

KANT'S THEORY OF TASTE

A Reading of the *Critique of Aesthetic Judgment*

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CAMBRIDGE
UNIVERSITY PRESS

PUBLISHED BY THE PRESS SYNDICATE OF THE UNIVERSITY OF CAMBRIDGE
The Pitt Building, Trumpington Street, Cambridge, United Kingdom

CAMBRIDGE UNIVERSITY PRESS
The Edinburgh Building, Cambridge CB2 2RU, UK
40 West 20th Street, New York, NY 10011-4211, USA
10 Stamford Road, Oakleigh, VIC 3166, Australia
Ruiz de Alarcón 13, 28014 Madrid, Spain
Dock House, The Waterfront, Cape Town 8001, South Africa
<http://www.cambridge.org>

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First published 2001

Printed in the United States of America

Typeface New Baskerville 10/12 pt. *System* QuarkXPress™ 4.04 [AG]

A catalog record for this book is available from the British Library.

Library of Congress Cataloging in Publication data

Allison, Henry E.

Kant's theory of taste: a reading of the Critique of aesthetic judgment / Henry E. Allison.
p. cm – (Modern European Philosophy)

Includes bibliographical references and index.

ISBN 0-521-79154-5 – ISBN 0-521-79534-6 (pbk.)

1. Kant, Immanuel, 1724–1804. Kritik der ästhetischen Urteilskraft. 2.

Aesthetics – Early works to 1800. 3. Judgment (Aesthetics) – Early works to 1800. I.

Title. II. Series.

B2784 .A45 2000
111'.85–dc21

00-03426

ISBN 0 521 79154 5 hardback
ISBN 0 521 79534 6 paperback

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REFLECTIVE JUDGMENT AND THE PURPOSIVENESS OF NATURE

As the title indicates, the *Critique of Judgment* is concerned with the faculty of judgment [*Urteilstkraft*]. Following a long tradition, Kant assumes that judgment, together with understanding and reason, constitute the three “higher” cognitive faculties (sensibility being the “lower” faculty), and the question he poses at the beginning of both Introductions is whether a separate critique of this faculty is necessary or, indeed, possible. To anticipate a topic to be explored at length later in this study, the necessity for such a critique stems from the mediating function that judgment supposedly plays between the faculties of understanding and reason, which were the main concerns of the first and second *Critiques* respectively.

What is of immediate interest, however, is not so much the systematic function that judgment is supposed to play in the overall critical enterprise, but rather the condition under which it is alone capable of a critique in the first place. As already indicated in the Introduction, this condition is that it must be the source of some claims that rest on an *a priori* principle unique to judgment as a faculty (otherwise there would be nothing stemming specifically from judgment requiring a transcendental critique).

In the *Critique of Aesthetic Judgment* (the first part of the *Critique of Judgment*), Kant argues that judgments of beauty fit this description, since they lay claim to a certain kind of universality and necessity. But the initial problem with which Kant deals in the Introductions is the direct outgrowth of the first two *Critiques*, namely that judgment, in contrast to both the understanding, which is normative with respect to nature, and reason (here understood as practical reason), which is normative with respect to freedom),¹ does not appear to have its own sphere of normativity. And this, expressed in terms of the political metaphor that Kant uses in the Second Introduction, is because, unlike them, judgment has no “domain” [*Gebiet*] (KU 5: 174–5; 12–13).

Accordingly, Kant’s primary concern in both Introductions is to show that, in spite of this lack of a domain, judgment does have its unique *a*

priori principle (the purposiveness of nature), albeit one that is operative only in its reflective rather than its determinative capacity. This account is the subject matter of the present chapter, which is divided into four parts. The first provides a sketch of Kant's conception of judgment, beginning with the formulation in the first *Critique*, and of the distinction (and relationship) between its determinative and reflective functions that Kant only makes explicit in the third. The second analyzes in some detail the reflective function of judgment with respect to the formation of empirical concepts and, more generally, the logical use of the understanding. To this end, I make significant use of some of the analyses provided by Béatrice Longuenesse in her recent book.² The third section is devoted to an examination of Kant's claim in both Introductions that the principle of judgment has a transcendental status and of the considerations that lead him to assert the need for a new transcendental deduction of this principle. The fourth section then analyzes the actual deduction as it is contained in Section V of the Second Introduction. By connecting this deduction with what Kant terms the "heautonomy" of judgment, this analysis sets the stage for the discussions that Kant provides in the two Introductions of the relationship between reflective judgment and taste, which is the subject of the second and final chapter in the first part of this study.

I

If one approaches the question of whether the faculty of judgment has a distinct *a priori* principle from the standpoint of the first *Critique*, the situation does not look promising. For judgment is there defined in contrast to the understanding (the faculty of rules) as "the faculty of subsuming under rules; that is, of distinguishing whether something does or does not stand under a given rule (*casus datae legis*)" (A132/B171), and Kant emphasizes that general logic can provide no rules for judgment so conceived. This is because the stipulation of rules for the application of rules obviously leads to an infinite regress. Thus, at some level the very possibility of cognition (and practical deliberation as well) requires that one simply be able to see whether or not a datum or state of affairs instantiates a certain rule. The capacity for such nonmediated "seeing," or, as we shall later see, "feeling," apart from which rules could not be applied, is precisely what Kant understands by judgment, which he famously describes as a "peculiar talent which can be practiced only, and cannot be taught" (A133/B172).

To be sure, Kant limits this independence of governing rules to judgment as considered from the point of view of general logic. Indeed, his main concern in introducing the topic is to underscore the point that things look very different from the standpoint of transcendental logic.

For, as Kant puts it, “Transcendental philosophy has the peculiarity that besides the rule (or rather the universal condition of rules) given in the pure concept of understanding, it can also specify *a priori* the instance to which the rule is to be applied” (A136/B175).

