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The Analogical ‘Ought’ of Taste

In the *Critique of the Power of Judgment*,¹ Immanuel Kant argues that when we form a judgment of taste, the representation goes together with a demand that we require others to share.² Some commentators note that the aesthetic feeling in a judgment of taste and its expectant universality seems to display a normative necessity in the explicit judgment itself,³ and that the expression of this normative component is sometimes stated as a claim to which everyone ought to conform.⁴ In this paper, I argue that the normative component of taste and its concomitant demand should not be interpreted too strongly as an actual expectation, but rather as only a conceivable possibility. Toward this end, I examine several passages for the declaration of taste to call into view certain caveats which suggest that Kant’s description of an intersubjective demand arising concomitantly with a judgment of taste functions only as an “analogical ought,” i. e., that the demand of taste is expressed *as if* the satisfaction I feel in a judgment of taste can *possibly* demand universal assent.

1

The third *Critique* is an extraordinary attempt by Kant to produce a unified aesthetic theory that argues for a peculiar feeling which arises from the subject’s special capacity to make judgments of taste, and finds necessary entailments in the disinterested pleasure that others are required to share. In contradistinction to a judgment in cognition, which employs determinate or fixed concepts, judgments of taste are reflective acts which do not aim to schematize or subsume objects under corresponding concepts. In the *First Introduction*, Kant describes the act of reflection as comparing and holding together “given representations

1 Kant, Immanuel: *Critique of the Power of Judgment*, ed. Paul Guyer, trans. Paul Guyer and Eric Matthews (Cambridge, 2000).

2 See, Kant: KU, AA 05: 214.

3 See, Guyer, Paul: *Kant and the Claims of Taste* (Cambridge, 1997) and Longuenesse, Béatrice: *Kant’s Theory of Judgment, and Judgments of Taste: On Henry Allison’s Kant’s Theory of Taste*. In: *Inquiry* 46 (2003), 143–163; 161.

4 See, Ginsborg, Hannah: *Lawfulness without a Law: Kant on the Free Play of Imagination and Understanding*. In: *Philosophical Topics* 25/1 (1997), 37–81; 46–47, 70.

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either with others or with one's faculty of cognition, in relation to a concept thereby made possible",⁵ and in the Second Moment of universality, he writes that such reflection is unfettered in the free play "since no determinate concept restricts them to a particular rule of cognition".⁶ Because no concept is determined in reflection (but only made *possible*), a beautiful object is one for which this "taste in reflection" produces sustained pleasure in a *self-determining*, subjective activity that transcends any conceptual determination. Subsequently, the upshot of the free play produces a feeling of pleasure that is not attributable to the anticipated satisfaction of cognitive or practical interests, but rather to a uniquely disinterested pleasure in the harmonious, "reciprocally animating" power of the cognitive faculties, which is *conceivably* shared by all judging subjects.

2

Although Kant is careful to articulate the grounds for how a judgment of taste is formed and constituted, he also devotes considerable attention to how such judgments can fail to obtain.

In the First Moment of taste, Kant argues that in order to make a judgment of taste one must abstract from any interest one may have in the object, and reflect solely on the form of beauty, which produces a disinterested and free satisfaction. Kant distinguishes beauty from the *agreeable* and the *good* by arguing that taste is neither based on any of the body's sensory modalities nor is it determined from concepts of cognition. If a judgment of taste were conditioned either by the senses or by concepts, our judgment would not be free or pure. Instead, Kant argues that a judgment of taste needs to be free of external interests, desires, and influences, and must be based on a power of judgment which is not only subjective, but also inter-subjectively available to all. Given the arbitrariness and contingency of desires and inclinations, if aesthetic pleasure in beauty were derived solely from desires or inclinations, claims to taste would be impossibly varied and conflicting, leaving us in a *de gustibus non est disputandum* state of aesthetic affairs which would silence any claim to universality.

The self-determining aspect of disinterestedness is important for Kant in order to establish a freedom from external influences which would undermine

⁵ Kant: EEKU, AA 20: 211.

⁶ Kant: KU, AA 05: 217.

the possibility of any human subject ever forming a pure judgment of taste. Although Kant does not explicitly attach an intersubjective demand to his explication of how a judgment of beauty has to be disinterested and free from determination from without, we nevertheless can discern a requirement that the quality of disinterestedness applies not only to a single judging subject, but also to all judging subjects. The moment of disinterestedness thus possesses both a *narrow* and a *wide* scope of aesthetic application: it is *narrow* insofar as it pertains to an individual subject in correctly forming a judgment of taste; it is *wide* insofar as it also pertains to all other subjects and across every single judgment of taste. Subsequently, we can also perceive a double caveat attached to the moment of disinterestedness. First, unless a judgment of taste is free from interest, inclinations, and desires, it cannot be considered to express the reflective predicate of beauty because it most likely is expressing either a feeling of sensual pleasure or trading in the subsumption of objects under concepts. Second, a failure at the level of disinterestedness precludes any hope for the possibility of linking the satisfaction I feel before a “beautiful” object with any claim of universality, leaving us again in an arbitrary, contingent, and radically relative state of aesthetic affairs in which there is no disputing taste.

