

Kant, beauty, and our acquaintance with objects

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“One night, in the year 1713 I dreamed I had made a pact with the devil for my soul. Everything went as I wished: my new servant anticipated my every desire. Among other things, I gave him my violin to see if he could play. How great was my astonishment on hearing a sonata so wonderful and so beautiful, played with such great art and intelligence, as I had never even conceived in my boldest flights of fantasy. I felt enraptured, transported, enchanted: my breath failed me, and - I awoke.”



- Tartini on *The Devil's Trill*, as told to Jérôme Lalande¹

To make correct judgments of beauty, must we be in the presence of the beautiful object? I believe that cases like *The Devil's Trill* and many commonplace imaginings in poetry and fiction (the descriptive arts) suggest otherwise. In this paper, I examine Kant's claims in the *Critique of Pure Reason* and *The Critique of the Power of Judgment* in which he details the relationship between objects, concepts, and the judgment of beauty. Although Kant perhaps never explicitly affirms the view that the judgment of beauty must be accompanied by the beautiful object *in concreto*, I suggest that he tacitly presupposes it. However, the thrust of my argument is that Kant *should* deny the claim, since this denial permits him to accommodate certain kinds of judgments (and certain kinds of artworks) which would otherwise be improperly excluded. I propose that the judgment of beauty is made about representations as such, irrespective of whether those representations correspond to concrete empirical objects. I conclude by suggesting that this question illustrates a fault line in the Third Critique, revealing a tension between the judgments of beauty and the sublime.

¹ Lalande, *Voyage d'un François en Italie*, (1765-66). The accompanying image is *Tartini's Dream* by Louis-Léopold Boilly (1824)

This conditional sentence ϕ reflects the disputed claim:

ϕ : Necessarily, if you correctly judge the object to be beautiful, then you are in the presence of the beautiful object.

Allow me first to address a few details about the formulation of the claim. The incorporation of the modifier ‘correctly’ is just good housekeeping, intended to exclude cases of a subject who judges *incorrectly*. Someone may think his drunken karaoke performance is beautiful; but, assuming this judgment is mistaken, it does not further our inquiry. In this paper, I am not so much concerned with the conditions in which judgments of beauty go wrong, as with those in which they go right. I have refrained from specifying the somewhat vague notion ‘in the presence of’ but I acknowledge that this might well suggest some further interesting debates. (For example, one could devise a Sorites series on ‘in the presence of’, along the lines of ‘if I am in the presence of the object then if I move by an inch then I am still in the presence of the object’. The precise resolution of this regress may be significant, though I shan’t discuss it here.) By ‘in the presence of’, I mean simply to imply that the object exists in concrete reality – it is not a merely imagined object. It seems inappropriate to say that Hamlet was *in the presence of* the illusory dagger, and I exploit this locution. I elaborate on this issue in the following section.

I will elucidate the notion and the judgment of beauty throughout the paper, but it is necessary to introduce a few standard terms at the outset. I follow Kant in holding the following about beauty. “The judgment of taste is aesthetic.”² “**Taste** is the faculty for judging an object or a kind of representation through a satisfaction or dissatisfaction **without any interest**. The object of such a satisfaction is called **beautiful**.”³ The judgment of beauty has these peculiarities: “The judgment of taste determines its object with regard to satisfaction (as beauty) with a claim to the assent of **everyone**, as if it were objective;”⁴ however, “[t]he judgment of taste is not determinable by grounds of proof at all, just as if it were merely **subjective**.”⁵ Finally, it makes a claim to

² (Kant, Critique of the Power of Judgment 2002, 5:203)

³ (Kant, Critique of the Power of Judgment 2002, 5:211)

⁴ (Kant, Critique of the Power of Judgment 2002, 5:281)

⁵ (Kant, Critique of the Power of Judgment 2002, 5:284)

necessity: “although it has merely subjective validity, it nevertheless makes a claim on **all** subjects.”⁶

1. Objects, Concepts and Beauty

1.1 Objects

What are objects? Kant offers the clearest account of objects where their existence and nature is under closest scrutiny – that is, in the Fourth Paralogism in the A edition of the *Critique of Pure Reason*, and the Refutation of Idealism. I do not intend to enter the divisive fray concerning the proper interpretation of Kant’s Transcendental Idealism, since my argument is largely independent of this debate.⁷ My priority here is simply to draw out some of the terms and distinctions about objects necessary to understand the judgment of beauty.

Firstly, Kant says that “[a]n intuition is a representation of the sort which would depend immediately on the presence of an object.”⁸ Intuitions are *intuitions of objects*. Intuition is synthesized (ordered) according to the forms of space and time.⁹ All objects given in intuition, therefore, are represented as spatial: “By means of outer sense (a property of our mind) we represent to ourselves objects as outside us, and all as in space.”¹⁰ We may be acquainted with objects in two ways: “cognition of objects can be generated from perceptions, either through a mere play of imagination or by means of experience.”¹¹ Importantly, Kant distinguishes sensation from imagination with respect to the presence of the object: “the former is intuition with presence, the latter without presence of the object”.¹² He writes further that

⁶ (Kant, *Critique of the Power of Judgment* 2002, 5:285)

⁷ For example, I think almost all my suggestions here would be considered common cause by both those in the ‘one world’ and ‘two world’ camps.

⁸ (Kant, *Prolegomena to Any Future Metaphysics That Will Be Able to Come Forward as Science* 1783, 4:281)

⁹ “[T]here are two pure forms of sensible intuition as principles a of *a priori* cognition, namely space and time” (Kant, *Critique of Pure Reason* 2000, A22/B36)

¹⁰ (Kant, *Critique of Pure Reason* 2000, A22/B37)

¹¹ (Kant, *Critique of Pure Reason* 2000, A376-377)

¹² (Kant, *Lectures on Metaphysics* 1997, 28:449-450)

“[t]hat intuition which is related to the object through sensation is called empirical.”¹³

So, this advises the following terminology, which I employ for this paper: an *empirical* object is one which exists concretely in empirical reality (it has an empirical ground); it is contrasted with an *imagined* object, which is an object generated by the mind, and which does not correspond to some concrete entity. So, the claim ϕ may be taken to imply that the judgment of beauty is correctly made about empirical objects, and not imagined objects.