These *a priori* specifiable instances are the schemata of the various pure concepts, which provide the conditions under which these concepts are applicable to the data of sensible experience. And Kant proceeds to delineate them in the Schematism chapter, which constitutes the first part of the “Transcendental Doctrine of Judgment” (A137/B170). From the point of view of the third *Critique*, however, the crucial point is that the rules for which judgment specifies the application conditions stem not from itself but from the understanding, and that no additional rules are introduced on the basis of which such specification is possible. Accordingly, it might seem that whether judgment be considered from the standpoint of general or of transcendental logic, there is no basis for assigning any distinctive rules or principles to this faculty and therefore no grounds for a separate critique.

Nevertheless, in both Introductions to the third *Critique* Kant attempts to carve out space for a distinct *a priori* principle of judgment by distinguishing between the reflective and determinative functions of this faculty. In the First Introduction he states:

Judgment can be regarded either as mere[ly] an ability to *reflect*, in terms of a certain principle, on a given representation so as to [make] a concept possible, or as an ability to *determine* an underlying concept by means of a given empirical representation. In the first case it is the *reflective*, in the second the *determinative faculty of judgment*. (FI 20: 211, 399–400)³

In the Second Introduction he writes:

Judgment in general is the ability to think the particular as contained under the universal. If the universal (the rule, principle, law) is given, then judgment, which subsumes the particular under it, is *determinative* (even though [in its role] as transcendental judgment it states *a priori* the conditions that must be met for subsumption under that universal to be possible). But if only the particular is given and judgment has to find the universal for it, then this faculty is merely *reflective*. (KU 5: 179; 18–19).⁴

As presented here, reflection and determination are seen as contrasting operations of judgment (the movement from particular to universal, and from universal to particular), and it is quite clear that Kant draws no such contrast in the first *Critique*. Indeed, since his concern in the Transcendental Analytic is with the determination and justification of the *a priori* principles of possible experience, his focus is largely on the movement from the top down, that is, on the determinative operation of judgment. Admittedly, in the Appendix to the Transcendental Dialectic Kant

does deal with the problem of moving from particulars to universals, and in the process appeals to the line of argument that he later develops in the Introductions to the third *Critique*; but this is all presented in terms of an account of the proper regulative use of the ideas of reason, which makes no reference to judgment and a distinct reflective function (A641/B670–A668/B696).⁵

Notwithstanding the lack of an explicit formulation of this distinction in the first *Critique*, however, it remains an open question whether the contrast that Kant draws in the Introductions to the third *Critique* really marks a major change in his conception of judgment. Recently, Béatrice Longuenesse has argued forcefully for the view that it does not. On her reading, what is unique to the third *Critique* is not the affirmation of a distinct reflective activity of judgment, but rather the idea that there are judgments (aesthetic and teleological) that are *merely* reflective. In other words, for Longuenesse, reflection and determination are complementary aspects of judgment from the very beginning of the “critical” period (if not before).⁶ Moreover, she finds important confirmation of this view, which is primarily based on a close analysis of the functions of discursive thinking and the “concepts of comparison” to which Kant appeals in the Amphiboly chapter, in a passage from the First Introduction. The following is the passage with her translation and emphases:

With respect to the universal concepts of nature, under which in general a concept of experience (without any particular empirical determination) is possible, reflection has in the concept of nature in general, i.e. in understanding, already its direction [*ihre Anweisung*] and the *power of judgment does not need a particular principle for its reflection, but schematizes it a priori* [*die Urteilskraft bedarf keines besonderen Prinzips der Reflection, sondern schematisiert dieselbe a priori*] and applies these schemata to each empirical synthesis, without which no judgment of experience would be possible. This power of judgment is here *in its reflection at the same time determinative*, and the transcendental schematism of the latter is at the same time a rule under which empirical intuitions are subsumed. (FI 20: 212; 401)⁷

Actually, though it is deeply suggestive, this text to which Longuenesse attaches such significance is less informative on the main point at issue than her account suggests. Kant is here obviously referring back to the schematism of the pure concepts and the passage makes three closely related points. The first is that, like all concepts, the categories as distinct concepts are themselves the product of a reflective activity. This is a centerpiece of Longuenesse's interpretation, since she insists that the categories operate at two levels: pre-reflectively as the logical functions of judgment guiding the sensible syntheses of the imagination, and post-reflectively as concepts under which objects are subsumed in objectively valid judgments of experience.⁸

Although a detailed consideration of the issue would take us well beyond the scope of this study, it must be noted that she is undoubtedly correct on this important point. As she appropriately reminds us, Kant makes clear in his response to Eberhard that, in spite of their *a priori* status, neither the categories nor the forms of sensibility are innate. They are rather “original acquisitions,” and in the case of the categories, Longuenesse suggests that this acquisition results from a reflection on the product of the synthetic activity of the imagination under the direction of the logical functions of judgment (which are alone original).⁹

The second major point that Kant makes in the passage is closely related to this, namely that the reflection involved in the formation of the categories as clear concepts does not require a distinct principle, but is based on their very schematization. In other words, in providing *a priori* the instance corresponding to the rule thought in the pure concept, that is, the transcendental schema, judgment provides all that is necessary to arrive at a clear concept of this rule, that is, the categories as full-fledged, reflected concepts under which objects may be subsumed in judgments.

The third point, which is really just a clarification of the second, is that here judgment is both reflective and determinative (“in its reflection at the same time determinative”). With respect to Longuenesse’s central thesis about judgment involving both reflection and determination, this is presumably the most important. Nevertheless, the text under consideration is less than decisive because it is explicitly limited to the *transcendental* function of judgment with respect to the schematization of the categories. Consequently, unless one assumes that what holds at the transcendental level *ipso facto* holds at the empirical as well, the question of whether ordinary empirical judgment (the subsumption of empirical intuition under a concept) necessarily involves both determination and reflection is really unaddressed.