In *Kant's Theory of Judgment, and Judgments of Taste*, Béatrice Longuenesse questions certain aspects of Henry Allison's support of Kant's claim that because the feeling of satisfaction which grounds the judgment of taste is disinterested, it also requires the universal agreement of others. Instead, she agrees with Paul Guyer, who argues that a judgment of taste might very well be disinterested but nevertheless possesses no legitimate claim to universalizability.⁷ Longuenesse appeals to Guyer because she argues similarly that “the fact that the pleasure is elicited *by the mental activity itself* and is, in this sense, disinterested, is not a sufficient ground for asserting that it is universalizable.”⁸ In response to this view, I have two concerns over the notion that one can disavow disinterested pleasure in playing a key role in the universality of one's satisfaction before a beautiful object. My first concern is that the “mental activity” which elicits pleasure in a judging subject is the constitutive reflective act of the free play of the imagination and understanding, which does not aim to subsume an object under a determinate concept in the employment of some kind of rule. Disinterestedness and universality are therefore inextricably linked because the “mental activity itself,” i.e., the free play's capacity to schematize without a concept,

⁷ Longuenesse: *Kant's Theory of Judgment, and Judgments of Taste*, 152. See also, Guyer: *Kant and the Claims of Taste*, 177.

⁸ Longuenesse: *Kant's Theory of Judgment, and Judgments of Taste*, 152.

would be hindered if it operated under interested and fixed conditions, which would subsequently work to render the free play itself an impossible human cognitive capacity.

My second concern has to do with the universal “shareability” of the cognitive powers under the free play. Kant argues that the human capacity for the free play is conceivably shared by all judging subjects who can then expect to justify speaking in a universal voice. However, as we have seen with the caveats that have to be avoided at the level of disinterestedness, the arbitrary, contingent, and radically relative influences of interests, inclinations, and desires would also effectively cancel out any such shared human membership in judging beauty, as well as stifling any possibility of speaking in a universal voice. Longuenesse states that disinterestedness is not a sufficient ground for universalizability, but it seems that it is indispensable not only for the free play’s power to elicit feeling and judgment (for otherwise the ‘free play,’ i.e. the “mental activity” of which she speaks, would not be free), but also for its capacity to be universally shared by all judging subjects. Kant further develops the indispensable relation between disinterestedness and universality in the Second Moment of the *Analytic of the Beautiful*, which, as bold as it is in postulating a general demand attached to a judgment of taste, also betrays a measured and modest aspect of his theory that I want to make explicit.

3

Although Kant argues that a judgment of taste always goes together with a certain claim to universality, he does not explicitly develop this accompanied aesthetic demand until the opening sections in the Second Moment of taste. If someone claims “*this x is beautiful*” free from interest or inclination, the claim equally *presupposes* that everyone else should agree.⁹ Kant relates that if a judgment of taste is disinterested, the satisfaction and demand of universality can be “pre-supposed” or tacitly assumed as also the case in everyone else. However, we should note that this presupposition merely states the *possibility* for a universal demand attached to the subject’s satisfaction in judgments of taste, and not a confident or assured demand.

This is not to overlook certain passages where Kant seems to accord a stronger claim of aesthetic assent. For instance, in describing the transcendence of

⁹ Cf. Kant: KU, AA 05: 211.

beauty from merely subjective satisfaction to a greater universal (*allgemeine*) demand, Kant states:

For he must not call it *beautiful* if it pleases merely him. Many things may have charm and agreeableness for him, no one will be bothered about that; but if he pronounces that something is beautiful, then he expects the very same satisfaction of others: he judges not merely for himself, but for everyone, and speaks of beauty as if it were a property of things. 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 demands 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; and to this extent one cannot say, "Everyone has his special taste." This would be as much as to say that there is no taste at all, i. e., no aesthetic judgment that could make a rightful claim to the assent of everyone.¹⁰

The passage above seems especially strict in its demand for universal demand, but note Kant's use of the analogical clause, viz. "he judges not merely for himself, but for everyone, and speaks of beauty *as if it were* a property of things" (my emphasis). Here Kant reminds us that the demand for universal assent is analogous to an empirical judgment, but it is only analogous because empirical judgments employ determinate concepts, while aesthetic judgments of taste do not. Despite the fact that such judgements involve personal taste, they nevertheless function *as if* they were statements of fact. Kant's use of analogy reminds us that taste is neither under the domain of nature nor is it subject to reason. In other words, a judgment of taste functions *as if* the quality of beauty were a real, objective property of the object judged. The normativity of demand, I argue, is also analogous, and is therefore only at the level of a conceived possibility rather than actuality. Subsequently, while the demand of universality indeed looks severe in the passage above, its stridency is mitigated by the reflective, *a priori* nature of reflective judgment.

My reading of the conceivable possibility of universality in beauty's demand for universal assent is corroborated by Kant when he considers the unique nature of the taste of reflection, which "makes supposedly generally valid (public) judgments"¹¹. Recall that in the *First Introduction*, Kant described the act of reflection as comparing and holding together "given representations either with others or with one's faculty of cognition, in relation to a concept thereby

¹⁰ Kant: KU, AA 05: 212f.