1.2 Concepts

For Kant, one can discuss neither objects nor beauty without discussing their relation to *concepts*. In the *Critique of Pure Reason*, Kant earnestly demonstrates the mutual dependence between concepts and intuitions for the cognition of objects.¹⁴ Kant is very clear: “there are two conditions under which alone the cognition of an object is possible: first, **intuition**, through which it is given, but only as appearance; second, **concept** through which an object is thought that corresponds to this intuition.”¹⁵ Could we not think of objects aside from subsuming them under concepts? To some extent, we could – just insofar as the manifold is synthesized according to the pure forms of intuition, namely space and time. Kant’s point, however, is that whatever we might apprehend through intuition alone would not suffice for cognition of objects *as* objects.¹⁶ To think of a rose *as a rose* is more than apprehending its spatiotemporal features, since none of these reveal its rose-hood. To cognize the rose *as a rose* involves the recognition that those features instantiate, or *determine*, the concept ‘rose.’

¹³ (Kant, *Critique of Pure Reason* 2000, A20/B34)

¹⁴ “Thoughts without content are empty, intuitions without concepts are blind” (Kant, *Critique of Pure Reason* 2000, A51/B75).

¹⁵ (Kant, *Critique of Pure Reason* 2000, A92-3/B125)

¹⁶ “[T]hat objects of sensible intuition must accord with the formal conditions of sensibility that lie in the mind *a priori* is clear since otherwise they could not be objects for us” (Kant, *Critique of Pure Reason* 2000, A90/B122-3).

1.3 Beauty and concepts: the problems of proof, purpose and perfection

All well and good: we have established some of the cognitive structure to ordinary singular statements like “this man is a bachelor”, in which an object given in intuition determines a concept (man), and then is said to possess a further property (bachelorhood). But what of the syntactically identical “this painting is beautiful”? Is this likewise a matter of subsumption under concepts? The answer is somewhat complicated. In certain passages in the Third Critique, Kant appears to suggest that the judgment of beauty is antagonistic to concepts: “the judgment of taste, however, is not grounded on concepts at all, and is above all not cognition.”¹⁷ This statement, combined with the claim above that concepts are essential for cognition, may lead us to believe that the judgment of beauty must eschew concepts altogether. This is mistaken, however. Kant claims that the judgment of beauty does not exclude concepts *per se*. Indeed, his claims are best taken as a reminder that above all the judgment of beauty is *aesthetic*, that is, “its determining ground is the feeling of the subject.”¹⁸ Consequently, concepts are apt occasionally to *disrupt* the judgment of beauty, and he suggests three respects in which this may obtain.

Kant writes “I declare the rose that I am gazing at – that is, an object, given in experience, which has been subsumed under the *concept* ‘rose’ – to be beautiful.” This judgment obviously involves concepts! However, while it involves concepts and cognition of the rose, the judgment of beauty maintains an aesthetic *ground*. Kant’s underlying principle is that the judgment of beauty “is neither **grounded** on concepts nor **aimed** at them”¹⁹ (though it may bear some other relation to concepts). One important reason for this is articulated in the *Second Peculiarity of Taste*: “The judgment of taste is not determinable by grounds of proof at all.”²⁰ Suppose the judgment of beauty were grounded on concepts. Then forming the judgment of beauty would be merely a matter of asking, ‘does this object fall under that concept?’ Plainly, this would reduce the judgment of beauty to a matter of conceptual analysis – a largely *a priori* affair, and one which need not involve any experience on the part of the

¹⁷ (Kant, Critique of the Power of Judgment 2002, 5:282)

¹⁸ (Kant, Critique of the Power of Judgment 2002, 5:231)

¹⁹ (Kant, Critique of the Power of Judgment 2002, 5:209)

²⁰ (Kant, Critique of the Power of Judgment 2002, 5:284)

judging subject.²¹ This is to abandon the aesthetic essence of the judgment.²² Thus Kant says, “[i]f one judges objects merely in accordance with concepts, then all representation of beauty is lost.”²³ The judgment of beauty is satisfied only where the judging subject attends to the contents of his own experience. So, then, it is acceptable to say ‘this painting is beautiful,’ provided that one’s judgment is *grounded in the aesthetic* experience of the subject, and not grounded on any concept (e.g., as though one merely applied the rule for proof, ‘all paintings are beautiful’).²⁴

One of Kant’s central contributions to aesthetic theory is his insistence that judgments of beauty must be disinterested: “Everyone must admit that a judgment about beauty in which there is mixed the least interest is very partial and not a pure judgment of taste.”²⁵ One significant way in which our judgments of taste may be ‘sullied’ is where our interest is not directed at the aesthetic features of the object, but at the concepts under which the aesthetic object falls. When we consider the beautiful object as a type (that is, subsuming it under a concept), we may be inclined to wonder, is this a *perfect instance* of that type? Degrees of perfection presuppose a concept, and in this way are constrained: Kant correctly suggests that such judgments are not ultimately ‘free’ judgments of taste. Furthermore, Kant maintains that the judgment of beauty must be made quite apart from considerations of the *purpose* of the object (though, of course it must be thought *purposive*).²⁶ Again, inappropriate attention to concepts is apt to sully the judgment of the beautiful because it is

²¹ Kant writes: “No objective principle of taste is possible. By a principle of taste would be understood a fundamental proposition under the condition of which one could subsume the concept of an object and then by means of an inference conclude that it is beautiful. But that is absolutely impossible. For I must be sensitive of the pleasure immediately in the representation of it, and I cannot be talked into it by means of any proofs” (Kant, Critique of the Power of Judgment 2002, 5:285)

²² Kant notes, “there is no transition from concepts to the feeling of pleasure or displeasure” (Kant, Critique of the Power of Judgment 2002, 5:211)

²³ (Kant, Critique of the Power of Judgment 2002, 5:215)

²⁴ Cf. (Zuckert 2007, 184): “we can neither predict nor prove that an object will be found beautiful based on conceptual criteria (marks).”

