage from Ak.184, sec.V, Pluhar 23, indicates, whether or not the reflection is purely aesthetic and deals with feeling or logical and thus with some indeterminate concept, such as the attribution of teleology.

So far we can see that Kant clearly defines the purposiveness of nature as a concept of judgment; however, in both the Dialectic of Aesthetic Judgment and the Dialectic of Teleological Judgment he appears to contradict this definition. We will begin with the latter, since teleology is not the focus of our discussion and then recapitulate the main points of the problem with aesthetic judgment⁷.

In the Dialectic of Teleological Judgment, section 75 is titled "The Concept of an Objective Purposiveness of Nature Is a Critical Principle of Reason for Our Reflective

⁷As the main focus of the thesis, this problem has already been discussed in the Introduction and will be discussed in greater detail in Chapter Five.

Judgment". In this section, Kant develops a concept of the purposiveness of nature which stresses thinking nature as if it were designed by an intelligent being, rather than simply thinking nature as if it organized itself for the purposes of our judgment. The former is a much more metaphysical claim, one that feeds straight into Kantian morality and theology, a connection developed extensively in the Methodology. Nature organized for the purposes of our judgment does not necessarily imply thinking Nature as designed by some *extraneous* intelligent being, but only implies Nature as designed, say, by intelligences such as ourselves.

To go with this different sense of purposiveness, Kant now says, at the end of section 76, that the purposiveness of nature is "a subjective principle that reason has for our judgment, since this principle is necessary for human judgment in dealing with nature." (Ak.404, sec.76, Pluhar 288) In the Methodology he stresses the idea again that reason offers teleology, the purposiveness of nature, to judgment. (Ak.437-438, sec.85, Pluhar 325) Much of the Dialectic seems to take this stance, in spite of the fact that it opens with a statement about judgment having to be its own principle in order to judge nature.

The crucial considerations are these. Section 75 refers to an "objective purposiveness" that is a "critical principle" of "reason" for "reflective judgment." From what Kant subsequently says in section 76, at Ak.404 (Pluhar 288), "critical principle" in sec.75 can be glossed as "subjective principle." So the content of the concept is objective purposiveness, its status as a concept is that of a critical or subjective principle, and it belongs to reason, but is for judgment. It is also, in this context, an idea of nature as

designed by a supreme intelligence, something that is not emphasized as much in the Introductions. It is, however, present in both introductions, which only makes the problem more perplexing.

The solution that springs to mind initially revolves around the term 'objective.' After all, even in the introductions, Kant makes it clear that the objective or logical use of reflective judgment takes place under the aegis of reason; hence the solution could be that natural purposiveness, i.e., purposiveness applied logically though indeterminately to nature and certain natural objects, belongs to reason but that purposiveness without purpose belongs to judgment.

This is a reasonable solution, but as it stands, it does not account for certain things. First of all, it can only account logically for the purposiveness of organic forms, but not for the systematic purposiveness of nature as a whole. But that leaves out actual text in which systematic purposiveness is related to rational design. Secondly, supposing we find an explanation that can also assimilate systematic purposiveness to reason while accounting for the text that places it under reflective judgment, we are left with a serious systematic problem of how systematic purposiveness can belong to reason and still be reflective at all.

In fact the appeal to text leaves teleological judgment paradoxical and conjures up a new version of the problem: why, courtesy title aside, can we call teleological judgment reflective at all, when the classical definitions of reflective judgment prohibit it from taking its universals from elsewhere? Adducing a mixed or logical form of reflective judgment is a textual solution but one that only makes the problem more acute. Without a

corresponding systematic explanation, Kant's calling teleological judgment 'reflective' and indeed discussing it together with aesthetic judgment, looks ad hoc⁸.

The problem then really concerns reflective judgment and its relationship to the other faculties, but especially reason. The reasonable textual solution appears to be that natural purposiveness belongs to reason in some sense and that through natural purposiveness reflective judgment operates under the aegis of reason. In order for this solution to work, it must account logically and not just textually for how reflective judgment generally speaking can operate with concepts of another faculty without becoming determinative, both because the classical definitions of reflective judgment proscribe this and because it appears either to impair the independence required by reflective judgment for mediation or to impair the status of teleological judgment as reflective judgment.

However, everything to this point indicates a problem of whether or not purposiveness without purpose, especially its subspecies, natural purposiveness, belongs to judgment or reason. This is a problem essentially of reflective judgment in its logical use, as teleological. Is there a similar problem for reflective judgment in its aesthetic use?

There are no comparable passages specifically in the Critique of Aesthetic Judgment that explicitly attribute purposiveness without purpose to reason, with the

⁸There is also a deeper substantive issue buried in the question of whether teleological judgment is really reflective. The issue is the contingency of empirical laws. Contingency clearly emphasizes the reflective side of empirical systematicity or unity, while lawfulness clearly emphasizes the rationality of such unity. While it is desirable that the two go together, it is not clear what the basis of their union is. Hence the question of whether teleological judgment is reflective or rational or both, mirrors the deeper concern over the lawfulness and contingency of what is empirical.

exception of the discussion of sublimity, which is a special case as Kant himself indicates. The purposiveness without purpose of taste, however, appears to be primarily a function of judgment, especially since Kant is anxious to prevent taste from being contaminated by either empiricism and the senses or rationalism and the concept of perfection.

Nonetheless, although Kant does not attribute purposiveness without purpose to reason in the discussion of beauty, purposiveness without purpose does stand in an equivocal relation to reason, and the equivocal relation extends itself generally to reflective judgment and reason, culminating in the problems discussed above with teleological judgment.

As I have already indicated in the Introduction, throughout much of the discussion of taste both reason and understanding take back seat to judgment but in the Dialectic of Aesthetic Judgment, and especially in the Antinomy of Taste and its solution, reason comes to the forefront, not merely in the formulation of the problem of dialectic⁹, but insofar as one of its ideas expropriates purposiveness without purpose as the central concept upon which taste is based. As Pluhar points out, Kant switches "mysteriously" from "the concept of nature's subjective purposiveness to the concept of the *supersensible basis* of that same purposiveness" (Pluhar, xciv-xcv) and the latter is, as Kant explicitly points out, a concept of reason. This switch is effected in the solution to the Antinomy of

⁹After all, the same is essentially true of the Critique of Pure Reason. Kant speaks throughout its Dialectic of the problem being a problem of judgment, i.e., not a problem of the ideas per se being dialectical, but their use or employment by judgment. However, the ideas in question are indisputably ideas of reason and even in their regulative, non-dialectical, employment, they remain ideas of reason.

Taste, but is also essentially a switch from the grounding concept of purposiveness without purpose in the Deduction to the grounding concept of the supersensible in the Dialectic.

Pluhar resolves the problem by showing that the concept of nature's subjective purposiveness is contradictory unless based on the concept of the supersensible:

...in order for us to judge, without contradiction, an object as beautiful, this judgment must be taken to imply (non-cognitively) that the object has the kind of form that only a supersensible understanding could have given it through its intellectual intuition¹⁰.

Although this does account for the switch it does so by appearing to trump the conclusions of the Analytic of the Beautiful and the Deduction of Aesthetic Judgments and not only appears to violate the independence of beauty from reason but also thereby threatens the independence of aesthetic judgment so necessary for mediation between knowledge and morality. Hence Pluhar's solution, though accounting for the switch in one sense, still leaves us with a problem of the autonomy of taste and the status of purposiveness without purpose. We need to say why Kant would use a contradictory concept in one section to justify taste and then leave its resolution to the Dialectic. We need, moreover, to ask why judging an object as beautiful, supposedly an autonomous (or at least heautonomous) process of judgment now suddenly requires the help of the supersensible. In asking this, we may then need to dispense with or modify the received or classical view of reflective judgment.

¹⁰Pluhar, Translator's Introduction to the *Critique of Judgment*, (Indianapolis: Hackett, 1987)p. xcvi.

Any such dispensing or modifying must tell us specifically how aesthetic judgment can proceed heautonomously on the one hand and also on the basis of an idea of reason on the other. If we can show this, then we will be able to redefine or account for the independence of reflective judgment that is necessary for its mediation between knowledge and morality, an independence all the more important because of aesthetic judgment's primary role in mediation.

We will ask in Chapter Five: how can the supersensible supersede purposiveness without purpose without violating the independence of aesthetic judgment? Before discussing that specifically, we need to look at the general relationship between reflective judgment and reason.

Part II. Resolving the problem of purposiveness without purpose

In order to provide a solution to the possession of purposiveness without purpose I will go through the relationship of the faculties generally, and reason and judgment specifically, and then discuss the relationship between reflective and determinative judgment. I will then return to the relationship of reflective judgment and purposiveness without purpose, which will be amplified by recapitulating the relationship between reason and judgment in the light of the reflective/determinative discussion, and also by discussing the relation of purposiveness without purpose to reason. In the first section, the relation of the faculties, I want to emphasize the fluid and dynamic nature of the faculties and their concepts as well as the special dynamism of the relationship between judgment and reason. In the second section I want to question the traditional differentiation of

determination from reflection, a differentiation based on the process of subsumption and the presence of given universals. I argue that there are textual reasons not to make the distinction along these lines, and that an alternate explanation of the differences between reflection and determination is not only more consistent with the text but also fits in more systematically with the critical philosophy. The main point of the alternate explanation is that the relationship between reflection and determination is a dynamic one. With the alternate explanation in hand, I then argue for a revised view of the relationship between reflective judgment and concepts.

In the third section this revised view, along with the dynamic view of the relationship between judgment and reason, is the basis for recasting the relationship between purposiveness without purpose and reason and purposiveness without purpose and judgment. This generates a revised view of reflective judgment generally.

A. JUDGMENT AND REASON

1. *The General Relationship of the Faculties*

The general relationship between the faculties in Kant is well-known. The imagination, a faculty of sensibility, unifies the manifold of sense for understanding, either reproductively or productively. Understanding supplies concepts to judgment for the comprehension of sensible appearances, both empirical concepts and pure concepts. Through judgment, understanding unifies appearances intellectually, rather than imaginatively. In its turn the understanding and its judgmental activity are unified by reason, either logically and empirically, as in the examples Kant gives in the Regulative

Employment of the Ideas of Pure Reason of pure air, pure earth, and pure water, transcendently and constitutively, when the manifold of pure concepts is unified through the original unity of apperception, or transcendently and regulatively, when the ideas of pure reason unify the manifold of empirical concepts of understanding.

There are broadly three sorts of unification taking place here. One is sensible and it is the province of imagination, both empirical and pure. The second is intellectual and conditioned, where sensibly constructed appearances are comprehended or understood or thought. The third is intellectual and unconditioned, where concepts, that is, comprehensions or understandings or thoughts, are themselves comprehended, understood, or thought. In the first¹¹ case sensations are being unified into appearances, in the second case appearances are being thought, and in the third case these thoughts are being organized into an intelligible whole, since this is all theoretical reason can do without being transcendent and falling into dialectic¹².

Despite the differences between the faculties, which are based on their differing logical functions, they have a dynamic relation in content, i.e., in their concepts. For example, the metaphysical deduction gives us a table of categories by converting the table of logical judgments, indifferent to the nature of objects, into a table of concepts of pure objects. It is the *application* of the table of judgments that is restricted, shifted, and purified, not the concepts themselves. Ground and Consequence, indifferent to what

¹¹I am subscribing here to the account of imagination offered by J.M. Young in "Kant's View of Imagination."

¹²It also avoids falling into an infinite regress, since organization involves reciprocity, so that there is no call for the further unification of the unifying ideas and so on, ad infinitum.

might form the ground and what might form the consequence, are converted into cause and effect, in which it is significant as to what is cause and what is effect, although the category awaits the much more specific restriction and clarification of succession in time.

Similarly with the ideas of pure reason. Contra Jonathan Bennett, the ideas of reason are not mysterious or illegitimate entities that have peculiar dialectical propensities; rather, it is their objective use beyond possible experience that leads us into dialectic, a point made explicitly by Kant throughout the *Dialectic* and especially at the beginning of the *Regulative Employment of the Ideas of Pure Reason*¹³. Moreover, these ideas have a direct relation to substance, causality, and community, the categories of relation, that, as Paul Guyer has argued, formed the core of Kant's critical project in the stages preceding completion of the *Critique*, and which still remain central in the finished work. In the *Dialectic* the ideas of reason have as their purpose the unification of the three conditioned categories, and with this the indirect unification of what is synthesized through these categories. As Kant puts it in the opening book of the *Dialectic* of the first *Critique*:

The transcendental concept of reason is, therefore, none other than the concept of the *totality* of the *conditions* for any given conditioned. Now since it is the *unconditioned* alone which makes possible the totality of conditions, and conversely, the totality of conditions is always itself unconditioned, a pure concept of reason can in general be explained by the concept of the unconditioned, conceived as containing a ground of the synthesis of the conditioned. (A322, B379)

¹³ See Bennett, *Kant's Dialectic*, (Cambridge: Cambridge University Press, 1974) p.267 for this criticism.

He then goes on to state that the "number of pure concepts of reason will be equal to the number of kinds of relation which the understanding represents to itself by means of the categories." (A323, B379) The ideas of pure reason provide a basis for the synthesis represented in these categories, a basis that leads us into dialectic when used objectively but which is subjectively necessary.

Hence the main difference between concepts of understanding and ideas of reason is that the former are conditioned concepts, restricted to the constitution of possible experience, whereas the latter, being not so restricted, are unconditioned concepts, i.e., ideas. This of course is simply the major difference between reason and understanding, one unconditioned, one conditioned. But when one examines the ideas of pure reason they turn out also to be, essentially, the unconditioned versions of a synthesis that is conditioned in the categories. The categorical synthesis in a subject that is the category of substance and accident and can only be cashed out theoretically as permanence in time, becomes, when simultaneously unchained from the conditions of possible experience and turned to pure objective use, the dialectical inference to a pure subject that constitutes the Paralogisms. The hypothetical synthesis of members of a series, categorially cause and effect and then schematically succession in time, becomes the four dialectical sets of claims that constitute the Antinomies. The disjunctive synthesis of parts and system, that is the category of community and the schema of reciprocity, becomes the ideal of pure reason, dialectical when considered a proof of a supreme being¹⁴.

¹⁴Obviously faculties differ with respect to principles, since principles are concepts applied in different ways, theoretical, practical, aesthetic, or teleological; this does not mean the concepts themselves are strictly different, only that their use or employment, through the

The three higher faculties, therefore, have a dynamic relationship, in which judgment serves as the employment of the concepts of either understanding or reason, either theoretically or practically, and in which reason's function is the unification of the concepts and activity of understanding. This dynamism is reflected in the relationship between their concepts; concepts of understanding, both pure and empirical, find their unification in ideas of reason, a unification that is an unlocking of their conditioned nature, and which can be either regulative or dialectical.

2. The Relationship Between Judgment and Reason

Since reason unifies the activity of understanding, this means that it unifies judgment, which is the employment or application of understanding. Since the substantive unifying function described in the *Critique of Pure Reason* is based on the logical relationship between reason, judgment, and understanding, such a substantive unifying of judgment by reason should be also be applicable, in principle, to reflective judgment, although first we will have to explain how reason can unify judgment that is supposed to be independent of the other faculties.

Hence reason unifies reflective judgment just as much as it does determinative judgment. Thus reason has a legitimate claim on the concepts of reflection, since it provides these concepts with their totality or unity. So far, however, the relationship of reason to reflective judgment appears merely to parallel the relationship between reason and understanding or determinative judgment; there do not appear to be more substantial connections than resemblance between the two relations. One important reason for this is

faculty of judgment, is different.

the apparent resemblance-relationship between reflective and determinative judgment; other than the courtesy title of "judgment" accorded them both, they appear to be radically different in procedure, one sternly subsumptive in its role as ancilla to understanding and reason, the other fancy-free in reflection from the constriction of pre-given concepts. In the next section this distinction will be explored and challenged, resulting in a substantial connection between reflection and determination, and hence a more substantial connection between reason and the concept of natural purposiveness.

B. THE DIFFERENCE BETWEEN REFLECTIVE AND DETERMINATIVE JUDGMENT

Section 69, the opening section of the Dialectic of Teleological Judgment, clearly shows reflective judgment's dynamic development, from something heautonomous, giving the law to itself, to something that may be dependent on something else, say, for example, reason. Kant begins the section by reminding us of the distinction between determinative and reflective judgment:

When judgment *determines*, it has no principles of its own that form the basis for *concepts of objects*. It is not autonomous; for it only *subsumes* under laws or concepts that are given it as principles. By the same token, it is exposed to no danger of having an antinomy of its own and is exposed to no conflict in its principles. (Ak.385, sec.69, Pluhar 265)

Reflective judgment's activity, on the other hand, involves laws or concepts that are only principles of reflection, similar to the moral activity of judgment in the opening chapter of the second Critique, though there judgment's activity eventually receives a practically constitutive and determining concept. But here no concepts are "given" so, as Kant puts it

"since it is not permissible to use the cognitive powers without principles, reflective judgment will in those cases have to serve itself as a principle." (Ak.385, sec.69, Pluhar 265-266) This principle is merely subjective, though this should not be taken to mean that its use is subjective; its use, unlike its use in aesthetic judgment, is objective. It governs "the purposive use of our cognitive powers--i.e., our reflection on a [certain] kind of objects." (Ak.385, sec.69, Pluhar 266)

Subjective principles, as we know from the Groundwork and the second critique are maxims. Kant then derives the antinomy from the conflict between reflective judgment's maxims, one of which is the principle of the purposiveness of nature. Generally speaking, reflective judgment operates with subjective principles in contrast to determinative judgment.

What then is determination? Determination, at least on the basis of Kant's definition of determinative judgment, involves two things: as emphasized in the literature, it involves a given universal, either a rule, principle, or law, under which a particular is subsumed (Introduction, section IV); less emphasized in the literature is one of the definitions of the First Introduction, section V, where Kant defines reflection and determination in reverse order:

Judgment can be regarded either as mere[ly] an ability to *reflect*, in terms of a certain principle, on a given presentation so as to [make] a given concept possible, or as an ability to *determine* an underlying concept by means of a given empirical presentation. In the first case it is the *reflective*, in the second the *determinative power of judgment*. (FI, Ak.211, sec.V, Pluhar 399-400)

Presumably the "underlying concept" is the given universal of the second introduction's definition, but here there is not only greater attention paid to the particular, as "a given empirical presentation" (*Vorstellung*), but an emphasis not on the subsuming of the particular under the universal (a definition given already in section IV of the first intro.) but on the particular determining the universal. Determination, therefore, also involves the exhibition of the concept through a given empirical presentation.

Determination can also be considered in a third way, as the specification of a concept in such a way that the object is fully specified. For empirical concepts this is relative determination, which involves a good deal of judgment in its reflective capacity; this is why judgments of taste and empirical judgments are in the same class according to the second introduction. For pure concepts this is absolute determination, as, for example, when the categories are susceptible of being cashed out only through the schematization involving the pure intuition of time.

Thus determination involves subsumption, given universals, sensible exhibition, and specification. These are also supposed to be the characteristics that distinguish it from reflection. Reflective judgment, classically, does not subsume, does not have given universals, and lacks exhibition and specification. Instead it searches rather than subsumes, ¹⁵ has particulars for which it requires universals, makes do with symbolization and analogy instead of exhibition, and is indeterminate rather than specified.

¹⁵Genova's "assumption" in contrast with "subsumption."

However, although the text of the third Critique bears out the attribution of symbol, analogy, and indeterminacy to reflective judgment¹⁶, it is less supportive of the characteristics of non-subsumption and lack of given universals. This may seem a surprising claim in the light of the classic definitions of determinative and reflective judgment proffered in section IV of the second introduction; however, I argue that the text of section IV can bear an alternative interpretation to the classic definitions, and that there is both textual evidence and systemic reason to adopt such an alternative, though parts of the classical definitions are still useful.

Thus I argue in favour of the closer relationship between reflective and determinative judgment suggested by Gordon Nagel and implied in the discussions of several other commentators, including Christel Fricke, Hannah Ginsborg, Ralf Meerbote, Robert Pippin, and Eva Schaper. However, accepting a closer relationship in turn leads to an alternative theory of the relation between reflective judgment and concepts in general, which will prepare the way for recasting the relationship between purposiveness without purpose and reflective judgment, hence providing a revised view of reflective judgment generally.

3. Reflective Judgment and Subsumption

Although discussions of reflective and determinative judgment rarely contrast them with regard to subsumption, it is evident that subsumption is taken for granted as a characteristic that distinguishes determinative from reflective judgment. For example,

¹⁶These are characteristics that result, at least in part, from the association of reflective judgment with imagination.

Caygill's definitions of reflective judgment and determinative judgment in his recent Kant dictionary clearly indicate that determinative judgment is subsumptive while saying nothing about subsumption and reflective judgment. More specifically, his definition of subsumption only includes a discussion of determinative judgment and cross-references subsumption with determinative judgment and schematism¹⁷.

This assumption of determinative judgment as subsumptive also appears in Schaper's discussion; she identifies determinative judgment and "simple subsumption" and differentiates the former from reflective judgment because determinative judgment applies rules or concepts to particulars. However, Schaper does link reflective and determinative judgment closely and the way she does so, by comparing the former to scientific theory construction, implies that subsumption may not be the province of determinative judgment alone on her account¹⁸.

One commentator who does discuss subsumption explicitly is A.C. Genova, who characterizes reflective judgment's procedure as "assumption", since it moves upward, from particulars to universals¹⁹. Makkreel's discussion of 'subordination' and 'coordination' as processes, respectively, of determination and reflection, also suggests the identification of subsumption, a form of subordination, with determinative judgment²⁰.

¹⁷Howard Caygill, *A Kant Dictionary*, (Cambridge: Blackwell, 1995).

¹⁸See Schaper, "Taste, sublimity, and genius" p.369.

¹⁹Genova, p.463.

²⁰Makkreel, *Imagination and Interpretation in Kant*, pp.54-63.

There is, however, textual evidence of reflective judgment's use of subsumption, and this suggests minimally that restricting reflective judgment to assumption, coordination, and other essentially imaginative functions is unsound; we must interpret reflective judgment's function in such a way as to permit subsumption as well, thus emphasizing that reflective judgment is *judgment* and hence ought not to be limited to imaginative functions. Hence, in addition to this textual evidence I argue that an interpretation that allows subsumption for reflective judgment, without of course excluding its imaginative side, also does justice to reflective judgment as a logical faculty.

In his *Lectures on Logic* Kant does speak of reflective judgment going from the particular to the universal, as opposed to going from the universal to the particular as does determinative judgment.²¹ However, the rest of his discussion in that section indicates that this has to do with the putative universality of the universals of each type of judging. The universals of determinative judgment are lawful a priori, whereas the universals of reflective judgment are empirical, culled from generalization via induction and analogy. Even in such culling the implication is that we already have a universal of some sort, provided no doubt through imagination, and judgment's cognitive function is to extend or restrict the scope of this universal as it sees fit.

Kant speaks in the third Critique of subsumption with regard to both determinative and reflective judgment, though in different ways. In the second

²¹Kant, *Lectures on Logic*. Translated and edited J.M. Young. (Cambridge: Cambridge University Press, 1992) p.625. See also p.626 for further discussion of reflective judgment.

introduction he tells us that, because the law is clearly delineated for it, determinative judgment is "only subsumptive", Schaper's "simple subsumption." This by itself suggests not that reflective judgment is non-subsumptive, but that it is *more* than just subsumptive, in light of its link to imagination.

The positive evidence for subsumption comes at the beginning of the Dialectic of teleological judgment:

When judgment *determines*, it has no principles of its own....It is not autonomous; for it only *subsumes* under laws or concepts that are given it as principles....

When judgment *reflects*, on the other hand, it has to subsume under a law that is not yet given, and hence must subsume under a law that is in fact only a principle of reflection.... (Ak.385, sec.69, Pluhar, 265)

So reflective judgment definitely subsumes, only what it subsumes under is different from what determinative judgment subsumes under; reflection does not have a law, but it does have a principle, though as we shall see in the next section, this principle is itself, and the specific instances of it are maxims²².

One might object that while this is true for teleological judgment, from whose critique the previous quotation is taken, how can this be true for aesthetic judgment, which is not based on concepts? And if it is not true of aesthetic judgment, it is not true essentially of reflective judgment, for, as Kant points out in both introductions, it is aesthetic judgment that is reflective judgment essentially, and it is therein, especially in

²²For example, two of the maxims of reflective judgment are the thesis and antithesis of the antinomy of taste; in judgments of taste both are necessary but, in the antinomy appear to be incompatible until Kant shows that "the concept to which we refer the object in such judgments is understood in different senses in those two maxims [or principles] of the aesthetic power of judgment". (Ak.339, sec.57, Pluhar, 211)

taste, that reflective judgment finds its own principles; teleological judgment is a special case of reflective judgment, one in which it deals with a principle given to it by reason (FI, Ak.244, sec.XI, Pluhar 434 and Introduction, Ak.193-194, sec.VIII, Pluhar 33-34)

It is true that aesthetic judgment has a slightly different relationship to concepts from that of teleological judgment, because the latter contributes regulatively to cognition generally and constitutively to cognition of organic forms, whereas aesthetic judgment is non-cognitive. However, qua *judgment* they both require a concept, since judgment is essentially conceptual. As Kant points out a "judgment of taste must refer to some concept or other, for otherwise it could not possibly lay claim to necessary validity for everyone" (Ak.339, sec.57, Pluhar 212), the only caveat being that it must not be "provable *from* a concept" since that would require a determinate concept susceptible of being exhibited in sensible intuition, and there is no determinate concept for the experience of beauty.

