

Melissa Zinkin

What Is Critical About the *Critique of the Power of Judgment*?

Recently, there has been much philosophical interest in the fact that our judgment is often influenced by implicit beliefs and stereotypes. Of course, these insights are not new. As Tamar Gendler notes, philosophers such as Aristotle and Hume were well aware of how habit and custom affect our judgment. Missing from these references to the history of philosophy, however, is any mention of Kant. Yet Kant wrote an entire book on the *Critique of the Power of Judgment*. This oversight is regrettable, especially because much of the contemporary discussion of the influences on our judgment concerns how we can correct our judgment from error. It would seem that a critique of the power of judgment is very much in order.

One reason why there is no reference to Kant in these discussions is that few have explained in what way Kant's third *Critique* is, in fact, a critique of our power of judgment. Rather, in discussing how the *Critique of the Power of Judgment* is part of Kant's "critical" project, scholars focus on Kant's argument for an a priori principle of judgment, the principle of purposiveness. They do not refer to that aspect of Kant's idea of critique – which is central to it – according to which it is a separating of what has worth from what does not. I will argue that we should take the aim of Kant's CJ to be just that, a critique of our power of judgment that shows what in our judgment is of value and what is not. With regard to the problem of how it is possible to judge well, we can learn something from Kant.

I will make my case by drawing out the parallels between Kant's *Critique of the Power of Judgment* and his *Critique of Practical Reason*. Both are critiques of a faculty, both give us a *principle* for the normative use of that faculty, both explain what it means for the faculty to be *autonomous*, or, in the case of judgment, heautonomous, and both – or so I shall argue – argue that the normative use of that faculty produces a *special value*. In the *Critique of Practical Reason*, that value is moral goodness. Although we might be tempted to say that in the third *Critique* the value is beauty, this cannot be quite right, since the critique of the power of judgment concerns both aesthetic and teleological judgments. I will argue that the value at issue in the third *Critique* is cognitive value that I will call depth.

Melissa Zinkin, Binghamton University, SUNY, mzinkin@binghamton.edu

<https://doi.org/10.1515/9783110467888-320>

1 Critique

“Criticism” comes from the Greek, *krinein*, which means “to sift, to separate, to decide.” Thus, Kant writes that a *Critique of Pure Reason* is an “investigation, which we can properly call not doctrine, but only transcendental critique, since it does not aim at amplification of cognitions themselves, but [...] is to supply the touchstone of the worth or worthlessness of all cognitions a priori.”¹ And, Kant writes of the *Critique of Practical Reason*, that it is “incumbent upon the critique of practical reason as such to prevent empirically conditioned reason from presuming that it, alone and exclusively, furnishes the determining ground of the will.”² The critique of practical reason thus aims to sift out empirically conditioned reason from determinations of the will and to leave in “pure” or autonomous determinations of the will.

Similarly, I believe that Kant’s *Critique of the Power of Judgment* involves a sifting and separating of the power of judgment. What is to be sifted out – what I will call the “impure part” – is what Kant calls the determining function of the power of judgment. What is to be retained, as the “pure part,” is the reflective function of the power of judgment. Although most interpreters of the *Critique of the Power of Judgment* would agree that it is reflective judgment to which the transcendental principle applies, none, to my knowledge, has seen the relation between reflective judgment and determinative judgment in terms of a critique of the power of judgment as a whole, in which the reflective function is separated from the determinative function as that part of the power of judgment that can be the source of what has a special worth. But if we accept that determinative and reflective judgment are both functions of one and the same power of judgment and also that the a priori principle of judgment, the principle of purposiveness, is the principle of reflective judgment alone, then it certainly makes sense to see the *Critique of the Power of Judgment* as a critique in the sense of what isolates that use of a faculty that has a special worth.