²⁵ (Kant, Critique of the Power of Judgment 2002, 5:205)

²⁶ (Kant, Critique of the Power of Judgment 2002, 5:236): “**Beauty** is the form of the **purposiveness** of an object, insofar as it is perceived in it **without representation of an end.**”

through concepts that this purpose is given. As Carroll neatly puts it, “where the imagination eludes conceptualization, in the same stroke, it functions outside a network of purposes.”²⁷ The judging subject should keep his mind at liberty to explore the aesthetic qualities of the object. His ability to do so may be impeded, for example, where the *concept* of the object has unattractive associations or purposes, and the subject dwells on these rather than on the mere aesthetic form of the object. For example, if attending simply to the *curvature* of a scimitar, I may be correctly inclined to judge it as beautiful. However, if I dwell too long on its associations with war and bloodlust, I may be discouraged from this correct assessment.

Kant’s central point (and the point at the heart of my paper) is expressed at the very beginning of the first book of the *Analytic of the Beautiful*: “The judgment of taste is aesthetic.”²⁸ Although it is permissible to cognize the beautiful object in accordance with its concept, concepts are neither necessary nor sufficient for such a judgment. We may make judgments such as ‘this *rose* is beautiful’, or simply ‘*this* (the unconceptualized aesthetic intuition) is beautiful’.²⁹ The incorporation of concepts, though not strictly incompatible with the judgment of beauty, brings with it the possibility of proofs, purposiveness and perfection – and it is against these that Kant warns.

2. Against the thesis: Imagination

The role of the imagination is the key to the central question of beauty and the presence of the object. One who opposes the thesis will claim ϕ is false: that is, ‘possibly, we correctly judge the object to be beautiful, and we are not in the presence of the object.’ In dreams and illusions, for example, it seems there may be no concrete empirical object corresponding to our judgments at all. This is what has ostensibly transpired in *The Devil’s Trill* and, I was intrigued to learn, in the Stones’ classic jam, (*I Can’t Get No*) *Satisfaction*.³⁰ In Tartini’s

²⁷ (Carroll 2003, 54)

²⁸ (Kant, Critique of the Power of Judgment 2002, 5:203)

²⁹ For example, Kant writes, “[i]n order to find something good, I must always know what sort of thing the object is supposed to be, i.e., I must have a concept of it. I do not need that in order to find beauty in something” (Kant, Critique of the Power of Judgment 2002, 5:207).

³⁰ Richards’ interview with NPR (Richards and Gross 2010): “...But the opening line of one of The Rolling Stones’ most famous hits — ‘(I Can’t Get No) Satisfaction’ — wasn’t a

dream, the Devil takes up the maestro's violin and plays a piece, *The Devil's Trill*, that Tartini cannot help but judge beautiful. Obviously, however, it was just a dream, and there was in fact no auditory event. The story, though fanciful, is instructive, and invites closer scrutiny of the faculty of imagination in the judgment of beauty.

2.1 Productive and reproductive imagination

Kant introduces an important distinction between the *productive* and the *reproductive* imagination. Kant writes that "Imagination (*facultas imaginandi*), as a faculty of intuition, without the presence of the object, is either *productive*, that is, a faculty of the original presentation of the object (*exhibitio originaria*), which thus precedes experience; or *reproductive*; a faculty of the derivative presentation of the object (*exhibitio derivativa*), which brings back to the mind an empirical intuition that it had previously."³¹ This distinction informs the following two scenarios, beginning with the latter.

The Reproductive Imagination. *Suppose you attend an exhibition of Van Gogh's work, and being correctly moved, you judge Wheatfield with Crows to be a truly beautiful piece. You leave the exhibition. Later that evening, you reflect on the activities of the day, and you think, 'Wheatfield is beautiful.'*

That evening, when you think 'Wheatfield is beautiful', you are obviously not in the presence of the empirical object. This provides *prima facie* support for the claim that being in the presence of the beautiful object is not a necessary condition for correct judgments of beauty. However, I believe this result can be resisted in two ways.

(1) One could reply that *this is not a case of judging*. That is, when you think 'Wheatfield is beautiful' that evening, you are not *judging* the painting to be

collaboration. The riff came to Richards during a dream. In an interview on *Fresh Air*, Richards recounts how he woke up just long enough to record the famous opening riff of "Satisfaction" on a cassette player he'd placed next to his bed. 'I go to bed as usual with my guitar, and I wake up the next morning, and I see that the tape is run to the very end,' Richards tells Terry Gross. 'And I think, 'Well, I didn't do anything. Maybe I hit a button when I was asleep.' So I put it back to the beginning and pushed play and there, in some sort of ghostly version, is [the opening lines to 'Satisfaction']. It was a whole verse of it. And after that, there's 40 minutes of me snoring. But there's the song in its embryo, and I actually dreamt the damned thing.'"

³¹ (Kant, *Anthropology from a Pragmatic Point of View* 2006, §28, 167). See also (Kant, *Critique of Pure Reason* 2000, B152)

beautiful; rather, just as you recall the image to memory, you are merely *recalling* that you correctly judged it to be beautiful earlier that day. There is no *new* judgment being made, only recollection of an earlier one, and this recollection obviously does not require you to be in the presence of the object. This reply denies that the antecedent condition of ϕ obtains, so ϕ is satisfied.