Moreover, at first glance at least, the text of the Second Introduction appears far less supportive of Longuenesse’s general thesis than the First. For rather than bringing reflection and determination together, at least in the case of the categories and their schematization, Kant now seems to separate sharply these activities. Thus, in connection with the schematization of pure concepts, he remarks that “Determinative judgment, under universal transcendental laws given by the understanding, is only subsumptive” (KU 5: 179; 19). And from this he concludes in accordance with the claim of the first *Critique* that such judgment requires no distinct principle. By contrast, reflective judgment, here understood in its empirical function, does require a distinct principle in order to proceed from the particular in nature to the universal (KU 5: 180; 19). Accordingly, the picture suggested by this text is of determinative and reflective judgment as two distinct faculties, united only by a common concern of connecting universals to particulars, which they attempt to do in two di-

ametrically opposed ways: the former by subsuming particulars under given concepts (mainly pure concepts of the understanding or categories), which is made possible by providing schemata for these concepts, and the latter by ascending from empirical intuition to empirical concepts and principles, which requires the presupposition of the principle of the (logical) purposiveness of nature.

Given Kant's intent to introduce a distinct transcendental principle for judgment in its reflective capacity, this way of characterizing the distinct activities of judgment is perfectly understandable. Indeed, from this point of view the fact that reflection is required for the acquisition of the categories as full-fledged concepts is beside the point, since, as Kant points out in the First Introduction, this reflection does not require a distinct principle of judgment. And this is probably why Kant omitted any reference to this point in the more compact published Introduction.

Nevertheless, the picture that Kant provides there is somewhat misleading for the very reasons that Longuenesse suggests. For there Kant gives no indication of the fact that, in his view, *all* theoretical judgments, including ordinary empirical ones, contain what may be termed a "moment" of reflection as well as determination. Moreover, the recognition of this fact is crucial for the proper understanding of both Kant's "deduction" of a special transcendental principle of judgment in its empirical reflection and his account of pure judgments of taste as resting on "mere reflection." Accordingly, in the remainder of this section I shall try to indicate why this must hold true of all empirical judgment by showing that an account of judgment solely in terms of determination is inherently incomplete, requiring as its complement the activity that Kant terms "reflection." This should then set the stage for an analysis of the latter activity in Section II.

To begin with, we must attempt to get clear about what Kant means by "determination" with respect to judgment. This turns out to be a more complicated matter than it first appears, however, since there are three different subjects of such determination. In the previously cited passage from the First Introduction, Kant indicates that it is a *concept* that is determined, and that this determination occurs by providing it with a corresponding intuition. To determine concepts in this manner is, of course, essential for Kant, since he famously maintains that "Thoughts without content are empty" (A51/B75).

For an understanding of Kant's conception of judgment, however, the fundamental point is that all judgment (whether it be analytic or synthetic) is determinative insofar as it makes a claim about its purported object.¹⁰ Thus, what is determined from this point of view is the *object* (or set thereof) referred to in the judgment, which Kant usually characterizes as "x" in order to indicate its indeterminacy prior to the judgmental act. In a judgment of the categorical form, this determination occurs

through the subsumption of the intuition of this *x* under a subject-concept, which, in turn, makes possible further subsumption or subordination under additional concepts in the judgment.¹¹

Finally, since through such subsumption the *intuition* is determined as the intuition of an object of a particular kind, it is likewise a subject of determination in a judgment. In other words, the determination of the object occurs in and through the conceptual determination of its intuition. And this is precisely what Kant had in mind in the introductory portion of the Transcendental Logic, when he characterized a judgment [*Urteil*, not *Urteilskraft*] as “the mediate knowledge of an object” (A68/B93).

Interestingly enough, Kant there uses one of his favorite examples of an analytic judgment, “all bodies are divisible,” in order to illustrate this thesis. Although perhaps surprising, there is nothing improper in this, since the analysis of the structure of judgment pertains to general logic, where the distinction between analytic and synthetic judgments does not arise.¹² According to Kant’s analysis, the broader concept “divisibility,” which is presumably also applicable to abstract entities such as lines, planes, and numbers, is here applied to the concept of body (he should have said the *extension* of this concept), while this, in turn, is applied to “certain intuitions [or appearances] that present themselves to us” (A68–9/B93).¹³ Thus, both the intuitions and the objects thereof (appearances) are “determined” by being brought under a hierarchy of subordinate concepts, and by this means, as Kant puts it, “much possible knowledge is collected into one” (A69/B94).

Later, in §19 of the B-Deduction, Kant returns to a consideration of this act of judgment in light of the conception of the “objective unity of apperception” developed in §17 and §18. His avowed concern is to correct the logicians who define a judgment simply as the “representation of a relation between two concepts.” In addition to applying only to categorical judgments, Kant faults this account for failing to specify in what this relation consists. And in an endeavor to answer this question he writes:

I find that a judgment is nothing but the manner in which different cognitions are brought to the objective unity of apperception. This is what is intended by the copula ‘is’. It is employed to distinguish the objective unity of given representations from the subjective. (B141–2)

By characterizing the unity of representations attained in a judgment as “objective,” Kant is not simply distinguishing it from a merely subjective unity based on association (though he is, of course, doing that); he is also indicating that objective validity is a definitional feature of judgment as such, rather than a property pertaining only to some judgments, namely, those that are true.¹⁴ This is not to be understood, however, as suggesting that every unification of representations under a judgmental

form is thereby “true,” that is, conforms to its object. The point is rather that every cognitive judgment makes a claim about its purported object and therefore has a truth *value* (is either true or false).¹⁵ Moreover, as I have already indicated, it is precisely because a judgment involves a reference to an object that it may be said to be *determinative* of its object. And this suggests that every judgment insofar as it is objectively valid is determinative.