Kant describes reflective and determinative judgment as follows:

The power of judgment in general is the faculty for thinking of the particular as contained under the universal. If the universal (the rule, the principle, the law) is given, then the power of judgment, which subsumes the particular under it [...] is determining. If, however, only the particular is given, for which the universal is to be found, then the power of judgment is merely reflecting.³

1 Kant: KrV, A 12/B 27.

2 Kant: KU, AA 05: 16.

3 Kant: KU, AA 05: 179.

This passage indicates that, for Kant, there is one “power of judgment,” which has two functions, a reflecting function and a determining one. Many commentators have seen the relationship between reflective and determinative judgment as a progressive activity that leads towards cognition. They see Kant’s focus in the *Critique of the Power of Judgment* on “mere reflection” alone to be him focusing on that part of the power of judgment that is temporally, or logically, prior to determinative judgment. But, to discuss reflective judgment in this way is to ignore its significance within a critique of the power of judgment. I do not think that Kant is merely isolating reflective judgment and showing that it has a transcendental principle. Rather, I think he is also providing a critique of the entire power of judgment. But if this is the case, what is at stake? In Kant’s *Critique of Practical Reason*, autonomy of the will and moral worth are at stake. Here, we can say, what Kant calls heautonomy of judgment and artistic worth are at stake. But what kind of worth is this? First, we must understand what exactly the power of judgment is.

2 The Power of Judgment

Already in *The Critique of Pure Reason*, Kant discusses the “power of judgment” [*Urtheilskraft*] and contrasts it to the “capacity to judge,” [*Vermögen zu urtheilen*]. The difference between a capacity [*Vermögen*] and a power [*Kraft*] is that a capacity is a possibility of acting, it is “the internal possibility of a power,”⁴ whereas a power is what makes this possibility actual. In the first *Critique*, Kant uses the term “capacity to judge” in his “Analytic of Concepts,” where he discusses the faculty of the understanding and the categories of thought.⁵ But in his *Analytic of Principles*, where he discusses the schematism and the principles of the understanding, he refers to the “power of judgment.” The understanding is what gives us the capacity to judge because it contains the categories, the a priori rules for judgment, without which no judgment would be possible. The power of judgment, however, is what makes judgments actual. It is that by which we make use of the concepts of the understanding to make a judgment. Kant writes, “if the understanding in general is explained as the faculty of rules, then the power of judgment is the faculty of subsuming under rules, i. e., of determining whether something stands under a given rule or not.”⁶ The power of judgment is thus not

⁴ Kant: R 3582, Refl AA 17: 72.

⁵ Kant: KrV, A 69/B 94.

⁶ Kant: KrV, A 132/B 171.

itself the source of rules, it is merely the power to apply them; to subsume an “s,” for example, under the concept “p,” and hence to judge that an “s” is a “p.” Moreover, the power of judgment has no rules of its own. Kant writes,

general logic contains no precepts at all for the power of judgment, and moreover cannot contain them [...] if it wanted to show generally how one ought to subsume under these rules, i. e. distinguish whether something stands under them or not, this could not happen except once again through a rule. But just because this is a rule, it would demand another instruction for the power of judgment, and so it becomes clear that although the understanding is certainly capable of being instructed and equipped through rules, the power of judgment is a special talent that cannot be taught but only practiced.⁷

Here, we can understand the relationship between the capacity to judge and the power of judgment by comparing it to the relationship between the will [*Wille*] and choice [*Willkür*] in Kant’s practical philosophy. Just as the *Wille*, or practical reason, is the faculty that gives us the law of action (the moral law), so is the understanding the faculty that gives us the rules for cognition. And, just as *Willkür*, the faculty of choice, is what chooses to act according to the dictates of the law of reason, so, the power of judgment is what enacts the judgment. In both cases, the former is legislative and the latter is executive. But the analogy is not perfect. In Kant’s moral philosophy, it is not the executive branch, *Willkür*, that is subject to a critique. Rather, it is the legislative form of practical reason, *Wille*, that is subject to a critique in order to discover its pure a priori law. In the CJ, however, it is the executive power, the power of judgment that is critiqued.