(2) In an attempt to satisfy ϕ , one could adopt a looser interpretation of the *timing* in which the subject is in the presence of the beautiful object. Perhaps it is sufficient for the judgment of beauty that the judging subject was *at some earlier time* in the presence of the object. This would revise ϕ to say, 'if you correctly judge the object to be beautiful, then you *have been* in the presence of the object.' On this revision, my thinking that night that *Wheatfield* is beautiful is still a case of judging, and the requirement that I be in the presence of the object to judge it as beautiful is satisfied after all. This argues that the judgment of beauty is sensitive to the causal history between the judging subject and the aesthetic object. Importantly, it preserves the requirement that an external concrete object *occasions* the judgment of beauty. I conclude that ϕ is not threatened by the reproductive imagination

The Productive Imagination. *Though few people know it, there is one Van Gogh masterpiece which will never appear in the museum halls. You see, Van Gogh (a genius in the Kantian sense) was an active artist right until the end, and in fact he was about to produce a work of exquisite beauty on the evening that he died. Still, Van Gogh had fully envisioned this missing masterpiece in hyper-realistic detail, right down to the last brushstroke. He judged this representation of the never-to-be-produced work to be beautiful (at this stage of his career, he didn't waste time producing anything which wasn't!), and he was quite right.*

My story, though obviously fanciful, is nevertheless perfectly plausible. It is a case involving the *productive imagination* – the faculty by which a new, imagined object is brought before one's mind. Certainly, the imagined missing masterpiece was fashioned out of the produce of empirical objects originally given in intuition: it had the same shuddering sky of *Starry Night*, the bleached lighting of a photographers flash, and naturally Van Gogh did dream up new colors *ex nihilo*. For our purposes, however, the point is that *there was no concrete empirical object which occasioned the judgment*. Indeed, it seems perfectly plausible that a genius may recognize the beauty of his *intentional* artwork prior to instantiating it *in concreto*. The genius is moved by the beauty of the *mere representation* in him. Indeed, it is this very beauty that he hopes to

express and communicate, to offer to the *sensus communis* for like appreciation. The productive imagination, it seems, does threaten ϕ .

However, we need not dwell on whimsical cases of unrealized masterpieces and diabolic apparitions to see that the productive imagination may occasion such judgments of beauty. In what follows, I suggest that such judgments are absolutely commonplace, and are required of us if we are to attend to *descriptive* art correctly.

2.2 Imagination and the judgment of beauty

I now present a strong reason for denying ϕ : aesthetic appreciation of certain artworks requires that we make the judgment of beauty of imagined objects. That is, *if ϕ were true, then we would fail to appreciate certain artworks qua artworks*. My claim depends on two very plausible premises and one plausible principle: (1) aesthetic judgment requires imaginings about the content of the artwork, and (2) some artworks prescribe the judgment of beauty of imagined objects. The principle is that (3) “the responses that a work prescribes to its audience are aesthetically relevant.”³²

1. Aesthetic judgment requires imaginings about the content of the artwork.

What role does imagination play in aesthetic judgment? I believe that the productive imagination is the faculty by which we extend that which is given in intuition, by considering that which the intuition *inspires in us*. As Carroll suggests, “[i]n a typical aesthetic experience, of which contemplating a metaphor may be one, the imagination probes the particular for its possible meanings, constructing alternatives, and is open to diverse and vagrant sensations.”³³ When we consider an artwork, we undertake a certain degree of imaginative extension of the story or narrative of the artwork.³⁴ We consider the content of the work, and, to the extent that the artwork licenses it, we let our imagination rove among the meanings and representations contained in the narrative of the artwork. I agree with Friend: artworks “prescribe imaginings about their content, and imagining what is prescribed is

³² (Gaut, *Art, Emotion and Ethics* 2007, 12)

³³ (Carroll 2003, 54)

³⁴ Sainsbury observes that “much of what happens in a reader’s response to a fiction constitutes an extension of that fiction, a way of making things to be so according to an extended version of the story.” (Sainsbury 2010, 15)

participating in the game of make-believe authorized by the work.”³⁵ This is especially clear in the case of poetry, since poetry inspires the productive imagination to call forth a multitude of representations, seeking for (and playing with) the best representation of the text. Kant affirms this wholeheartedly: “The **art of poetry** (which owes its origin almost entirely to genius, and will be guided least by precept or example) claims the highest rank of all. It expands the mind by setting the imagination free and presenting, within the limits of a given concept and among the unbounded manifold of forms possibly agreeing with it, the one that connects its presentation with a fullness of thought to which no linguistic expression is fully adequate.”³⁶

2. Some artworks prescribe the judgment of beauty of imagined objects. Our judgments of beauty in art are not always originally occasioned by empirical objects. There is this division: on the one hand, there are *depictive* media like (i) paintings, sculptures, theatre performances, and films; on the other hand, there are *descriptive* media like (ii) poetry, fiction, and theatrical scripts.³⁷ In depictive arts, the objects of beauty are typically empirical: I may judge that the leftmost sunflower in Van Gogh’s painting is beautiful, and this judgment would be occasioned by an empirical object, the paint daubs on that side of the canvas. Likewise, I may judge that Ian McKellen’s acting in *Waiting for Godot* is beautiful, and this will similarly be grounded in the empirical performance. However, consider judgments of the beautiful in *descriptive* art, say in the classic balcony scene of Shakespeare’s *Romeo and Juliet* (“What light through yonder window breaks?”).³⁸ Some parts of the artwork are empirical – the words on the page, for example. I may well say that Romeo’s soliloquy is beautiful, or that the script as a whole is beautiful, and here my judgment would be directed at the script.