Obviously, much more needs to be said in order to provide anything like an adequate account of Kant's conception of the act of judgment as contained in the first *Critique*. In particular, it is important to bring out the connection between this act and the table of logical functions, which is the focal point of much of Longuenesse's analysis, and which Kant himself attempts to do in §19 and §20 of the B-Deduction. Nevertheless, even without this, it should already be apparent that an account of judgment solely in terms of determination is radically incomplete. For in order to judge that the x's in question are divisible (and therefore “determined” by the concept), I must first recognize that they fall under the concept of body. Moreover, in order to do this, I must already possess this concept, through the analysis of which I can then infer divisibility as one of its marks.

In the preliminary analysis in the first *Critique*, Kant treats these concepts as already at hand and available for analysis and subsumption. Elsewhere, however, he makes it clear that the concepts under which objects are subsumed in judgment are themselves only attained through a complex act of (logical) reflection. This makes such reflection an essential ingredient in what Longuenesse, following Kant, terms the “capacity to judge” [*Vermögen zu urteilen*], which is identified with the “capacity to think” [*Vermögen zu denken*] (A81/B106).¹⁶ And given this, it is incumbent upon us to provide an account of this act on which the entire architecture of the third *Critique* is ultimately based.

II

Kant's fullest account of the nature of reflection is in the First Introduction where he writes:

To *reflect* (or consider [*Überlegung*]) is to hold given representations up to, and compare them with, either other representations or one's cognitive faculty, in reference to a concept that this [comparison] makes possible. The reflective faculty of judgment [*Urteilstkraft*] is the one we also call the power of judging [*Beurteilungsvermögen*] (*facultas dijudicandi*). (FI 20: 211; 400)

Kant here characterizes reflection in the broadest possible terms so as to include not only the logical reflection involved in the formation of concepts, but also transcendental reflection, which he presents in the first

Critique as the antidote to the amphibolous use of concepts of reflection by Leibniz, and, more importantly, the type of “mere reflection,” which, as he will go on to argue, is involved in aesthetic judgments. Although these differ markedly from each other, they share the common feature of involving a comparison based on given representations. Indeed, this also applies to the extended sense of reflection that Kant attributes to animals in the next paragraph, even though they are (in his view) incapable of conceptual representation. As he there puts it, “even animals reflect, though only instinctively, that is, not in reference to acquiring a concept, but rather for determining an inclination” (FI 20: 211; 400). Unfortunately, Kant does not elaborate upon this brief reference to animal reflection, but his main point presumably is that animals may be said to “reflect” (in an extended sense) insofar as they compare intuitions or sensations, say of odors, in order to determine which is preferable. The essential difference is that rather than being based on some principle (as is the case with regard to rational beings), such animal “reflection” occurs instinctively.¹⁷

Our present concern, however, is solely with the kind of reflection that is requisite for the generation of empirical concepts. This is what Kant terms in the first *Critique* “logical” as opposed to “transcendental” reflection; and its systematic significance stems from the fact that, unlike the latter, it supposedly rests upon a principle unique to judgment.¹⁸

In order to understand the mechanics of this type of reflection, it is necessary to turn from the third *Critique* to the *Jäsche Logic*.¹⁹ Underlying this account is the distinction between the matter (or content) and the form of a concept. Empirical and pure concepts differ with respect to the former and its origin, since for pure concepts the content is either given *a priori* or made, that is, constructed (as in the case of mathematical concepts), whereas for empirical concepts it is derived from experience. But notwithstanding this difference in *content*, all concepts (pure, mathematical, and empirical) share the same *form*, namely universality.²⁰ And it is the origin of this form, also termed the “logical origin,” with which Kant is concerned in the *Jäsche Logic*.²¹

In the frequently discussed §6 of this text, Kant refers to the “logical acts” of comparison, reflection, and abstraction as the source of this universality and therefore of concepts with respect to their form. And after not very helpful characterizations of these operations he attempts to illustrate the whole process in a note:

To make concepts out of representations one must thus be able *to compare*, *to reflect*, and *to abstract*, for these three logical operations of the understanding are the essential and universal conditions for generation of every concept whatsoever. I see, e.g., a spruce, a willow, and a linden. By first comparing these objects with one another I note that they are different from one another in regard to the trunk, the branches, the leaves, etc.; but next

I reflect on what they have in common among themselves, trunk, branches, and leaves themselves, and I abstract from the quantity, the figure, etc., of these; thus I acquire a concept of a tree (JL 9: 94-5; 592).

At first glance at least, this account of the formation of the concept of a tree seems highly problematic. For one thing, as Longuenesse has pointed out, the chronology that Kant describes is totally implausible. It cannot be the case that we first note the differences between the various trunks, branches, and leaves, then reflect that the objects being compared have in common the fact that they all have these features, and only then abstract from their differences. If this account is to make any sense, comparison, reflection, and abstraction must be seen as aspects of a single, unified activity, not as temporally successive operations.²²

Even if this be granted, however, difficulties remain, since the process seems hopelessly circular. We supposedly arrive at the concept of a tree by reflecting on precisely those features of the perceived objects (trunk, branches, leaves, etc.) in virtue of which we recognize them to be trees, and by abstracting from those that are irrelevant. But how could one recognize and select these "tree-constituting" features unless one already had the concept of a tree, which is precisely what was supposed to have been explained? In short, it seems that on Kant's account one must already have the concept of a tree before one is able to acquire it.²³

The nature of the difficulty concerning the Kantian theory of empirical concept formation can be clarified by comparing it to a similar problem in Hume. Since the latter held that every idea is a copy of a corresponding impression, he would not merely acknowledge but actually insist upon there being a perfectly acceptable sense in which the mind could be said to have a "concept" (idea) before having it, namely in the form of an impression with precisely the same content as the corresponding idea.

