Reflection: Its Structure and Meaning in Kant's Judgements of Taste

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When Kant announces in a letter to Reinhold that he has discovered a new domain of a priori principles, he situates these principles in a 'faculty of feeling pleasure and displeasure' (Zammito 1992: 47). And it is indeed in his Critique of Aesthetic Judgement, named in this letter the Critique of Taste, that we find his elucidation of the relation of the principle of purposiveness to the feeling of pleasure. The kinds of judgements in which our feelings are evaluated in accordance with a principle are what Kant names reflective judgements. And while reflective judgements emerge in the third *Critique* to include not only judgements of taste, but also judgements of the sublime and teleological judgements of nature, in this paper I will focus on the first, as the question of the relatedness of reflection to pleasure is most pronounced in this context. There is no consensus in Kant scholarship as to what the structure of reflective judgements is, as evidenced by the widely disparate views of those such as Guyer, Allison, Pippin, Ginsborg, Lyotard, and others.

The importance of discerning the structure of reflective judgements cannot be understated, as it is intimately tied to the larger role of the third *Critique* in Kant's Critical project. One could argue that any vision of the relevance of the *Critique of Judgement* to Kant's larger project must include an examination of reflection, as it is only in this capacity that judgement can be taken to be an 'intermediary between understanding and reason'.[1] This is how, as Kant famously writes, the third *Critique* bridges the 'incalculable gulf' between freedom and nature. Thus my analysis here, of the structure of reflective judgements, can be seen as a kind of propaedeutic to the broader concern of the third *Critique*. As I believe careful textual and conceptual analysis of judgements of taste will show,

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Kant makes a distinction between two levels of reflection, allowing us to see that his notion of reflective judgement is conditioned by a sensible encounter with nature. The 'two-level' interpretation of reflection has also been offered by Paul Guyer (especially 1997: 97–102), and in many ways the following analysis is predicated on his insights. The present analysis, though, both expands upon his work through a more detailed examination of the text, particularly of the first *Critique* account of reflection, which allows us to name conscious reflection a transcendental act, and defends the two-level reading against those commentators who argue that Kant's vision of reflective judgement is a form of cognitive self-relation. The defence of the two-level reading against those who offer a vision of reflection as self-relation will be predicated largely on the problem of accounting for error in judgements of taste. It will also gesture toward ways in which the two-level reading of reflective judgements offers more promise for potentially bridging the gulf between freedom and nature.

This paper, then, will have three main movements. In the first, we will seek to clarify what it means to claim that reflective judgements have a two-level structure and why we are warranted in naming both levels 'reflection'. We will illustrate that there is (1) an unintentional, or unconscious reflection that occurs and that produces pleasure and (2) an intentional, or conscious reflection on this pleasure that establishes it as of a certain kind. This division will largely follow Kant's own text and also draw upon work already done by Guyer (1997) regarding this question. In the second division, we will turn to different accounts of reflection that promote reading reflective judgements as self-relation; here we will turn to Ginsborg's essays on reflection (1990; 1991; 1995) and Longuenesse (2000). The third division will argue that such a reading cannot accommodate Kant's notion of error, and also suggest that we would do better to solve the problem of freedom and nature in the context of the two-level reading.

The Two-Level Reading

The reader's introduction to Kant's notion of reflective judgements in the third *Critique* is made primarily by way of contrast with determining judgements. Determining judgements are familiar to us as those expounded upon in the Analytic of the *Critique of Pure*

Reason, and are summarized here as: 'If the universal (the rule, the principle, the law) is given, then the power of judgement, which subsumes the particular under it . . . is determining' (Kant 2000: 5: 179). In these kinds of judgements, our judgement, as it were, is guided by the a priori rule of the understanding, which subsumes a particular, given representation under it. These judgements, moreover, are objective, in the sense that they are judgements valid for the objects about which they are made. In contrast with determining judgements he writes: 'If, however, only the particular is given, for which the universal is to be found, then the power of judgement is merely reflecting' (ibid.). Reflective judgements, then, are judgements for which no rule can be found in the understanding to determine an object in intuition. We must reflect and seek to discover another rule or principle in us; judgements properly called reflective judgements are judgements in which a principle of purposiveness is employed to account for the given particular.[2] The principle of purposiveness does not determine our representation, that is, nothing is cognized through this principle. The complication that arises in judgements of taste has its source in Kant's notoriously confused claims, that the pleasure involved in them is the ground of the judgement of reflection, and that it is the product of reflection.