But now, and there’s the rub, *is Juliet beautiful?* Of course she is! When I judge Juliet to be beautiful, I do not have to be in the audience at the Globe Theatre or watching Clare Danes on celluloid – *no concrete depiction of Juliet is required*. I simply attend to the text, and then my imagination, moved to

³⁵ (Friend 2008, 152)

³⁶ (Kant, Critique of the Power of Judgment 2002, 5:326)

³⁷ I am hesitant to place music firmly on either side this taxonomy just now, since there are legitimate puzzles about what exactly a piece of music consists in (notation on a page? an auditory event? a performance?).

³⁸ (Shakespeare 2004, Act 2, Scene 2)

explore the richness of the idiomatic language, unfolds new and exquisite visions which I hold tantalizingly before my mind, until, the understanding and the imagination – “enlivened through mutual agreement”³⁹ – combine into a representation of Juliet which is precisely as beautiful as the text would have me believe. And when I judge that Juliet is beautiful, I am not simply judging that ‘according to the text, Juliet is beautiful.’ Rather it is the *representation* of Juliet – an imagined object, the fruit of the productive imagination – which I judge to be beautiful. Plainly we have arrived at a significant counterexample to ϕ : it is the representation of Juliet that I correctly judge to be beautiful, and this representation corresponds to no existent empirical object, so it is false that I must be in the presence of the beautiful object correctly to make the judgment of beauty.

3. Aesthetics and merited responses. My conclusion above can be strengthened as promised. More than the claim that we *may* make the judgment of beauty in the absence of the beautiful object, I contend that we *must* make the judgment of beauty in such a case. This requires acceptance of the following principle: “the responses that a work prescribes to its audience are aesthetically relevant.”⁴⁰

My suggestion is that in order properly to attend to artworks, we must make a range of judgments. The idea of ‘attending properly’ may be couched in terms of aesthetic attitude (adopting a disinterested perspective, say), or simply in terms of attention to the aesthetic features of an object rather than to some other non-aesthetic features. For example, if someone thinks that the frame is part of the artwork given in Van Gogh’s *Wheatfield*, or thinks that the interval is part of the show, such a person *doesn’t get it*: he has failed to make the judgments required for correct aesthetic appreciation. Often, as is especially the case with fiction, film, or theatre, whether we understand the second part depends on whether we have properly attended to the first part. For example, in *Othello*, if I fail to judge that Iago is duplicitous and jealous by the end of the first act, then I will not grasp the import of any of the resulting scenes. In such a case, this judgment is crucial. Failure to make this judgment inhibits my ability to attend to the work *as an artwork*. Intuitively, there are many

³⁹ (Kant, *Critique of the Power of Judgment* 2002, 5:219)

⁴⁰ (Gaut, *Art, Emotion and Ethics* 2007, 12). Though this principle was originally employed by Berys Gaut to defend the ethical criticism of art, it perfectly well supports my claim here.

judgments, the making of which is required for proper aesthetic appreciation. Some are perfectly simple and may go unnoticed, like judging that Romeo is a human, and he will die if poisoned. Some judgments, while more complex, are no less critical to our aesthetic appreciation. In *Romeo and Juliet*, for example, we are invited to make several judgments. From the Queen Mab soliloquy, we must judge that Mercutio is ironic and lascivious. Since Romeo commences the day professing love for one woman, and by nightfall has professed love for another, we should judge that he is inclined to go where his emotions lead him. We should judge that Benvolio is deeply loyal, and that Tybalt is bent on belligerence.

My claim: if we fail to make these sorts of judgments, we will have missed some important part of the work *as an artwork, as the artwork it is*. I contend that the judgment of beauty is included among these. Earlier we agreed that we could judge Juliet to be beautiful. I advance, more strongly, we *should* judge Juliet to be beautiful. Why? Simply because failing to judge that Juliet is beautiful is failing to appreciate the artwork as the artwork that it is, a story about the beautiful maiden of Verona. Just as Van Gogh's *Wheatfield* may demand this judgment of us, no less does Juliet demand it. My claim is intended to do justice to the notion of the beautiful in Kant's terms: judgments of the beautiful "do not restrict themselves merely to the judging subject, but, like theoretical judgments, demand everyone's assent."⁴¹ That is, we speak incorrectly if we say 'one *could* judge Juliet to be beautiful' (as though this were a matter of inclination or preference, as in the judgment of the agreeable). So my judgment, in Kant's terms, is that Juliet is beautiful, that in so judging I do not count on the agreement of others with my judgment of satisfaction, but rather, I demand it from them. I rebuke them if they judge otherwise, and deny that they have taste, though I nevertheless require that they ought to have it.⁴²

Indeed, my judgment of Juliet seems to be a flawless *exemplar* of the judgment of beauty on Kant's terms (setting aside for a moment the puzzle about the presence of the object). In Kant's words, "in the aesthetic judgment of

⁴¹ (Kant, Critique of Pure Reason 2000, 248)

⁴² "Hence he says that the **thing** is beautiful, and does not count on the agreement of others with his judgment of satisfaction because he has frequently found them to be agreeable with his own, but rather **demand**s it from them. He rebukes them if they judge otherwise, and denies that they have taste, though he nevertheless requires that they ought to have it" (Kant, Critique of the Power of Judgment 2002, 5:212-3).

reflection, however, it is that sensation which the harmonious play of the two faculties of cognition in the power of judgment, imagination and understanding, produces in the subject insofar as in the given representation the faculty of the apprehension of the one and the faculty of presentation of the other are reciprocally expeditious.”⁴³ This is precisely what has transpired in my judgment of Juliet.