The problem for Hume, however, arises regarding the origin of what Kant terms the "form of universality." Since he was committed by the so-called copy thesis to hold that all ideas are particular, Hume naturally sided with Berkeley in denying the existence of abstract general ideas. But he went beyond Berkeley in offering an account of how ideas that are in themselves particular can become "general in their representation" by referring to (and calling to mind) any number of other resembling ideas. As Hume puts it in the *Treatise*:

When we have found a resemblance among several objects, that often occur to us, we apply the same name to all of them, whatever differences we may observe in the degrees of their quantity and quality, and whatever other differences may appear among them. After we have acquired a custom of this kind, the hearing of that name revives the idea of one of these objects, and makes the imagination conceive it with all its particular cir-

cumstances and proportions. But as the same word is suppos'd to have been frequently applied to other individuals, that are different in many respects from that idea, which is immediately present to the mind; the word not being able to revive the idea of all these individuals, only touches the soul, if I may be allow'd so to speak, and revives that custom, which we have acquir'd by surveying them.²⁴

The problems with this account begin at the very first step with the appeal to resemblance. Setting aside the fact that the identification of ideas with faint copies of impressions precludes the possibility of even recognizing resemblances (the mind can have resembling impressions but not an impression of their resemblance), it would seem that the capacity to recognize such resemblances and to abstract from the differences already presupposes a concept and therefore cannot be used to explain its origin.²⁵

More interestingly, much the same may also be said for the role assigned to custom, which does so much of the work by calling to mind the relevant particulars. Consider, for example, Hume's account of its role in reasoning regarding triangles, which follows shortly upon the passage cited. Consistently with his principles, Hume suggests that the mention of the term "triangle" occasions the formation in the mind of the idea of a particular one, say an equilateral triangle with sides of three inches. At this point custom takes over, bringing forth images of various other particular (nonequilateral) triangles that have previously been associated with the term, and this supposedly prevents the mind from drawing false inferences regarding all triangles from the particular features of the one it is contemplating.²⁶ This is an ingenious attempt to account for mathematical reasoning on the basis of association, but it is clearly a failure. For how could the images of other triangles supposedly produced by the custom be recognized as counterexamples unless the mind could already grasp the properties essential to all triangles, that is, unless it had the concept of a triangle?

By rejecting Hume's conflation of concepts and images, Kant clearly avoided the problem in its Humean form. But it is not immediately apparent that he was able to avoid it altogether, that is, that he could provide a nonquestion begging account of the origin of empirical concepts as general representations. Indeed, it might even seem that the problem is exacerbated for Kant by his conception of experience. Since, in contrast to empiricists such as Hume, he identified experience with empirical knowledge rather than merely the reception of the raw material for such knowledge (impressions), Kant was committed to the view that experience presupposes the possession and use of concepts. And this naturally gives rise to the question of the genesis of those concepts that are required for the very experience through which empirical concepts are supposedly formed.

It is important to recognize that the problem in its specifically Kantian form cannot be avoided simply by claiming that the concepts presupposed by experience are the pure concepts of the understanding, which, as the description suggests, have a nonempirical origin in the very nature of the understanding. For one thing, we shall see later in this chapter that the categories and the principles based upon them are not of themselves sufficient to account for the possibility of acquiring empirical concepts (and laws); and, for another, that they cannot themselves be applied as concepts independently of empirical concepts.²⁷ How, for example, could one apply the concept of causality to a given occurrence unless it were already conceived as an event of a certain kind, for example, the freezing of water?

Although she does not pose the problem in this way, I believe that Longuenesse provides the basis for an answer, in fact, for the very answer to which Kant himself alludes in various texts without ever making fully explicit. The key lies in Kant's understanding of the "logical act" of comparison, which, as we have seen, is carried out "with respect to a concept that is thereby made possible" (FI 20: 211; 400).

In contrast to the kind of comparison (or reflection) practiced by animals, which is itself obviously akin to the association, which, for Hume, generates customs or habits, this may be described as "universalizing comparison."²⁸ In other words, it is a comparison that is directed from the beginning toward the detection of common features in the sensibly given, and it is so directed because it is governed by the implicit norm of universality, with the goal being to elevate these common features into the marks of concepts that may be subsequently applied in judgments. According to Longuenesse, this is because such comparison is in the service of the logical functions of judgment (or the "capacity to judge"), and occurs only under the guidance of the "concepts of comparison" delineated in the Amphiboly chapter (identity and difference, agreement and opposition, inner and outer, matter and form) (A63/B319–A268/B324).²⁹

Leaving the latter aside for the present, however, our immediate concern is with the items to be compared in this "universalizing comparison," which Longuenesse identifies as various schemata. In support of this reading, she refers us to a *Reflexion* dated somewhere between 1776 and 1780, in which Kant remarks: "We compare only what is universal in the rule of our apprehension" (R2880 16: 557).³⁰ Since what is universal in a rule governing or ordering our apprehension of an object is equivalent to what the *Critique* characterizes as a schema, it follows that the comparison leading to the formation of concepts is a comparison of schemata rather than merely of impressions or images, as it is for Hume, and therefore of something that already has a certain universality.

If we reconsider Kant's account in the *Jäsche Logic* in this light, we can see that in comparing the trunks, branches, leaves, and so forth of the

various trees for the sake of forming a general concept of a tree, what one is really comparing are the patterns or rules governing the apprehension of these items, that is, their schemata. And it is from a reflection on what is common to these patterns of apprehension or schemata, combined with an abstraction from their differences, that one arrives at the (reflected) concept of a tree.

This seems to provide at least a partial answer to the objection since it explains how one can reflect upon those very features that constitute the defining characteristics or marks of the not-yet-formed concept of a tree. It is clearly only a partial answer, however, since it immediately suggests at least two further questions: (1) How is it possible to have a schema before acquiring the concept which it purportedly schematizes? And (2) How does the schema of an empirical concept itself originate, since it obviously cannot be viewed as given *a priori*? Although we cannot here pursue Longuenesse's answers to these questions, particularly the second, in the detail they require and deserve, it will be helpful to outline her basic conclusions.