When judgment reflectively subsumes under a concept, the concept of the supersensible substrate of intuition as the "general basis of nature's subjective purposiveness for our power of judgment" (Ak., 340, sec.57, Pluhar 213), it unifies all judgments of taste under this indeterminate concept which gives them their universality. What this indeterminate concept does not provide is a set of specific sensible correlates that would mark off the objects of taste, even generally, because in the last analysis taste is dependent upon a feeling of pleasure. By way of contrast, the concept of causality, specified through its schema of succession in time, does identify a set of formal sensible attributes that any causal explanation must meet.

Kant of course does identify formal characteristics of taste, such as disinterestedness, subjective universality, and purposiveness without purpose, but these are fundamentally incomplete without the feeling of pleasure, which cannot itself be objectively identified, unlike a spatio-temporal appearance.

However, in addition to the general need for a concept as a judgment, Kant specifically describes taste as containing a principle of subsumption. In the Deduction of pure aesthetic judgments the claims of judgments of taste to subjective universality require a basis in "some a priori principle or other" and hence a deduction or "legitimation of its pretension". (Ak.279, sec.30, Pluhar 141)

The principle of taste is the subjective one of the very faculty of judgment itself. What is normally required for the functioning of this faculty when an object is given is harmony between imagination and understanding, because the one is responsible for intuition and their synthesis and the other is responsible for the concepts that unify this synthesis. In this normal situation judgment subsumes the sensible synthesis of imagination under the conceptual synthesis of understanding.

However, in taste we do not judge the imaginative synthesis in terms of the concept of an object, hence the subsumption that take place is not of a synthesis of imagination under a synthesis of understanding, but "the subsumption of the very imagination under the condition ...for the understanding to proceed in general from intuition to concepts." (Ak.287, sec.35, Pluhar 151) the judgment of taste rests upon the sensation of "both the imagination in its *freedom* and the understanding with its

lawfulness, as they reciprocally quicken each other". (Ak.287, sec.35, Pluhar 151) Kant then states unequivocally:

Hence taste, as a subjective power of judgment, contains a principle of subsumption; however, this subsumption is not one of intuitions under *concepts*, but rather, one of the *power* of intuitions or exhibitions (the imagination) under the *power* of concepts (the understanding), insofar as the imagination *in its freedom* harmonizes with the understanding *in its lawfulness*. (Ak.287, sec.35, Pluhar 151)

Of course there is still a primary emphasis on sensation, the sensation of the harmony of the faculties as they "quicken" each other, according to Kant, but the point remains that aesthetic judgment does subsume, though what it subsumes under is somewhat different from what determinative judgment subsumes under.

Kant refers to subsumption again²³ in the Comment upon the specific deduction of section 38. Here he raises the question of faulty or illusory subsumption. This arises from the fact that the relation between imagination and understanding can only be sensed. Presumably what he means, since he contrasts the greater possibility of illusion in taste with the lesser possibility of it in logical judgment, is that it is both easier to avoid faulty subsumption and to correct it, because concepts are determinate, whether relatively or absolutely, and so one can both discern error as well as prepare for it. Illusion may still occur, either empirically or, as in the first Critique, purely and dialectically, but there are

²³There is a slight difference in the way he speaks of it. In sec.35 he spoke of the subsumption of imagination under understanding as the basis for the sensation underlying the judgment of taste. Here in the Comment on sec.38, he speaks of subsuming under a harmonious *relation* of imagination and understanding "that can only be sensed". (Ak.291, comment on sec.38, Pluhar 156) In the one reference imagination is subsumed under understanding, whereas in the other subsumption takes place under the relation of imagination and understanding. In both cases, however, the relation between imagination and understanding is responsible for the sensation undergirding taste.

specific standards of correctness or incorrectness to be met. In taste, as Kant has emphasized throughout, there are no specific standards or determinate concepts by which one can know oneself to be either correct or incorrect. This must be the result of only sensing the harmonious relation of the faculties, and not comprehending or understanding this relation.

It looks then as if the kind of subsumption performed by reflective judgment *per se* is either subsumption under a feeling, not a concept, or a subsumption which is really a referral to a concept²⁴. Since the latter activity involves concepts, we can now turn to the question of whether it is correct to see reflective judgment as doing without universals.

4. Reflective Judgment and Given Universals

The independence of reflective judgment from both understanding and reason is usually grounded on the notion that reflective judgment has no given universals.

Determinative judgment is the ancilla to understanding and reason, but reflective judgment somehow escapes this fate and sets up its own principle; as Kant puts it in the

²⁴I am making a leap here which is not as yet justified, but will be in Chapter Five.. The leap is this: the “referring to concepts” which Kant mentions is the subject of the resolution of the Antinomy of Taste in the Dialectic of Aesthetic Judgment. The subsumption under a feeling is the main claim of the sections prior to the Dialectic, the Analytic of the Beautiful and the Deduction of Aesthetic Judgments. At the moment I am assuming that the entire discussion of beauty constitutes a coherent whole, from Analytic through the Deduction through the Dialectic, and, in this context, we need to understand the claim that reflective aesthetic judgment as taste refers to concepts. However, that the discussion of beauty is a coherent whole is a disputed question, as we will see in Chapters Four and Five. In Chapter Five, in particular, I rely on this chapter’s discussion of concepts and reflective judgment in order to show that the Dialectic belongs coherently to the discussion of beauty; however, I do not rely on this particular section (which would then make Chapter Five’s argument circular) but on the *philosophical* argument in the next section, also based on Kant’s text, which supports a view of reflective judgment as dealing with concepts.

classic definition, "it cannot take it from somewhere else (since judgment would then be determinative)". (Ak.180, sec.IV, Pluhar 19) In the same section Kant distinguishes between determinative and reflective judgment by the universal being "given" (from elsewhere) for the former and only the particular being "given" for the latter, which "has to find the universal for it". (Ak.179, sec.IV, Pluhar 19)

This language of givenness is very important. When Kant in this section refers to the natural purposiveness that is reflective judgment's own principle he says

...this transcendental principle must be one that reflective judgment gives as a law, but only to itself [*sich nur selbst als Gesetz geben*]: it cannot take it from somewhere else (since judgment would then be determinative); nor can it prescribe it to nature, because our reflection on the laws of nature is governed by nature, not nature by the conditions under which we try to obtain a concept of it that in view of these conditions is quite contingent. (Ak.180, sec.IV, Pluhar 19)

Note that reflective judgment can neither give this principle to nature nor can it take it from elsewhere; reflective judgment takes this principle from itself and gives it to itself as a law (*als Gesetz geben*).

The image one is left with is that of a judgment confronted with a particular or particulars, like a collection of unrelated objects, for which some order (a universal) must be found, in this case the principle of natural purposiveness, self-generated by judgment. There is, in this scenario, a literal absence of universals, as well as a landscape littered with particulars; the image evokes the physical act of giving and taking.

The problem is that this is an essentially psychological image of judgment not an epistemological one²⁵, a model which has judgment searching for a universal as if it were

²⁵Gordon Nagel drew my attention to the importance of this distinction.

literally not present. I will not claim here that an epistemological image is necessarily better than the psychological or that it exhausts the import of what Kant is saying; that is beyond the scope of my discussion. I will only offer an alternate image to the psychological one, that interprets the meaning of 'given universals' epistemologically. On the epistemological model searching for a universal can be interpreted functionally; no universal fits the epistemic norm, so one must be "searched for." As we will see, this does *not* mean the psychological absence of universals, but only that the universals present are not qualified to meet the requirements of judgment.

The need for an alternate and non-psychological interpretation rests in part on a passage at the beginning of the Dialectic of Teleological Judgment, that has already been partially cited as evidence for reflective judgment subsuming:

When judgment *reflects*, on the other hand, it has to subsume under a law that is not yet given, and hence must subsume under a law that is in fact only a principle of reflection on [certain] objects for which we have no objective law at all, no concept of the object adequate as a principle for the cases that occur. But since it is not permissible to use the cognitive powers without principles, reflective judgment will in those cases have to serve itself as a principle....So reflective judgment has maxims for cases involving such objects....For these maxims allow us to arrive at concepts.... (Ak.385-386., sec.69, Pluhar 265-266)

As established in the previous discussion, this certainly indicates that reflective judgment subsumes, but now we are told that it does so under a law that is no law, not yet "given", but which is only a principle of reflection, which turns out to be reflective judgment itself, which then has maxims, subjective principles, for such cases. These subjective principles "allow us to arrive" at the missing concepts, missing because there are none adequate for the cases that occur; the particulars are underdetermined by any concepts available.

Kant is talking in this particular section about organic forms, whose very existence is underdetermined by any usual concepts. But there is no sense in this section that there is a psychological absence of concepts at hand, only a sense of the inadequacy of those present to judgment, and the substitution of subjective principles in their place. I do not wish to exclude the imaginative function of obtaining subjective principles which must certainly be part of reflective judgment as well, but the passage above suggests that reflection also has to do with principles or universals at hand, under which to subsume, though of course without the epistemic authority of objective laws. It is the *authority* of the laws which is in question, not their psychological presence in the mind of the cognitive subject. With this in view, an alternative image to the psychological one can be presented.

Instead of taking 'given' as denoting the literal presence in our mental landscape of something that is a universal or a law, I suggest we take it as denoting something more complex and less literal, more in keeping, for example with the legal imagery Kant uses throughout his discussions. Lawgiving, for example, may mean bringing a law into existence which was not there previously. But frequently it is also a codifying, legitimizing, or revising of an existent practice, or even the outlawing of the actual practice. That is, it may have some relation to actual activity, rather than being generated *ex nihilo* in the pure absence of anything. And the activity it is related to is not usually a collection of particulars that have no connection, but a set of informal practices, that the actual law may or may not retain, but which it certainly is related to, even if only negatively. Thus "giving" a law may have nothing to do with inventing a practice, but

much more to do with socio-political *legitimation*, and Kant's image of reflective judgment having to "give the law" to itself and his proscription on its "prescribing" the law to nature, appear in this context to be about such legitimation, though in this case not socio-political but epistemic legitimation.

Therefore an alternate image to the littered landscape of particulars sans universals might be the presence of order of some kind, or even kinds, all of which have a claim to becoming the universal or the law since without a "given" law there is no exclusion. Such orders and kinds, ways of meaning and informal practices, are present by means of the activity of imagination which proffers a variety of proto-universals for judgment to reflect upon, in its search for a universal or law. But the sources for such proto-universals must be understanding and reason, in both their empirical and pure uses, since imagination does not simply generate proto-universals *ex nihilo*. Thus, in thinking about reflective judgment it would be more accurate to think of a landscape dominated not so much by lost and unordered particulars but by competing proto-universals whose legitimacy cannot be determined by a higher authority, since here we are on the territory of judgment but are not under the jurisdiction of the domains of understanding and reason. Nonetheless, these domains have their jurisdiction on this same territory, so it would be surprising indeed if *candidates* for legitimate universals did not spring from these legislations²⁶.

²⁶As we will see in Chapter Five, this is precisely what happens in the solution to the Antinomy of Taste; a legitimate concept is wanted and reason just happens to have such a concept, the concept of the supersensible substrate of humanity. This is not, however, an imaginative concept, but a concept that springs from the domain of pure practical reason. The question is not, do we have a concept at all, but can we use this concept that we have

When one of the proto-universals is selected on the basis of its suitability, then, since we have judgment and not just imagination unlike animals²⁷, judgment must justify this selection. The process of justification can range from the empirical to the abstract. In the former, an empirical law receives its validation from our experience, specifically, from observation, and, where possible, experimentation. In the latter case, a pure law or universal is validated by its relationship to the conditions of possible experience: for example, pure concepts of geometry are validated through the sensible conditions of possible experience. This justification of pure concepts through judgment, at the bar of reason, reaches its most abstract level in Kant's deductions.

Only when the process of justification is completed is the proto-universal established as a law, and is therefore "given", just as a law is given²⁸. Once it is given, judgment can be determinative, that is, it can subsume particulars under the given universal, or, following the First Introduction's definition, it can exhibit the universal through the particulars²⁹.

legitimately?

²⁷See Young, "Kant's View of Imagination," for an extended discussion of this point.

²⁸Of course this a very crude picture of a subtle process; it may not, for example, be a single proto-universal that is raised to the level of a law, but a synthesis of several, generating, in effect, something new. Also, I am certainly not claiming that when viewed as a psychological or social process, law-giving is usually a rational, well thought-out process.

²⁹The latter aspect is especially important for proto-universals that we take to be laws without any great process of reflection, and yet they have no clearly warranted claim to being laws. Here their suitability rests in great part on their exhibition in the realm of the senses. The categories all fall into this category, the most famous one being causality, because of Hume's challenge to its lawfulness precisely on the grounds of sensible exhibition and, to Kant, equally deleterious defence of it on genetic grounds. The suitability of the categories

If, however, there is no hard and fast basis upon which to raise a proto-universal to the level of law, then judgment's reflection must provisionally take the place of given laws. This does not mean, again, an absence of universals in the mental landscape, but an absence of secure claimants to the throne of law. The absence of a king, after all, is not usually the absence of flesh and blood individuals willing to be kings, but a question of the validity of their claims. In the case of such an absence of valid claims a provisional government is not only permissible but necessary; epistemically, a "provisional government" of concepts is always necessary in the absence of true laws, since the activity of judgment cannot, with apologies to Descartes, be suspended until a suitable claimant is found. The carrying-on of the activity of judgment is the motive for establishing provisional rule, so the optimal rule will be the one that permits this, on reflection, more than other rules.

On this image reflection, far from being a solitary personage setting off on a lonely quest for the holy grail of a universal, is instead surrounded by a host of possible universals, all clamouring for the job. Naturally, since understanding and reason are the source of concepts, these universals will come from both understanding and reason, though their collection and assemblage will be governed as much by imagination, empirical and pure, as by prior systems of law.

for being universal and necessary rests initially on their necessity to the unity of thought, but the Schematism and the Analytic of Principles bring the missing element: their ability to subsume particulars based on their prior exhibition through different aspects of time, which is pure sensible exhibition.

Judgment will subsume under these provisional laws, until real laws are found, and also using real laws wherever possible. Real laws always have priority over provisional ones, except where the situation is not adequately covered by the laws we have. For example, mechanically explaining nature, according to the causality of the first Critique and therefore lawfully, normally has priority over teleologically explaining nature through a concept of reason; however, where judgment must force a path through recalcitrant territory, it is permitted to use the latter mode of explanation, because it serves where mechanical explanation has nothing to say:

...we are to explain all products and events of nature, even the most purposive ones, in mechanical terms as far as we possibly can (we cannot tell what are the limits of our ability for this way of investigating); yet, in doing so, we are never to lose sight of the fact that, as regards those natural products that we cannot even begin to investigate except under the concept of a purpose of reason, the essential character of our reason will still force us to subordinate such products ultimately, regardless of those mechanical causes, to the causality in terms of purposes. (Ak.415, sec.78, Pluhar 300)

5. Reflective Judgment and Concepts

Hence, on the alternate image, when reflective judgment uses concepts, it does not operate in splendid isolation from understanding and reason but requires these as wellsprings of concepts, both empirical and pure³⁰. The difference from determinative judgment is that where universals have been proven to be universals, and not simply ad hoc generalizations masquerading as the former, then there is no room let alone need for any autonomy or heautonomy of judgment. But where no hard proof of universality is

³⁰Of course, concepts of reason are not, as such, empirical; however, some are more particularly related to the empirical. Examples of these are found in the Regulative Employment of the Ideas of Pure Reason in the first Critique: pure air, pure earth, pure water, etc. (A646, B674)

forthcoming, then judgment is required, not simply to carry out the letter of the law, but to judge in the spirit of law.

This model can now be applied to Kant's image of the domains of knowledge and morality and the territory of sensibility. Understanding and reason have separate legislations, but both legislations take place on the territory of sensibility. Judgment, as the activity of the subject who theoretically and practically judges, is, determinatively, the application of the concepts of nature and the concept of freedom to the territory of sensible experience; it executes the legislations, since it is the faculty of use or employment. Without such use or employment neither theoretical nor practical concepts become actualized.

But such application or executive activity can be considered not simply from the point of view of the legislations it is carrying out, but from the point of view of the activity. And when judgment has to be active in the territory of experience without a set legislation, then the emphasis is on the activity. The activity of course is provisional legislation because execution without any legitimate legislation is like judgment without a "given" concept; essentially wanting.

Reflective judgments then, to continue the political imagery, are like provisional governments; they have authority in the interests of execution but only contingently, since what one really wants is an actual government. As provisional government, however,

reflective judgment is free to use whatever concepts it can from either understanding or reason, provided it needs to use concepts at all³¹.

If my analysis so far is accurate, then being able to use any of these concepts indicates that there is a dynamic relationship between reflective judgment and the faculties of understanding and reason. It also indicates that there is a dynamic relationship between the objective application of these concepts in determinative judgment and the subjective use of such concepts in reflective judgment. We do not have two sets of concepts, one objective and the other subjective; there is one set of concepts which can be used either objectively or subjectively, and which are always subjective before they are objective. The only question about a concept is whether it *remains* subjective.

Therefore we can conclude that whether a concept belongs to a given faculty depends not on the content of the concept as such, but on whether it is objectively applied, theoretically or practically, or whether it is merely subjectively used, reflectively. There are no special concepts belonging to either the understanding or reason or judgment, as borne out by the previous discussion of the general relationship between the faculties, except insofar as the faculties are considered logically; substantive concepts, pure or empirical, belong to the different faculties depending on their use or application.

When concepts are employed objectively and constitutively they belong either to understanding or to pure practical reason; when employed subjectively, reflectively, and regulatively, they belong to judgment. Even the objective employment of concepts

³¹In the case of the pure judgment of taste, no concepts will be necessary; in the case of organic beings, a concept from reason will be necessary. The Dialectic, as we will see, will require a concept for taste, but for completely different reasons.

presupposes their subjective use; an objective employment is necessarily a subjective employment also, though of course a subjective employment need in no way be an objective employment, though it may be a precursor of the latter. Subjective employment, where concepts have provisional status only, marks a concept as a concept of judgment.

Judgment is always a subjective process but it is objective when it applies concepts of understanding and ideas of reason in such a fashion as to say that this is what an object is or what it should be. It is a purely subjective process when it neither judges what an object is nor what it should be, but only whether the process of judging is taking place in an ordered way.

6. The Distinction Between Reflective and Determinative Judgment

Perhaps then the classical definition of reflective judgment and its difference from determinative judgment is not wrong per se, only perhaps too rigid in its distinctions. Reflection and determination appear to be on a conceptual continuum, with determination as the result of prior determinability brought about through reflection and imagination.

Where reflection and determination seriously differ is in the principles that govern them as activities. The principles that govern determinative judgment are the categories, which govern as objective laws. Hence in its specific activity, determinative judgment need only judge in accordance with the categories. That my hitting the billiard ball with another billiard ball causes it to move is subsumed under the general principle of causality, the schema of succession in time; moreover, this general principle sets the parameters for what can or cannot be picked out as a cause, although it is sensible

experience that fills these parameters with content. The activity of judgment in knowledge is determined by such categorial parameters.

In contrast, judging that is merely reflective has no parameters but what it sets itself. This, as we have seen, does not mean an absence of specific universals; but it does mean that the use of such universals in relation to groups of particulars is not determined by lawful objective parameters. In perception, our imagination has been at work on the manifold of sense, working up into various wholes, wholes which may or may not be objective in any sense. I perceive one line to be larger than another in the Müller-Lyer illusion, which is, primarily, a function of my imagination as it governs perception³²; my judgment, informed through reading about the phenomenon, tells me that this is an optical illusion and that the lines are really the same length. This, however, is determinative judgment, acting on the basis of objective knowledge of measurement.

But imagination acts in this way for many things that cannot be determined, whether intrinsically or for the moment, and our judgment still has to decide whether or not to accept imagination's wholes. What is the principle governing its action, especially those judgments, such as a pure judgment of taste, that are synthetic, reflective, and a priori? Within what parameters are its answers to be given, since there appear to be no objective laws for this? For extrinsically indeterminate things the question is answered more easily, since prior knowledge and rules already in place will be the general parameters, all other things being equal. A cheetah, for example, has attributes that make it more dog-like than cat-like, such as its general bone-structure and its blunt claws;

³²Something discussed in detail by Young in "Kant's View of Imagination."

nonetheless, given its appearance and certain other characteristics, it is generally classified with the big cats. Imagination's holistic classification of the cheetah with the other great cats, a classification almost certainly based on perceived and superficial similarities, is legitimized by judgment on a basis that includes other laws of classification. In this sense the classification of things that are indeterminate, but not intrinsically so, is usually a mixture of reflective and determinative judgment, with some predominance of reflective judgment.

Nonetheless, there are those items which are intrinsically indeterminate³³. Feelings, for example, are indeterminate, not to be picked out by a concept and certainly not to be decided by a concept. No concept tells me that I am in pain, as opposed to pleasure, and the reality or even quality of my pain cannot be decided by reference to even an empirical concept. If I could determine my pain through even an empirical concept I would be able to say that I think I am in pain, though I am not sure, but since I have experienced it before and can articulate the features it has, I should be able to compare my representation of pain with previous experiences of it and decide whether this is indeed pain or something else. But of course, although I can articulate the fact that I am in pain, I cannot articulate the qualities of pain, except by way of analogy.

By contrast when I see a duck I can, all other things being equal, articulate the standard empirical characteristics of "duckness" and conclude that since it walks like a

³³I do not equate intrinsic indeterminacy with being "indeterminable" at the moment since the indeterminacy of feeling, for example, may be a function of our limited understanding.. The supersensible, on the other hand, is indeterminable without qualification, since it is stipulated to be non-sensible.

duck and talks like a duck it is a duck. I can determine, though loosely and empirically, whether or not it is a duck; I cannot determine whether I am in pain or not as if I were making a logical judgment, e.g. "I am in pain because of these characteristics." Pain is evident when present but is not determinate.

The reason it is not determinate comes from one side of determinacy, the conceptual side. Determinacy, in the definitions of both introductions, involves specifiable and lawful concepts on the one hand and exhibitions of these on the other. If we have a specifiable and lawful concept sans exhibition, such as the moral law, then this is indeterminacy where exhibition is lacking and, in fact, is lacking intrinsically, and something else, i.e., a symbol, must be substituted for the sake of judgment. But we can also have exhibition which is intrinsically indeterminate; it lacks a concept, and lacks it intrinsically, since there is nothing that could count as a determinate concept of, say, pain qua feeling³⁴.

This is in part due to a certain privacy of feeling and even bare sensation that resists such a public utterance as a judgment³⁵. What is striking about aesthetic judgments is that they concern feelings that are private in one sense in that they are not and, more importantly, cannot be based on determinate concepts, but public in another sense, in that they claim universal validity. This combination of private and public, of sense and

³⁴Though of course there are specific marks by which we understand that someone is in pain.

³⁵This may seem like a large claim in a post-Wittgensteinian era, but the point is that Kant would have assumed it. In fact, Hegel criticizes Kant precisely for distinguishing between private sensations and feelings and public concepts and judgments, arguing in anticipation of Wittgenstein that distinguishing the former from the latter is already a conceptual activity.

universality, gives us the *sensus communis*, almost a contradiction in terms, and something of which we do not have a definite concept.

We cannot determine taste, since its manifold of feeling resists being judged in accordance with the categories; but as judging subjects we need to judge it in some way or the other, and such judging requires, as does all judging, comprehension, i.e., a concept. Since determination with its guiding principle of the categories is ruled out, judgment must reflect upon taste, and if it is not to sink into the empirical³⁶ it will require an indeterminate concept as a principle in its judging of taste.

The other intrinsically indeterminable item is the presence of unity in nature, whether in specific objects or in nature as a whole. Such unity is not an object of possible experience, since it is neither grounded in schematic representations of time, as the categories are, nor is it grounded in the manifold of sense. It is teleological or purposive unity, and purposiveness is not a feature of sensible appearances in space and time. Hence it is not possible to determine appearances in accordance with purposive unity.