I contend that the judgment of beauty is a judgment of representations as such. In other words, representations are the essentially aesthetic locus of our judgment. When I say, ‘this object is beautiful,’ I mean that *the object which is represented in my aesthetic experience is beautiful*. This account is appropriately aesthetic: it holds that the ground of the judgment is aesthetic rather than conceptual, subjective rather than objective, and singular rather than general. However, the notion of *representation* is sufficiently broad that it is left open whether the representation corresponds to an empirical object or not. This is a virtue of my thesis, since some imagined objects, like Juliet, are beautiful, and it may be demanded that we judge them so, as is a commonplace of the descriptive arts.

3. Divining Kant’s View

So, I deny ϕ . Would Kant? Having articulated how Kant would understand the claim ϕ , would he *approve* of it? To begin with, I offer some reasons to think that unfortunately he does assume the truth of ϕ , and show that interpretations to the contrary can be successfully dismissed. As mentioned earlier, the interpretation that Kant holds ϕ is holistic: it is derived not from an explicit statement he makes to this effect, but is rather an abductive inference: if we impute the view that ϕ to Kant then his system is consistent with (i) his examples, and (ii) his notion of genius and the *sensus communis*. Following this discussion, I will conclude by suggesting that ϕ presents a puzzle for Kant’s distinction between the beautiful and the sublime and the corresponding need for a deduction.

Firstly, I draw from his examples. Kant’s examples – *all of them* – involve judgments of beauty where the judging subject is in the presence of the beautiful object. Methodologically speaking, it is proper to suppose that his examples are *exemplary*, that he chose them because they are instructive in

⁴³ (Kant, Critique of the Power of Judgment 2002, 20:224)

conveying his views about the judgment of beauty. It is not insignificant, then, that his examples are unwavering in supposing the presence of the empirical object in the judgment of beauty.

Examples include (the first and second of which are most striking):

“This object (the building we are looking at, the clothing someone is wearing, the poem that is presented for judging) is beautiful” [5:212]⁴⁴

“If someone reads me his poem or takes me to a play that in the end fails to please my taste...” [5:284]

“Whether a garment, a house, a flower is beautiful: no one allows himself to be talked into his judgment about that by means of any grounds or fundamental principles.” [5:216]

“the bewitchingly beautiful song of the nightingale, in a lonely stand of bushes, on a still summer evening, under the gentle light of the moon” [5:302]

“Many birds (the parrot, the hummingbird, the bird of paradise) and a host of marine crustaceans are beauties in themselves” [5:229]

“designs a` *la grecque*, foliage for borders or on wallpaper... are free beauties.” [5:229]

I recognize that since these are examples, it is possible that they are, strictly speaking, compatible with some other interpretation of Kant’s view. I allow then that this alone cannot be conclusive. My suggestion is simply that, given the uncanny multitude of examples of the judgment of beauty of empirical objects, we have grounds to *suspect* that Kant endorses φ .

Secondly, the Kantian notion of genius is most consistent with φ . Kant writes that: “Beautiful art is art of genius. **Genius** is the talent (natural gift) that gives the rule to art.”⁴⁵ Most important, genius is “an inborn *productive* faculty of the artist.”⁴⁶ Kant insists that the role of the genius is to *produce* beautiful work, to externalize it, to offer it for the pleasure and aesthetic edification of others. He writes that “[g]enius... hitting upon the **expression** for [ideas], through which the subjective disposition of the mind that is thereby produced, as an

⁴⁴ Note that the parenthetical qualification “(the building we are looking at, the clothing someone is wearing, the poem that is presented for judging)” occurs in the original – it is not my addition.

⁴⁵ (Kant, Critique of the Power of Judgment 2002, 5:307)

⁴⁶ (Kant, Critique of the Power of Judgment 2002, 5:307), emphasis mine.

accompaniment of a concept, can be communicated to others. The latter talent is really that which is called spirit, for to express what is unnameable in the mental state in the case of a certain representation and to make it universally communicable.”⁴⁷ Genius is an essentially communicative role. As Guyer observes, “a work of genius is a model of *originality* precisely because it can stimulate the free play of imagination and understanding in others: a work of artistic genius and beauty is... one that *stimulates* a free play of imagination and understanding in its audience.”⁴⁸ These notes on genius suggest that Kant takes beauty to be something to be encountered in the *world* (or occasioned by the world), rather than in our mental activities; it is to be communicated or shared, and offered for like appreciation by the *sensus communis*.⁴⁹ Thus he writes, “[b]eauty (whether it be beauty of nature or of art) can in general be called the **expression** of aesthetic ideas.”⁵⁰ Plainly, Kant’s articulation of genius is more commensurate with his acceptance of ϕ than its denial.

Some passages may seem *prima facie* to indicate otherwise. For example, Kant suggests that “if the question is whether something is beautiful, one does not want to know whether there is anything that is or that could be at stake, for us or for someone else, in the existence of the thing, but rather how we judge it in mere contemplation (intuition or reflection).”⁵¹ He pushes further: “[i]n order to play the judge in matters of taste, we must not be in the least biased in favor of the thing’s existence but must be wholly indifferent about it.”⁵² At first blush, one may be inclined to reason as follows: *if judging an object to be beautiful requires that I am indifferent about the existence of the object, then the judgment of beauty is compatible with the absence of the object*. I think this is a mistaken interpretation, however. Kant’s claims here are not so much about existence as they are about *disinterest*. As Longuenesse correctly notes, “[t]o say that aesthetic pleasure is disinterested is not to say that the object does not need to exist for the pleasure to be elicited. Rather, it is to say that the object’s existence

⁴⁷ (Kant, Critique of the Power of Judgment 2002, 5:317)

⁴⁸ (Guyer 2006, 320)

⁴⁹ Regarding the *sensus communis*, Kant writes, “[o]ne could even define taste as the faculty for judging that which makes our feeling in a given representation **universally communicable**” (Kant, Critique of the Power of Judgment 2002, 5:295).