As Longuenesse points out in a note, the initial resistance to the idea that a schema might antedate its concept stems from the fact that when Kant introduced the topic of the schematism in the first *Critique*, his concern was with the conditions under which a concept that is supposedly already formed may relate to a sensible object. This requires a schema, which is its sensible expression or "presentation"; so without its corresponding schema a concept would have no application.³¹ Indeed, we could go further and claim that one cannot really be said to possess a concept without also having its schema, which is just the rule for its application. For it is the schema that tells us what counts as falling under a given concept; and one clearly cannot have a concept with knowing the kind of thing (or property) that instantiates it.

Longuenesse also suggests, however, that if one considers the relation between concept and schema from the perspective of the Metaphysical and Transcendental Deductions, the priority is reversed.³² For in the former, Kant clearly maintains that synthesis is the result of the imagination, that "blind but indispensable function of the soul," whereas the function of the understanding is to "bring this synthesis to concepts," by which we first obtain "cognition properly so-called" (A78/B103). Moreover, in the A-Deduction this is elaborated into the doctrine of the threefold synthesis, the last stage of which is termed "recognition in the concept." Correlatively, in the B-Deduction, where the role of the imagination is supposedly downplayed, Kant claims that the "*analytic* unity of apperception [which belongs to every concept as such] is possible only under the presupposition of a certain *synthetic* unity" (B133 and attached note).

These texts from both editions of the first *Critique* strongly suggest that Kant held that the conceptual recognition required for "cognition prop-

erly so-called" arises from a subsequent reflection upon (a bringing to *concepts* of) an order or structure initially imposed upon the sensible manifold by the "blind," that is, not consciously directed, synthesis of the imagination. Moreover, this, in turn, suggests that one might have and make use of a schema (rule of apprehension) prior to and independently of the discursive representation of this rule (as a set of marks) in a concept.

Returning to Kant's own example of the different types of tree, it seems clear that one could have a capacity to distinguish, say, a spruce from a willow on the basis of perceived structural features of their trunks, branches, and leaves, without also having the capacity to list the defining marks of the distinct species. Since the former capacity is prelinguistic (and therefore preconceptual) it does not amount to "cognition properly so-called." Nevertheless, it is also the source of the content, which when raised to the form of universality through the "logical operations" of the understanding, does yield such cognition.³³

In order to illustrate the rule-governedness of the apprehension that precedes the formation of concepts in which these rules are expressed discursively, Longuenesse cites an example given by Kant of an apprehension that is *not* so rule-governed. As Kant describes the situation:

If, for example, a savage sees a house from a distance, whose use he does not know, he admittedly has before him in his representation the very same object as someone else who knows it determinately as a dwelling established for human beings. But as to form, this cognition of one and the same object is different in the two cases. In the former it is *mere intuition*, in the latter it is simultaneously *intuition and concept* (JL 9: 33: 544-5).³⁴

Even though Kant himself indicates that what the savage lacks is the *concept* of a house, I believe that Longuenesse is correct in emphasizing that he is also missing the *schema* (which is, after all, a necessary condition for possessing the concept). Thus, as she suggests, the savage, never before having seen anything like a house, receives the same sensible data as someone familiar with such objects, but he has no procedure at hand for processing it in a determinate way. As she puts it, "there is no rule guiding him to privilege certain marks and leave aside others, so that a concept of house might apply."³⁵ In other words, the savage lacks not only the concept of a house but also the precondition for acquiring it, namely its schema.

How, then, is a schema or rule of apprehension acquired in the first place? Unless this question can be answered, our initial worry about empirical concept formation has merely been replaced by a parallel one regarding schemata, rather than resolved.³⁶ Moreover, Longuenesse's answer, though perfectly consistent with her underlying analysis, nonetheless appears puzzling, at least initially. For according to her account, the "schemata arise from the very same acts of universalizing com-

parison of which they are the object.”³⁷ In other words, acts of this type produce *both* the full-fledged reflected concepts by means of a comparison of schemata and the very schemata that are to be compared.

Clearly, the major puzzle suggested by this response concerns the initial or foundational schema-generating comparison. How is such a comparison to proceed, since *ex hypothesi* it does not yet have “what is universal in the rule of our apprehension,” that is, a schema? And how can schemata both provide the terms of a universalizing comparison and be themselves products of such a comparison? The very idea appears to threaten us with either an infinite regress or a replay of the same circularity that plagued Kant’s original account of concept formation.

If I understand her correctly, the gist of Longuenesse’s answer is that this comparison does not begin with a blank slate. This is because the mind, in its universalizing comparison, is guided by the very same concepts of reflection that are operative in the comparison of schemata that leads to the formation of reflected concepts. Presumably, at this level, however, the comparison leads the mind to seek similarities and differences, which can first be codified as schemata governing apprehension and then reflected as concepts. And this is possible, according to Longuenesse, because this comparison is oriented from the beginning toward the acquisition of concepts applicable in judgments.

Thus, Kant’s savage, never having seen a house, initially had no basis of comparison to order his apprehension. But after seeing many similar objects, which he presumably relates by association, he will begin to perceive relevant similarities and differences, which, in turn, leads (under the implicit guidance of the concepts of comparison) to the formation of a schema of a house as a rule governing apprehension, and possibly even the full-fledged concept.

I find this reading appealing and the doctrine it attributes to Kant both internally coherent and plausible, albeit seriously underdeveloped. In addition to providing at least the outlines of a much more nuanced and sophisticated account of concept formation and the conditions of its possibility than is possible on the basis of the sparse materials of classical empiricism, this reading avoids the circularity problem with which our reflections began. Contrary to what initially seemed to be the case, one does not need already to have a schema in order to acquire it in the first place. All that is required (from the side of the mind) is, in Longuenesse’s terms, “the capacity to judge,” which is initially exercised in a universalizing comparison of associated representations under the guidance of the concepts of reflection.