To reconcile these two seemingly contradictory claims, we should, as Guyer details, understand Kant as employing two notions of reflection, indeed, two levels or even two reflective moments constitutive of judgements of reflection. We can understand the first level of reflection as objective, in the sense that the reflection relates to a representation of an object. The second, more explicit level of reflection, is an evaluation of the resulting state of pleasure produced by the harmonious free play of the faculties and is the same reflection involved in judgements of the sublime, as well as teleology.[3]

Reflection in the *Critique of Pure Reason*

In order to more fully grasp what Kant takes reflection to be, we will look first at his discussion of transcendental reflection in the first *Critique*. Kant's analysis of transcendental reflection in the first *Critique* will be helpful for interpreting and articulating his later view in the third *Critique*, and specifically for discerning the different tasks that reflection has. Guyer's analysis in *Kant and the*

Claims of Taste does not include such a discussion, and providing one here allows us a much more robust understanding of reflection, particularly in its conscious, intentional use. Historically, very little attention has been paid to this section in the commentaries that focus singularly on the first *Critique*, though Beatrice Longuenesse's text, *Kant and the Capacity to Judge,* fills a lacuna in this respect. This neglect is somewhat puzzling, as Kant claims that 'all judgements . . . require a reflection' (Kant 1998: A261/B317). And while his analysis here is not wholly consistent with his analysis in the later work, it has important elements that will orientate our thinking, and provide a framework and basis through which we can better understand reflection in judgements of taste.

Kant's analysis of reflection in the first *Critique* is situated at the end of the Transcendental Analytic, to which it is appended. Its location indicates important elements about the role and function of reflection. First, we note that it directly follows the section on the phenomena/noumena distinction, whose main thrust is to limit the use of the understanding to that which is given to us through our intuitions in space and time. That is, the use of our concepts of the understanding has objective validity only in the realm of 'material' nature (i.e. that which is governed by our forms of intuition). In this context, reflection appears to be the process by which a subject distinguishes the source of a representation: it identifies 'the cognitive power to which the representations belong' (Kant 1998: A263/B319), and therefore allows the subject to discriminate whether or not the use of the understanding is legitimate. Kant says that this kind of reflection, which he names transcendental reflection, 'goes to the objects themselves' (ibid.). This is to say that through reflection and establishing the source of the representation we are in effect establishing the source of the representation of an object – whether the object represented is an object in nature, or it is an object for which we can have no intuition. The latter objects are those of God, immortal souls, and other unknowable aspects of a hypothetical noumenal realm that dwells outside the determinations of space and time. Our representation of these objects is given to us not in intuition, but from another source, namely reason, whose demands for totality and the unconditioned engender the ideas of God, etc., but over whom the understanding has no dominion. In this context, then, reflection is what makes distinct the source of our representations.

This characterization of reflection is in some ways negative, in so far as what Kant seeks in the Analytic is within the purview of determination of objects through the understanding, and specifically in the Amphiboly to expose the limits of the domain of the understanding. There is a more positive characterization that accompanies this aspect, namely, that we are *conscious* of our state of mind. Kant defines reflection as

> the state of mind in which we first prepare ourselves to find out the subjective conditions under which we can arrive at concepts. It is the consciousness of the relation of a given representation to our various sources of cognition, through which alone their relation among themselves can be correctly determined. (Kant 1998: A260/B316)

While the above description of reflection pertains to the source of the representation itself, this broader characterization of reflection with which Kant opens the section goes to our awareness of the arrangement of the faculties in a determining judgement. So in a determining judgement through the understanding, we are aware that we are making such a judgement, namely, a claim of objectivity. Reflection operates here in much the same way that our more mundane or colloquial understanding of reflection operates – the subject is aware of the kind of judgement that is made, and the status that the judgement has. An unreflective person, in contrast, is not attentive to the source and arrangement of their cognitive states, and thus may overreach, making inappropriate objective claims about things outside the proper domain of knowledge.

Transcendental reflection as described here can be said to be a cornerstone of Kant's Critical project, as it is, it seems, what allows for the possibility of a transcendental method. Indeed, Kant's philosophy can be thought of as an exercise in transcendental reflection, as highlighted in Kenneth Westphal's piece, 'Kant's Transcendental Response to Skepticism' (2003).

Westphal notes that 'epistemic reflection', which is what he names Kant's method for establishing *that* we have certain kinds of faculties, is closely related to transcendental reflection, which is what gives us the ability to know in each case *which* faculties are being employed. As he describes transcendental reflection: 'it concerns not the logical form but the content, indeed the objects of our representations, to determine whether they can ground universal, particular, affirmative or negative judgements' (2003: 140).