Another way in which the analogy between willing and judging is not perfect is that, in contrast to *Willkür* and *Wille*, which are both components of the same will, the power of judgment and the understanding are each distinct mental capacities in their own right. Whereas *Willkür* has a necessary obligation to execute what is legislated by the *Wille*, since the law of the *Wille* – the moral law – is also the law of the *Willkür*, the power of judgment has a contingent relationship to the understanding and its rules. As we have seen, the power of judgment has no laws of its own. It should judge according to the laws of the understanding, only if it aims to make an objective judgment. But it has no obligation to make an objective judgment. The norms of the understanding, the categories, arise from the capacity to judge, not from the power of judgment, and are therefore not the laws of the power of judgment in the same way as is the moral law for the *Willkür*. Thus, whereas the *Willkür* is autonomous when it chooses to act according to the law of the will, since this is its own law, the power of judgment

⁷ Kant: KrV, A 133/B 172.

judges heteronomously when it judges according to the categories of the understanding, or, for that matter, according to any concept, since it is judging according to a rule that does not arise from the power of judgment itself, but rather from an external source.

Here we can begin to get a sense of what a critique of the power of judgment would sift out from judgment. Just as a heteronomous action is one in which the will goes “beyond itself” and looks for a law of action in something other than the rational will, such as a desire or inclination, and, just as autonomy of the will, by contrast, is a property of the will “by which it is a law to itself independently of any property of the objects of volition,”⁸ so we can say that determinative judgments are those that judge according to a rule that is already “given,”⁹ whereas judgments of reflection are those that judge according to the rule of the power of judgment itself; in this case, the principle of purposiveness. Kant writes,

the reflecting power of judgment [...] proceeds with given appearances, in order to bring them under empirical concepts of determinate natural things [...] not as it were, merely mechanically, like an instrument, but artistically, in accordance with the general but at the same time indeterminate principle of a purposive arrangement of nature as a system [...].¹⁰

For Kant, mechanical judgment is judgment that occurs automatically, or by instinct, in the Humean sense. We receive, for example, a given sense datum, and automatically we judge that it is an X. An artistic judgment, by contrast, is one that reflects, and tries, on its own, to come up with a concept of what the given sense-datum is meant to be. Artistic judgments are those that are made in accordance with the indeterminate principle of a purposive arrangement of nature as a system. It is these judgments that I will argue have a special cognitive value for Kant, which I call depth.

3 Principle

In the *Groundwork of the Metaphysics of Morals* Kant asks:

But what kind of law can that be, the representation of which must determine the will [...] in order for the will to be called good absolutely and without limitation? Since I have deprived

8 Kant: GMS, AA 04: 441.

9 Kant: KU, AA 05: 179.

10 Kant: EEKU, AA 20: 214.

the will of every impulse that could arise for it from obeying some law, nothing is left but the conformity of actions as such with universal law, which is alone to serve the will as its principle.¹¹

Similarly, we can ask; what is it that could guide the power of judgment if it is deprived of every mechanical influence in making its judgment, that is, if it does not judge by habit and according to a rule that is already “given”? The answer is that when we remove all mechanical influence from the power of judgment, nothing is left but to judge according to the mere purposive activity of the power of judgment itself, by which it aims to actualize a concept in a given sense datum.