Both textual support for this reading and an indication of how the account of concept formation fits within the overall framework of Kant’s theory of reflective judgment is provided by another *Reflexion* (also cited by Longuenesse) that stems from the same group as the one linking com-

parison to “what is universal in the rule of our apprehension.” In this related *Reflexion*, Kant remarks with regard to a “*communicatio objectiva*,” by which he apparently means a collection of representations in a single mark [*nota*] for which some kind of objectivity or applicability to a set of objects is claimed, that “This general validity [*Gemeingültigkeit*] presupposes a comparison, not of perceptions, but of our apprehension, insofar as it contains the presentation [*Darstellung*] of an as yet undetermined concept, and is universal in itself [*an sich allgemein ist*]” (R2883 16: 558).³⁸

Three points are to be noted regarding this brief but highly significant text. First, Kant clearly does refer to a comparison of apprehensions, which can only mean a comparison of the *contents* of various acts of apprehending (such as that of the apprehendings of the different kinds of tree in the example from the *Jäsche Logic*). Second, these apprehendings are compared with respect to their presentation (or exhibition) [*Darstellung*] of “an as yet undetermined concept.” Since this presentation is equivalent to the schema of the concept, and since the concept is not yet determined, it follows that the comparison is between schemata of concepts that have not yet been formed. Indeed, as already indicated, this comparison is precisely the basis on which the concepts are formed. Third, and most important, the contents of these acts of apprehension contain something “universal in itself.” The latter may reasonably be taken to refer to the schemata, since a schema must have a universal nature if it is to serve as the exhibition of a concept.³⁹ But it may also refer to the apprehended content on the basis of which the schemata themselves are formed, insofar as this content is to provide the foundation for a universalizing comparison.

The significance of the latter point stems from the fact that it indicates both the need for and the nature of the principle to which judgment must appeal in its logical reflection directed toward the acquisition of empirical concepts for use in judgment. Clearly, reflection, so construed, rests on the assumption that there is something “universal in itself” encoded, as it were, in our experience, which provides the basis for the formation of both schemata and reflected concepts. For without this presupposition the process of reflection would never get off the ground.

Longuenesse nicely brings out this fundamental, yet frequently neglected, aspect of Kant's position by means of a brief comparison with Locke's view on universals. As she correctly notes, Kant seems close to Locke in holding that the form of a concept as a discursive representation is always something made (rather than discovered), which is analogous to Locke's thesis that “[G]eneral and universal belong not to the real existence of things; but are the inventions and creations of the understanding made for its own use.”⁴⁰ She also points out, however, that Kant refused to follow Locke in viewing the concepts formed by the mind as arbitrary inventions, without any connection with the nature of things.

On the contrary, perhaps because he viewed concepts as “predicates of possible judgments” (A69/B94), and judgments as involving an inherent claim to objective validity, Kant assumed the right to maintain that the concepts formed through the logical operations of the understanding somehow reflect or correspond to the nature of things.

To leave it at this, however, would be to run the danger of simply collapsing Kant’s position into that of Leibniz. For in Book III of his *New Essays on Human Understanding*, the latter attacks Locke’s conventionalism as it is expressed in the contrast between real and merely nominal essences, and insists that the nominal essences or abstract ideas of sorts manufactured by the understanding have a basis in the nature of things or real essences. In Leibniz’s own terms, which, as we shall see, are highly significant for understanding Kant’s view, “every outer appearance is grounded in the inner constitution,” and “whatever we truthfully distinguish or compare is also distinguished or made alike by nature.”⁴¹

Clearly, Kant could not simply help himself to such an ontologically grounded realism. This is precluded not only by the transcendental theory of sensibility, which denies the human mind access to anything like Leibnizian real essences, but also by Hume’s critique of the rational credentials of the belief in the uniformity of nature. In fact, these two worries about the conditions of reflection are strictly correlative. For, on the one hand, without the assumption of something like the Leibnizian principle, there is no basis, apart from a purely *ad hoc* hypothesis such as occasionalism, which clearly had no appeal for Kant, for assuming the uniformity of nature; while, on the other hand, without the presupposition of such uniformity, there are no grounds for assuming that the similarities and differences noted on the basis of experience correspond to intrinsic (and therefore permanent) similarities and differences in things. Thus, while it may very well be the case that experience has taught us up to now that all substances with the perceptual properties associated with the term “gold” also have the causal property of being soluble in *aqua regia*, this, of itself, provides us with neither an insight into the intrinsic nature of gold nor a guarantee regarding the future correlation of its properties. Moreover, for reasons to be considered shortly, such a guarantee is also not provided by the Transcendental Deduction in the first *Critique*.

Accordingly, it seems that the analysis of the nature and conditions of logical reflection leads to what is nothing less than a new transcendental problem. This problem concerns the “empirical as such,” and it may be described in two alternative ways, which in the end come to much the same thing. According to one description, it is to find a third way between the Leibnizian realism of universals (real essence) and the Lockean conventionalism (nominal essence), just as in the first *Critique* Kant affirmed a third way between the former’s “noogony” and the latter’s sensualism (A271/B327). According to the other, it is to ground the inference from

the observed to the unobserved (the focus of the Humean problematic) in a rational norm.⁴² And, as I am about to argue, it is to this end that Kant introduces in both versions of the Introduction to the third *Critique* a distinct transcendental principle for judgment in its reflective capacity.