However, both organic forms as well as contingent natural laws generally are radically underdetermined by the categories, which generally determine the validity of individual laws and perceptions, but which cannot determine a priori that, say, human beings cannot manufacture vitamin C in their bodies or that water is composed of two

³⁶The Achilles heel of aesthetic judgments is sinking into the empirical; that of teleological judgments is straying into the transcendent. (FI, Ak.241, sec.X, Pluhar 430) Since play of the faculties is operative in aesthetic judgment, particularly taste, and play involves empirical imagination, it is easy to see that taste might become blindly empirical; since teleology involves wholes and unity, it is easy to see why it might become transcendently empty.

hydrogen atoms and one oxygen atom. If these are not mere generalizations but function as actual laws, they must be unified a priori in some way that is not merely ad hoc; there must be an a priori principle of the generation of such laws. The a priori principle is reflective judgment itself and its concept of natural purposiveness.

Organic forms are also underdetermined by the categories, but in a different way. Empirical laws exist but may be purely contingent and non-unified; it is their cognitive status that is in question. In the case of organic forms it is their very constitution and comprehension that is at stake in the discussion of the third Critique. Organic forms are incomprehensible on a mechanical explanation since they are clearly more than just the sum total of their parts. The mechanical causality so well suited to explaining the movement of bodies in space and time cannot fully explain the nature of an organic body which reproduces itself as a whole in all aspects, actual reproduction but also maintenance and growth. Mechanical causality is silent about these aspects, and hence they are non-existent in a model of mechanical explanation. In order for these non-mechanical qualities to be constituted intelligibly as part of organic forms another model of explanation is necessary; but since this model cannot determine organic forms, since determination is exhausted by mechanical causality, we can only use this model to reflect upon organic forms.

C. REFLECTIVE JUDGMENT AND THE CONCEPT OF NATURAL PURPOSIVENESS

7. Reflective Judgment and Natural Purposiveness (preliminaries)

I have hitherto argued that a concept belongs to judgment when this concept is being subjectively used, and especially when its use remains at the subjective level. Normally this means that the sources for such concepts are still understanding and reason, whose activity is judgment, so that there is no exclusivity in judgment's possession of such concepts; a concept can be a conditioned concept of understanding or an unconditioned concept of reason and still be primarily a concept of judgment, since its subjective use means that it belongs to the *activity* of these faculties, not their legislation. For example, when judgment has to use an ideal construct to enhance knowledge, such as pure earth³⁷, this is an idea of reason, a unification and hence an ideal construct of a conditioned concept of understanding, but definitely an idea or concept of reason. However, since its role is that of the *activity* of reason, in unifying understanding, it is essentially a concept of judgment and hence subjective in use. By way of contrast the categorical imperative is not merely part of the activity of reason but is also legislative in the practical domain and hence essentially a concept of reason, not of judgment; it is objective in its practical use.

However, the concept of purposive without purpose, and natural purposiveness specifically, is a rather special concept which cannot be as easily fitted into this scheme. It is not a concept of understanding, since purposiveness is not a concept of understanding, and it is not a concept of reason, because reason does not have purposiveness without also

³⁷The example is from the Regulative Employment of the Ideas of Pure Reason (A646, B674).

having purpose. On the other hand it is not something that comes to us through the senses. For all the concepts littering our epistemic landscape, purposiveness without purpose does not appear to be among them.

However, this apparent absence can be accounted for by the nature of the "object" that a concept such as purposiveness without purpose is attempting, even provisionally, to describe; moreover, given this peculiar object, no object in fact at all in the strict sense, the origins of the concept describing it lie in the constituent parts of the object, parts that are, however, parts only in virtue of reflective judgment, which creates this object by a judgmental synthesis of the domains of nature and freedom, a synthesis which, because only judgmental, gives rise to no object whatsoever.

Hence the scheme outlined above, where reflection provisionally legislates in the absence of lawful concepts, can be modified to describe a peculiarly rarefied concept such as purposiveness without purpose. Purposiveness without purpose is present in our conceptual landscape, in the guise of its separate elements, nature and freedom. These await their synthesis into the concept of purposiveness without purpose.

When we try to comprehend the unity of nature or its empirical laws or the organic forms within it or even the beauty of nature, there are no hard and fast rules for this that will provide us with an algorithm of taste or empirical unity. There are no concepts that tell us how empirical unity is possible or that denote the qualities of beauty. But since all these items are grist to judgment's mill, judgment must have some way to deal with them, and it does so initially by simply assimilating them to its own activity and subsuming them under its own principle, the purposiveness of nature.

At this stage such subsuming is nothing more than judgment flinging the heterogeneous items, beauty, empirical unity, and organic natural forms, under a provisional universal cobbled together from two universals that judgment uses all the time, nature, and purposiveness. These universals have been well-defined in the two previous critiques, and they are now being held together, more in the will than in the deed, in order to explain the afore-mentioned items. These concepts are indeed *available* for judgment, but, although given as laws in their own domains, theory and practice respectively, their *union* is not given; judgment may have cobbled together something that stands for or symbolizes such a union, but it is not a union that is law-given, that is justified, in the way the categories were justified for knowledge and the concept of freedom for moral practice.

Judgment's ad hoc, though necessary, union of nature and freedom requires a critique, to validate it and to set its boundaries. Such a critique may not be able to give judgment's activity the lawful status of knowledge or practice, but it may be able at least to codify this activity into the provisional rules of reflective judgment itself³⁸. Such a critique is different from judgment's use of purposiveness without purpose to comprehend various objects provisionally; it is an examination of this use before the bar of reason.

8. *Reflective Judgment and Reason (recapitulation)*

³⁸For the moment I will leave aside any problems or questions that attend the reflexivity of judgment's validation.

Judgment has to justify its activity in terms that are at least rational if not comprehensible, that are in line with reason, and acceptable to understanding, even if not part of the latter. In this justification, which is a process of critique, the basis for the purposiveness of nature is fully uncovered³⁹. The need for such a basis is a demand of reason upon judgment, both aesthetic and cognitive judgment, but reason also supplies judgment with a subjective principle to meet this demand.

9. Purposiveness Without Purpose and Reason

Judgment must justify both of its subjective uses of purposiveness without purpose, the aesthetic and the logical. However, our discussion will focus upon the primary subjective use of purposiveness without purpose by aesthetic judgment. In the next chapter, Chapter Four, the subjective use of purposiveness without purpose will be discussed in the Analytic of the Beautiful and the Deduction of Pure Aesthetic Judgments; this discussion clearly establishes the peculiar autonomy of reflective judgment in taste, an autonomy that forms the independence requirement of mediation. However, in Chapter Five, the problem of reflective aesthetic judgment's relation to reason will be discussed in the context of the Dialectic of Aesthetic Judgment. The Dialectic poses a fundamental challenge to the autonomy of taste, a challenge that must

³⁹It is always indicated to some degree, even in the Introductions, that the basis for natural purposiveness is an understanding that is different from ours. What is different later is that such a basis is clearly seen as the product of reason's demands upon our judgment as well as its supplying judgment with a subjective principle to meet this demand.

be resolved in order that the symbolization of morality by beauty become the crucial link in the mediation of knowledge and morality.

Chapter Four

The Heautonomy of Taste In the Analytic of the Beautiful and the Deduction of Pure Aesthetic Judgments

Introduction

In this chapter I want to discuss why the experience of beauty makes taste, as aesthetic reflective judgment, homogeneous with understanding without making it an instance of understanding. If taste can attain such homogeneity while avoiding reduction to understanding, it will fulfill one of the independence requirements of mediation. Moreover, I want to discuss the way in which the independence of taste ensures a peculiar but necessary arena for reflective judgment, one that will be necessary to maintain its independence not only from understanding but from reason.

I will discuss the nature of reflective aesthetic judgment, and then discuss the role of beauty in mediation as a general possibility, here in the introduction. I will then go through the Analytic of the Beautiful discussing the four moments of beauty but focusing primarily on moment three, in which the concept of judgment, purposiveness without purpose, is developed and moment four, in which the necessity of the judgment of taste is related to the conditions for cognition and the *sensus communis*. Then I will discuss the Deduction, where Kant validates the universality and necessity of the judgment of taste through the conditions for cognition, the harmony of the faculties, and the *sensus communis*, thus using the concept of judgment, the concept of purposiveness without

purpose. I will then evaluate how far the Deduction both connects taste to understanding and knowledge while keeping taste separate, through the use of subjective purposiveness.

The Nature of Aesthetic Reflective Judgment

The pure reflective judgment, by analogy to cognitive judgment, concerns either sensibility or intelligibility; it has an Aesthetic and a Logic. But since we are dealing with reflection, the Aesthetic is about the relation between judgment and feeling, since feeling is related to sense, as its occasion, but is purely subjective, thus appropriate for pure reflection¹ and the Logic is about the relation between judgment and problematic concepts. Does private feeling have a public structure and can it therefore be expressed as public judgment? Do elegant and seemingly necessary concepts, such as organic life and natural system, have experiential meaning or relevance, allowing them to be on hand for use in judgments? The Aesthetic answers the first question, the Logic the second. But since the concept which is problematic for the Logic of reflective judgment is a concept of purposiveness, though without purpose, the logic of reflective judgment is called the Critique of Teleological Judgment and it is also the critique of a judgment that uses what turns out to be a concept of reason.

¹Reflection per se can go beyond feeling, since it is involved in all provisional legislation, including those that abound in empirical cognition. And even here, not just as the subjective side of empirical cognition, as it always is, but in its own right as a provisional lawfulness, as when an object, for lack of sufficient data, is characterized in a limited way as provisionally such and such. But pure reflection involves only what cannot, universally and necessarily, be legislated; feelings, organic life, the *unity* of empirical laws, the unity of theory and practice. The first belongs to Aesthetic, the second and third to Logic, since the subject matter is *concepts*, of organic life and of empirical concepts generally, and the third must belong solely to Critique, to intelligibility without doctrine.

Aesthetic judgment of course concerns more than beauty or the discussion of taste; it concerns the experience of the sublime. In beauty the imagination is playfully engaged with the understanding; in the experience of the sublime it is less playfully, and more seriously, engaged with reason. In its concord with understanding, the imagination gives us the experience of beauty; in its struggle with reason, it gives us the experience of the sublime. What the two experiences share are their disinterestedness, their being the activity of judgment reflecting, and, of course, the presence of feeling. Otherwise, they are as different as the conditioned is from the unconditioned, as knowledge from morality.

The Role of Beauty in Mediation

In the discussion of aesthetic judgment Kant develops a concept of taste that allows beauty to mediate between knowledge and morality. The mediation is not schematic like that between the categories and the manifold of sense through time, but symbolic, like that between pure theoretical reason and the understanding through an analogon or between pure practical reason and understanding through the *typus*. Beauty cannot literally be a schema for morality, since morality is essentially unconditioned and the unconditioned cannot be exhibited in intuition, where only the conditioned can be exhibited. And exhibition is a key condition for schematism. Nonetheless, beauty is

analogous to morality in some respects and hence can be a symbol of it,² thus providing indirect exhibition of it.

Beauty's relationship to understanding is different. The experience of beauty involves the free play of the same faculties engaged in knowing; such free play is the subjective structure of knowledge and its only difference from the imaginative reconnaissance that characterizes the context of discovery is that the latter emerges into determinate use, into the context of justification. Hence, when the free play of the imagination and understanding is done for the sake of cognition, it forms the context of discovery, the imaginative process described in chapter three that, as both Eva Schaper and Christel Fricke have remarked, precedes the enactment of cognitive laws as well as the formation of empirical concepts³. When it is done with primary reference to the faculty of pleasure and pain, and with specific reference to pleasure, such free play results in the experience of beauty.

Moreover, these processes are not necessarily or even usually separate; Kant meshes the context of discovery and the experience of beauty in section VI of the second

²It is important to note that 'symbolic' and 'analogous' are not equivalent for Kant. He specifically defines a symbol as that which stands for an idea that can never be fully represented in sensible intuition. The basis for this symbolization is analogy, but analogy can exist where there is no symbolization; the primary example in the Critique of Aesthetic Judgment is the relationship between beauty and knowledge. Beauty is like knowledge, is analogous to it in all the ways that mark knowledge as conditioned, but beauty is not a symbol of knowledge, because knowledge is already exhibited in the world, and, a priori, has schemata, not symbols. (See Ak.351-353, sec.59, Pluhar 225-228 for the schema/symbol distinction)

³See Fricke "Explaining the Inexplicable: The Hypotheses of the Faculty of Reflective Judgement in Kant's Third Critique" *Nous* 24(1) March 1990, pp.45-62 and Schaper, "Taste, sublimity, and genius" p.369.

intro when he describes the pleasure that issues out of cognitive discovery, a pleasure rooted in the conception of nature's orderliness for us (i.e., purposiveness without purpose). However, such pleasure is a by-product of cognition and subordinated to it, whereas aesthetic experience unleashes this pleasure.

Therefore, since the experience of beauty is already part of the subjective side of knowledge, it is at least a *prima facie* candidate for the mediation between the moral subject and the knowing subject, by providing the reflective equivalent of an exhibition in knowledge of morality or, from another angle, the reflective equivalent of subsuming knowledge under morality. Moreover, as Kant points out in the Introduction, since beauty belongs to judgment and judgment as a logical faculty is located between reason and understanding, we may assume the working hypothesis that reflective aesthetic judgment is qualified to mediate substantially between understanding and reason and not merely logically. One of the conditions for this hypothesis being true, of course, is that reflective aesthetic judgment fit the conditions for symbolic mediation presented in the previous two Critiques, conditions that entail both its independence from both understanding and reason and its connection to them. In the third moment of the *Analytic of the Beautiful* taste is made independent of sensibility, understanding, and reason, through developing the concept of purposiveness without purpose; in the fourth moment, taste is connected to understanding through the *sensus communis* and the harmony of the faculties, something developed further in the *Deduction of Aesthetic Judgments*.

The Analytic of the Beautiful

There are four moments in the discussion of judgments of taste, which correspond to the four logical forms of judgment. These are quality⁴, quantity, relation, and modality. The quality of an aesthetic judgment of taste is its free disinterestedness; its quantity is a required but not predictable subjective universality; its relation concerns the free play of the cognitive faculties of imagination and understanding, a purposiveness without purpose; and its modality in aesthetic judgments concerns the required but again not predictable subjective necessity of the judgment of taste.

The Resemblance of Taste to Objective Judgment and Its Difference

Clearly, the link between all four moments of the beautiful is subjectivity. However, this is not a subjectivity rooted in individual circumstance; its basis is universal, at least in principle. Strongly emphasized as well is the element of freedom, but this is not the freedom of the second Critique, the *ratio essendi* of the moral law, but rather the freedom that involves lack of any interest, whether this interest is pure and practical or sensible. It is, as the moment of relation brings out, a freedom that is essentially *play (Spiel)*.⁵

⁴Unlike purely logical judgments, and also unlike judgments concerning the sublime, quality comes before quantity in the discussion of beauty. This is because, according to Kant, it is with quality that aesthetic judgments of beauty are concerned. He does not elaborate on this but it is presumably because quality sets aesthetic judgments of taste (judgments concerning beauty) apart from other judgments first, whereas it is the quantity in the judgment that is peculiar to the sublime.

⁵This aesthetic freedom, which is actually more like our ordinary notion of freedom, undergoes a peculiar transformation at the end of the discussion of taste, so that by the time it is contrasted with the sublime in the discussion of the sublime, the imagination has reached its limit and become conscious of this limit as a limitation. In this sense, as Kant puts it, violence is done to the imagination, it is forced beyond itself in its contemplation of the sublime, and, presumably, forced beyond purely aesthetic freedom.

It is just this lack of interest that lends universality to judgments of taste. The person making a judgment about beauty must believe that

... he is justified in requiring a similar liking from everyone because he cannot discover, underlying this liking, any private conditions, on which only he might be dependent, so that he must regard it as based on what he can presuppose in everyone else as well. He cannot discover such private conditions because his liking is not based on any inclination he has (nor on any other considered interest whatever): rather, the judging person feels completely *free* as regards the liking he accords the object. (Ak.211, sec.6, Pluhar 54)

Thus, concludes Kant, in this respect an aesthetic judgment resembles a logical judgment because we presuppose its validity for everyone; however, since this validity is not based on concepts, it is solely a subjective universality, which does not extend over the object, but over "the entire sphere of *judging persons*." (Ak.215, sec.8, Pluhar 59) It is odd to say, for example, that an object is beautiful for *me*, though it is not odd to say that it is charming or agreeable to me⁶.

The peculiarity of this subjective universality is that when beauty is spoken of, it is spoken of as if it were a property of the object, though in fact it is referred only to the

⁶Kant's argument, especially in the preceding quotation concerning private conditions, is not a psychological argument; one could, psychologically speaking, be entirely wrong in attributing disinterestedness to one's aesthetic judgments. One could mistake agreeableness for liking and hence think that everyone should like something, whereas in fact, since the object in question only triggers gratification, the liking could be completely private, or limited to those people whose private circumstances match mine. But even such a mistake involves an appeal to a norm of liking that is taken to be universal and without reference to subjective conditions; loosely speaking, the mistaken person has the right concept, or more accurately, the right *idea*, but is just as mistaken in referring his or her feelings to that idea, as someone would be who identified a cat as a dog. The major difference is that, on Kant's analysis, one does not, as such makes mistakes in taste, since there are no determinate concepts involved, but one can lack judgment or, specifically, lack taste.

subject. (Ak.212, sec.7, Pluhar 55-56) This is, presumably, because the reference to the subject is to all subjects, not the given empirical subject.

In this putative universality there is an analogy between "predicating" beauty of an object and predicating some real fact about it; the activity of the one is *like* the activity of the other, although, as Jens Kulenkampff points out, this does not amount to genuine predication⁷. In the Introduction Kant classifies judgments of taste as empirical judgments, and says that like other empirical judgments a judgment of taste has no objective necessity or a priori validity, but can still claim *universal* validity: "...like any other empirical judgment, a judgment of taste claims only to be valid for everyone, and it is always possible for such a judgment to be valid for everyone despite its intrinsic contingency." (Ak.191, sec.VII, Pluhar 31) The difference between judgments of taste and other empirical judgments lies in the former's lack of conceptual connection:

What is strange and different about a judgment of taste is only this: that what is to be connected with the presentation of the object is not an empirical concept but a feeling of pleasure (hence no concept at all), though, just as if it were a predicate connected with the cognition of the object, this feeling is nevertheless to be required of everyone. (Ak. 191, sec.VII, Pluhar 31)

Kant adds, nevertheless, the caveat that universal agreement on beauty is not postulated but *required*. This is because he is quite aware that actual empirical agreement about beautiful objects is far from universal; this, however, he attributes to a failure in application. (Ak.214, sec.8, Pluhar 58) He is actually not that concerned as to whether any given aesthetic judgment is acclaimed as universal or not; he is concerned more with

⁷Jens Kulenkampff, *Kant Logik des asthetischen Urteils*, second edition, (Frankfurt am Main: Klostermann, 1994).

giving an account of what it is we do in making such judgments, and whether what we do has a necessary component to it.

The General Conditions for Cognition

It is subjective universality that provides the initial transition from aesthetics to the general conditions of cognition. Kant states that the universal communicability of the mental state that occurs when an object is presented to us (without interest and not cognitively), is what underlies taste as its subjective condition, i.e., the condition that permits the activity that is aesthetic judging. (Ak.217, sec.9, Pluhar 61) However,

Nothing... can be communicated universally except cognition, as well as presentation insofar as it pertains to cognition; for presentation is objective only insofar as it pertains to cognition, and only through this does it have a universal reference point with which everyone's presentational power is compelled to harmonize. (Ak.217, sec.9, Pluhar 61)

Cognition is essentially conceptual, whereas aesthetic appreciation is not. Therefore, the determining basis of taste must only be "the mental state that we find in the relation between the presentational powers [imagination and understanding] insofar as they refer a given presentation to cognition in general." (Ak.217, sec.9, Pluhar 61-62) Since this reference is to be without restriction by determinate concepts i.e., what is being referred to cognition is not being so referred for the purpose of objective corroboration (in pursuit of *knowledge*), the cognitive powers brought into play are in free play, tied down to no theoretical purpose. The communicability of the mental state involved in beauty is grounded in cognition in general, as a faculty, and not in specific concepts.

The Heautonomy of Taste in the Moment of Relation

In this third Moment Kant makes clear that pure aesthetic pleasure can be governed neither by sensibility nor by the intellect; it must rest on the purity of feeling as expressed through a purposiveness without purpose. This Moment, along with the first, serves to counter-balance the intellectuality of the second and fourth Moments and to emphasize the independent role of aesthetic pleasure in taste.

Kant opens this section by defining 'purpose.' Transcendentally considered, and therefore independent of empirical considerations such as pleasure, "a purpose is the object of a concept insofar as we regard this concept as the object's cause (the real basis of its possibility)". (Ak.220, sec.10, Pluhar 64-65) Purposiveness is "the causality that a *concept* has with regard to its *object*". (Ak.220, sec.10, Pluhar 65) The representation of the object becomes the determining ground of the concept which is the cause of the object. Put differently, when I desire an apple its presence as an item of my consciousness is what determines the concept of the apple as an object of my desire, a concept whose fulfillment culminates in the possession and devouring of the said apple. I cannot desire something that is not part of my representations, and the general force of my desires is specifically shaped by the items I represent to myself. Purpose and purposiveness are here equated with the overt consciousness of concept; something is not a purpose if it is simply produced, even by me, as an accident.

Kant then goes on to define pleasure as the consciousness "of a presentation's causality directed at the subject's state so as to *keep* him in that state". (Ak.220, sec.10, Pluhar 65) A purpose re objects culminates, if successful, in the production of the object; a purpose directed toward a subjective state has that state as the goal of production, but

since the state is, presumably, already present to some degree, else it would not be part of the subject, it is a goal not of production but of *maintenance*. Displeasure is the opposite; it is the consciousness or the representation that grounds the changing of representations so as to disperse or remove them.

Kant then makes his important distinction between objects considered as purposes and those considered purposive. He begins by recapitulating his classical definition of will, that it is the faculty of desire insofar as the determination of its acting resides in the representation of a purpose, that is, it acts because of concepts, and hence self-consciously. Then he adds:

On the other hand, we do call objects, states of mind, or acts purposive even if their possibility does not necessarily presuppose the presentation of a purpose; we do this merely because we can explain and grasp them only if we assume that they are based on a causality [that operates] according to purposes, i.e., on a will that would have so arranged them in accordance with the presentation of a certain rule. Hence there can be purposiveness without a purpose, insofar as we do not posit the causes of this form in a will, and yet can grasp the explanation of its possibility only by deriving it from a will. (Ak.220, sec.10, Pluhar 65)

Such purposiveness without a purpose can be noted in objects "even if", as Kant adds, "only by reflection". (Ak.220, sec.10, Pluhar 65) It should be noted that Pluhar's translation somewhat diminishes an emphasis in the German text that highlights both the reflective aspect of ascribing purposiveness to certain items as well as the pre-cognitive nature of this ascription. What Pluhar translates as "we...can grasp the explanation of its possibility" etc. is "wir... die Erklärung ihrer Möglichkeit... uns *begreiflich* machen können." (emphasis added) That is, the explanation of the form of purposiveness that we

observe can be made *comprehensible* to us, though not *comprehended*, by grounding such a form in a will⁸.

Purposes, whether subjective or objective, cannot form the basis for determining a judgment of taste, since subjective purposes contain interest and objective ones contain cognitive concept of objects; hence, judgments of taste are based only on the "mere form of purposiveness, insofar as we are conscious of it, in the presentation by which an object is *given* us." (Ak.221, sec.11, Pluhar 66) It is this formal nature that allows the bases of judgments of taste to be a priori, for aside from this,

We cannot possibly tell a priori that some presentation or other (sensation or concept) is connected, as cause, with the feeling of a pleasure or displeasure, as its effect. For that would be a causal relation, and a causal relation (among objects of experience) can never be cognized other than a posteriori and by means of experience itself.⁹ (Ak.221-222, sec.12, Pluhar 67)

⁸This distinction between 'comprehensible' and 'comprehended' is just the distinction between 'determinable' and 'determined' that was discussed in the previous chapter and that forms the basis for the solution outlined by Kant in the second introduction, to the problem of mediation.

⁹The causality of aesthetic appreciation is an inner, relational causality deriving from the play of the cognitive powers, and its causality is circular and reciprocal, though Kant does not use this language, for the causality is one of keeping us in the state of having the presentation that evokes the pleasure which is the consciousness of "a merely formal purposiveness in the play of the subject's cognitive powers, accompanying a presentation by which the object is given" (Ak.222, sec.12, Pluhar 68) and of keeping the cognitive powers active generally but without any aim. As Kant puts it, "*We linger* in our contemplation of the beautiful, because this contemplation reinforces and reproduces itself." (Ak.222, sec.12, Pluhar 68) Relation of course is the set of categories that includes in the first Critique both causality and reciprocity. The type of causality invoked here is of the type outlined in the third analogy, a reciprocal model of causality, and it will reappear most specifically in the analysis of organisms.

This formal nature of purposiveness insofar as we are conscious of it is precisely what allows Kant in both the second and fourth Moments as well as in the Deduction, to ascribe universality and necessity to the judgment of taste. Only because purposiveness is considered formally can it be the source of universality and necessity; when the matter of purposiveness intrudes, interest of some sort, whether high or low, spoils the purity of taste by rendering impossible to demand a priori that everyone should like what I like.