⁵⁰ (Kant, Critique of the Power of Judgment 2002, 5:320)

⁵¹ (Kant, Critique of the Power of Judgment 2002, 5:204)

⁵² (Kant, Critique of the Power of Judgment 2002, 5:317)

is not what causes our pleasure; nor does our faculty of desire strive to cause the existence of the object.”⁵³ I concur that Kant’s suggestion in these passages is simply that the judgment of beauty must not be grounded in our interests.

Conclusion: A Puzzle for Kant

Owing to the considerations of the productive imagination and descriptive artworks, I maintain that the judgment of beauty is directed at representations as such. This alone allows us to judge Juliet beautiful – and this is surely a desirable outcome. I have suggested, however, that Kant’s view seems disinclined to this interpretation. This has the unfortunate consequence that it denies us the opportunity to make judgments which are merited (the object is in fact beautiful), and essential to our aesthetic appreciation of the artwork. I conclude by reflecting on the *aesthetic* ground of the judgment of beauty. In this vein, I offer one final argument against ϕ and in support of my thesis that the judgment of beauty is made of representations as such: the argument from illusion. This reveals the deepest source of Kant’s recalcitrance with respect to my view, namely, that it is at odds with his deduction of the judgment of the beautiful.

Consider the Cartesian demon, who implants in you the perfect illusion that you are at an art gallery looking at *Wheatfield*, when in fact you are sitting in your armchair at home. How do you judge? Descartes’ demon problem gains purchase by revealing that our judgments are identical insofar as their *sensibility* is concerned. That is, since the data of the senses is internally indistinguishable between reality and perfect illusion, the subject has no justification for his judgments of sensibility in the former which he lacks in the latter. This poses a problem concerning our knowledge of the external world, but it poses no threat to our subjective judgments. As Russell remarks, “by showing that subjective things are the most certain, Descartes performed a great service to philosophy.”⁵⁴

Now, as Kant insists and I concur, the judgment of beauty is essentially *aesthetic* – it judges according to the feeling of the subject. Indeed, I could not put my view better than to say that “[i]n order to decide whether or not something is beautiful, we... relate the representation by means of the

⁵³ (Longuenesse 2005, 268)

⁵⁴ (Russell 2010, 10)

imagination (perhaps combined with the understanding) to the subject and its feeling of pleasure or displeasure. The judgment of taste is... aesthetic, by which is understood one whose determining ground **cannot be other than subjective.**⁵⁵ I hold that “[o]ne only wants to know whether the mere representation of the object is accompanied with satisfaction in me, however indifferent I might be with regard to the existence of the object of this representation. It is readily seen that to say that it is **beautiful** and to prove that I have taste what matters is what I make of this representation in myself, not how I depend on the existence of the object.”⁵⁶

With this in mind, I offer my final argument against φ :

1. The judgment of beauty has an aesthetic ground. That is, if the aesthetic ground obtains, then the judgment of beauty may be demanded.
2. The aesthetic ground obtains identically in reality as in a perfect illusion (that is what it is to be a perfect illusion – to render an identical sensible experience).
3. So, the judgment of beauty may be demanded in a perfect illusion – that is, it may be demanded of imagined as well as empirical objects. (From 1 and 2)
4. If φ is true, then it is not the case that the judgment of beauty may be demanded of imagined objects (i.e., if φ is true then, premise 3 is false)
5. Therefore, if Kant believes φ , he must deny that the judgment of beauty has an aesthetic ground (i.e., he must deny premise 3 and thereby reject premise 1).

I have already adduced reasons to think that Kant believes φ . However, as is clear from his remarks throughout the Third Critique, Kant is adamant that the judgment of beauty has an aesthetic ground. But, as this argument shows, φ is incompatible with the judgment of beauty having an aesthetic ground, and so there is a dilemma. I think it is obvious which of these two paths we should choose – it is preposterous to deny that the judgment of beauty has an aesthetic ground, so we should deny φ . My thesis can accommodate the aesthetic ground of the judgment of beauty, since I believe the judgment of beauty is a judgment of representations as such. But I suggest that despite Kant’s claim that “what

⁵⁵ (Kant, Critique of the Power of Judgment 2002, 5:203)

⁵⁶ (Kant, Critique of the Power of Judgment 2002, 5:205)

matters is what I make of this representation in myself,” his deduction of the judgment of beauty imports something non-aesthetic, something about how we “depend on the existence of the object.” This, unfortunately, reveals him to support ϕ and thereby implicitly reject the aesthetic ground of the judgment.

We uncover the tension in Kant’s view about ϕ by considering his discrepant treatment of the beautiful and the sublime in the deduction. Wherever one postulates a new synthetic *a priori* principle, as Kant believes he has “discovered” for the judgment of taste, a deduction is required.⁵⁷ The deduction must demonstrate, as a legal argument would, our *entitlement* to apply concepts given *a priori* to objects.⁵⁸ Unfortunately, the Deduction in the Third Critique is woefully unclear in some important structural respects.⁵⁹ For example, the Deduction’s full title is “Deduction of Pure Aesthetic Judgments,” and on this score we should expect it to include a deduction of the sublime. However, Kant goes on to suggest that the judgment of the sublime does not require a separate deduction: “our exposition of the judgments on the sublime in nature was at the same time their deduction.”⁶⁰ Why does he think that the sublime does not require a further or separate deduction? Kant is seemingly clear: “It will serve as an answer to this that the sublime in nature is only improperly so called, and should properly be ascribed only to the manner of thinking, or rather to its foundation in human nature.”⁶¹ Simply put, Kant maintains that the sublime accrues properly to the judging *subject* rather than the judged object. Thus Kant suggests “we express ourselves on the whole