Lyotard also articulates such a view, claiming that, 'with reflection, thinking seems to have at its disposal the critical weapon against itself. For in Critical philosophy, the very possibility of philosophy bears the name of reflection' (1994: 31). Lyotard aptly describes reflection as having the task of domiciling our judgements; that is, reflection literally finds the facultative 'home' to which our representations belong, allowing for correct judgements to be made. The two aspects of reflection elucidated in the first *Critique*, namely, that of discerning the source of the representation of an object and the consciousness of one's state of mind (which should be thought of as two sides of the same coin), are what will allow us to understand conscious reflection as a transcendental act.[4]

Reflection and Pleasure in the *Critique of Judgement*

What then, is the function of reflection in the third *Critique*? The problem surrounding the structure of reflective judgements in the third *Critique* revolves, largely, around the role and production of pleasure, and pleasure's relation to the activity of reflection. The judgement of taste, unlike knowledge claims, is valid only as regards the subject, that is, it is a judgement of the subject and the subject's relation to an object in a representation. And it is precisely the pleasure felt in relation to a represented object that is the ground of such a judgement. In articulating a reading of the structure of reflective judgements here we must show that such a reading is warranted by Kant's own text and theory. In doing so, we will make reference to Guyer's position as articulated in his *Kant and the Claims of Taste* (1997), and seek to both clarify and in some places extend his analysis. We must of course begin by noting that Kant himself is not explicit in making a distinction between the first, unconscious or 'unintentional' (following Guyer) level of reflection that results in the pleasurable free play of the faculties, and the second, explicit or conscious act of reflection that brings us to awareness of the source of our pleasure. In fact, his claims about reflection and its relation to pleasure are seemingly (that is, without a two-level reading) contradictory.[5] What I will attempt to motivate in this section is that while Kant does not make a technical distinction, he does in fact rely upon two distinguishable acts of reflection, and that his theory also necessitates it.

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Our first task in this context will be to demonstrate that Kant's claims that pleasure is a product of the first, unconscious reflection is warranted not only by his claims in the third *Critique*, but also in his understanding of how reflection is at work in determining judgements. Kant consistently refers to the pleasure on which our judgement of beauty is grounded as 'resting on reflection'.[6] The pleasure here is indeed connected with a representation, but only in so far as the pleasure rests on reflection (as an unconscious attempt to determine it through the understanding) on that representation. The pleasure itself, however, is constituted by what Kant calls a harmony of the faculties that make any cognition at all possible, namely the understanding and imagination:

> The pleasure in the judgement of taste is therefore certainly dependent on an empirical representation, and cannot be associated with any concept . . . but it is nevertheless the determining ground of the judgement only in virtue of the fact that one is aware that it [pleasure] rests merely on reflection and on the general although only subjective conditions of its correspondence for the cognition of objects in general. (2000: 5: 191)

The pleasure is itself a result of reflection, while the judgement of taste is characterized by the awareness of the pleasure as having a specific cognitive origin (this awareness will be a result of the second level of reflection, to be explored further below). How can we be warranted in claiming that reflection leads to a free, harmonious relation between the imagination and understanding?

For this we must attempt a delineation of the role of reflection in determining judgements, which, as we will see, can be said to involve the lower level, unconscious reflection that produces a free play of the faculties in a judgement of taste. Rodolphe Gasché summarizes it succinctly: 'Indeed, determining judgements are reflective as well, in the sense that they implicate reflection . . . reflection here follows the laws of the understanding' (Gasché 2003: 17).[7] It is clear in Kant's account that the subject, as the source of the laws of nature, attempts to bring all representations under laws. In determining judgements, those laws are the laws of the understanding. But on Kant's own grounds we cannot say that there is something about the nature of the object itself that immediately informs us as to what kind of judgement should be made about it; rather, our 'cognitive wheels' are set in motion in the same way, indiscriminately at first (at least in the case of beauty, in which the imagination has no problems

in its representation of the object. It is not clear that this holds for the sublime, whose frustration is felt in its inability to represent the object in its totality). Because of his idealist, and not ontological, account of experience, Kant cannot appeal to the object itself as that which prompts the difference in the kind of judgements we make, and it would seem that reflection is integral in this process. Further, in determining judgements and judgements of beauty, there is no difference in the representation of the objects, only in the cognitive state that seeks comprehension of that representation.