.In the next few sections Kant deepens his analysis of the independence of judgments of taste by considering them in relation to pleasure and pain, and in relation to perfection. He is, in a sense, considering judgments of taste in relation to their sensible side and their intelligible side, the latter being both technical and moral. The discussion of moral perfection comes to its fullest in the final section, section 17, with the discussion of the ideal of beauty.

Kant also moves now to a more *normative* discussion of taste, in which taste goes beyond the simple connection of feeling with a given representation. Taking the impartiality which is the essence of taste as now a standard, Kant asserts that neither charm nor emotion should be mixed with taste, and certainly they should not be the standard for it. The formal purposiveness that is the basis of a judgment of taste ought to precede the feeling of pleasure, whereas in the case of charm and emotion the pleasure precedes the purposiveness¹⁰. Nonetheless Kant does not exclude judgments based on

¹⁰This is the textual basis for both Guyer's and Crawford's three-fold analysis, where the harmony of the faculties precedes pleasure, although the judgment of taste itself succeeds it. However, as will be seen later in this discussion, Hannah Ginsborg develops an alternate explanation of pleasure and the judgment of taste.

charm and emotion as such from being judgments of taste, but classifies them as diminished in their claim to universality (Ak.223, sec.13, Pluhar 69).

In keeping with these classifications, he divides judgments of taste into pure and empirical and formal and material. Empirical aesthetic judgments assert that something is agreeable or disagreeable, and hence are material aesthetic judgments; they are properly judgments of sense, rather than judgments of taste. Pure aesthetic judgments assert that something is beautiful and are formal aesthetic judgments; only they are, in their formality, proper judgments of taste. (Ak.223-224, sec.14, Pluhar 69) As such:

... a pure judgment of taste has as its determining basis neither charm nor emotion, in other words, no sensation, which is... the matter of an aesthetic judgment. (Ak.226, sec.14, Pluhar 72)

This establishes the independence, normatively and in principle, of taste from sensation, though in fact they do mingle, as indicated by Kant's grudging concession of an empirical judgment of taste that barely is what it claims to be.

There is one further concession to the role at least of charm in taste¹¹; charm may further taste by making it more accessible to us initially¹², though it may not serve as a basis for it:

It is true that charms may be added to beauty as a supplement: they may offer the mind more than that dry liking, by also making the presentation of the object interesting to it, and hence they may commend to us taste and its cultivation, above all if our taste is still crude and unpractised. But charms do actually impair the judgment of taste if they draw attention to themselves as... bases for judging beauty. For the view that they contribute

¹¹Kant does not allow for emotion to be part of taste. (Ak.226, sec.14, Pluhar 72)

¹²Its role in accessibility makes charm's relation to beauty similar to the relation between incentive and morality in the second critique.

to beauty is so far off the mark that it is in fact only as aliens that they must, indulgently, be granted admittance when taste is still weak and unpracticed, and only insofar as they do not interfere with the beautiful form. (Ak.225, sec.14, Pluhar 71)

Thus charm can lead us to beauty but it is not the basis of beauty.

Kant must now separate taste out from perfection, a more difficult task because it includes a separation from moral perfection, something not only approved by Kant as an ideal but which may make it more difficult for him to link beauty to morality later on¹³. This separation, however, is crucial to the independence of the experience of beauty, one of the essential conditions for it to be the "third thing" mediating between knowledge and morality, for if Kant admits perfection as the *ground* of beauty, then judgment in the experience of beauty is no longer autonomous from reason and morality.

Perfection concerns intrinsic objective purposiveness, and objective purposiveness "can be cognized only by referring the manifold to a determinate purpose, and hence through a concept." (Ak.226, sec.15, Pluhar 73) Kant then remarks that

Even from this it is already evident that the beautiful, which we judge on the basis of a merely formal purposiveness, i.e., a purposiveness without a purpose, is quite independent of the concept of the good. For the good presupposes an objective purposiveness, i.e., it presupposes that we refer the object to a determinate purpose. (Ak.226, sec.15, Pluhar, 73)

Of course, objective purposiveness need not be of the concept of the good, which is an unconditioned perfection, but may be quite technical, and so, therefore, may the idea of perfection. As Kant points out in the next section, one may judge various objects in the

¹³I do not suggest that this is the case, however. The same problem occurs in the second Critique, since there the Analytic also sought a careful separation of the moral law from happiness, whereas the Dialectic seeks to re-combine them in the summum bonum.

light of their considered intrinsic purpose. For example, a building's perfection resides not simply or even primarily in its beauty per se, but in its approximation to the function it serves, whether it approaches a perfect church, palace, armory, or summer-house, to use Kant's own examples. (Ak.230, sec.16, Pluhar 77)

The main reason such perfection cannot be primarily aesthetic resides in the fact that the concept involved removes the freedom of aesthetic experience, a freedom grounded in indeterminacy:

Now insofar as a purpose as such is something whose *concept* can be regarded as the basis of the possibility of the object itself, presenting objective purposiveness in a thing presupposes the concept of the thing, i.e., *what sort of thing it is [meant] to be....* (Ak.227, sec.15, Pluhar, 74)

I can judge the object qualitatively, whether its manifold harmonizes perfectly with its concept, or quantitatively, whether it has all the characteristics of such an object. In either case, my judgment of the object is restricted by the sort of thing it is meant to be, and, correspondingly, so is my pleasure. As Kant points out "[m]uch that would be liked directly in intuition could be added to a building, if only the building were not [meant] to be a church." (Ak.230, sec.16, Pluhar 77)

Earlier in the section Kant gives us examples of what he takes to be beauty, both natural and artificial, that is truly unrestricted by any determinate concept:

Flowers are free natural beauties. Hardly anyone apart from the botanist knows what sort of thing a flower is [meant] to be; and even he, while recognizing it as the reproductive organ of a plant, pays no attention to this natural purpose when he judges the flower by taste. Hence the judgment is based on no perfection of any kind, no intrinsic purposiveness to which the combination of the manifold might refer. Many birds... and a lot of crustaceans in the sea are [free] beauties themselves [and] belong to no object determined by concepts as to its purpose, but we like them freely

and on their own account. Thus designs *à la grecque*, the foliage on borders or on wallpaper, etc., mean nothing on their own: they represent [*vorstellen*] nothing, no object under a determinate concept, and are free beauties. What we call fantasias in music (namely, music without a topic [*Thema*]), indeed all music not set to words, may also be included in the same class. (Ak.229, sec.16, Pluhar 76-77)

This lengthy quotation sufficiently illustrates what Kant means when he says that perfection is not part of beauty. It also clearly sets out the freedom that although distinct from moral freedom, will, in its indeterminacy be the major reason that beauty can symbolize morality. Thus the independence that beauty has from perfection not only keeps it an impartial mediator between knowledge and morality, but also gives it a quality *in common* with morality, the quality of freedom.

As in the case of charm and emotion, Kant concedes a certain role to perfection in alliance with beauty, though not the ground of the latter. Where charm and emotion lead to empirical material judgments of taste that are really judgments of sense, perfection gives us "merely accessory beauty" rather than purely free beauty (Ak.229, sec.16, Pluhar 76), and leads to a *rational* judgment, which "is no longer a free and pure judgment of taste" (Ak.230, sec.16, Pluhar 77) but an *applied* judgment of taste. (Ak.231, sec.16, Pluhar 78) Note that the purity of taste is impaired in the one case by becoming a judgment of sense, whereas in the second it is almost equally impaired (though the experience is not denied the *name* of beauty) by becoming a rational judgment. Thus in their different ways, sensibility and intelligibility threaten the independence of feeling, an independence necessary not only to Kant's theory of taste but to the mediation of knowledge and morality.

As in the case of charm this threat arises when there is a *mingling* of distinct judgments and their bases leading to a corresponding *confusion*; when the judgment of taste is not confused with a rational judgment, the latter can aid in the development of the former, as charm was also permitted to do previously. However, the way in which perfection and intellectual liking aid beauty is even more mediate than the relationship between charm and beauty; whereas charm leads us to beauty by making the latter interesting to us, perfection's relationship to beauty has more to do with enhancing our mental state generally, something which benefits us both aesthetically and morally. In such accessory or adherent beauty, taste has rules prescribed to it which essentially unite taste with reason, and hence the beautiful with the good,

...a union that enables us to use the beautiful as an instrument for our aim regarding the good, so that the mental attunement that sustains itself and has subjective universal validity may serve as a basis for that other way of thinking that can be sustained only by laborious resolve but that is universally valid objectively. (Ak.230-231, sec.16, Pluhar 78)

Although this clearly foreshadows the Dialectic's discussion of beauty as the symbol of morality, Kant is careful nonetheless to distinguish between the benefits taste and perfection can give to each other and their intrinsic nature. Taste becomes fixed through the rules prescribed for it by perfection while the experience of beauty brings perfection closer to us; but each remains essentially extrinsic to the other, so that the good and the beautiful remain essentially distinct:

Actually, however, neither does perfection gain by beauty, nor beauty by perfection. Rather, because in using a concept in order to compare the presentation by which an object is given us with that object itself (with regard to what it is [meant] to be), we inevitably hold the presentation up

to the sensation in the subject, it is the *complete power* of presentation that gains when the two states of mind harmonize. (Ak.231, sec.16, Pluhar 78)

It is, therefore, the subject who both feels and acts who gains. Kant then turns to something that is related to perfection but is more intrinsic to beauty, namely, the ideal of beauty. Although he spends a good deal of time discussing such an ideal and what it must be, in the end it is not merely a judgment of taste, because it is grounded in an idea of reason and is determined by this idea:

...if an ideal is to be located in any kind of bases for judging, then there must be some underlying idea of reason, governed by determinate concepts, that determines a priori the purpose on which the object's inner possibility rests. (Ak.233, sec.17, Pluhar 80)

This rules out almost all objects, since the fixedness demanded by an ideal is not to be found in most beautiful things, even though beautiful through perfection. The purposes of most objects "are not sufficiently determined and fixed by their concept, so that the purposiveness is nearly as free as in the case of *vague* beauty." (Ak.234, sec.17, Pluhar 81) Kant seems in these passages to equate fixedness and determinacy with being intrinsic, for he finally identifies the one categorically purposive being, the human being, who can determine purposes, either in accordance with reason or the senses but who can indeed determine them intrinsically. Presumably this is because human beings truly have practical reason. Hence the only ideal of beauty is an ideal of humanity, just as, in a real sense, the only truly perfect thing is human rationality.

One possible human ideal is the aesthetic standard idea which is imaginative and intuitive and grounded in experience, and hence susceptible to all the distinctions and differences present in human experience, and which at its best becomes a bland melange

of everyone while avoiding the specifics of anyone. The other is the true ideal of the beautiful, which expresses in the human figure its moral essence, which is what is truly and unconditionally universal. However, the great interest we have in such an ideal, since its essence is moral perfection, means that "a judging by such a standard can never be purely aesthetic, and that a judging by an ideal of beauty is not a mere judgment of taste." (Ak.236, sec.17, Pluhar 84) Therefore, given this proscription on ideals in pure aesthetic judgments of taste (though it is not a general aesthetic proscription) the supersensible substrate of humanity, which looms so large in the Dialectic and which is also our noumenal moral agency, cannot be a direct standard for taste.¹⁴

Kant concludes the discussion of relation in taste by identifying beauty with "an object's form of *purposiveness* insofar as it is perceived in the object *without the presentation of a purpose*." (Ak.236, Pluhar 84) Perception of purposiveness without purpose is the experience of beauty, relationally, just as the quality of beauty is disinterestedness and the quantity is universality. What the relational moment of beauty makes clear is that reflective judgment cannot be *essentially* governed either by sense, on the one hand, or by determinate concepts, on the other. Reflective judgment in the experience of the beautiful must maintain an impartial distance from both sense or intellect, and it is this distance that will allow Kant eventually to claim that the experience of the beautiful mediates between knowledge and morality.

¹⁴This, as we will see, weakens the Crawford-Elliott position that the Dialectic plays a crucial role in the Deduction of taste, while lending some credence to Guyer's criticism of the discussion of the Dialectic. Kant cannot invoke the supersensible to justify taste in the Dialectic when he has proscribed it for this purpose in the Analytic. As we will also see, however, the Dialectic can be read as doing something quite other than justifying taste.

The Modality of Taste and the Conditions for Cognition

The universality of aesthetic judgment is purely subjective, though it is connected to the form of objective cognition. Thus the necessity that is implicit in assuming an aesthetic judgment to be universally valid, must also be subjective. Kant contrasts this subjective necessity with the predictive necessity of cognition, which allows us to say, for example, that everyone will cognize the world in such and such a way, namely, through the schematized categories. It also contrasts with "practical objective necessity," which gives us what we absolutely *ought* to do, i.e., follow the moral law. Subjective aesthetic necessity is *exemplary* in nature; it is "a necessity of the assent of *everyone* to a judgment that is regarded as an example of a universal rule that we are unable to state."¹⁵ (Ak.237, sec.18, Pluhar 85)

It is not particularly clear at the outset why this notion of being exemplary differs so much from the exhortative necessity of the categorical imperative, and the "ought" used by Kant to describe aesthetic necessity seems to be very close to the moral "ought":

A judgment of taste requires everyone to assent; and whoever declares something to be beautiful holds that everyone *ought* to give his approval to the object at hand and that he too should declare it beautiful. Hence the *ought* in an aesthetic judgment, even once we have [*nach*] all the data needed for judging, is still uttered only conditionally. We solicit everyone else's assent because we have a basis for it that is common to all. Indeed, we could count on that assent, if only we could always be sure that the instance had been subsumed correctly under that basis, which is the rule for the approval. (Ak.237, sec.19, Pluhar 86)

¹⁵To the extent that empirical judgments also do not have the predictive force of the categories or the moral force of the categorical imperative, they too partake of subjectivity; to the extent that they are based on concepts, and can at least in part determine their objects, they are distinct from aesthetic judgments, though the Introduction only separates judgments of taste from empirical cognitive judgments on the basis of feeling.

It is the last sentence that gives the clue to the difference. We can never be completely sure of correctly subsuming a given object as beautiful under the common basis of our cognitive apparatus because the perception of beauty is not based on a determinate concept, and therefore cannot be held up to such a concept to be judged as correct or incorrect. If it could be held up in such a way, then it would no longer be beauty but knowledge.

Kant goes on to say that judgments of taste presuppose a common sense, which is neither ordinary "common sense," which still judges by concepts even if these are obscurely conceived, nor some kind of outer sense that perceives objects. This common sense is a commonality of the inner feeling arising from the free play of the cognitive powers. (Ak.238, sec.20, Pluhar 87) Why should we assume such an entity? We assume it because it is "the necessary condition of the universal communicability of our cognition, which must be presupposed in any logic and any principle of cognition that is not skeptical."¹⁶ (Ak.239, sec.21, Pluhar 88)

This *sensus communis* will figure importantly in the Deduction of Pure Aesthetic Judgments and it is the central principle of the aesthetic faculty of judgment in giving rise to pure judgments of taste. However, as the Analytic has already indicated, there is a difference between pure reflective aesthetic judgments and reflective aesthetic judgments per se; the latter can include more empirical judgments of sense and more rational

¹⁶Paul Guyer has claimed that this discussion of the *sensus communis* in the fourth Moment is a first attempt at a Deduction, at justifying the universality and necessity of taste, but that this attempt fails on a number of grounds. See Guyer, *The Claims of Taste*, Chapters 7 and 8. Jens Kulenkampff, by contrast, sees the actual Deduction, in its resemblance to the exposition, as a second Analytic. See Kulenkampff, *Kants Logik des asthetischen Urteils*.

judgments of perfection as well. Pure judgments of taste are exemplary for taste but taste includes more than pure judgments, though what is included in taste is included insofar as it meets the criteria which fully determine the pure judgment of taste.

The *sensus communis* also furthers the goal of mediation between knowledge and morality inasmuch as it maintains the distinctive nature of taste as an independent mediator. Taste is connected to the structure of understanding in its reflecting the harmonious attunement of the cognitive faculties; it is, however, separate from understanding and cognition in its remaining what Pippin calls a “pre-theoretical orientation”¹⁷ rather than becoming theoretical and it remains this because of its dependence on feeling.

The Analytic has thus given us an account of what an independent reflective aesthetic judgment must be; it remains for the Deduction to show how such a judgment is *possible*. In the Analytic Kant paints a picture of the independent mediator between knowledge and morality, whereas in the Deduction he justifies the principle of this independent mediator, the principle of pure pleasure in the harmony of the cognitive faculties. The Deduction legitimates pure aesthetic judgments as synthesis a priori, whose principle of subjective purposiveness has as its basis the cognitive structure shared by all judging subjects.

The Deduction

The Task of the Deduction

¹⁷Pippin, “The Significance of Taste.”

The Deduction of aesthetic judgments, which is restricted to a deduction of taste, is still essentially part of the Analytic or rule of truth. Here Kant seeks to justify the peculiarity of judgments of taste, that they are subjective but also universal and necessary, by basing them on an a priori principle. Since they are synthetic, going beyond the concept and intuition of the object to add feeling, and also a priori, demanding assent from one and all, they are part of "the general problem of transcendental philosophy: How are synthetic judgments possible a priori?" (Ak.289, sec.36, Pluhar 153) Specifically, Kant's aim in the Deduction "is to set forth and justify the subjective principle of taste as an a priori principle of the power of judgment." (Ak 286, sec.34, Pluhar 150)

However, the Deduction is controversial for a number of reasons. For one, although part of the Analytic in its substance, it is in a peculiar place, just following the Analytic of the Sublime, rather than the Analytic of the Beautiful. It also contains much more than the Deduction per se, including the discussion of art and genius as well. Guyer calls it a second Deduction, since he places the first Deduction in the Analytic of the Beautiful, whereas Kulenkampff characterizes it as a second Analytic, since so much material is repeated from the Analytic, and since the force of the Deduction often consists in emphasizing the discussion of the Fourth Moment of the Analytic. Crawford and Elliott accept the Deduction as a deduction, but call it incomplete without the Dialectic as its final step.

One of the difficulties in analyzing the Deduction concerns the question of the relationship between pleasure and the judging of the object of pleasure, a question Kant has already dealt with earlier in the Analytic in section 9. Kant himself places the judging

of the object before the pleasure, for, as he points out, if the pleasure came first, “it would be none other than mere agreeableness in sensation, so that by its very nature it could have only private validity, because it would depend directly on the presentation by which the object *is given*.” (Ak.217, sec.9, Pluhar 61) However, this has appeared so counter-intuitive that two major commentators whose views on the Deduction are otherwise opposed, Guyer and Crawford both subscribe to a two-act view of the judging in taste, whereby they distinguish a) a judging of an object (*Beurteilung*), b) the pleasure in this object which is consequent upon this judging, and c) the reflection on this pleasure which is then the actual judgment of taste (*Urteil*)¹⁸. The first judging is essentially unintentional, while the second can be intentional, but the key point is that the final judgment of “this X is beautiful” is distinct from the pleasure that occasions it.

However, I want to follow generally the approach of Hannah Ginsborg, who criticizes the two-act view of taste as both difficult to impose on Kant’s text as well as philosophically awkward¹⁹. She proposes instead an account of the judgment of taste which essentially *identifies* it with the pleasure in the object and that pleasure with the self-awareness of the universal communicability of one’s state of mind²⁰. The effect of her account is, as she puts it,

¹⁸Crawford, pp.69-71 and Guyer, *The Claims of Taste*, pp.97-105. Guyer does amplify this by saying that the two acts “are not always phenomenologically distinct or temporally successive” (p.97) leaving the distinction at a primarily explanatory level.

¹⁹See Ginsborg, *The Role of Taste in Kant’s Theory of Cognition*, Chapter One.

²⁰Ginsborg, p.23.

...to collapse aesthetic response and aesthetic judgment into one another, on the grounds that the disinterested pleasure that constitutes aesthetic experiences 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.²¹

Thus, in the end, she also identifies the harmony of the faculties with the experience of beauty and not as a separate cause of this²².

Kant opens the deduction by stating that since "an aesthetic judgment lays claim to universal validity for every subject and hence must be based on some a priori principle or other, it requires a deduction (i.e., a legitimation of its pretension)." (Ak.279, sec.30, Pluhar 141) He goes on to link the requirement for a deduction with the fact that such

²¹Ginsborg, p.28.

²²Although this is essentially the approach I want to take to the Deduction, Ginsborg's interpretation does not do justice to certain features of the judgment of taste. The main problem is that although her interpretation offers an account of the *pure* judgment of taste that is supported by Kant's text and his claims generally, it does not account for the existence of non-exemplary judgments of taste, such as those made in the experience of relative, adherent, and dependent beauty, or in empirical judgments of taste in general. It is true, as we saw in the Analytic, that Kant considers empirical judgments of taste barely to be judgments of taste, and they are certainly not the subject of the Deduction; however, it is important to keep in mind that the Deduction addresses the exemplary and normative judgment of taste, the norm that is subjectively lawlike, in the way that the categories and the categorical imperative are objectively lawful, theoretically and practically. The exemplary nature of the pure judgment of taste in no way implies that there are not other, less pure judgments of taste, only that those impure varieties are to be unified, subjectively, through the pure judgment of taste and its principle of reflection, just as empirical theoretical judgments are unified objectively through the categories as principles of determination, and empirical moral decisions are unified objectively through the categorical imperative as a practical principle of determination. Thus, even though I adopt Ginsborg's interpretation of the pure judgment of taste in this discussion of the Deduction, I do not necessarily accept that her interpretation holds true for any other kind of judgment of taste. Indeed, it could not, for empirical judgments of taste, for example, are not susceptible of the self-referential act of judgment that constitutes the pure judgment of taste.

judgments concern feelings about the *form* of an object and that judgments of taste about natural beauty are of this sort.

He then explains why the sublime does not lend itself to this type of deduction, asking whether its formlessness can be deduced as well. He concludes that sublimity being properly attributed to us and not nature, the exposition of the sublime is also its deduction; judgments about the sublime are justified in their subjective universality and necessity because of their direct relationship to the will, and, presumably, though Kant only implies this, this is sufficient because there really is no claim about the object:

When we speak of the sublime in nature we speak improperly; properly speaking, sublimity can be attributed merely to our way of thinking, or, rather, to the foundation this has in human nature. What happens is merely that the apprehension of an otherwise formless and unpurposive object prompts us to become conscious of that foundation, so that what is subjectively purposive is the *use* we make of the object, and it is not the object *itself* that is judged to be purposive on account of its form. (Ak.280, sec.30 Pluhar 142)

If the legitimacy of Kant's distinction is assumed²³, it is easy to see the requirement for a deduction in one case and not in the other. In the first Critique the necessity for a transcendental deduction for the categories was based on the question of how subjective conditions of thought could be objectively valid; here, for beauty, the question arises as to how subjective feeling can be objectively valid of objects, though obviously in a way unlike the categories:

²³Of course, we need to accept that Kant is correct in distinguishing beauty from sublimity in this way and there may be some difficulty in so doing since the grounding of beauty in our subjective cognitive structures would seem to parallel sublimity in some respects, hence making their distinction a matter of degree rather than kind. However, for the purposes of this discussion it will be assumed that Kant's distinction is legitimate.

Judgments of taste about the beautiful in nature are of this sort. For in their case the purposiveness does have its basis in the object and its shape, even though it does not indicate that we are referring the object to other objects according to concepts (so as to give rise to a cognitive judgment), but merely concerns the apprehension as such of this form, insofar as that form manifests itself in the mind as conforming to the *power* of concepts [the understanding] and the power of their exhibition (which is the same as the power of their apprehension [the imagination]). (Ak.279, sec.30, Pluhar 142)

In the next section Kant then specifies again the need to provide a deduction in the context of a claim to necessity, even in the case of subjective universality and necessity. Since we are not dealing with a theoretical judgment constrained by the concept of nature or with a pure practical judgment constrained by the idea of freedom, the justification or deduction concerns the a priori validity of *singular* judgments that express "the subjective purposiveness of an empirical presentation of the form of an object". (Ak.281, sec.31, Pluhar 143-144) Kant does not have to justify judgments concerning what is or what ought to be, since their universal validity has been unearthed, analyzed, and justified by the first and second Critiques. What he has to justify in this deduction is the kind of judgment concerned with the empirical *Vorstellung* of an object's form insofar as this representation is subjectively purposive for the faculty or power of judgment.