A “critique of the power of judgment” thus shows that there is a pure power of judgment that can judge according to its own inner principle of self-activity, rather than with regard to a pre-given concept. But what would such a pure form of activity be? This is what Kant calls “purposiveness.” Kant defines purposiveness both as “the lawfulness of the contingent as such” and “the causality of a concept with regard to its object.”¹² What Kant means by the “lawfulness of the contingent” is something that is not determined by mechanistic laws and which is therefore contingent with regard to the casual structure of nature, but which can still be lawful with regard to its own “inner” structure, as are, for example, crystal formations, various shapes of flowers, or the inner structure of plants and animals.¹³ The purposiveness of natural forms is therefore technical and like an “art,”¹⁴ because, like a work of artistry, it has its own inner law of what it ought to be that organizes it. Similarly, purposiveness is “the causality of a concept with respect to its object” because it is a teleological cause; it is that by which a concept can organize and design what an object is to be, just as does an artist. Necessary for purposiveness, however, is systematicity. To be purposive for judgment is to be systematically organized. Kant states the principle of the power of judgment as follows: “Nature specifies its general laws into empirical ones, in accordance with the form of a logical system, in behalf of the power of judgment.”¹⁵

The concept of purposiveness is therefore what ends the regress of rules of subsumption for judgment that Kant described in the first critique. It is the principle of that “special talent” for which there is no rule and which “cannot be

¹¹ Kant: GMS, AA 04: 402.

¹² Kant: KU, AA 05: 220.

¹³ Kant: KU, AA 20: 217.

¹⁴ Kant: KU, AA 20: 218.

¹⁵ Kant: EEKU, AA 20: 216.

taught but only practiced.”¹⁶ This is because the principle of purposiveness simply says that judgment is possible only on the condition that we see objects as suitable for judgment. Here no further condition is necessary. But it should be noted that what it means for an object to be suitable for judgment is that it be systematically ordered. It is this form of a system that I will argue is the condition for the possibility that judgments have a final cognitive worth, or depth.

4 Autonomy and Heautonomy

We can now see how the principle of purposiveness serves as an a priori law for the pure power of judgment by being its own law, just as the moral law serves as the law for pure reason, by being its own law. However, as Kant notes, unlike the will, the power of judgment does not give a universal law, rather it just gives a law to itself. Kant writes, “Strictly speaking, one must call this legislation heautonomy (rather than autonomy), since the power of judgment does not give the law to nature nor to freedom, but solely to itself.”¹⁷ Indeed, if, as I argued above, the power of judgment is only an executive power, and has no legislative branch connected to it, then what would it mean to say that the power of judgment gives the law to itself? What about the power of judgment is “lawmaking” and what about it is “law following?” From the preceding discussion, it should be clear that the power of judgment is not, like *Willkür*, a power of rational choice. Rather, it is a power that strives to actualize itself. As such, the law for the power of judgment is not a law that it consciously “represents to itself” as the *Willkür* represents to itself the law of reason, but rather it is just its own natural law. To judge according to the principle of purposiveness is thus simply to judge according to our “natural gift,” our pure power of judgment.

Kant’s critique of the power of judgment therefore reveals that there is a pure form of judgment that has its own transcendental principle. But this principle is not a law of reason that it can consciously endorse. Rather it is its own natural principle of purposiveness, which guides its own activity in accordance with its end, which is to actualize itself, that is, to judge. The feeling of pleasure, which, according to Kant, accompanies the heautonomous activity of reflective judgment, is just the feeling of the promotion of its own self-activity, or, what Kant calls “life.” In his early lectures on psychology, Kant refers to “life” as follows; “life is the inner principle of self-activity [...] Now there can be a promotion,

¹⁶ Kant: KrV, A 133/B 172.

¹⁷ Kant: EEKU, AA 20: 225.

but also a hindrance to life. The feeling of the promotion of life is pleasure and the feeling of the hindrance of life is displeasure.”¹⁸ And, in the *Critique of the Power of Judgment*, Kant writes that in a judgment of taste “the representation is related entirely to the subject, indeed to its feeling of life under the name of the feeling of pleasure or displeasure which grounds an entirely special faculty for discriminating and judging.”¹⁹

5 Value

So far, I have argued that the *Critique of the Power of Judgment* should be understood to supply a touchstone for the worth of judgments. Judgments that have worth are those that are merely reflective and which are guided by the principle of purposiveness, those that do not are those that are determined by a concept. This is not to say that determinative judgments are “worthless.” It is just to say that they do not have the worth that is at issue in the *Critique of the Power of Judgment*, just as heteronomous actions do not have the kind of moral worth that Kant is concerned with in the *Critique of Practical Reason*. What, then, is the worth of judging with our own pure power of judgment rather than relying on an external influence?