When Kant's human subject encounters an object in representation, its first mode is to attempt to determine it through concepts. Reason's demand for systematicity and totality in knowledge places this demand on us. (This demand is so strong that Kant argues that when our cognition does not conform to it 'we take our cognition to be defective' (Kant 1998: A645/B673).) In the First Introduction to the third *Critique*, Kant offers the following account:

> The principle of reflection on given objects of nature is that for all things in nature empirically determinate concepts can be found . . . For if we could presuppose this and did not ground our treatment of empirical representations on this principle, then all reflection would become arbitrary and blind. (Kant 2000: 20: 211)

Kant is clearly arguing here that our representations, which are all subject to reflection to determine their origin (as in the first *Critique* analysis), are also subjected to a reflection that seeks to bring the representation under the laws of the understanding, that is, we operate primarily under the presumption of the possibility of knowledge. All 'experience' is guided at first by a presupposition that it is determinable through a concept. Only when this reflective attempt fails, when no concept is found, or empirical concept created, does a harmonious free play between the imagination and understanding result. In determining judgements, the imagination is subject to the laws of the understanding; when these laws are not adequate to determine the object in representation, the faculties enter into a free play.[8] In his discussion of unintentional reflection, Guyer arrives at this same conclusion, namely, that 'Imagination's search for unity in its manifolds . . . might be an unconscious activity, revealed only in its success on some occasions, in the application of a concept to a manifold, and on others, in a feeling of pleasure' (1997: 93). This

pleasure we feel in the harmony of the faculties is our 'aesthetic response', and is the ground of our subsequent judgement of taste.

Since we have shown why we are justified in taking pleasure to be a product of reflection on the representation of an object, we will turn to the thorny textual issue of §9: 'Investigation of the question: whether in the judgement of taste the feeling of pleasure precedes the judging of the object or the latter precedes the former', which specifically addresses the role and place of pleasure in our judgements of taste. It is here that we will demonstrate the necessity of taking reflection *also* to be a conscious act; and to be that which brings us to an *awareness* about the kind of pleasure on which our judgement is based. §9 has been widely discussed in the secondary literature on the issue of pleasure and much of the confusion in interpreting this section emerges from the fact that Kant takes the four moments of the judgement of taste to be both constitutive moments of the harmonious pleasure and the criteria we use to investigate that state. Thus in this discussion universality, or universal communicability, appears at different points to be both the ground of the pleasure and something attributed after the fact. The confusion arising from this conflation is compounded by Kant's varying claims about what it is we are judging – the object or our pleasure.

Kant begins with his analysis of what he calls the 'key to the *Critique* of taste' with the claim:

> If pleasure in the given object came first, and only its universal communicability were to be attributed in the judgement of taste to the representation of the object, then such a procedure would be self-contradictory. For such a pleasure would be none other than mere agreeableness in sensation. (2000: 5: 217)

It would appear that Kant is claiming that the universal communicability that characterizes the pleasure in a judgement of taste is itself constitutive of the pleasure. We must take care in understanding this suggestion. Such a claim may lead us to interpret Kant as arguing for a single moment of reflection, wherein the pleasure felt is not a consequence of what we have called unintentional reflection, but rather of the conscious reflection we take to be the second moment and its attribution of universality to our mental state. However, as Guyer details, in paragraph six of this same section Kant explains that the fact that we find pleasure in communicability is an empirical or psychological fact, not an a priori one (Guyer 1997: 138 and

Kant 2000: 5: 218). Moreover, Kant's claim in the passage cited above is not the same as claiming that *awareness* of this universal validity is constitutive of the pleasure on which our judgement is grounded. *Awareness* of the source of the pleasure is gained only through reflection on the pleasure through the four moments; nonetheless, a *judgement of taste* does indeed require such awareness. The condition of universal communicability – the fact that others will respond to the object in the same way the subject does on account of having the same cognitive faculties – is taken by Kant (not unproblematically) to be the logical consequence of a state which has no private interests determining it. He ends this section stating that the 'subjective unity of the relation can make itself known only through sensation. [It is] the animation of both faculties to an activity that is indeterminate but yet, through the stimulus of the given representation, in unison' (Kant 2000: 5: 219). Two things are assumed in this claim: (1) that pleasure is the harmonious free play of imagination and understanding, and, more importantly here, (2) that this pleasure is what makes known to us that there is such a state of mind. Our subjective state (or state of mind, as it were) is not immediately present to us, but *can become known*, and in fact, must become known.[9] It is through conscious reflection on the pleasure that this relation between the faculties becomes known; pleasure emerges not merely as feeling, but, as Guyer summarizes it: 'as the basis for *consciousness* of the harmony of the faculties' (1997: 89, my emphasis). Only when we know the source of our pleasure to be such a state of mind – discovered, as it were, through conscious reflection – can we then judge that our feeling is universal in its character, and therefore claim that the object is beautiful.[10]