Purposiveness itself is the process of having a purpose without having a determinate purpose; it denotes unifying without a definite goal in mind, as Kant has already discussed in the *Analytic of the Beautiful*. When subjective²⁴, it is the indeterminate unification of the judging subject. Judgments of taste constitute

²⁴When purposiveness is *objective*, in the *Critique of Teleological Judgment*, such indeterminate unification applies to the objects of nature generally and to specific kinds to objects in nature, organic forms.

indeterminate unification of the judging subject through both pleasure and displeasure; their universality consists in the claim that such indeterminate unification is obtained for everyone through specific judgments, such as "this rose is beautiful." Everyone should, or so the form of the judgment claims, find the rose a source of pleasure because it should, if a correct and pure judgment of taste, be a source of indeterminate unification for everyone; therein lies the subjectively universal validity of the judgment:

...establishing such validity will serve to explain how it is possible for us to like something when we merely judge it (without [the liking being determined by] sensation proper [*Sinnesempfindung*]²⁵ or [by] concept), and how it is possible for everyone to be entitled to proclaim his liking as a rule for everyone else, just as our judging of an object for the sake of *cognition* always... has universal rules. (Ak.281, sec. 31, Pluhar 144)

This leads to a twofold logical peculiarity of the judgment of taste. Its a priori universal validity is not logical and governed by concepts, but is "the universality of a singular judgment." Also, its a priori necessity does not have the kind of proof by which people's assent to it could be compelled. Such peculiarities require a justification and hence a deduction. Universal judgments are justified by the relationship between two universals as in all whales are mammals; judgment logically subsumes the universal

²⁵As Pluhar point out in *his* footnote to *Sinnesempfindung*, if taste were determined by sensation proper then it would concern the agreeable rather than the beautiful; the latter involves sensation qua *feeling*, since pleasure is a feeling. The difference is roughly that between saying "I like this because it makes me feel good" and "I like this per se." In practice, of course, it will not be easy to distinguish the two (which may explain why Mill, for example, does not in *Utilitarianism*) any more than it is easy to distinguish whether I am acting morally for the sake of morality or for some subtle self-interest; but, just as in morality the categorical imperative forms a standard, so in aesthetics the standard (subjectively speaking) might be the question of whether we have any interest in the object of pleasure, and any such interest would, depending on how much there is, correspondingly decrease the presence of beauty in our aesthetic judgments and increase the presence of the agreeable.

'whale' under the universal 'mammal.' Particular judgments express the relationship between a universal and a particular as in "this creature is a whale." Here judgment subsumes a particular under a universal. In a singular judgment, however, the expression "this rose is beautiful" cannot be a subsumption of a particular under a universal because there are no determinate features that pick out a rose as beautiful, only a *feeling* that provides the concrete data for the judgment and an indeterminate concept that unifies it.

These two peculiarities, as Kant goes on to show in sections 32 and 33, are the peculiarities that make a judgment of taste seem on the one hand as if it were objective and on the other hand as if it were merely subjective. It will be necessary to justify the objectivity of taste while maintaining its subjectivity; Kant will do this by justifying universality and necessity through pure feeling but at the same time, in the discussion of the *sensus communis*, he will indicate that such a common sense is but an idea and hence not susceptible of determination.

The Universality, Necessity, and Indeterminacy of Taste

In sections 32 and 33 Kant connects the indeterminate objectivity of taste to the use of examples in the education of taste and the role other people play in this education. Examples of beauty are helpful in guiding taste, presumably because they are the "go-cart of judgment"(A134, B173-174), as long as their function is educative rather than compelling. Kant goes so far as to say that:

Among all our abilities and talents, taste is precisely what stands most in need of examples regarding what has enjoyed the longest-lasting approval in the course of cultural progress, in order that it will not become uncouth again and relapse into the crudeness of its first attempts; and taste needs

this because its judgment cannot be determined by concepts and precepts.
(Ak.283, sec. 32, Pluhar 147)

Concepts can compel my agreement with others since, if no one sees the dragon I think I am seeing, I ought to revise my empirical judgment, which is likely to be wrong objectively (even if phenomenologically accurate). In the case of taste, where there is no determination by concepts, my liking the picture of the dragon that no one else does may lead to my questioning my judgment, but I cannot be argued into believing I am wrong because "there is no empirical *basis of proof* that could compel anyone to make [some] judgment of taste." (Ak.284, sec.33, Pluhar, 148)

In the above case the question concerns empirical proof; however, the indeterminacy that undermines empirical proof for taste extends to the possibility of a priori proof as well. Since determinate rules of understanding or reason are not involved, no one can compel me to like or dislike something on the basis of general principles, which means, for Kant, that no one has a justification for such compelling. This essential element of individuality is highlighted by his use of the palate as an example both linguistically and conceptually linked to taste:

It seems that this is one of the main reasons why this aesthetic power of judging was given that very name: taste. For even if someone lists all the ingredients of a dish, pointing out that I have always found each of them agreeable, and goes on to praise this food--and rightly so--as wholesome, I shall be deaf to all these reasons: I shall try the dish on *my* tongue and palate, and thereby (and not by universal principles) make my judgment.
(Ak.285, sec.33, Pluhar, 148)

By analogy, no one can compel my taste in beauty either²⁶. The aesthetic norm cannot, as Kant stresses in section 34, be an objective principle. We must feel pleasure; we cannot be argued into it for the ground of aesthetic judgment lies in "the subject's reflection on his own state (of pleasure or displeasure), all precepts and rules being rejected." (Ak.285-286, sec.34, Pluhar 149)

However, reflection is not mere feeling but is the search for the ground of such feeling. Thus Kant advises critics to turn their attention to what they can and should reason about, which is not aesthetic feeling itself, but the investigation of cognition and the clarification of the reciprocal subjective purposiveness whose form is beauty. We can reason about aesthetics, even though aesthetics is not itself determinate reasoning.

This is what Kant is himself doing transcendently, as he points out:

The critique of taste is an *art* if it shows this only through examples; it is a *science* if it derives the possibility of such judging from the nature of these powers as cognitive powers as such. It is with the latter alone, with a transcendental critique, that we are here concerned throughout. Its aim is to set forth and justify the subjective principle of taste as an a priori principle of the power of judgment. (Ak 286, sec.34, Pluhar 150)

In the next section Kant makes the central transition to discussing the "legitimizing basis" or principle, of the subsumption of imagination under understanding. Such a legitimizing basis can now only be *subjective*, and not based on concepts.

However, as we saw earlier in Chapter Three, the alternative to a principle based on concepts does not mean something mysterious and non-conceptual in the ordinary

²⁶Since Kant has hitherto, and in just the previous section, carefully distinguished the beautiful from the agreeable, he can only be drawing a *parallel* between taste and agreeability in food and taste and beauty.

sense. Judgment subsumes under a *sense* of the relationship between understanding and imagination in taste and the concept which expresses the totality of such subsumptions, albeit indeterminately, turns out to be the *sensus communis*, which Kant states is an idea. Thus the subjective universality and necessity of taste is expressed through this indeterminate concept, a concept of reason.

The Principle of Taste

Keeping in mind the specifically Kantian definition of 'concept'²⁷, we can now see what it means that a judgment of taste does not subsume under a concept, though it does subsume. A judgment of taste is itself analogical to a logical judgment in its claim of universality and necessity but its universality is non-objective, and hence "merely subjective." (Ak.286-287, sec.35, Pluhar 150-151) It is based on only "the subjective formal condition of a judgment as such." (Ak.287, sec.35, Pluhar 151) This is the faculty of judgment itself, whose use even with objects requires the harmony of imagination and understanding. Such harmony normally in objective judgment serves to combine the intuition (through imagination) and to give the concept which represents the unity of such combination (through understanding).

However, in the absence of such a unifying concept in the judgment of taste, such harmony must only involve subsuming the faculty of imagination under "the condition...

²⁷As we saw in Chapter Three, a concept for Kant means an objective determinate rule that has been legitimated. It does not mean an idea in the ordinary sense, or even a concept in the ordinary sense, and, in fact, the only concepts that are truly concepts, in full objective determinacy, are pure concept, either mathematical and geometrical or the categories. Empirical concepts, because their determination is always incomplete or open to revision, lack this full legitimation.

for the understanding to proceed in general from intuition to concepts." (Ak.287, sec.35, Pluhar 151) This would be the determinate transcendental schema for objective judgments; imagination must schematize without a concept for the subjectively universal judgment of taste. As Pluhar points out in a footnote, "the imagination is subsumed under the (indeterminate) *schema* of the understanding as such; and this indeterminate schema is the 'condition' which Kant has just mentioned."²⁸

Thus the judgment of taste rests upon:

... a mere sensation, namely, our sensation of both the imagination in its *freedom* and the understanding with its *lawfulness*, as they reciprocally quicken each other; i.e., it must rest on a feeling that allows us to judge the object by the purposiveness that the presentation [*Vorstellung*] (by which an object is given) has insofar as it furthers the cognitive powers in their free play. (Ak.287, sec.35, Pluhar 151)

The subjective principle, therefore, under which judgment subsumes in taste, is that of the faculty of imagination under the faculty of concepts "insofar as the imagination *in its freedom* harmonizes with the understanding *in its lawfulness*." (Ak.287, sec.35, Pluhar 151) What imagination depicts harmonizes with what the understanding conceives, but not specifically and determinately (which would violate the autonomy of taste)²⁹.

²⁸Pluhar, p.151, footnote 8.

²⁹This makes empirical representation lawlike, if not lawful. As many commentators have pointed out, the empirical as such is not lawful in the previous two Critiques: lawfulness is the preserve of pure concepts, either of knowledge (the categories) or of morality (the categorical imperative). However, although I would agree that the empirical is neither lawful or dealt with specifically in the first Critique, there is no assumption that it is completely without an order or unity of its own. The Appendix to the Dialectic in the First Critique, and the discussion of happiness and acquisition of morality in the Dialectic and Methodology of the Second Critique clearly indicate that the manifold of sense is ordered and that the

Kant closes the section by saying that in our search for the "legitimizing basis" of judgments of taste, we can only attend to the formal nature of these judgments. Since we already know that the harmony of imagination and understanding underlies judgments of taste and may even, on Ginsborg's analysis be identical with the pure judgment of taste, this is not itself the legitimating basis. We need to indicate the *source* of such putative harmony of the faculties and why we can expect this source to produce harmony in everyone.

The Legitimizing Basis of the Harmony of the Faculties

In section 36 Kant distinguishes between cognitive judgments and aesthetic judgments on the basis of a *feeling* being connected with the perception of an object in the latter case ("I like this rose") rather than a concept being connected with the perception of an object in the former ("this is a rose"). He then says that if judgments of taste are not merely judgments of sensation but are formal and reflective, hence demanding universal and necessary liking, then they must be based on some type of a priori principle, though this may be merely subjective.

Here we see that even though Kant has already named a feeling as the basis of the judgment of taste, the feeling of harmony between imagination and understanding, that he requires something more. Feeling is indeed what *distinguishes* taste from other sorts of judgment, but feeling will not provide the universality and necessity required for such

manifold of desire can be ordered. For discussion of this problem of "empirical entailment" (Zammito) see Wolfgang Bartuschat, *Zum systematischen Ort von Kants Kritik der Urteilskraft* (Frankfurt am Main: Klostermann, 1972), especially pp.7-79, J.J. Evans' discussion in "The Empirical Employment of Pure Reason", and Zammito, pp.158-161.

judgments if they aspire to more than mere empirical status. The situation is similar to what Kant has faced before in knowledge and morality; is knowledge merely empirical? is moral judgment merely empirical? He asks, now, is taste merely empirical? And if not, as the work early on in the *Analytic* suggests, then what is the justification for judgments of taste to be both synthetic and a priori? Answering this question is, says Kant, part of the "general problem of transcendental philosophy: How are synthetic judgments possible a priori?" (Ak.289, sec.36, Pluhar 153) That is, since a judgment of taste clearly goes beyond both concept and intuition of the object (into the subject's feeling) and is synthetic, if it is a priori, what is the basis for the synthesis, since it is not going to be experience?

The actual feeling of pleasure cannot be a priori, since we can never guarantee that the feeling will not be pain instead. What must be a priori, then, is the *demand* that others also feel what I feel when I see something beautiful, the claim that this rose will be beautiful to all. I may be wrong in my particular claim, just as a particular causal claim may be wrong, but the general idea of taste as universal and necessary is a priori, just as the general idea of cause and effect is. The latter is an a priori claim that *objects* are causally connected, the former is an a priori claim that *subjects* are aesthetically (i.e., sensibly) connected (through the *sensus communis*). We can be secure, if the case is proven satisfactorily, that we are justified in our use of the idea that all subjects are aesthetically connected, though our particular instances of this may be mistaken. If the case is not proven, then judgments of taste will be reducible to judgments of sense, and our demand that others judge as we do, will be nonsensical or at least unfounded.

Kant confirms this by saying that the inward perception of pleasure connected with an object gives us "a merely empirical judgment." (Ak.289, sec.37, Pluhar 154)

Judgments of taste are indeed singular, for they refer to "a singular empirical presentation that is given" rather than a general concept, but they are synthesis a priori because our pleasure in taste is presented as universally valid:

That I am perceiving and judging an object with pleasure is an empirical judgment. But that I find the object beautiful, i.e., that I am entitled to require that liking from everyone as necessary, is an a priori judgment. (Ak.289, sec.37, Pluhar 154)

Here Kant equates "I find the object beautiful" with "I am entitled to require that liking from everyone as necessary." Both statements are a priori judgments. Thus, "I like this rose" is an empirical judgment but "I find the rose beautiful," if a correct judgment, is an a priori judgment, because it is equivalent to "I am entitled to require my liking for this rose from everyone as necessary." The judgment of taste, "this rose is beautiful" appears to add the clause "I am justified in requiring the empirical judgment 'I like this rose' from everyone as necessary." This is now a synthetic judgment a priori, though it is a judgment about an empirical judgment; it goes beyond the immediacy of the empirical liking and claims it for everyone, but that claim is really an extension of the *empirical* judgment to everyone and such an extension, which is non-empirical, universal, and necessary, assumes an entitlement. This entitlement, in the words of the first Critique, is some X that forms the basis for the judgment of taste. The question then is, am I really so entitled and why, the answer to the latter also being the answer to the former?

In the next section, section 38, Kant answers this. What makes the judgment of taste an a priori judgment is the reference to the universality and necessity of the liking; what makes it a correct judgment of taste is that it is properly subsumed under only the sense of the imagination harmonizing with the understanding and nothing else, as a pure judgment of taste.³⁰ Pure judgments of taste are independent of concepts and are not reducible to sensation, since they concern only the form of the object and its relation to the harmony of our faculty of judgment. Such a pure judgment fulfills the universality and necessity condition because in making it, one has abstracted from contingent differences between people as sensible subjects and has considered only formal subjective purposiveness in relation to what we can assume everyone has, the relation between the imagination and understanding so necessary for cognition. Admittedly, this restricts what one may say as a pure judgment, but these do fulfill the requirements.

Therefore, if we correctly fulfill the universality and necessity requirements, we are entitled to universality and necessity. As Kant says,

In other words, it seems that when, in judging an object of sense in general, we feel this pleasure, or subjective purposiveness of the

³⁰Those judgments of taste, however, which are not pure, are still judgments of taste. The beauty they refer to is either reduced to sensation, as in empirical judgments of taste influenced by charm, or is inappropriately elevated to conceptual dimensions, as when our aesthetic feeling is shaped by the purpose of the object (it is supposed to be a church, limiting the purely formal aesthetic touches it might have) or when taste is shaped by the moral dimensions of an object. However, the falling away of these judgments from pure taste indicates still their dependence on the standard of pure taste; we still refer our liking to everyone universally and necessarily, but the actual universality and necessity is likely to be wanting. Our application is incorrect, since we have mixed either sensation or concept into aesthetics, and indeed, Kant calls conceptually directed beauty accessory beauty which is *applied* taste, and then refers mistakes generally in taste to "incorrect application". (Ak.290, sec.38, Pluhar 155, n.15)

presentation for the relation between our cognitive powers, we must be entitled to require this pleasure from everyone. (Ak.290, sec.38, Pluhar 155)

In fact, we are really only entitled to such universality and necessity when our pleasure stems from universality and necessity. Where I know that my pleasure is not idiosyncratic and indeed that it reflects general appreciation, then I can say "this is beautiful" and be entitled to all the universality and necessity that entails. I may, of course, have made a mistake and not have abstracted sufficiently from my particular condition, in which case my specific claim is mistaken, but only because it does not in fact fit the conditions.³¹

Thus what Kant is saying contains two distinct claims. The first is that judgments of taste lay claim to universality and necessity, something which is true for even the most local statement that claims to be a judgment of taste. The second is that only those judgments of taste that are made in abstraction from particular conditions will actually meet the universality and necessity condition, and will therefore be genuine judgments of taste. Both these claims are implicit in his comment on section 38:

All it [the judgment of taste] asserts is that we are justified in presupposing universally in all people the same subjective conditions of the power of judgment that we find in ourselves; apart from this it asserts only that we have subsumed the given object correctly under these conditions. (Ak.290, comment on sec.38, Pluhar 156)

³¹The parallel in knowledge is this. I can only be entitled to objective universality and necessity in knowledge when I have abstracted from all particular considerations as far as possible. Knowledge claims that depend on my particular situation as this particular person, Suma Rajiva, are not knowledge claims but autobiographical statements. Similarly with morality. Moral claims that hold true only of me are not, at least according to Kant, moral claims at all. A moral claim, even a non-Kantian one, claims universality and necessity; to get such universality and necessity, it must be sufficiently universal and necessary.

He then adds that since we are judging based on a sensation not a concept, "the subsumption may easily be illusory" (Ak.290, comment on sec.38, Pluhar 156) but that the general principle is correct; we can, in principle, judge validly for everyone based on the subject³² since all we are asserting is that pleasure whose sufficient reason is the harmony of the faculties can be attributed to everyone, since everyone needs this harmony in order to judge at all, even cognitively. Kant is thus describing a situation in which it is at least possible in principle, though difficult in practice, for us to judge on the basis of the principle of a common internal feeling, a principle he calls the idea of the *sensus communis*.

The Sensus Communis.

The *sensus communis* has already be described in the Analytic of the Beautiful, in the fourth moment of modality. What is described in section 9 as the free play of the cognitive powers is now grounded in a common sense in the discussion of modality. Kant specifies that by common sense "we do not mean an outer sense, but mean the effect arising from the free play of our cognitive powers". (Ak.238, sec.20, Pluhar 87) Such common sense is the principle of judgments of taste which validates their necessity for all subjects, provided the principle has been correctly applied.

Specifically:

³²He then adds that similar, though more rare, problems of application pertain to the logical power of judging, but that this addresses only the difficulties of application as well and not the legitimacy of the principle of judgment as a logical power (by which Kant means judgment as a cognitive power). He does not mention morality, but it seems clear that similar problems of application would pertain to judgment there as well.

...if cognitions are to be communicated, then the mental state, i.e., the attunement of the cognitive powers that is required for cognition in general--namely, that proportion [between them which is] suitable for turning a presentation (by which an object is given us) into cognition--must also be universally communicable. For this attunement if the subjective condition of [the process of] cognition, and without it cognition... could not arise. And this [attunement] does actually take place whenever a given object, by means of the senses, induces the imagination to its activity of combining the manifold, the imagination in turn inducing the understanding to its activity of providing unity for this manifold in concepts. (Ak.238, sec.21, Pluhar 88)

Since the attunement varies, depending on the objects given and their differences, "there must be one attunement in which this inner relation is most conducive to the (mutual) quickening of the two mental powers with a view to cognition (of given objects) in general; and the only way this attunement can be determined is by feeling (rather than by concepts)." (Ak.238-239, sec.21, Pluhar 88) The experience of beauty is the feeling indicating the optimal attunement of my mental faculties, and since this optimal attunement has to do with cognition in general, it is not a personal attunement, since there is no cognition for me alone³³.

Section 20 concerns the *idea* of a common sense; such a common sense is indicated to us by the universal communicability of feeling that is itself a determination of optimal attunement, but remains an idea, since we do not actually have a common

³³Guyer has discussed some of the problems with the notion of attunement, notably, the difficulty of asserting that there is an *optimal* attunement. Though resolving these problems is beyond the scope of this discussion, it should be noted that the *sensus communis* itself is an *idea* and one indicated through a *feeling*; epistemically, this means that we have no way of determining optimal attunement, but that it is a norm to which aesthetic feeling aspires, an ideal of reason. Guyer, *The Claims of Taste*, pp.261-264.

sense. We actually *presuppose* such a common sense, as Kant points out in section 22 but whether or not it actually is a different issue:

But is there in fact such a common sense, as a constitutive principle of the possibility of experience, or is there a still higher principle of reason that makes it only a regulative principle for us, [in order] to bring forth in us, for higher purposes, a common sense in the first place? In other words, is taste an original and natural ability, or is taste only the idea of an ability yet to be acquired and [therefore] artificial, so that a judgment of taste with its requirement for universal assent is in fact only a demand of reason to produce such agreement in the way we sense? In the latter case the *ought*, i.e., the objective necessity that everyone's feeling flow along with the particular feeling of each person, would signify only that there is a possibility of reaching such agreement; and the judgment of taste would only offer an example of the application of this principle. (Ak.240, sec.22, Pluhar 90)

Kant states that at this point, this will not be investigated; this is, in fact, something that will be taken up in the Dialectic's discussion of the supersensible substrate.

Here in the Deduction Kant refines the notion of the *sensus communis* in such a way that it is no longer really a sense. In the Deduction proper we have seen that the universality and necessity of taste is justified by the purity of the reflection in which an object is subjectively purposive for us; when we feel purely we are entitled to demand universal assent. Kant then goes on to say that the "only way for it to be conceivable that what is specific in the quality of such a sensation should be universally... communicable in a uniform way is on the assumption that everyone's sense is like our own." (Ak.291, sec.39, Pluhar 157) This is, however, not possible, since we cannot expect this of any given sensation. Nor can we locate this uniformity of sense in morality or indeed in any sort of rational contemplation.

However, by the end of the discussion of the *sensus communis* Kant has also made it clear that taste itself is the best candidate for the *sensus communis*, a *sensus communis aestheticus* in contrast to common understanding, a *sensus communis logicus*. However, his language throughout this section is couched in the conditional, in phrases such as “taste can be called a *sensus communis* more legitimately than can sound understanding” and “Taste could be called a *sensus communis aestheticus*”. (Ak.295, sec.40, Pluhar 162) Why does he speak conditionally? The conditional phrasing stands in contrast with his relatively straightforward definition of taste at the end of the same section: “taste is our ability to judge a priori the communicability of the feelings that (without mediation by a concept) are connected with a given presentation.” (Ak.296, sec.40, Pluhar 162) In this phrasing he is determining what taste is; in the other phrasings he seems to be presenting us with conjectures.

Taking the conjectural nature of the statements about taste as a *sensus communis* as well as the statements from section 39 on our not being able to presuppose a commonality of sense, it seems unlikely that Kant is asking the reader to accept that taste *is* a common sense. This is confirmed by the statement in section 40 where he indicates that the *sensus communis* is to be understood as the *idea* of a shared sense; since it is an idea, it is the unifying goal of our aesthetic activity, not the actual presence of a shared sense, and it is sought for through a process of abstraction:

...we must [here] take *sensus communis* to mean the idea of a sense *shared* [by all of us], i.e., a power to judge that in reflecting takes account (a priori), in our thought, of everyone else’s way of presenting... in order *as it were* to compare our own judgment with human reason in general and thus escape the illusion that arise from the ease of mistaking subjective and

private conditions for objective ones, an illusion that would have a prejudicial influence on the judgment. Now we do this as follows: we compare our judgment not so much with the actual as rather with the merely possible judgment of others, and [thus] put ourselves in the position of everyone else, merely by abstracting from the limitations that may happen to attach to our own judging; and this in turn we accomplish by leaving out as much as possible whatever is matter, i.e., sensation, in the presentational state, and by paying attention solely to the formal features of our presentation or of our presentational state. (Ak.293-294, sec.40, Pluhar 160)

With the extended discussion of the *sensus communis* we have thus begun to leave the conditions for cognition and the relationship of reflective judgment to understanding³⁴, and we have instead entered a realm equivalent in aesthetic terms to the moral domain of the kingdom of ends; in the latter one considers moral judgments in the light of a total rational community of which one is a rational member, while here one considers aesthetic judgments in the light of a total community of judging subjects, among whom one is a judging subject as well. And since the *sensus communis* is now not simply a presupposition of aesthetic judging but as a presupposition it is found to be an idea, it must be a concept of reason. Moreover, he ends section 40 with a reference to the notion of an *interest* for us in the universal communicability of aesthetic feeling, an interest followed up in the next two sections, “On Empirical Interest in the Beautiful” and “On Intellectual Interest in the Beautiful.” It becomes clear in these sections, especially the second one, that the type of interest Kant has in mind is the interest of morality. Thus, reason is not only present as a faculty, as the source of the unifying concept of the *sensus*

³⁴Although the extended discussion of the *sensus communis* takes us beyond the discussion of taste per se and introduces a role for reason in the discussion, this intrusion of concerns larger than taste has already occurred in section 22, in the Analytic of the Beautiful, where Kant asks unifying questions concerning the status of a common sense.

communis, its essential content as morality is now being linked, albeit very cautiously, with taste, a link that culminates in the Dialectic with beauty being the symbol of morality and taste being defined as an ability to judge moral ideas made sensible.