I can only sketch an answer here.

I think that what results when one judges merely reflectively, according to the principle of purposiveness, is a kind of cognitive depth through which we increase our understanding of a thing. This depth is, I believe, the good of judgment, or good judgment. Just as an action performed for the sake of reason alone and according to the moral law is an action that is valuable for its own sake, so is a judgment that is made according to the principle of purposiveness valuable for its own sake. Such purposive judgments are those in which it is worthwhile to say, for example, that this stone is granite, rather than those in which we automatically report on our sense impressions of the stone and, from force of habit, say it is granite. The former indicates that I have an insight into the nature of the stone and have increased my understanding of it. The latter does not.

On my account, then, we can understand the pleasure that we feel in judgments of taste to be just the feeling of the active use of this faculty, which Kant calls the feeling of life. We can also understand why, in the introduction to the

¹⁸ Kant: VM, AA 28: 247.

¹⁹ Kant: KU, AA 05: 204.

Critique of the Power of Judgment, in the context of a discussion of judgments of taste, Kant writes that “the attainment of every aim is combined with the feeling of pleasure.” This passage has been taken to be controversial because it seems to imply that even the pleasure of taste involves the attainment of an aim, whereas elsewhere Kant says that judgments of taste are disinterested and are “without purpose.” However the “aim” that is attained when we feel pleasure in judgments of beauty is not an aim determined by the faculty of desire, which has an interest in the existence of the object. Rather, it is simply the aim of the faculty of judgment itself, which is to engage in the activity of judgment and attain depth of understanding of the object. Here, we feel pleasure simply by judging that the object is purposive for our judgment, is systematically organized, and hence admits of cognitive depth.²⁰ What is at issue is not any interest in attaining a practical aim, but rather a cognitive purpose, which, I am arguing, is simply the purpose of engaging in the activity of judgment, or of having what we might call an active mind.

Kant continues in this passage to say:

To be sure, we no longer detect any noticeable pleasure in the comprehensibility of nature and the unity of its division into genera and species [...]; but it must certainly have been there in its time, and only because the most common experience would not be possible without it has it gradually become mixed up with mere cognition and is no longer specially noticed.²¹

Although one could take Kant here to be describing the cognitive pleasure of “problem-solving,” such as that involved in solving a math problem, I do not think this is what he has in mind. Rather it is the pleasure of the discovery of what objects in nature have in common with each other and of the insight that results when one abstracts this away from what is irrelevant to this commonality; when we see, for example that the behavior of many different kinds of objects can be unified under one law. Moreover, here we see that, for Kant, once a judgment is “taken for granted,” it is no longer a source of pleasure. Judgments that do not involve a discovery are just “mere cognition”; they are no longer “specially noticed,” nor do they have the special cognitive value I am calling depth.

20 The “aim” here is not an interest in an object of desire. It is simply the aim of judging. Let us look more closely at the passage: Kant writes, “The attainment of every aim is combined with the feeling of pleasure; and [...] in [the] case [of] a principle for the reflecting power of judgment [...] without the concept of purposiveness in this case having the least regard to the faculty of desire, and thus being entirely distinct from any practical purposiveness of nature.” (KU, AA 05: 187)

21 Kant: KU, AA 05: 187.

Reflective judgment thus requires that we consider nature as if it were purposive and systematically ordered because only under this condition is it possible for our mind to engage with nature and discover in it an order we can grasp. The value that is the result of this engagement I call “depth.” I have argued that depth is a final value of cognition. Its good is simply for the sake of cognition itself. A critique of the power of judgment thus reveals to us that we have a capacity for making judgments that have a special kind of non-instrumental worth; judgments of reflection that are deep.