Other descriptions of the role of pleasure in this section seem to contradict this reading and suggest that pleasure is the result of reflection, and not its object of investigation. For instance, Kant writes, 'Now this merely subjective (aesthetic) judging of the object, or of the representation through which the object is given, precedes the pleasure in it, and is the ground of this pleasure in the harmony of the faculties of cognition' (2000: 5: 218). A superficial reading would indicate that the entire act of judging takes place with the pleasure being the result. There are two problems with this reading, however. Initially we must note that Kant here uses the phrase 'merely subjective (aesthetic) judging of the object', a combination not used elsewhere in the text. To understand what Kant can possibly

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mean by this terminology, we must take it in conjunction with what follows: 'but on that universality of the subjective conditions of the judging of objects alone is this universal subjective validity of satisfaction, which we combine with the representation of that we call beautiful, grounded.' The latter half cited here is concerned with judging the object as beautiful, which is done, Kant explains, only when we combine the representation with an acknowledgment of the source of the pleasure – the universal subjective conditions for judging in general (i.e. the understanding and imagination). (Recall Kant's explanation of reflection in the first *Critique*: 'It is the consciousness of the relation of given representations to our various sources of cognition' (1998: A260/B316).) Namely, only by connecting the pleasure we feel, a satisfaction that is universally valid because it rests on universal grounds for judging in general, with the representation of an object that produced the pleasure, can we call the object beautiful. The first half becomes clearer now, as we can see that it is not concerned with naming the object beautiful (i.e. with our judgement of taste proper, which, let us recall, is not an objective judgement but a judgement about our subjective state and its relation to the object in representation). The subjective aesthetic judging of the object can here be understood as the unintentional reflection, that is, as our attempt, albeit unsuccessful, to determine the object (Kant 2000: 5: 217). This simply repeats what we concluded in our previous discussion, that it is our attempt to judge the object (which involves unintentional reflection) that precedes and ultimately leads to pleasure. Such a distinction accords with what the title of the section announces: a distinction between a judging (attempted) of the *object*, and the *judgement of taste*.

Let us recall that Kant defines taste as 'the faculty for judging *a priori* the communicability of the feelings that are combined with a given representation (without the meditation of a concept)' (2000: 5: 296). The object of a judgement of taste is our feeling, or aesthetic response to an object in nature – the feeling's quality, cause, relation, etc. Thus pleasure is the nexus of judgement; a result of an attempt to determine the object in nature (or unintentional reflection) by which we might say, 'this object occasions pleasure in me', but pleasure is also the object and ground of the judgement of taste, by which in saying 'this object is beautiful' we make a claim not only about our relation to the object, but more substantively about the universal conditions of judging and thus the relation of others

to this object. The means by which we investigate, or reflect upon, our pleasure, in so far as reflection is a coming to consciousness of our state of mind, are the four moments of the judgement of taste, which provide the criteria for evaluating the pleasure that results from our unintentional reflection. Kant notes that the four moments are 'the moments to which this power of judgement attends in its reflection' (2000: 5: 203n). Pleasure is the ground of the judgement of the taste, but to preclude it from being merely sensation, we must conclude that it is also a result of a kind of (unintentional) reflection, and not mere agreeableness, or pleasurable sensation. Thus an interpretation of §9 must account for the distinction announced in the title between the judging of the object (an attempted judging that fails) and the actual judgement of taste (which judges the relation of the object to our pleasure).

More attention has been paid however, to paragraph three in this section, which Allison names 'undoubtedly among the most puzzling statements in the *Critique of Judgement*' (2001: 111). Kant writes:

> Thus it is the universal capacity for the communicability of the state of mind in the given representation, which, as the subjective condition of the judgement of taste, must serve as its ground and have the pleasure in the object as a consequence. (2000: 5: 217)