Conclusion: *The Homogeneity of Taste with Understanding and its Difference from the Latter*

The Analytic of the Beautiful and the Deduction have thus set out the nature of taste as disinterested, universal, necessary, and containing a purposiveness without purpose. The Deduction has also clearly set out the basis for the extension of a judgment of taste to everyone universally and necessarily; we are justified in extending our pleasure to everyone because everyone must, as judging subjects, possess the harmony of the faculties necessary for cognition and pleasure, when it fulfills the condition of purity, is nothing but the sensation of the optimal harmony of the faculties of cognition. In order to represent specific sensation as universal and necessary, we need to assume a common sense, a *sensus communis aestheticus*, which is an idea of a common sense or a capacity for reflective judging in which we compare our judgment with judgment in general, and taste itself can be considered a kind of common sense.

In order to make a transition to the discussion of the Dialectic we need to ask how the *sensus communis* as a concept of reason relates to the concept of judgment, purposiveness without purpose. The *sensus communis* generally, whether aesthetic or logical, seems to be the ability to think actively and self-consciously, universally and necessarily, and autonomously, judging from Kant's discussion of it as the *sensus*

communis logicus, the common understanding. When specifically aesthetic, it is not law governed or lawful, but *lawlike*, a relationship between the imagination and the understanding not governed by concepts. Purposiveness without purpose, however, just is this free play of the faculties as well, their indeterminate harmony insofar as it is stimulated by some object. Thus it appears that there is no real substantive difference between the two, except that since Kant's characterization of taste as a *sensus communis aestheticus* seems hesitant and provisional and since he says it is an idea, we can then assert that the difference is that purposiveness without purpose is simply the sensation of the free play of the faculties when reflected upon whereas the *sensus communis* is the rational concept that unifies such reflection into a provisional whole. Thus, the *sensus communis* can be seen primarily as the result of the activity of reason in explaining taste, in making taste rational, though it is also a presupposition of taste itself as seen in the *Analytic*.

In section 22 Kant has already hinted at the possibility that the *sensus communis* needs to be classified as either a constitutive principle of experience or as a regulative principle which would only be a demand of reason for such agreement in sense. There he states that this question cannot be addressed at this stage. It cannot, because the *Analytic* sets out the nature of taste and the *Deduction* justifies the subjective universality and necessity of taste and the idea of a *sensus communis* is a necessary presupposition of taste minimally and perhaps taste itself maximally. The question of whether it is constitutive or regulative is not a question that can be asked from within the discussion of taste, since reflective judgment always uses whatever concepts are present to hand, whether they are

legislating concepts or not, and in taste specifically, reflective judgment subsumes without a concept, under the feeling of the harmony of the faculties. The *sensus communis* is an idea that is presupposed in taste and it is an idea which may even be what taste is, but, like any of the concepts used in the critique of taste, it requires rational examination before the bar of reason in order to determine its nature and its legitimacy. This can only be obtained in the Dialectic.

What has been accomplished in both the Analytic and the Deduction for the mediation of knowledge and morality is the connection between reflective judgment as taste and the understanding as the higher faculty of knowledge via the imagination. Imagination, clearly a major component of taste, is also an important faculty in the production of knowledge.³⁵ The experience of beauty is the experience of the harmony of imagination and understanding as universal and necessary.³⁶ Understanding, as a faculty

³⁵Guyer argues that one of the reasons the Deduction does not work is that one can have knowledge with the self-consciousness of the underpinnings of the harmony of the faculties. Guyer, *The Claims of Taste*, pp.285-286. It may be granted that one may be a human cognizer but lack the sensitivity to feel the harmony of the faculties; why that is an argument against Kant is unclear. Kant is not arguing that we all feel affective delight in the harmony of the faculties; this would hardly be an a priori basis for the universality and necessity of the judgment of taste. What he is arguing is that, in principle, we all possess the capacity for this affective delight and that, were we to judge an object's form independently of any personal influence, including those that might be repressing our affective capacities, then we would be able to judge that form as beautiful, were it subjectively purposive for the harmony of our faculties. A given person's incapacity to feel affective pleasure, either generally, or with regard to some specific item, has to do with their pathology; the onus is on the critic to show that this pathology is intrinsic to human cognition. (A more serious objection of Guyer's has to do with the problem of why not all objects are beautiful; this problem is also raised by Meerbote in a slightly different form. He argues that given Kant's conditions for taste, all objects turn out to be beautiful, in principle. Meerbote, pp.80-81)

³⁶By itself, of course, the harmony of imagination and understanding would produce *pleasure* but not the experience of *beauty*.

whose free indeterminate harmony with imagination is both the justification for taste and the purest instance of it, is an intrinsic part of taste but does not subsume it. Taste in its turn is an aspect of understanding, since the free harmony of the faculties is sensed aesthetically but also forms the basis for cognition generally; however, as this underpinning of cognition, taste is not an instance of cognition. Cognition requires something more, such as a determinate concept. Moreover, feeling concretely distinguishes taste from understanding and knowledge as it will be seen to distinguish it from reason and morality. Taste is thus sufficiently connected to understanding and cognition through imagination to mediate between it and morality legitimately; it is sufficiently distinct to be a legitimate symbolic mediator.

What then is left for the Dialectic? The Deduction has validated the universality and necessity of the judgment of taste, and it does so by a) confining such validity to universal and necessary taste whose experience of beauty then b) indicates the harmony of cognitive faculties assumed correctly to be shared by all human beings, a harmony whose expression in pure experience of beauty can be seen as a c) *sensus communis aestheticus*. In so doing the Deduction, along with the Analytic of the Beautiful, develops the connection between reflective aesthetic judgment and understanding. The Dialectic is left with the task of connecting reflective aesthetic judgment qua taste, with reason as the faculty of morality, thus establishing the homogeneity of taste with morality; but this homogeneity will have to remain analogical or symbolic so as to fulfill the conditions of mediation. Moreover, the homogeneity of taste with morality must not subvert the conclusions of the Deduction or the Analytic of the Beautiful, though, as we will see, the

Dialectic legitimately *amplifies* these conclusions, giving them a larger meaning and significance than the discussion of taste *per se* permitted.

In this context we should keep in mind that both the Analytic and the Deduction have placed constraints upon the discussion of taste, constraints which the Dialectic must either work within or show legitimate reason to throw off. These constraints are:

- a) the careful exclusion of reason from the pure judgment of taste, especially in the discussion of free beauty and its relation to perfection
- b) the characterization of taste as involving mediation or schematization *without a concept*
- c) the justification of taste as synthesis *a priori* through the principle of subjective purposiveness

The discussion of the Dialectic will, as we shall see, be problematic with regard to all three constraints. Reason becomes involved in taste in a seemingly problematic way, taste appears to involve a concept (albeit an indeterminate concept), and the principle of subjective purposiveness as the justification of taste seems to be abandoned in favour of the supersensible substrate of humanity, a concept of reason. All of this affects the status of reflective judgment as a mediator between knowledge and morality, for it appears that rather than evolving intrinsically out of the nature of taste, the mediating role of taste is artificially imposed upon it by reason, not only making reflective judgment suspect as a mediator but also threatening its autonomy as taste.

All of this, however, is more apparent than real. What the next chapter will show is that the autonomy of taste developed in the Analytic and the Deduction is not

threatened by the Dialectic's use of reason in regard to it. In fact, it will be argued that Kant needs to use reason in order to preserve the autonomy of taste. Given the role of the Dialectic in the discussion of aesthetic reflective judgment, Kant may not only legitimately give a different account of taste from the earlier discussion, but in fact must give a different account of taste, since he is no longer engaged in a constitutive discussion of individual judgments of taste, but is engaged in a regulative discussion of the significance of taste as a whole and as part of the larger project of reason.

Chapter Five

The Dialectic: The Supersensible Substrate and Beauty as the Symbol of Morality

Introduction

The Dialectic of Aesthetic Judgment remains one of the more controversial parts of the *Critique of Judgment*, at least in part because of the relationship between taste and the supersensible, a relationship which Donald Crawford calls “the single most difficult aspect of Kant’s aesthetic theory to make intelligible”¹. One of the central difficulties in understanding this relationship involves the autonomy of taste in its relation to the supersensible. The Analytic of the Beautiful describes both the independence of taste from determinate cognition and morality and its subjective universality and necessity; this universality and necessity are subsequently justified in the Deduction of Pure Aesthetic Judgments through the indeterminate purposiveness of nature for the relationship between the cognitive faculties. The Dialectic of Aesthetic Judgment then puts these two central principles of taste, autonomy and universality/necessity, into conflict in the Antinomy of Taste.

However, the solution to the Antinomy invokes a supersensible substrate of humanity instead of merely the subjective purposiveness of nature for our cognitive faculties, thus appearing both to supersede the explanation of the Deduction and to

¹Crawford, p.133.

contradict the independence of taste from reason; this impression is reinforced by the linking of beauty to morality, a linking in which Kant justifies the universality and necessity of taste by reference to supersensible morality. As Eva Schaper puts the problem, the “postulation of the supersensible as the ground of the judgment of taste comes as a complete surprise to the reader who has so far followed Kant through the *Critique of Aesthetic Judgment* without encountering the doctrine of noumenal reality versus mere appearance.”²

If taste is to remain a viable mediator between the domains of knowledge and morality, its autonomy must survive intact through the passage of the Dialectic; thus, the earlier explanations must either fit into the discussion of the Dialectic or the Dialectic must be discarded. Fitting the earlier explanations into the discussion is difficult, both textually and philosophically; discarding the Dialectic means rejecting the pivotal moment of mediation in the connection of beauty to morality as its symbol.

There have been two major ways of dealing with these difficulties. One is exemplified by Paul Guyer, who takes the Dialectic as a whole to be a third attempt at a deduction of taste, and one that is both metaphysically imposing and unsuccessful. According to him the “metaphysics of the Dialectic make no real contribution to Kant’s theory of the universal voice” and “in the end Kant overstepped the limits of his own

²Schaper, “Taste, sublimity, and genius” p.380. Of course, the reader who has also read the Introduction to the *Critique of Judgment* will not be shocked by the introduction of the supersensible but will, in fact, be surprised it was absent thus far. This also applies to Guyer’s sweeping claim that “Nothing has prepared us for the connection of Kant’s aesthetic theory to the metaphysical distinction between appearance and thing in itself”. (*The Claims of Taste*, p.301)

epistemology in an attempt at least to hint at a kind of guarantee for aesthetic judgment that his original deduction could not provide.”³ The other major approach to the Dialectic is to see it as essentially consistent with the rest of the discussion of aesthetic judgment, in either a weak sense, performing a distinct task consistent with the general account of taste, or in a strong sense, as an essential moment in the deduction of taste⁴. This is the approach taken by Jens Kulenkampff, John Zammito, Donald Crawford and R.K. Elliott, with Kulenkampff and Zammito taking a weak approach and Crawford and Elliott taking a stronger position, making the Dialectic essential to the deduction of taste.

I intend to develop an alternate explanation which follows primarily a weak approach to the distinctive nature of the Dialectic, such as Kulenkampff’s and Zammito’s. As Kulenkampff does, I will analyze the Dialectic as the realm in which taste obtains its significance, as opposed to its nature. As Zammito does, I want to treat the metaphysics

³ Paul Guyer, *The Claims of Taste*, p.311. Schaper takes a similar view, commenting that the “arguments in the Dialectic for the solution of the Antinomy of taste belong to the kind of metaphysical speculation that abandons aesthetic theory in favor of special pleading in Kantian ontology.” (Schaper, p.380) One can also use the main points of Guyer’s analysis without strongly committing to his anti-metaphysical position. Salim Kemal, for example, follows Guyer’s general approach to Kant’s aesthetics without radically committing to an anti-metaphysical position, though he explicitly opposes Crawford’s and Elliott’s position on the Dialectic given below (note 4). See Kemal, *Kant and Fine Art*, (Oxford: Clarendon Press, 1986).

⁴Jens Kulenkampff, for example, assigns a special role to the Dialectic without divorcing it from the concerns of the rest of the *Critique of Aesthetic Judgment*. He sees it as the rational domain in which the beautiful can truly find its significance, something not available to the beautiful prior to the Dialectic. Donald Crawford and R.K. Elliott take an even stronger position than this, seeing the Dialectic, and, specifically, beauty as the symbol of morality, as the final necessary step in the actual deduction of taste. See: Kulenkampff, *Kant Logik des asthetischen Urteils*, pp.167-170; Crawford, *Kant’s Aesthetic Theory*; and Elliott, “The Unity of Kant’s ‘Critique of Aesthetic Judgment.’”

of the Dialectic not merely as an awkward moment in the discussion of taste, to be passed over with an embarrassed reference to non-aesthetic concerns, but as something interesting in the development of the aesthetic discussion. I would like to combine this interest in the Dialectic with something of the strong approach of Elliott and Crawford; while I will be arguing that their approach is undermined by the same weakness as Guyer's, namely, a failure to distinguish the task of the Deduction proper from the task of the Dialectic, what is valuable in their approach is simply the notion that the Dialectic has something important to say about the nature of taste per se. This is different from both Kulenkampff and Zammito, who want to make the Dialectic important to the aesthetic discussion but who do not fully do this in reference to taste as such but to taste in a larger context. While this is an important theme of the Dialectic, and vitally important for our discussion here of taste as a mediator between knowledge and morality, it is, as I will argue, important to see the larger role played by taste as not merely an add-on in the discussion of taste, but as essentially connected to its own nature as the experience of the beautiful; I will be arguing, in this context, that Kant does need the Dialectic to preserve the very character and autonomy of taste, though *not* because it constitutes the final step in its Deduction but precisely because the Dialectic fulfills an essentially different role in the discussion of taste.

Thus the main goal of my discussion here is to provide textual support for the essential element in rethinking and re-reading the Dialectic, namely, the working principle that the Dialectic has a task relevantly different from the Deduction and that this difference means that the statements of the Dialectic are not contradictory to those of the

Deduction and the Analytic but supplement the latter⁵ in an important way. If this reading is textually supported, then Kant can legitimately move, in the last sections of the Dialectic, to linking beauty and morality and, therefore, completing at least a necessary step in the mediation of knowledge and morality. He can complete this step legitimately because taste, by the end of the Dialectic, retains the autonomy necessary to be a legitimate mediator between the two domains while becoming connected to morality as its symbol.

Three problems are attached to re-reading the Dialectic in this way. The first is the problem indicated through Guyer's reading, namely, that the Dialectic attempts to do what the Deduction has already done--and does it worse. The second problem, also articulated by Guyer but developed by other commentators as well, is that the Dialectic's large metaphysical project is not only a worse version of the Deduction, but that such a large metaphysical project is not licensed by the discussion of taste and indeed jeopardizes it. This leads into the third problem, that the interference with the autonomy of taste by reason and the supersensible, constitutes the major stumbling-block for our overall claim, namely, that reflective aesthetic judgment needs to be autonomous from reason in order to mediate between knowledge and morality.

⁵A criticism of Kant generally has been that he relentlessly applies the architectonic of the first Critique to both the second and third Critiques, whether suitable or not. Schaper, for example, mentions this in the context of the Dialectic of Aesthetic Judgment. Dialectic there was in the first critique, so dialectic there must be in the third critique. However, given this criticism, we can then assume that Kant would be following the forms prescribed by the first Critique and that a dialectic would, as in the first critique, be doing something quite distinct from an analytic or a deduction.

All three problems in general serve to undermine the necessary independence of judgment for mediation and hence make suspect the consequent discussion of beauty as the symbol of morality, for if, as the Dialectic seems to suggest, beauty is already grounded in reason as the faculty of morality, morality then being the symbol of the latter means a departure from the conditions of non-schematic mediation and hence a departure from a philosophically convincing mediation. These problems arise in great part because grounding taste in morality contradicts the results of the Analytic, particularly the third moment, in which beauty must be truly free and independent, for the pure judgment of taste.

These three problems share some basic features: they revolve around the possible illegitimacy of the Dialectic as a part of the discussion of taste; they concern its relationship to the prior discussion of the Deduction; and they concern threats to the autonomy of taste, whether considered in its role of mediation, its role as taste, or its role as the representative of the domain of knowledge. They also all imply that the supersensible and pure reason are problematic in relation to taste, unlike understanding and conditioned sensibility.

In the first section of this chapter I discuss the first problem of whether the Dialectic reinvents the Deduction and therefore changes the justification for aesthetic judgments. I will argue that it does neither and that what it does is not only permissible but necessary for the unity of taste. I discuss why Kant should use the supersensible substrate as a mediator, when he could, apparently, go from the structures of cognition delineated in the Deduction straight to beauty as the symbol of morality. My argument

here, essentially, is that the supersensible substrate is, in fact, part of the structures of cognition, though more perhaps as a limiting condition than as an actual part of cognizing, and therefore one cannot simply go from the Deduction to beauty as the symbol of morality. This is a *positive* justification of the Dialectic; in the second section I discuss a *negative* justification as well, the notion that Kant can do what he wants to in the Dialectic, as long as it does not infringe on earlier restrictions.

If successful, both the positive and negative justifications resolve the three problems just mentioned. The positive justification shows that the Dialectic is not a worse version of the Deduction since it is not a version of the Deduction at all, and also that its metaphysics, far from jeopardizing the autonomy of taste, are vital to the protection of taste from the dogmatic pretensions of reason. The negative justification shows simply that Kant's metaphysics of taste will not harm taste and otherwise support our rational humanity. Together the justifications address the third problem of the experience of beauty being sufficiently independent to symbolize morality and thus connect the legislations of understanding and reason.

In the third section I look at beauty as a symbol of morality and how this begins the transition from knowledge to morality, a transition undergirded by the newly legitimated relationship between reason and reflective judgment, a legitimation that renders the Dialectic indispensable to both the unifying project of the third Critique and the autonomy of taste.

I. The Dialectic and the Deduction: The Need to Rationalize Taste

The first task is to determine what the task of a dialectic is in the critical philosophy, by reference to the *Critique of Pure Reason*. Secondly, I examine the prefatory remarks to the Antinomy of Taste in the light of the working principle of a specific task for a dialectic; the main focus of this section is Kant's claim that the dialectic here is a dialectic of the *critique* of taste. Thirdly, I assess the results of the Antinomy and its solution and argue that, given the distinct task of the Dialectic as a task about critique, that it is neither contradictory for Kant to refer taste to a supersensible substrate nor is it a final stage in a deduction. Rather, the referral of taste to the supersensible substrate encapsulates the distinctive task of the Dialectic without impinging upon the autonomy of taste.

1. The Task of a Dialectic

In the *Critique of Pure Reason* the employment of pure reason is examined in the Dialectic, a discussion in which the pretensions of pure reason to transcendent knowledge are exposed and in which it is confined to an immanent regulative employment. A great deal of emphasis is placed on the differences between understanding and reason, differences which lead the former to be the source of the categories and the latter the source, if unchecked, of dialectical illusion.

With regard to the Antinomy of Pure Reason, Kant characterizes the procedure this way: "What reason prescribes is therefore an absolutely (that is to say, in every respect) complete synthesis, whereby the appearance may be exhibited in accordance with the laws of understanding." (A416, B443) When this complete synthesis is mistaken for the description of some object then the ideas of reason become transcendent, leading

us into dialectical illusion; the prescription for complete synthesis must, therefore, be taken “only for the completion of the empirical employment of reason--an idea...which must always be pursued, though it can never be completely achieved.” (A565, B593)

Whereas the understanding generates concepts, pure and otherwise, reason generates ideas, and its ideas, especially its pure ones, must not be applied directly to objects. Kant summarizes this distinction and its implications in the following passage from the

Appendix to the Transcendental Dialectic:

Reason is never in immediate relation to an object, but only to the understanding; and it is only through the understanding that it has its own [specific] empirical employment. It does not, therefore, *create* concepts (of objects) but only *orders* them, and gives them that unity which they can have only if they be employed in their widest possible application, that is, with a view to obtaining totality in the various series. The understanding does not concern itself with this totality, but only with that connection through which, in accordance with *concepts*, such *series* of conditions *come into being*. Reason has, therefore, as its sole object, the understanding and its effective application. Just as the understanding unifies the manifold in the object by means of concepts, so reason unifies the manifold of concepts by means of ideas, positing a certain collective unity as the goal of the activities of the understanding, which otherwise are concerned solely with distributive unity. (A643-644, B671-672)

Thus the direct tasks of reason are those of ordering and the unity of concepts, not the unity of the object as a knowable appearance. Reason unifies the *faculty* of knowing, the understanding, and is thus only indirectly related to the objects of knowing.

Taste, of course, concerns not the knowledge of empirical objects, but the way in which they affect us subjectively; however, the formal element in this subjective feeling is the indeterminate harmony of the cognitive faculties, the same faculties, understanding and imagination, at work in knowing. The harmony of these faculties is in direct relation to objects, those objects that conduce to this harmony. Reason, as set out in the *Analytic of the Beautiful*, cannot be in direct relation to the objects of taste, for then the judgment of taste is no longer pure but is dependent upon ideas.

Given both the general role of reason in the first Critique's Antinomies and the special prohibition on it in the third Critique, we must assume that what Kant is doing in the Antinomy of Taste is the ordering and regulating of the faculty of taste, and not the justification of what taste is in relation to its objects. The harmony of the cognitive faculties is the indeterminate concept of reflective judgment which unifies our experience of the beautiful. Reason is permitted to unify this concept but not to unify our experience of the beautiful directly. However, its unification of the concept of the beautiful will unify our experience of the beautiful indirectly, thus complementing rather than contradicting the results of either the Deduction or the Analytic of the Beautiful.

2. The Task of the Dialectic of Aesthetic Judgment

Kant opens the Dialectic by giving us the condition for judgment to be dialectical; it must, he says, "engage in reasoning, i.e., its judgments must claim universality and must do so a priori; for a dialectic consists in the opposition of such judgments." (Ak.337, sec.55, Pluhar 209) He then states that aesthetic judgments of sense about the agreeable and disagreeable are not, therefore, susceptible of dialectic, since no universal claim is being made, adding the comment that even "a conflict between different people's judgments of taste does not constitute a dialectic insofar as each person appeals merely to his own taste, since... no one seeks to make his taste a universal rule." (Ak.337, sec.55, Pluhar 209) He then follows this up saying that the Dialectic therefore concerns the critique of taste rather than taste itself.

The claim about judgments of taste having to do with private appeals is therefore the reason why we have a dialectic of critique rather than a dialectic of taste. However, this seems puzzling in the light of the claims of the Analytic and the Deduction that a judgment of taste has universality and necessity, though only subjectively. Kulenkampff, though defending Kant generally by reminding us about the dialectic of the critique of taste, does not address this puzzle. Guyer addresses it as a piece of evidence against the

notion of a dialectic of critique⁶, asking reasonably enough what the force is of this distinction between critique of taste and taste⁷. He says that the only reason Kant offers for this distinction is that judgments of taste contain, essentially, a reference to individual preference and agreeableness rather than a universal claim, but that this contradicts the earlier claims:

If this were correct, then there would be a ground for denying that taste in general gives rise to a dialectic. But as Kant's own analysis has made clear... judgments of taste are always intended to be universal. If there is a dialectical problem in claims to universal validity, then it should arise directly from the nature of taste itself⁸.

However, the exclusion of judgments of taste from dialectic is clarified by closer inspection of Kant's statement; he is stating that "no one seeks to make his judgment a universal *rule*" (emphasis added). Kant has made claims before about the demand for subjective universality expressed in the judgment of taste, but he has never claimed that this demand concerns a *rule*; in fact, the point about taste is that it is not rule-governed, in the way that knowledge is. No one seeks to make his or her taste a universal rule because taste is reflective aesthetic judgment, and reflective aesthetic judgment is not governed by rules.

In other words, there are no law-given concepts involved in the judgments of

⁶ Francis X. Coleman, who does not notice the distinction between a dialectic of taste and a dialectic of the critique of taste, also addresses this puzzle, but because he does not see it as a puzzle but as a piece of text about private judgments of taste, he goes on to generate a peculiar distinction between private judgments of taste and aesthetic judgments per se, a distinction not justified by reference to any other part of the discussion of taste. Guyer, then, like Coleman, sees the opening passage of the Dialectic as claiming privacy and individuality for taste, but unlike Coleman sees this as a contradiction and does not attempt to account for it with any other conception of "aesthetic judgment." See Coleman, *The Harmony of Reason: A Study of Kant's Aesthetics* (Pittsburgh: University of Pittsburgh Press, 1974), pp.129-30.

⁷Guyer, *The Claims of Taste*, pp.294-295.

⁸Guyer, *The Claims of Taste*, p.295.

taste, hence no judgments that are universal and necessary a priori as *rules*, which could generate a dialectic through the illusion of objective claims which are merely subjective. "Hence we are left with only one concept of a dialectic that could pertain to taste: that of a dialectic of the *critique* of taste (rather than of taste itself) concerning the *principles* of this critique." (Ak.337, sec.55, Pluhar 209) As Kulenkampff emphasizes, Kant explicitly dissociates the task of the Dialectic in this statement from taste per se, since taste per se cannot generate rational conflict⁹. What there can be rational conflict about are the *principles* of taste, as set out in the Analytic of the Beautiful and the Deduction and which are distinctly articulated in the critique of taste.