III

In both versions of the Introduction, Kant describes the required transcendental principle as that of the purposiveness of nature. In the first version, this purposiveness is characterized more specifically as “logical” (FI 20: 216–7; 404–5), and in the second as “formal” (KU 5: 180–1; 20); but in both cases it clearly signifies the contingent agreement of the order of nature with our cognitive needs and capacities. Moreover, in both versions Kant explicitly links this principle with familiar formulas or maxims, such as “nature takes the shortest way” (the principle of parsimony), “nature makes no leap in the diversity of its forms” (the principle of continuity), and “principles must not be multiplied beyond necessity” (KU 5: 182; 21–2; see also FI 20: 210; 399).⁴³ As these formulas suggest, the basic idea is that we look upon nature *as if* it had been designed with our cognitive interests in mind; though, of course, we have no basis for asserting that it was in fact so designed. In the formulation of the Second Introduction, which proved to be of great significance to the young Hegel, Kant describes the principle thusly:

[S]ince universal natural laws have their ground in our understanding . . . the particular empirical laws must, as regards what the universal laws have left undetermined in them, be viewed in terms of such a unity as [they would have] if they too had been given by an understanding (even though not ours) so as to assist our cognitive faculties by making possible a system of experience in terms of particular natural laws. (KU 5: 180; 19)⁴⁴

This formulation of the principle in terms of a system of empirical laws (or, as it is often referred to in the literature, of “systematicity”)⁴⁵ is prevalent in both Introductions. It is not, however, the only way in which this principle and its function are characterized. For example, in the First Introduction it is presented as the principle that “for all natural things *concepts* can be found that are determined empirically,” which is then glossed as “we can always presuppose nature’s products to have a form that is possible in terms of universal laws which we can cognize” (FI 20: 211–12; 400). By contrast, in the Second Introduction Kant appears to argue that its main function is not simply to systematize empirical laws but to ground their very necessity, that is, their claim to nomological status (see KU 5: 183; 22). In fact, in various places in the Introductions, Kant suggests that the principle of the purposiveness of nature is necessary for the formation of empirical concepts, the classification of “natural forms” into gen-

era and species, the unification of empirical laws into a system (theory construction), the formulation of empirical laws in the first place, and the attribution of necessity to such laws.⁴⁶

Nevertheless, it is possible to find some coherence in this variety of formulations, if we simply keep in mind the essential function of reflective judgment, namely, to find universals for given particulars. First of all, this search for universals can take the form either of finding empirical concepts under which particulars can be subsumed for the sake of classification or of finding empirical laws in terms of which their behavior can be explained. Moreover, as Hannah Ginsborg has pointed out, these two types of universal are themselves closely connected, as are a taxonomic classification of “natural forms” in terms of genera of species and a systematic organization of empirical laws. For one thing, without assuming something like natural kinds, we could not even begin to look for empirical laws or hope to distinguish such laws from contingent regularities. For another, determinate empirical concepts presuppose known causal laws, since the inner properties in terms of which we conceptualize and classify things must include causal properties. Finally, the necessity and therefore the nomological character of relatively specific laws, such as that of the solubility of gold in *aqua regia*, are a function of their derivability from higher-level laws, such as those that hold at the molecular and atomic levels.⁴⁷

Perhaps of greater immediate relevance, the same connections can also be spelled out in terms of Kant’s conception of judgment. To begin with, we have seen that concepts for Kant serve as predicates of possible judgments, which means that the whole purpose of bringing intuitions under concepts is to make possible determinate judgments about their corresponding objects. The judgments in which Kant is interested are, however, of a particular type, namely “judgments of experience,” that is, objectively valid, grounded claims about objects of possible experience, which are contrasted in the *Prolegomena* with mere “judgments of perception.”⁴⁸

Although Kant never says so explicitly, it seems clear from a consideration of his account of judgments of experience in the *Prolegomena* that in order to qualify as such, a judgment must either be itself a statement of empirical law or be derivable from such a law.⁴⁹ Accordingly, the search for empirical concepts that can serve as predicates in judgments of experience is inseparable from the search for empirical laws; and since, as suggested, the latter is inseparable from a hierarchical organization of such laws, it follows that the quest for the conditions of the possibility of empirical concepts and for the systematic organization of empirical laws are best seen as two poles of a quest for the conditions of the empirical knowledge of nature *qua* empirical, or equivalently, for judgments of experience.

When Kant first introduced the conception of a judgment of experience in the *Prolegomena* and distinguished it from a judgment of perception, it was to underscore the role of the categories with regard to the former. As we shall shortly see in some detail, however, the central claim in both Introductions to the third *Critique* is that the categories and the transcendental principles based upon them are not sufficient to account for the possibility of such judgments. An additional transcendental principle is required, and this is the role played by the principle of the purposiveness of nature. At least that is what I take to be the import of the “transcendental deduction” of this principle, which Kant provides in the Second Introduction.

Before we are in a position to analyze this deduction, however, further consideration of this principle and the multiple uses to which it is put is required. And here I shall focus on the more expansive account in the First Introduction. Of particular interest in this regard is Kant's insistence that, even though the principle of purposiveness is transcendental, it is “merely a principle for the *logical use of judgment*,” and that its function is to allow us to “regard nature *a priori* as having in its diversity the quality of a *logical system* under empirical laws” (FI 20: 214; 402).

The “logical use of judgment” is to be distinguished from its transcendental use, which, according to the first *Critique*, is to provide the schemata that are the sensible conditions for the application of the categories. The former consists in the formation of empirical concepts and their organization into genera and species, which makes possible the subordination of these concepts in judgments and the connection of the judgments in syllogisms.⁵⁰ Insofar as our concepts are orderable in a single set of genera and species, they have the form of a logical system, and insofar as this order reflects the actual order of nature, the latter may be thought of as a “logical system under empirical laws.”

Such a view of nature has, of course, merely the status of a regulative idea; but, as Kant points out, in light of it we can proceed to investigate nature either from the bottom up or from the top down. The former procedure begins with the classification of diverse particulars as members of a single species; then distinct species are unified on the basis of common properties into a genus, and different genera into higher genera, and so forth. Ideally, the process culminates in the unification of all these higher-order genera into a single highest genus. Conversely, the movement from the top down is one of increasing specification, wherein differentiations are continually introduced between items that were initially taken to be members of a single species.⁵¹ Appealing to the language of teachers of law and Aristotelian logicians, Kant also suggests that in this procedure of specification, the genus is (logically considered) the matter and the species the form (FI 20: 214–15; 402–3).⁵²

Kant's view of the significance of such an ideal scheme for empirical