Allison notes that this presents two exegetical problems: 'The first is to explain how the pleasure of taste can be the result of the judgement, when (since the judgement is aesthetic) it is also supposed to be its basis or condition' (2001: 111). Kant, however, appears to claim here not that the pleasure is the result of the judgement of taste, but that it is a pleasure in the object; it is a result of the universal capacity for the communicability of the state of mind or the subjective condition for judging in so far as the harmonious free play rests on our universal cognitive faculties. The pleasure is communicable precisely because it rests on the universal conditions for judging in general. This leads to the second exegetical problem, which Allison takes to be that 'Since the universally communicable mental state is presumably itself pleasurable, this seems to commit Kant to the view that the pleasure of taste must be in the universal communicability of the pleasure of taste, which seems hopelessly circular' (Allison 2001: 111). But the latter does not seem to follow from the former. Just because the mental state that is universally communicable is also pleasurable does not mean that it is our

awareness of the universal communicability that brings us pleasure, as we have already indicated (though later Kant indicates that this is a further consequence, as we saw in distinguishing pleasure in the *object* and pleasure in the *judgement*). It is only the case that the constitution of pleasure in judgements of taste is such that the pleasure is universally communicable. The pleasure *is* the consequence of the 'universal capacity for the communicability of the state of mind' precisely because it is *not* a merely subjective (i.e. interested, sensory) pleasure, but a result of a unique arrangement of our cognitive faculties that are universally shared; we come to be conscious or aware of this only through reflection. The passage seems clearly to be about the constitution of pleasure in judgements of taste being universally communicable because the pleasure rests on universal (albeit subjective) grounds. In our experience of beauty, the judging of the object precedes (and results in) pleasure, but upon reflection the universal communicability of the pleasure is seen to be constitutive of the pleasure itself. When offering his own resolution to this passage, Allison's summary in no way contradicts or undermines a two-level view of reflection. He writes that the goal of §9 is 'to locate a universally communicable mental state that can serve as both the source of the disinterested pleasure of taste and the ground of its universal communicability' (2001: 115).

Beyond the textual analysis above, there is another very compelling reason that we must understand conscious reflection as antecedent to the pleasure that is the ground of the judgement of taste, and that is the character of pleasure itself. Pleasure, for Kant, is univocal, that is, there are not different experiences of pleasure such that pleasure immediately informs us as to its origin. After examining the different places in Kant's opus where pleasure is discussed, Guyer concludes 'The feeling of pleasure itself, then, is always the same' (1997: 105). Indeed, whenever Kant describes differing pleasures – in the agreeable, disinterested or good – he seems to assume that we will be able to identify these differences. However, he never explains how these differ in kind, that is, what our different experiences of this pleasure look like. In his account of the different origins of the varied pleasures, Kant's discussion of disinterested satisfaction gives a full picture of the differences of these three pleasures: 'The agreeable, the beautiful, and the good therefore designate three different relations of representations to the feeling of pleasure and displeasure, in relation to which we distinguish objects or kinds of

representations from each other' (2000: 5: 210) Pleasure is singular, and the names we use to describe it derive from *how we relate our representations to it,* not from anything immediately apparent to us in the pleasure itself. Conscious reflection, then, is necessary in all cases of pleasure in order to discern the kind and source of pleasure; more specifically, to discern whether the pleasure is merely sensory or the product of reflection. That pleasure is singular will return as an important feature below, as the issue of the possibility of error in judgements of taste largely concerns this fact.

Judgements of Taste as a Single Moment

I would like to turn to interpretations of reflection that argue for understanding judgements of taste as involving a single act, in opposition to the two-moment level sketched above. There are many different versions of this view, and I will not treat all of the scholarship here. Rather, through elucidating a few key proponents of this idea, we can see its essential features, the most important of which I take to be a vision of reflective judgements as a kind of cognitive self-relation. This is to say that the single-moment interpretations, various as they may be, all share the idea that our judgement is fundamentally about our own cognition, and not about our relatedness to objects in nature. Following this, I will then develop what I take to be an insurmountable indictment of this view, namely, that it precludes the possibility of error. I will also suggest that the single-moment view does not offer the bridge between freedom and nature promised by Kant in the introduction to the third *Critique*, and that the two-level interpretation has more potential success on this front.

Perhaps the strongest and most developed view of judgements of taste as a single moment is that of Hannah Ginsborg, whose series of articles on the third *Critique* provide much insight and meaningful interpretation of Kant's work; her work is also the most explicit in regard to the idea that judgements of reflection are a kind of cognitive self-relation, or as she characterizes them, 'self-referential'. Ginsborg takes the main concern of reflective judgements to be about their normativity; I concede that it may the case that a certain conception of normativity may be drawn from Kant's account, but it does not seem evident to me that normativity provides the most helpful lens through which to understand this text. Ginsborg's view, summarily, as she states it, is that 'it is one and the same act of

judgement which is responsible, both for the pleasure itself, and for the claim that the feeling of pleasure is universally valid' (1990: 71).