By contrast the rational conflict of the first Critique stems from substantial rational claims about world, God, and freedom, claims competing to be *rules* for knowledge, universal and necessary both objectively and determinately, though in the end mere ideas of reason.

People do assert their taste as universal, a point already discussed in the Analytic of the Beautiful and the Deduction, but this assertion is not a claim to a rule. I find this painting beautiful, hence I expect everyone to do so, but I do not say that my expectation is a universal *rule*, since there are no determinate features that would characterize this rule and in fact there could be none. There can be none because the mark of the beautiful is that it evokes a feeling in me and a universal rule cannot be specified by the characteristic of "Beauty is what evokes a feeling in me." That I nevertheless call for universal agreement is a reflection of my demanding that others be like me as subject, and the empirical success of my claim depends upon the extent to which it is purified of local considerations, i.e., to the extent to which my claim is truly universal because formal¹⁰.

⁹Kulenkampff, pp.167-168.

¹⁰However, even this purification is indeterminate, because of beauty being indicated through a feeling; there is no legitimate concept which could specify in advance, as Crawford points out, what truly represents universality in experience. There might, at best, be approximations, and even these always run the risk of being particular in some as yet unperceived fashion. I think that the serene beauty of a tonal composition

Hence Kant's supposed confusion concerning taste as universal rule is no confusion at all, since the universality of taste is not a conceptual universality. The dialectic of aesthetic judgments is a dialectic of critique, since judgments of taste do not themselves give rise to rational conflict. What then is a dialectic of critique?

Taste is what we all participate in, even if we have never heard of the *Critique of Judgment*. We may do it rightly, wrongly, illegitimately, and crudely, but it is done, independently of the pages of the third Critique. The critique of taste, following Kant's general definitions of 'critique,' is not the activity of taste per se, but is the critical examination of taste before the bar of reason and this does take place between the pages of the third Critique. It takes place because taste claims universality and necessity without seeming to have the right to these. The Analytic lays bare the activity of taste while the Deduction establishes why this activity is legitimately universal and necessary. It is not universal and necessary because it contains reasoning, which requires concepts of understanding, but because it contains a concept of judging. This concept contains two equally necessary but conflicting principles; these principles are not themselves judgments of taste, but are statements about what taste is. Considered as aspects of taste, these principles generate no conflict; considered as separate theories of taste, each of which claims to have examined taste and expressed its essence, these principles generate the dialectic of critical claims *about* the nature of taste rather than a dialectic of actual judgments of taste.

cannot fail to be a sensible representative of universal subjectivity; I find out, to my chagrin, that those who thrive on musical dissonance think such tonality utterly banal and, in its very serenity and harmony, as parochial and limited as the dissonance of some atonal composition.

Thus one might attempt to specify beauty in some way or other, but the constraint on so doing is that the beautiful describes such a variety of objects that no precise empirical attributes of it can be specified. One might, at best, try for such characteristics as regularity, or simplicity. However, such attempts at specification, as in the case of tonality, are always subject to the caveat that if they do not evoke feeling they are not marks of beauty and the further caveat that objects may evoke aesthetic feeling without any of these marks. Hence, such supposed specifics of beauty end up as neither necessary nor sufficient conditions for evoking aesthetic response.

Thus the Antinomy of taste cannot be an Antinomy of competing claims of taste for such claims are not conceptually universal and necessary. One can hardly imagine an *Antinomy* of taste such as "Regularity is always beautiful; disruption of regularity is sometimes beautiful." There may be conflict about this, but it is not going to be an antinomy, a conflict of reason with itself. The Antinomy of Taste will, rather, be an antinomy of competing claims *about* taste, incompatible theories about what taste is, and such theories belong to the critical examination of taste. Such an antinomy concerns the way we reason about taste, not the way we engage in the activity of taste.

3. Resolving the Dialectic of Critique as the central task of the Dialectic of Aesthetic Judgment

Kant begins this examination of our reasoning about taste by adducing two commonplaces about taste, that on the one hand everyone has his [sic] own taste and that on the other that there is no disputing about taste. (Ak.338, sec.56, Pluhar 210) The former claims both that taste is subjective and that it cannot demand the assent of others; the latter claims that judgments can claim universal assent but cannot be disputed about, though they can be quarreled about.

Out of this distinction between disputing (*disputieren*) and quarreling (*streiten*) emerges the Antinomy of Taste. The thesis of the Antinomy states that the judgment of taste is not based on concepts for otherwise it could be disputed (and it cannot). The antithesis states that the judgment of taste is indeed based on concepts for otherwise even quarreling about it is impossible, since quarreling implies an intersubjective basis of validity. Presumably the additional claim here is also that concepts are the only known sources of such intersubjective, i.e. objective, validity.

The reason this is an Antinomy is that each side is correct. Taste is not disputable and hence non-conceptual (the thesis) but we can quarrel about it so it is conceptual (the antithesis).

The claims of both thesis and antithesis are nothing, says Kant, "but the two peculiarities of a judgment of taste that were set out in the analytic". (Ak.339, sec.57,

Pluhar 211)¹¹ Kant then sets up the general form of the resolution of the antinomy by showing a) that the “concept” referred to in each has a different sense in each (hence cancelling out the conflict and b) that “it is necessary for our transcendental power of judgment to adopt both these senses (or points of view in judging) but that even the illusion arising from our confusion of the two is natural and hence unavoidable.” (Ak.339, sec.57, Pluhar 211)

In the next few paragraphs Kant brings out clearly the fact that a judgment of taste is, above all, a *judgment*, whose claims to universal and necessary validity presuppose reference to (*beziehen auf*) “some concept or other” but, given its special status as non-disputable, it cannot be “provable *from*” (*erweislich aus*) a concept. Kant then states that it cannot be provable from a concept “because, while some concepts can be determined, others cannot, but are intrinsically both indeterminate and indeterminable” (Ak.339, sec.57, Pluhar 212), after which he goes on to classify the concepts of understanding as of the first type, determined by predicates of sensible intuition and then states that reason has a concept of the second type, notably, “the transcendental concept of the supersensible underlying all that intuition”. (Ak.339, sec.57, Pluhar 212)

This becomes clear in the following two paragraphs where Kant reminds us not only that taste deals with sensible objects, not to conceptualize them but instead to refer them to the private feeling of pleasure, but that it unquestionably also refers the representation of the object and the pleasure it engenders far beyond our private selves and indeed to a necessity for everyone. Kant then says

Hence this extension must be based on some concept or other; but this concept must be one that no intuition can determine, that does not permit us to cognize anything and hence does not permit us *to prove* a judgment of taste; such a mere concept is reason’s pure concept of the supersensible

¹¹We should note that this “analytic” to which Kant refers, is actually, as Pluhar points out in a translator’s footnote (p.211, fn.4), the *Deduction*, sections 31-33, where the two peculiarities of taste are its universal claim and its inability to be proven from concepts. The second peculiarity, which is the claim of the thesis, is also the burden of the second and fourth moments of the Analytic proper (and, somewhat, of the third moment as well).

underlying the object (as well as underlying the subject) as an object of sense and hence as appearance. For unless we assumed that a judgment of taste relies on some concept or other, we could not save its claim to universal validity. (Ak.340, sec.57, Pluhar 212)

At first glance this passage is strong evidence for both Guyer's claim that the Dialectic is another, illegitimate, deduction, and for Crawford's claim that it is still part of the original deduction. Kant mentions that the extension of aesthetic judgment beyond our private selves requires a concept and ends with reference to saving taste's claim to universal validity. Both of these goals should have been taken care of in the Deduction, through the subjective purposiveness of nature for the harmony of our faculties. This latter, taken in turn to be a *sensus communis*, justifies the claim to universal validity.

However, what is the context for the demand for a concept for the extension of judgments of taste to everyone? The context is the claim of the *thesis*, the claim that taste is a private matter. Prior to the discussion of extension Kant has just admitted the claim of the thesis, by saying that the judgment of taste "is a singular intuitive presentation referred to the feeling of pleasure, and hence is only a private judgment; and to this extent its validity would be restricted to the judging individual: the object is an object of liking *for me*; the same may not apply to others: Everyone has his own taste." (Ak.339, sec.57, Pluhar 212) This is precisely why in the following paragraph the stress is on the necessary concept being "one that no intuition can determine" because the goal is the reconciliation of the claims of the thesis and the antithesis. Immediately following the discussion of what the extension of taste must be based on (the concept of the supersensible), Kant adds

Alternatively, if a judgment of taste were based on a concept of understanding, such as that of perfection, even though merely a confused concept of perfection, to which we could add the sensible intuition of the beautiful as corresponding to it, then it would be possible at least intrinsically to base a judgment of taste on proofs; *but that contradicts the thesis.* [emphasis added] (Ak.340, sec.57, Pluhar 212-213)

And we need both principles of taste, since the beautiful is both essentially private and essentially public, as a *sensus communis* would be. It is really the *sensus communis* that is

being justified here in the Dialectic, the *combination* of the private and the public, which justifies in the Deduction, and must in turn be justified¹².

The Antinomy compels us to look at the supersensible of judgment, one of three supersensibles.

Kant ends section 57 by referring to the antinomy just resolved and his solution as showing that the two seemingly conflicting principles may both be true. He concludes this paragraph by saying that the antinomies of all the Critiques “compel us against our will to look beyond the sensible to the supersensible as the point [where] all our a priori powers are reconciled, since that is the only alternative left to us for bringing reason into harmony with itself.” (Ak.341, sec.57, Pluhar 214) This indicates clearly that the purpose of the Dialectic is the harmonizing of reason with itself.

In Comment I Kant gives us some helpful definitions. He divides idea into two kinds, aesthetic and rational. The first are referred to intuitions via the subjective principle of the reciprocal harmony of imagination and understanding. The second are referred to concepts via objective principles of reason. Neither can be cognition since the one cannot have a concept adequate to it and the other has a concept for which no intuition can be given; Kant calls aesthetic ideas “unexpoundable” and rational ideas “indemonstrable.” (Ak.342, sec.57, Pluhar 215) Concepts of understanding, by contrast, must be demonstrable; they must have some possible corresponding intuition for the concept, which would otherwise be empty.

Aesthetic ideas represent the extreme end of intuitions, just as rational ideas represent the extreme end of concepts; in the latter case, imagination and hence intuition cannot adequately exhibit the rational concept, while in the former case concepts cannot

¹² Schaper, having appropriately unearthed the duality of the Dialectic, then deplores Kant’s turning to the supersensible as an explanatory concept, much in the way Francis Coleman appreciates the double-aspect of taste but finds the introduction of the supersensible mystifying. Both, however, conclude with Kant that taste requires both the principle expressed in the thesis and the principle expressed in the antithesis. Coleman, p.130, Schaper, p.380.

sufficiently determine the "entire inner intuition that the imagination has and connects with a given presentation." (Ak.343, sec.57, Pluhar 217) Kant points out that:

...both kinds of ideas, rational as well as aesthetic, must have their principles, and both must have them in reason: the principles of rational ideas must be objective principles of reason's employment, those of aesthetic ideas subjective ones. (Ak.343-344, sec.57, Pluhar 217)

The subjective principle of reason's employment for aesthetic ideas is the supersensible substrate in the subject of all of the faculties or powers of the subject and hence "the subjective standard for that aesthetic but unconditioned purposiveness in fine art that is to lay rightful claim to everyone's necessary liking... can be supplied only by...that by reference to which we are to make all our cognitive powers harmonize... which is the ultimate purpose given us by the intelligible [element] of our nature." (Ak.344, sec.57, Pluhar 217)

Note that Kant is here talking of aesthetic *ideas*, that is, of the totality of the aesthetic. The totality of the aesthetic is an idea precisely because that which is the essence of the aesthetic, the pleasure connected with a presentation, is always underdetermined by a concept. There is always the idea of the completeness of the aesthetic experience, but such an idea cannot take flesh as a concept but can remain a mere idea that governs the activity of the artist.

The presence of the aesthetic idea and the remark at the end of section 57 proper about the harmony of reason further strengthen the point that the Dialectic is not really about taste. The Dialectic is really about reason's attempt to theorize taste as connected to a cognitive power, the power of judgment. The aesthetic idea of the first Comment is one product of reason's theorizing of taste; the specific supersensible of taste is another, and it

is taken up more fully in the second Comment and compared to the supersensibles of knowledge and morality.

The opening paragraph of this section shows that Kant is preoccupied with the limits of reason, rather than simply with the nature of taste. The three kinds of antinomy that this comment will discuss compel reason not to see sensible objects as things in themselves but as appearances based on an unknowable supersensible substrate, whose concept is an idea. (Ak.344, sec.57, Pluhar 218) The need for the antinomy is one that is still alive in the third Critique, in spite of the greater place accorded to reason practically:

For though reason's prospect of proportionately greater employment in a practical respect has come to compensate it for the mentioned loss, still it seems that reason cannot help being pained as it tries to part with those hopes and to sever its old attachment. (Ak.344-345, sec.57, Pluhar 218)

This introduction of the concerns of reason is why the Dialectic does not overlap with the Deduction. The Deduction is concerned purely with the justification of individual judgments of taste, with the constitution of taste through the norm of a pure judgment of taste based upon the purposiveness of a representation for the harmony of the faculties. The complete idea of taste, the *sensus communis*, combines the peculiarities of private sensation and public agreement as the general assumption behind our extension of the pure judgment of taste to everyone; in the Antinomy of Taste, these peculiarities lay claim to the explanation of taste, but not as a combination but separately, as rational explanations. Separately, without each balancing the other out, these peculiarities become on the one hand an empiricism of taste, and on the other hand, a rationalism of taste, for our reason demand the unconditioned for the conditioned and if it is not given some

regulative role to be content with, it will degenerate into one of these two extremes.

The danger of taste degenerating into either rationalism or empiricism is also due to the nature and limitations of reflective judgment. Reflective judgment, as I argued in Chapter Three, makes use of whatever concepts are at hand, cobbling them together if necessary. Taste requires the two peculiar characteristics of private feeling and public universal and necessary demand; that these are potentially contradictory is not the concern of reflective judgment, which needs both of them in order to make individual judgments of taste. However, before the bar of rational explanations the contradictions inherent in putting together these two notions come to the fore; if unresolved, the territory upon which the beautiful is experienced will be illegitimately occupied by either an empiricism of taste or a rationalism of it, a reduction of taste either to the senses or to intelligibility.

Note that the reason this will jeopardize taste is that either "occupation" will deprive taste of a necessary part of what it requires in the experience of the beautiful. The reverse is not true; if Kant can, through the introduction of the supersensible substrate, prevent such an occupation of the territory of sensibility, he will not be occupying it with yet another determining concept. In fact, by introducing the supersensible substrate as the indeterminable concept by which to explain taste, the light hand of a concept which can never be determined (i.e. legitimated fully) reflectively unifies two aspects of taste that, left to themselves, would attempt to determine taste as a domain, and would be left fighting over it, thus destroying the unity of reason. The Antinomy of Taste merely brings this to the attention of reason, so that instead of hoping to determine the territory of

sensibility it will rest content with a regulative role in it. As Kant puts it:

If there were no such antinomy, reason could never bring itself to accept such a principle that so greatly narrows the area in which it can speculate and could never bring itself to make sacrifices that have to involve the complete destruction of so many hopes that were so brilliant otherwise. For though reason's prospect of proportionately greater employment in a practical respect has come to compensate it for the mentioned loss, still it seems that reason cannot help being pained as it tries to part with those hopes and to sever its old attachment. (Ak. 344-345, Comment II to sec.57, Pluhar 218)

The argument of the Deduction does not address the issue of the limits of reason at all; there the subjectivity of taste is not a contending principle but a legitimate part of the concept of the beautiful along with its universality and necessity.

Such a conflict cannot even take place until the Deduction is in place, for the Deduction clearly establishes the *legitimacy* of the principle of the conceptuality of taste, insofar as it was universal and necessary in its subjectively limited way. Now that the conceptual principle, as I will call it, has been legitimized, it can be placed in contention with the other principle, what I will call the sensible principle, whose exposition in the Analytic has already established its legitimation. The Deduction being complete, we now have two legitimate principles which both validate taste, one as its conceptual unity, the other as the reminder of what Genova calls its sensible manifold of feeling¹³, but these principles not only limit each other, but are in strife. The confusion arises because the two principles strive to explain taste *uniquely*, though the Deduction has already shown the need for both, but the *resolution* of the strife is not an explanation of taste as such but a

¹³Genova, "Kant's Complex Problem of Reflective Judgment."

rational explanation of the principles of taste. Such a rational explanation does not address taste, which includes specific feeling, but only the principles of taste.

The resolution of the Antinomy through the supersensible substrate thus provides a rational explanation that unifies the two principles of taste¹⁴. Such unification of principles is uniquely the task of reason; this is at least a basis for arguing that the Dialectic of Aesthetic Judgment adds to the discussion of taste indirectly, without interfering with the actual justification of taste in the Deduction of Pure Aesthetic Judgments: the latter unifies a manifold of feeling to articulate the judgment of taste, while the former unifies a manifold of principles, thus, using Kulenkampff's term, giving taste its *significance* rather than its constitution.

II. The Negative Justification for the Dialectic

The previous discussion gives a positive reason for the role of the Dialectic, namely, the use of rational explanation to unify the concept of purposiveness without purpose. However, there is also what I call a negative reason or justification for the invocation of the supersensible substrate. This negative reason is the permission for Kant to do what he will, metaphysically speaking, in the Dialectic, as long as it does not interfere with the Deduction. Subjective natural purposiveness is all that is required by

¹⁴Universality and necessity as the conceptual principle of taste are satisfied with the supersensible substrate as explanation since this substrate is postulated as universal and necessary; subjectivity, the sensible principle of taste, is satisfied with the supersensible substrate as explanation since this substrate is indeterminable, and has no adequate objective reference.

judgment for dealing with taste; to require more would be to overturn the conclusions of the Analytic and the Deduction. But reason need not remain content with subjective natural purposiveness; the task of reason is not to comprehend taste, which has already been done by a concept of judgment, but to *unify* the concept of taste (subjective natural purposiveness) into a wider synthesis. Such unification does also, then, represent another synthesis of taste itself, albeit an indirect one. If the concept of taste is unified, then this would imply that taste is also synthesized, though not directly. Reason seeks to explain judgment's use of subjective natural purposiveness in taste, and if this explanation also has its metaphysical uses, in linking knowledge and freedom, this is a planned bonus.

Recall that Kant makes clear that some concept or the other is required as the reference for the complete unification of taste. Recall too that he does not state unequivocally that the concept of the supersensible substrate is *the* concept that must be used as this reference. Rather, the supersensible substrate is presented as a possibility, which is then happily (and quickly) accepted as the actual reference. While this may appear suspect, in fact it is a legitimate move on Kant's part and one that has happened previously, at least partially.

In the first Critique, the defusing of the conflict of reason in the Third Antinomy did not, in itself, give us a positive account of what was to fill the space vacated by theoretical reason. This positive account, variously furnished by the first Critique, especially in the Doctrine of Method, the second Critique, and the *Groundwork*, is an account provided by practical reason, specifically, pure practical reason. This, especially in the second Critique, is taken to license a fairly robust account of noumenal morality, so

robust that one could criticize Kant for stepping beyond the bounds of his analysis. He may also be stepping across those bounds here, but it is, at least, a tactic engaged in previously: Where theoretical reason has no positive account, practical reason may step in.

In the case of the third Critique, the circumstances are both similar and different. They are similar because Kant is inserting an idea of reason into a space left vacant by the understanding. We are beyond the domain of knowledge and may, for Kant, use what concepts we will, though not necessarily in an arbitrary way. All other things being absent, we have only reason and its interests to guide us; why should the guiding thread not be, then, the interests of reason? And the interests of reason dictate a story that is unifying, a story in which the central concept becomes an idea of reason¹⁵. It is not illegitimate or impermissible to serve the interests of reason, even primarily to serve these interests, in a given explanation. What is illegitimate, for Kant, is to overstep certain bounds in so doing. One must abide by the decrees of the domains of knowledge and morality, the decrees of the categories and the categorical imperative; where those decrees have no force, judgment must use---judgment. It has nothing else to hand. The categories do not tell us when something is beautiful just as the categorical imperative cannot tell us what will make us happy. We are free to do what we will in such areas.

¹⁵This interest of reason may not always be an overarching metaphysical interest; the same interests of reason permit the teleological understanding of organic life, given the absence of a good theoretical story from the understanding. And Kant is consistent; if the understanding can come up, someday, with a mechanical explanation of life, then this would supersede the rational explanation given hitherto.

However, such freedom means that we can serve the interests of reason if we will; we are not compelled to, which would be dialectical, but we may. And since we are rational, there is an indeterminate demand that we serve the interests of reason, a “norm of purposiveness” that, as Robert Pippin argues, underlies our rational human activity¹⁶.

III. Beauty as the Symbol of Morality

Now that the Dialectic has a distinctive role to play in unifying taste, a role that subverts neither the results of the Deduction nor the independence of judgment, we can move to the actual mediation of knowledge and morality via beauty as its symbol. As pointed out in the Introduction to the thesis, such mediation is not complete, since it awaits its extension and completion in the *Critique of Teleological Judgment*. What happens at the end of aesthetic judgment is that knowledge is connected to morality by being symbolic of it, through the free form of knowledge, the experience of beauty. In so symbolizing morality, beauty, the free representative of knowing, instantiates pure practical reason, thus extending and making more sensible the prior instantiation of morality in the topic of the second Critique but not under the auspices of morality.

Kant opens up the discussion of beauty as a symbol of morality by a general discussion of the exhibition of concepts. The exhibition of concepts is what establishes their reality, according to Kant (Ak.351, sec.59, Pluhar 225), a position entirely consistent with the first Critique’s injunction against empty concepts (and blind

¹⁶See Pippin, “The Significance of Taste.”

intuitions). For a concept to have reality it requires something given, an intuition, a whole. Empirical concepts have examples as intuitions, and pure concepts of understanding, such as the categories, have pure intuitions, the schemata of the first Critique. Concepts of reason, however, are ideas, for which no intuition can, in principle, be adequate. No intuition can make them real.

However, if they cannot be real they can, nonetheless, be made sensible, provided that such sensibility is not seen as the realization (the actualization) of the idea. Such sensible exhibition, that Kant calls ‘hypotyposis,’ is either schematic or sensible. If schematic the concept of understanding is given an intuition a priori, as time is given, in various forms to the categories of understanding. If intuition is in principle inadequate for an idea of reason, the idea can still be “supplied with an intuition that judgment treats in a way merely analogous to the procedure it follows in schematizing; i.e., the treatment agrees with this procedure merely in the rule followed rather than in terms of the intuition itself, and hence merely in terms of the form of the reflection rather than its content.” (Ak.351, sec.59, Pluhar 226) That is, where schemata are lacking and empirical examples will not do, we can resort to symbols.

This is vividly illustrated by the example Kant gives one paragraph down. He compares the symbolization of a constitutional monarchy by an organic body to the symbolization of a despotic state by a handmill. In both cases the concepts are being presented by means of a symbol; this means that the concepts, while present discursively in our minds, are also present to us by means of intuitions, though these intuitions are not instances of the concept. An organic body is not an instance of a constitutional monarchy,

nor is the latter an instance of the former. The same is true of the despotism and the handmill; they stand to one another as concept to intuition, but unlike a “normal” concept of understanding, whether empirical or pure, the despotism is not a characteristic of the handmill, nor is the handmill a characteristic of the despotism. Wherein, then, lies the connection?

It lies in us, the judging subjects, and, in this case, the reflectively judging subjects:

For though there is no similarity between a despotic state and a hand mill, there certainly is one between the rules by which we reflect on the two and how they operate [*Kausalität*].... Our language is replete with such indirect exhibitions according to an analogy, where the expression does not contain the actual schema for the concept but contains merely a symbol for our reflection. (Ak.352, sec.59, Pluhar 227)

Kant then refers to philosophical uses of symbolic hypotyposis, such as Locke’s characterization of substance as support. Such symbolic expressions “express concepts not by means of a direct intuition but only according to an analogy with one, i.e., a transfer of our reflection on an object of intuition to an entirely different concept, to which perhaps no intuition can ever directly correspond.” (Ak.352-353, sec.59, Pluhar 228) Normally concepts are expressed or exhibited by intuitions; examples for empirical concepts, schemata for pure concepts. Time functions as a source of schemata for the categories in the first Critique, providing direct intuitions for the unequivocal expression of the categories theoretically. Pure reason can have no direct intuitions expressing its ideas, since these ideas are, in principle, not sensibly expressible. However, the “transfer of our reflection” from one object to another, what Kant also calls “a mere way of

presenting”, allows us to determine ideas of pure reason for practical purposes (Ak.353, sec.59, Pluhar 228). Our imagination is thus permitted to be extended in service of “what the idea of the object ought to become for us” as long as such extension is properly regarded as symbolic and not theoretical. When not confined to symbolism, such imaginative aesthetic extension becomes, for example, anthropomorphic in the case of our reflection upon God; this is the result of mistakenly seeing the imaginative extension as schematic, as giving us a rule for production (Ak.353, sec.59, Pluhar 228). Without such symbolism, however, we lose all intuitive reference for such a pure idea, and fall into deism, thus becoming unable even to use such an idea for practical purposes (Ak.353, sec.59, Pluhar 228).