⁵⁷ “I am now at work on the critique of taste, and I have discovered a new sort of *a priori* principles” Letter 313, to Karl Leonhard Reinhold, 28–31 December 1787, 10:513–16, at pp. 514–15; appears in (Kant, Critique of the Power of Judgment 2002, xiv)

⁵⁸ Pure concepts “always require a deduction of their entitlement, since proofs from experience are not sufficient for the lawfulness of such a use, and yet one must know how these concepts can be related to objects that they do not derive from any experience.” (Kant, Critique of Pure Reason 2000, A85/B117)

⁵⁹ Cf. Ameriks: “[l]ocating Kant’s deduction of taste is no easy matter” (Ameriks 2003, 285); cf. Allison: “this seems to reflect a late change of mind on Kant’s part, since in the overview of the structure of the *Critique* given at the end of the First Introduction, he suggests that the discussion of the sublime will precisely parallel that of the beautiful, each consisting of two divisions, an analytic and a dialectic, and the former of two chapters, an exposition, and a deduction.”

⁶⁰ (Kant, Critique of the Power of Judgment 2002, 5:280)

⁶¹ (Kant, Critique of the Power of Judgment 2002, 5:280)

incorrectly if we call some **object of nature** sublime, although we can quite correctly call very many of them beautiful... We can say no more than that the object serves for the presentation of a sublimity that can be found in the mind.”⁶²

Regarding beauty, however, Kant writes “[t]he claim of an aesthetic judgment to universal validity for every subject, as a judgment that must be based on some principle *a priori*, needs a deduction (i.e., a legitimation of its presumption), which must be added to its exposition, if, that is, it concerns a satisfaction or dissatisfaction in the **form of the object**. The judgments of taste concerning the beautiful in nature are of this sort.”⁶³ The judgment of beauty must have a deduction, according to Kant, because it makes a claim to *universal subjective validity*: we are entitled to speak with a ‘universal voice’ when making the judgment of taste, demanding the assent of all others, because human cognitive capacities are all alike (and so the free play of the imagination and understanding can be expected to occur in the same way in everyone).⁶⁴ In this way, “the judgment makes a claim to necessity.”⁶⁵

The confusion deepens, however, since the judgment of the sublime makes a claim to universal subjective validity too. Indeed, Kant allows that the judgment of the sublime is perfectly alike the judgment of beauty insofar as

both please for themselves. And further in that both presuppose neither a judgment of sense nor a logically determining judgment, but a judgment of reflection: consequently the satisfaction does not depend on a sensation, like

⁶² (Kant, Critique of the Power of Judgment 2002, 5:245)

⁶³ (Kant, Critique of the Power of Judgment 2002, 5:279)

⁶⁴ Kant assumes that “[i]n all human beings, the subjective conditions of this faculty [of judgment], as far as the relation of the cognitive powers therein set into action to a cognition in general is concerned, are the same, which must be true, since otherwise human beings could not communicate their representations and even cognition itself”. He writes further that “the power of judgment... can be directed only to the subjective conditions of the use of the power of judgment in general... and thus to that subjective element that one can presuppose in all human beings (as requisite for possible cognitions in general, the correspondence of a representation with these conditions of the power of judgment must be able to be assumed to be valid for everyone *a priori*. I.e., the pleasure or subjective purposiveness of the representation for the relation of the cognitive faculties in the judging of a sensible object in general can rightly be expected of everyone.” (Kant, Critique of the Power of Judgment 2002, 5:290)

⁶⁵ (Kant, Critique of the Power of Judgment 2002, 5:280)

that in the agreeable, nor on a determinate concept, like the satisfaction in the good; ... hence the satisfaction is connected to the mere presentation or to the faculty for that, through which the faculty of presentation or the imagination is considered, in the case of a given intuition, to be in accord with the **faculty of concepts** of the understanding or of reason, as promoting the latter. Hence both sorts of judgments are also **singular**, and yet judgments that profess to be universally valid in regard to every subject, although they lay claim merely to the feeling of pleasure and not to any cognition of the object.⁶⁶

So then, in what does the difference between the beautiful and the sublime consist, such that the former requires a deduction while the latter does not? As I have suggested above, the answer cannot be that beauty makes a claim to necessity which the sublime doesn't, as we may have suspected given Kant's earlier remarks. Rather, the only available distinction is given by the *object at which the judgment is directed*: "[f]or the beautiful in nature we must seek a ground outside ourselves, but for the sublime merely one in ourselves and in the way of thinking that introduces sublimity into the representation of the former." It seems undeniable here that Kant distinguishes the beautiful and the sublime according to ϕ : the judgment of beauty *goes beyond representations* in that it aims truly to predicate something of empirical objects, while the sublime is a claim about representations as such, and so may be made of imagined objects.

But obviously Kant cannot have it both ways: He cannot insist both that the judgment of beauty has an aesthetic ground and a ground outside ourselves. The value of my discussion concerning ϕ is that it reveals precisely where these two paths diverge – at the point where the object is at once beautiful and wholly imagined. What is the remedy? Kant should make the revision I defend here – the judgment of beauty is made of representations as such. This view accommodates judgments of beauty in fiction and the descriptive arts, and most importantly, it recognizes that the judgment of beauty is essentially aesthetic. If Kant accepted my revision, however, there would be a systematic cost to him. He would have to forfeit the distinction between the beautiful and the sublime, as far as their cognitive structure is concerned: each would be an aesthetic judgment made of representations as such, which is yet made with necessity, demanding the assent of others, and thus synthetic *a priori*. His

⁶⁶ (Kant, Critique of the Power of Judgment 2002, 5:244)

treatment of the deduction of the sublime is so rushed that it is difficult to tell how he would respond to this. However, this much is clear: my proposal adds to the mounting set of reasons to reconsider both the objectivity of the judgment of beauty, and the value of the sublime.

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