Ginsborg explicitly rejects the two-moment interpretation, dismissing conscious reflection upon one's pleasure to discern its origins as a mere 'empirical discovery' where we find the 'causal origins' of our pleasure (1991: 296). Such an interpretation of conscious reflection upon one's cognitive states, as described above, can hardly be dismissed as empirical psychology. Ginsborg notes that Guyer himself seems to describe conscious reflection as empirical, though our account of reflection as a transcendental act as illuminated in our discussion in the first *Critique* should dispel that worry. Indeed, as we noted, Kant's Critical method employs such reflection on our mental faculties and reflection should be understood as that which allows us to relate the object in our representation to our mental state. Ginsborg conflates conscious reflection with empirical reflection, or what Westphal identifies as mere introspection, which examines the contents of one's mind (2003: 141–2). Thus the harmony of the faculties is not what *causes* our pleasure, but rather what *constitutes* our pleasure; seeking the source is not the same as seeking the cause. Moreover, the assignment of causality that Ginsborg locates as the relation between our mental state and pleasure is in fact located for Kant between the *object* and our mental state. This is nothing other than the third moment of the judgement of taste (that of relation), wherein we (reflectively) ascribe the cause of our pleasure to the purposiveness of the object.

Ginsborg's point of departure for rejecting the two-level view in favour of a self-referential act is her claim that the empirical discovery of the cause of our pleasure is not sufficient for concerns about normativity. She writes that 'empirical considerations could never ground the . . . claim that the pleasure is one that others *ought* to share' (1991: 296). On her account, the pleasure felt is that in which the judgement of universal communicability itself is made manifest to us. In one moment, she argues, we engage in a judgement whose 'structure' is self-referential, in which we feel pleasure, and the feeling of pleasure is at the same time due to our recognition that our judgement is universally valid. This leads her to conclude that we must understand judgements of taste as 'a judgement which, in effect, claims nothing but its own universality' (1991: 300). It is the 'self-grounding' character of our mental state

that makes it pleasurable, that is, our mental state is pleasurable because it is universally valid (Ginsborg 1990: 72). She even takes the further step of arguing that it is not just its universally valid character that makes it pleasurable, but it is also because 'I am presently judging the object as I ought to judge it, and hence that my cognitive faculties are functioning just as they ought to function' that the feeling is pleasurable (1995: 459). Thus the judgement of taste is self-referential in so far as it refers to its own universal character and status as normative for our own faculties: it is its universal and normative character that warrants a demand of assent from others.

It is just this demand that others assent that Ginsborg thinks the two-level view cannot accommodate. When we dismiss concerns that reflection on our pleasure is mere empirical psychology, this charge also falls away. On the two-level view, the universal character of the judgement still remains; it is not, however, awareness of this character that is constitutive of our pleasure. Our awareness of its universality is given only upon reflection, and in the judgement of that pleasure as having universal – not private – grounds. It is certainly accurate to interpret Kant as claiming that consciousness of our judgement's communicability is also pleasure, and in fact Longuenesse makes a distinction between first- and second-order pleasures in our judgements of taste. Longuenesse, though, attributes our first-order pleasure to consciousness of our mental state, and in this way is in sympathy with Ginsborg's main thrust, namely that it is consciousness of our mental state that grounds our pleasure. What the two-level view outlined here posits, in contrast, is that the second-order pleasure is in no way constitutive of the judgement of taste, and may even be said to be antecedent to it. More importantly, though, we can delineate the main difference between our view and the single-moment view by way of clearly articulating the relation of our consciousness and our pleasure. The single-moment view holds that the pleasure that grounds the judgement of taste is constituted by consciousness of one's mental state – either the harmony of our faculties (in Longuenesse's case) or the universal communicability (in Ginsborg's case). The two-level view is committed to interpreting Kant as arguing that the pleasure that grounds the judgement of taste, and which is in fact the object of the judgement of taste (the judgement of taste is a judgement about the subject, not the object), is not constituted by any consciousness. Only after one has reflected upon the source of this pleasure (employing the four moments, as

we will see below) does one become conscious of one's state and therefore capable of making a judgement of taste.