¹¹ Kant: KU, AA 05: 214.

made possible”.¹² Kant argues that acts of reflection are engaged in ascertaining the possibility of finding or discovering concepts.

A taste of reflection, Kant states, “can nevertheless find it possible (as it also actually does) to represent judgments that could demand such assent universally”¹³. It is important to read this sentence in a way that does justice to the modal terms ‘possible,’ ‘actual,’ and ‘could.’ Kant is stating that it is *possible* for a taste in reflection to *actually* represent a certain type of judgment, namely, one that *could* demand universal assent. For to say that something ‘y could x’ is merely to ascribe a *possibility* to y that it can x (and not that it ‘will’ or ‘does’). Subsequently, although it seems reasonable to hold that under the right conditions a feeling of satisfaction can demand universal assent, Kant tempers the expectation because of uncertainty over whether certain caveats to taste (e. g., interest, desire, conceptual smuggling, *et cetera*) have been avoided (hence relegating the demand to a “could”):

Whether someone who believes himself to be making a judgment of taste is in fact judging in accordance with this idea can be uncertain; but that he relates it to that idea, thus that it is supposed to be a judgment of taste, he announces through the expression of beauty. Of that he can be certain for himself through the mere consciousness of separation of everything that belongs to the agreeable and the good from the satisfaction that remains to him; and this is all for which he promises himself the assent of everyone: a claim which he would also be justified in making under these conditions, if only he were not often to offend against them and thereby make an erroneous judgment of taste.¹⁴

This passage is striking for how Kant concedes (i) that we can never be quite sure we have sufficiently abstracted from interest and desire and (ii) that the attunement of our cognitive powers are actually schematizing without a concept to properly cast a judgment of taste. Consequently, if this uncertainty lingers in the consciousness of whether our feeling of satisfaction is pure, the same uncertainty also covers beauty’s demand for universal assent. Subsequently, while we can posit the possibility for taste and its concomitant demand, we can never posit its actual expectation either for ourselves or anyone else.

Although this might seem like a shortcoming to our human faculties of cognition, this modesty or humility before taste is not a failure by any means, but rather a vindication of the judging subject who nevertheless possess the capacity to engender taste and its concomitant demand as a *possibility* (regardless to whether they actually obtain).

¹² Kant: EEKU, AA 20: 211.

¹³ Kant: KU, AA 05: 214.

¹⁴ Kant: KU, AA 05: 216.

4

We find more evidence for this Kantian humility before taste in the Fourth Moment of exemplary necessity, i. e., the modality of taste: “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 In other words, if I state my feeling that ‘Vermeer’s *Young Woman with a Water Pitcher* is beautiful,’ I also make a claim to universality by asserting that other subjects *ought* or *should* find this composition beautiful. Subsequently, my judgment presupposes a principle through which the subject possesses a sense for what “ought” also to be pleasurable for other subjects with similar attunements of the cognitive powers, though I can never quite state a rule its following.¹⁶

However, Kant writes that this “ought” is only “uttered conditionally.” That is, on the presupposition that we share in common a disinterested reflection in the cognitive faculties.¹⁷ Subsequently, Kant considers that because exemplary necessity obtains the assent of everyone to a judgment of taste, we must presuppose a common sense.¹⁸ The common sense, however, while certainly normative, does not itself guarantee that the ‘ought’ of beauty’s demand will obtain. Keeping with his claim in § 8 that it is *possible* for a taste in reflection to *actually* represent a certain type of judgment that *could* demand universal assent, Kant argues that a judgment of taste does not rest on the presupposition that everyone *will* necessarily assent to the satisfaction one takes in a certain object.¹⁹ The ‘ought of taste only stipulates the possibility of reaching mutual concurrence. Subsequently, the Fourth Moment of exemplary necessity is similarly tempered by the same uncertainty that were expressed by the caveats in the First and Second moments, which continues to suggest that, all things being equal, the status of the “ought” or demand of beauty is only at the level of possibility. It would be at the level of actual expectation “if only,” Kant writes, one were certain of avoiding the caveats of taste, but one can never be quite certain.

Kant concludes the Fourth and final moment of the *Analytic of the Beautiful* by commenting on the normativity of exemplarity, and considers whether taste might “only [be an idea of a faculty] yet to be acquired [...] so that a judgment of taste, with its expectation of a universal assent, is in fact only a demand of

¹⁵ Kant: KU, AA 05: 237.

¹⁶ Cf. Kant: KU, AA 05: 238.

¹⁷ Cf. Kant: KU, AA 05: 237.

¹⁸ Cf. Kant: KU, AA 05: 238.

¹⁹ Cf. Kant: KU, AA 05: 239.

reason to produce such unanimity in the manner of sensing”.²⁰ It is worthwhile to note that even this proleptic passage, which anticipates a relationship between taste and morality, still only considers this analogical connection in the same manner that Kant has been considering throughout the *Analytic of the Beautiful*; namely, that the satisfaction one has in judging beauty and its concomitant demand is understood as a possible, but nonetheless remarkable, hypothesis.

²⁰ Kant: KU, AA 05: 240.