Thus, just as the typus allowed us to comprehend the morally good by investing it with the understanding’s lawful structure, so the beautiful allows us to “intuit” the morally good, by analogy. Points of comparison between the manner in which we like the beautiful and the manner in which we relate to the good permit us to use the beautiful as the symbol of the good, in the way the organic body is the symbol of a constitutional government. Kant lists the points of analogy and disanalogy between the beautiful and the morally good as follows (Ak.353-354, sec.59, Pluhar 229):

- they are both liked *directly*--but the beautiful through reflection and not through its concept
- both are liked without *interest*--the liking for the good is connected with interest but such interest *follows* from judging the liking
- judging beauty involves the harmonizing of the freedom of imagination,

i.e., of sensibility, with the lawfulness of understanding, just as judging the good involves freedom of the will thought as the will harmonizing with itself according to the universal lawfulness of reason

- the subjective principle for judging beauty and the objective principle for judging the good are both universally valid--but the former, as subjective, is "unknowable through any universal concept" (Ak. 354, sec.59, Pluhar 229) while the latter is knowable through such a concept and is a determinate constitutive principle for moral judgment.
- Both the experience of beauty and of morality involve self-legislation, in the one judgment legislating to itself, in the other, reason legislating to itself concerning the faculty of desire. (Ak.353, sec.59, Pluhar 229)

The ordinary understanding is alive to the analogy between beauty and morality insofar as we call objects of nature by morally resonant names, calling "buildings or trees majestic and magnificent, or landscapes cheerful and gay; even colors are called innocent, humble, or tender, because they arouse sensations in us that are somehow analogous to the consciousness we have in a mental state produced by moral judgments." (Ak.354, sec.59, Pluhar 230) The mental state produced by moral judgments is analogous to the experience of beauty in just those ways described above: the two states both involve direct liking, lack of interest, harmony with lawfulness, universal validity and self-legislation. In such self-legislation, particularly, the subject finds similar possibilities within as well as without; there is self-legislation within, in the experience of beauty as feeling , and self-legislation without, also in the experience of beauty, insofar as that

experience involves the possibility of nature's harmony with us, its gift of beauty to us.

These twin possibilities mean that:

...judgment finds itself referred to something that is neither nature nor freedom and yet is linked with the basis of freedom, the supersensible, in which the theoretical and the practical power are in an unknown manner combined and joined into a unity. (Ak.353, sec.59, Pluhar 229)

Conclusion.

Can we now conclude that the mediation of knowledge and morality through taste provides at least the first legitimate step in the overall mediation of knowledge and morality? And can we also conclude that the legitimacy of this step is bolstered by the way in which reflective aesthetic judgment meets the criteria for mediation? Specifically, this requires us to conclude that reflective aesthetic judgment as taste stands in an independent relationship to reason, not merely in spite of the Dialectic of Aesthetic Judgment but because of it.

In the first Section of this chapter we saw that the task of the Dialectic was uniquely a task of reason and not merely a task that could have been referred back to the Deduction or the Analytic. The task of the Dialectic was the unification of the concept of taste and the assignment of its significance beyond aesthetics. Far from being a metaphysical burden upon an otherwise autonomous theory of taste this unifying of taste is actually necessary for the very autonomy of taste; given that taste will be given significance, either by a rationalism of taste or by an empiricism of taste, Kant has no choice but to assign a rational meaning to taste that will preserve it from either of these

two dogmatic extremes. This rational meaning connects taste to the supersensible substrate of humanity, and, eventually, to morality itself. However, as an *indeterminate* meaning, as an *idea* of taste, the rational construal of taste is not a wise crushing its independence, but, rather, a firm undergirding keeping taste between, as it were, the angels and the beasts. Taste has rational moral significance but that significance is not to be specified dogmatically.

In Section II we saw that Kant's general concerns with the instantiation of morality through taste are licensed by the nature of the Dialectic and the indeterminacy of the solution to the Antinomy of Taste. If nothing else, the conceptual space is clear for him to construct a metaphysics of taste which will help instantiate noumenal morality.

Together with the positive justification of Section I, the licensing of the metaphysics of taste means that a) the independence of taste as a mediator is not threatened by its relationship with reason and b) that its relationship with reason is a guarantee of the autonomy of taste. Thus taste is autonomous from pure practical reason, but, at the same time, is legitimately explained by its concept. It is also legitimately analogous to pure practical reason, as the comparison of beauty to morality indicates, though there is sufficient unlikeness to preserve a legitimate distinction between the two. Since taste is homogeneous with cognition insofar as it is based on the harmony of the faculties required for cognition and since taste is homogeneous enough with morality to be its symbol and to be defined finally (though reflectively) as the capacity to judge moral ideas made sensible, it appears that morality is, reflectively, the ground of taste, which in turn is the indeterminate prelude to understanding. Thus, by being the ground of

taste, morality is, in a sense, the indirect ground of understanding, thus uniting the two legislations symbolically and reflectively.

CONCLUSION

What do we find when we compare the mediation of knowledge and morality by taste to the other mediations previously discussed? As we saw in the last two chapters, taste does fulfill the criteria for mediation as set out in the Schematism by being connected to but distinct from understanding, on the one hand, and reason, on the other. However, when it comes to the criterion of being either a real relation or being merely analogical, there may be a difference from the criteria developed in the Schematism and modified in the Regulative Employment of the Ideas of Pure Reason and the Typic.

1. The Basic Model of Mediation.

The mediation of the Schematism, though far from unproblematic, begins with two heterogeneous items, the pure categories on the one hand, and empirical intuitions on the other, corresponding to the Kantian division between spontaneity and receptivity, between intelligibility and sensibility. The mediator between these is time, the pure intuition that forms, with space, the pure sensible conditions of receptivity. Time as the basic condition for all intuition, whether inner or outer, is connected to all empirical intuition; it is distinct from them in being a pure intuition. Time is also connected to the categories, since both are a priori.

As we saw in Chapter One, the problem with time as a mediator was that it required a prior mediation, of itself as a concept with itself as an intuition; such a mediation, though not textually present in the Schematism, is implied by the unified status of time which is epistemically available to us only through its concept but whose

concept signifies the extra-conceptual status of time as a pure intuition. This prior mediation, taking place between heterogeneous particulars (concept and intuition) for which there is no determining concept, can only be effected by a process such as reflective judgment. However, since the unification of time as concept and time as intuition results in something actual and sensible (though not empirical) and since this further results in definite schemata that denote the various categories, the process of judgment undergirding time as a viable mediator is a process of determinate judgment, though initially it was a process of judgment reflecting.

Through the discussion of the Schematism a model of mediation emerged. Its features are, as set out in Chapter One, that the mediator be 1) some third thing, 2) homogeneous with both parties but 3) sufficiently independent of both. These three features emerge through 4) the analogy between the mediator and the parties being mediated, and where the mediation is schematic, as with time in the Schematism, the analogy between the mediator and the mediated 5) becomes a real and objective relation, though never a completely subsuming one. Time genuinely is an intuition and, moreover, the real condition for other intuitions; it is also genuinely a priori, though not a concept. It can thus bridge the gap between concept and intuition because its availability to us presupposes the unification of it as intuition with our discursive concept of it, a unification initially reflective but finally determined by the real sensible object that is time.

2. Mediation of Reason through Analogy and Symbol.

In Chapter Two the model of mediation was transformed into a model of non-

schematic mediation in order that ideas of pure theoretical reasons and ideas of pure practical reason could be mediated with empirical reality. Pure theoretical reason needs to be unified with empirical laws, so that these laws can form a totality of scientific explanation and not simply be a collection of individual explanations. Pure practical reason needs an entry into the sensible world generally, in order for human beings as embodied moral agents to be able to instantiate their moral rationality in a world entirely heterogeneous with such unconditioned rationality. In the case of pure theoretical reason the analogon functions as the quasi-schema which will allow empirical laws to be unified regulatively by the ideas of pure reason; in the case of pure practical reason, understanding furnishes reason with the *typus*, the intelligible form of understanding by which morality can be instantiated by us as rational agents. The *typus* is not simply a non-schematic mediator; it is a *symbol*, a representative of something which cannot actually be instantiated in the world. Thus, the fifth condition for mediation is transformed into the condition that 5) the mediator's relationship with what is mediated *remain* analogical or symbolic, and that it not be susceptible of transformation into a real relationship.

3. *The Problem with Reflective Aesthetic Judgment as a Mediator.*

In Chapter Three the concept of reflective judgment, the putative mediator between knowledge and morality, was examined in order to determine its suitability for mediation. The problem with reflective judgment turns out to be that its concept, purposiveness without purpose, looks in the *Critique of Judgment* to be either a concept of reason (as in teleological judgment) or to be superseded by a rational concept, such as the supersensible. In order to solve this problem, reflective judgment's relationship to

concepts needs to be reconceived; reflective judgment can be conceived as also being loosely and provisionally governed by concepts, provided to it by both understanding and reason, although the rule of these concepts over reflective judgment is only lawlike and indeterminate, not lawful and determinate, unlike the rule of the legislations of knowledge and morality over determinate judgment. As a result, any relationship in which reason either gives reflective judgment concepts or even supersedes it through a rational concept, can, given certain parameters, be thought of as a relationship in which reflective judgment is genuinely free and not merely the creature of reason. In this way, generally, reflective judgment as taste can, in principle, have a relationship with reason without damaging its status as a mediator between reason and understanding.

The goal of the next two chapters was to use this new conception of reflective judgment to resolve the details of the problem of the autonomy of reflective judgment as taste in relation to reason. Chapter Four examines the Analytic of the Beautiful and the Deduction of Pure Aesthetic Judgments in order to clarify how the autonomy of taste is constituted. Chapter Five then analyzes the Dialectic of Aesthetic Judgment in order to provide a reading, generally based on the results of Chapter Three, which shows that the autonomy of taste is not threatened by reason's unification of taste through the rational concept of the supersensible; moreover, the reading of Chapter Five shows that protecting the autonomy of taste actually *requires* the indeterminate use of a concept of reason, thus addressing the scholarly complaint that Kant's metaphysics interferes with his theory of taste.

Chapter Five also shows that taste remains independent of reason precisely by

allowing a limited but necessary role to reason in the former's unification. Without the use of reason's concept of the supersensible, taste would be at the explanatory mercy of either empiricism on the one hand or rationalism on the other. The illegitimate subsumption of taste under either would constitute reason's overstepping its limits; a rationalism of taste is reason illegitimately and dogmatically *connecting* taste to rationality, while an empiricism of taste is reason illegitimately and equally dogmatically *disconnecting* taste from such rationality. The latter stance in fact appears to discard rationality but is surreptitiously using it beyond its legitimate regulative use¹. A *limited* and reflective use of reason, however, provides a rational account of taste sufficient to appease the naturally dialectical tendencies of human reason while leaving taste as essentially autonomous in its constitution.

Thus taste is autonomous from pure practical reason, but, at the same time, is legitimately explained by a concept of the latter. It is also legitimately analogous to pure practical reason, as the comparison of beauty to morality indicates, though there is sufficient unlikeness to preserve a legitimate distinction between the two. Taste is homogeneous with cognition insofar as it is based on the harmony of the faculties required for cognition; taste is also homogeneous enough with morality through analogy to be its symbol and to be defined finally (though reflectively) as the capacity to judge moral ideas made sensible. Since morality is, reflectively, the ground of taste through reason's concept of the supersensible, and since taste in turn is the indeterminate prelude

¹And not simply as pure practical rationality, which is exempted from such restrictions.

to understanding and cognition, morality is, in a sense, the *indirect* ground of knowledge, thus uniting the two legislations symbolically and reflectively.

However, the nature of the mediation between knowledge and morality requires much further discussion than is possible here. All we need ask is whether, as a result of our discussion, taste meets the criteria for non-schematic mediation set out in Chapter Two, particularly the independence requirement. As Chapter Two's discussion of the analogon of empirical laws and the *typus* of pure practical reason indicated, the independence requirement of mediation can be met formally, semantically, and imaginatively rather than substantively; only the schematic mediation of the Schematism required a genuine "third thing" for mediation. Therefore, the independence of taste from either knowledge or morality need not be more than formal, nor need its homogeneity with either be more than analogous.

In fact, however, taste not only meets but surpasses the independence and homogeneity requirements for non-schematic mediation, so much so that it seems to be on the verge of something more like schematic mediation, thus extending the model of mediation further than analogy and symbol. Taste's independence appears more substantial than that of either the analogon or the *typus*, though not reaching the determinacy of time in the Schematism. This can be traced to the role of *feeling* in taste; feeling genuinely and substantively makes taste different from both knowledge and morality, though it is homogeneous with the former and similar to the latter. However, the indeterminability of feeling makes taste a non-starter for schematic mediation, though it is still a more substantial candidate for mediation than were either the analogon or the

typus. Nonetheless, in its robust difference from knowledge and morality the experience of beauty appears both to revive and address a well-worn Kantian distinction in the new context of the third Critique, namely, the distinct nature of sensibility from intelligibility, though whether this means that the distinction has actually been superseded remains to be investigated. Moreover, we still need to apply the model developed here to the *Critique of Teleological Judgment* in order to determine the role it plays in the mediation of knowledge and morality, and whether this role continues or develops the reflective unification of knowledge and morality on the one hand, and sensibility and intelligibility on the other.

SELECTED BIBLIOGRAPHY

Primary Sources

Kant, Immanuel. *Critique of Judgment*. Translated by J.H. Bernard. New York: Hafner Publishing Company, 1951.

_____. *Critique of Judgment*. Translated by James Creed Meredith. Oxford: At the Clarendon Press, 1952 (from 1911 and 1928).

_____. *Critique of Judgment*. Translated by Werner S. Pluhar. Indianapolis: Hackett, 1987.

_____. *Critique of Practical Reason*. Translated by Lewis White Beck. Indianapolis: Bobb-Merrill.

_____. *Critique of Pure Reason*. Translated by Paul Guyer and Allen Wood. (The Cambridge Edition of the Works of Immanuel Kant) Cambridge: Cambridge University Press, 1998.

_____. *Critique of Pure Reason*. Translated by Werner S. Pluhar. Indianapolis/Cambridge: Hackett, 1996.

_____. *Critique of Pure Reason*. Translated by Norman Kemp Smith. New York: St. Martin's Press, 1965.

_____. *Gesammelte Schriften (Akademie-Textausgabe)*. Volumes III, IV, V, and XX. Berlin: Walter de Gruyter, 1968.

_____. *Lectures on Logic*. Translated by J.M. Young. Cambridge: Cambridge University Press, 1992.

Secondary Sources

Allison, Henry. *Kant's Transcendental Idealism*. New Haven and London: Yale University Press, 1983.

Bartuschat, Wolfgang. *Zun systematischen Ort von Kant Kritik der Urteilskraft*. Frankfurt

am Main: Vittorio Klostermann, 1972.

Beck, Lewis White. *Essays on Kant and Hume*. New Haven and London: Yale University Press, 1978.

Bell, David. "The Art of Judgement," in *Immanuel Kant, Critical Assessments*. Volume 4. London and New York: 1992.

Bennett, Jonathan. *Kant's Analytic*. Cambridge: Cambridge University Press, 1996.

_____. *Kant's Dialectic*. Cambridge: Cambridge University Press, 1974.

Bird, Graham. *Kant's Theory of Knowledge*. New York: Humanities Press, 1973 (from 1962).

Brandt, Reinhard. "The Deductions in the *Critique of Judgment*: Comments on Hampshire and Horstmann," in *Kant's Transcendental Deductions*. Ed. Eckart Forster, pp.177-190. Stanford: Stanford University Press, 1989.

Brittain, Gordon G. *Kant's Theory of Science*. Princeton: Princeton University Press, 1978.

Buchdahl, Gerd. *Metaphysics and the Philosophy of Science: The Classical Origins, Descartes to Kant*. Oxford: Basil Blackwell, 1969.

_____. "The Conception of Lawlikeness in Kant's Philosophy of Science," *Proceedings of the Third International Kant Congress held at the University of Rochester, March 30-April 4, 1970*. Ed. Lewis White Beck. Dordrecht, Neth.: D. Reidel, 1972.

Butts, Robert. "Kant's Schemata as Semantical Rules," in *Kant Studies Today*. Ed. Lewis White Beck. LaSalle, Ill.: Open Court, 1969.

Cassirer, H.W. *A Commentary on Kant's Critique of Judgment*. London: George Allen & Unwin, 1954.

_____. *Kant's First Critique*. London: George Allen & Unwin, 1954.

Caygill, Howard. *The Art of Judgment*. Oxford: Basil Blackwell, 1989.

Chipman, Lauchlan. "Kant's Categories and their Schematism," *Kant-Studien* 63 1972, pp.36-50.

- Coleman, Francis X. *The Harmony of Reason: A Study of Kant's Aesthetics*. Pittsburgh: University of Pittsburgh Press, 1974.
- Crawford, Donald W. *Kant's Aesthetic Theory*. Madison: University of Wisconsin Press, 1974.
- Crowther, Paul. *The Kantian Sublime: From Morality to Art*. Oxford: The Clarendon Press, 1989.
- Duque, Felix. "Teologie und Leiblichkeit beim späten Kant," *Kant-Studien*. Cumulative ed., 1984, pp.381-397.
- Elliot, R.K. "The Unity of Kant's 'Critique of Aesthetic Judgment'," *British Journal of Aesthetics* 8, 1968, pp.244-59.
- Evans, J.J. "The Empirical Employment of Pure Reason," *Proceedings of the Ottawa Congress on Kant in the Anglo-American and Continental Traditions*. October 10-14. Eds. Pierre Laberge, Francois Duchesneau, and Bryan E. Morrissey. Ottawa: The University of Ottawa Press, 1974, pp.480-486.
- Ewing, A.C. *Kant's Treatment of Causality*. N.p.: Archon Books, 1969 (from 1924).
- Falkenstein, Lorne. *Kant's Intuitionism. A Commentary on the Transcendental Aesthetic*. Toronto: University of Toronto Press, 1995.
- Findlay, J.N. *Kant and the Transcendental Object*. Oxford: At the Clarendon Press, 1981.
- Fricke, Christel. *Kant's Theorie des reinen Geschmacksurteils*. Berlin: Walter de Gruyter, 1990.
- _____. "Explaining the Inexplicable: The Hypotheses of the Faculty of Reflective Judgment in Kant's Third Critique," *Nous* 24 (1) March 1990, pp.45-62.
- Genova, A.C. "Kant's Complex Problem of Reflective Judgment," *The Review of Metaphysics*, Volume XXIII June, 1970.
- Gibbons, Sarah.. *Kant's Theory of Imagination*. Oxford: Clarendon Press, 1994.
- Ginsborg, Hannah. *The Role of Taste in Kant's Theory of Cognition*. New York and London: Garland Publishing, 1990.
- _____. "Reflective Judgment and Taste," *Nous* 24 (1) March 1990, pp.63-78.

Gram, Moltke S. *Kant, Ontology, and the A Priori*. Evanston, Ill.: Northwestern University Press, 1968.

Grier, Michelle. "Kant on the Illusion of a Systematic Unity of Knowledge," *History of Philosophy Quarterly* 14 (1) January 1997, pp.1-28.

Guyer, Paul. *Kant and the Claims of Knowledge*. Cambridge: Cambridge University Press, 1987.

_____. *Kant and the Claims of Taste*. Cambridge, Mass.: Harvard University Press, 1979.

_____. *Kant and the Experience of Freedom*. Cambridge: Cambridge University Press, 1996.

Hegel, G.W.F. *Lectures on the History of Philosophy*. Volume 3. Translated by E.S. Haldane and Frances H. Simson. London: Routledge & Kegan Paul Ltd., 1955 (from 1896).

Horstmann, Rolf-Peter. "Why Must There Be a Transcendental Deduction in Kant's *Critique of Judgment*?" in *Kant's Transcendental Deductions*. Ed. Eckard Forster. Stanford: Stanford University Press, 1989, pp.157-176.

Kang, Y.A. *Schema and Symbol, A Study in Kant's Doctrine of Schematism*. Amsterdam: Free University Press, 1985.

Kemal, Salim. *Kant and Fine Art*. Oxford: Clarendon Press, 1986.

Kulenkampff, Jens. *Kant Logik des aesthetischen Urteils*. Second Edition. Frankfurt am Main: Klostermann, 1994.

Macmillan, R.A.C. *The Crowning Phase of the Critical Philosophy: A Study in Kant's Critique of Judgment*. London: Macmillan, 1912.

McCloskey, Mary A. *Kant's Aesthetic*. Albany: State University of New York Press, 1987.

MacFarland, J.D. *Kant's Concept of Teology*. Edinburgh: University of Edinburgh Press, 1970.

_____. "The Bogus Unity of the Kantian Philosophy," *Proceedings of the Ottawa Congress on Kant in the Anglo-American and Continental Traditions*. October 10-14, eds. Pierre Laberge, Francois Duchesneau, and Bryan E. Morrissey. Ottawa: University

of Ottawa Press, 1974, pp.180-196.

Makkreel, Rudolf. *Imagination and Interpretation in Kant*. Chicago and London: University of Chicago Press, 1990.

_____. "Reflective and Regulative Uses of Purposiveness in Kant," *The Southern Journal of Philosophy*, Supplement: the Spindel Conference 1991, ed. Hoke Robinson, Volume XXX, 1992, pp.49-63.

Meerbote, Ralf. "Reflections of Beauty," in *Essays in Kant's Aesthetic*. Ed. Ted Cohen and Paul Guyer. Chicago: University of Chicago Press, 1982, pp.55-86.

Melnick, Arthur. *Kant's Analogies of Experience*. Chicago: University of Chicago Press, 1973.

Model, Anselm. *Metaphysik und reflektierende Urteilskraft bei Kant*. Frankfurt am Main: Athenäum, 1987.

Nagel, Gordon. *The Structure of Experience*. Chicago: University of Chicago Press, 1983.

Paton, H.J. *Kant's Metaphysic of Experience*. London: George Allen & Unwin, 1936.

Pippin, Robert B. *Kant's Theory of Form*. New Haven and London: Yale University Press, 1982.

_____. "The Significance of Taste: Kant, Aesthetic and Reflective Judgment," *Journal of the History of Philosophy* October 1996, pp.549-69.

Rajiva, Suma. "Is Hypothetical Reason the Precursor of Reflective Judgment?" Paper read at the meeting of the North American Kant Society at the World Congress of Philosophy, Boston, 1998.

Rogerson, Kenneth F. *Kant's Aesthetics: The Roles of Form and Expression*. Lanham, Md.: University Press of American, 1986.

Schaper, Eva. *Studies in Kant's Aesthetics*. Edinburgh: Edinburgh University Press, 1979.

_____. "Taste, sublimity, and genius: The aesthetics of nature and art," in *The Cambridge Companion to Kant*. Ed. Paul Guyer. Cambridge: Cambridge University Press, 1992.

Schrader, George. "The Status of Theological Judgment in the Critical Philosophy," *Kant-*

Studien. Volume 45, 1953-54, pp.204-35.

Smith, Norman Kemp. *A Commentary to Kant's 'Critique of Pure Reason'*. London: Macmillan, 1923.

Smyth, Richard. *Forms of Intuition. An Historical Introduction to the Transcendental Aesthetic*. The Hague and Boston: Martinus Nijhoff, 1978.

Strawson, P.F. *The Bounds of Sense*. London: Methuen & Co., 1996.

Tonelli, G. "Von den verschiedenen Bedeutungen des Wortes 'Zweckmassigkeit' in der Kritik der Urteilskraft," *Kant-Studien*. Volume 49, 1957, pp.154-66.

Uehling, Theodore E., Jr. *The Notion of Form in Kant's Critique of Aesthetic Judgment*. The Hague: Mouton, 1971.

Van de Pitte, Frederick. "Is Kant's Distinction Between Reflective and Determinative Judgment Valid?" *Atken des 4. Internationalen Kant-Kongresses*. Berlin, 1974.

Walsh, W.H. "Schematism" in *Kant: A Collection of Critical Essays*. Ed. R.P. Wolff. New York: Doubleday Ancor, 1967.

Weldon. T.D. *Kant's Critique of Pure Reason*. Second Edition. Oxford: At the Clarendon Press, 1959.

Werkmeister, W.H. *Kant. The Architectonic and Development of His Philosophy*. LaSalle and London: Open Court, 1980.

Young, J.M. "Kant's View of Imagination," *Kant-Studien* 79, 1988, pp.140-164.

Zammito, John H. *The Genesis of Kant's Critique of Judgment*. Chicago and London: University of Chicago Press, 1992.