A related aspect of the single-moment view is that it commits itself to the idea that our mental state can become known to us in a clear, positive way. By this I mean that our pleasure is consequent on knowing that our mental state is a certain way – harmonized and/or universally communicable. Such a view presumes that we can have something like clarity about our state of mind. Granted, Kant does say, as cited above, that the sensation is the means through which our mental state becomes known to us (by prompting reflection, on our account), but the kind of 'knowledge' we have cannot be said to be one of certainty. Ginsborg's apparent supposition – indeed any view that takes consciousness of our mental state to be productive of pleasure – clearly runs against one of the persistent worries of Kant, namely that there can be both universally valid claims of taste as well as errors in making these claims. Kant accommodates this tension by maintaining that while the pleasure in the judgement of taste is one whose grounds are universal, we may be wrong in taking our own pleasure to be of this nature, that is, we do not have immediate and certain access to our mental states. In Ginsborg's reading, however, there is no room for error. Part of this is the unfortunate consequence of the self-referential interpretation – she takes the judgement of taste to be about its own normativity. This view leaves us with a judger who makes claims only about their own cognitive abilities, and not about the way that they are relating to the world.

Another deleterious consequence of this view is that the object which occasions the pleasure appears to fall away, as we should be able to be pleased in our universally valid (thus communicable) mental states in the absence of any object, as the pleasure is ultimately in response to our own state of mind. The pleasure on her account is not occasioned by, or even related to, the object, but is twice removed from it. While she is right in claiming that Kant himself 'makes explicit that the judgement of taste is without content' (1991: 307), that is, is not objective, its claim is not *only* about our own universal subjective conditions for judging – though this is where the legitimacy to necessity derives from – it is about the arrangement of these conditions in relation to a specific object. And while she repeatedly invokes the idea that our judging is as it ought to be in relation to an object, it is not clear that the object is necessary to the judgement at all, and she expresses such a worry: 'Now

this abstract and formal act of judgement may seem to have little to do with finding an object beautiful' (1990: 72). Even if we concede that on her account the object must be there, to claim that the judgement is only about our own state, and not about our relatedness to the object, we lose the potential the two-level view has for bridging the gap between freedom and nature. Before we develop this line of thought, though, let us turn first to the issue of error.

The Problem of Error

That Kant takes error to be a necessary possibility of judgements of taste is quite clear. Kant explores this notion along the lines of any certainty we may have in judgements of taste. Kant holds that while one can believe oneself to be making a pure judgement of taste, whether or not one 'is in fact judging in accordance with this idea [of a universal voice] is uncertain' (2000: 5: 216). *That* we can be wrong in announcing that an object is beautiful, that is, that the pleasure we feel is of a certain kind, appears in a myriad of ways throughout the Critique of the Aesthetic Power of Judgement. That we can disagree about the beauty of objects such that we ascribe – and not postulate, which only a logically universal judgement can do – the agreement of others in our judgements of taste, and that we 'often . . . make an erroneous judgement of taste' (ibid.), all point to a lack of certainty and possibility of error in the expression of a judgement of taste. What we must discern, then, is where the error in an erroneous judgement of taste is located.

For Kant, the fallibility in making judgements of taste has to do not with the universal aspect of our cognitive faculties, but with the singular nature of these judgements. That is, erroneous judgements are made at the level of the particular: whether or not such an object is really beautiful or perhaps merely charming. But whenever someone makes a judgement of taste, they are, regardless of the object's beauty, making a claim about universal validity and cognitive conditions held in common. Kant writes:

> Whether someone who believes himself to be making a judgement of taste is in fact judging in accordance with this idea [of universal voice or validity] can be uncertain; but that he relates it to that idea, thus that it is supposed to be a judgement of taste, he announces through the expression of beauty. (ibid.)

To ascribe beauty as a predicate to an object indicates that the subject recognizes the universal validity of the subjective conditions of the claim in general, but may in fact be wrong about whether the object in question really pleases without a concept and without interest. And again, a judgement of taste about the beautiful 'does in fact expect [assent] of everyone for each of its judgements, while those who make those judgements do not find themselves in conflict over the *possibility* of such a claim, but only find it impossible to agree on the correct application of this faculty in particular cases' (2000: 5: 214, my emphasis).

In his remark on the Deduction of the Judgements of Taste Kant summarizes judgements of taste this way:

> for beauty is not a concept of the object, and the judgement of taste is not a judgement of cognition. It asserts only that we are justified in presupposing universally in every human being the same subjective conditions of the power of judgement that we find in ourselves; *and then only if we have correctly subsumed the given object under these conditions.* (2000: 5: 290, my emphasis)

Fallibility is only the mistaking of the pleasure involved in aesthetic judgement – thinking it to be the harmonious free play of the imagination and understanding when its origin is otherwise. Aesthetic judgements of reflection have as their ground the subjective state of sensation (albeit a sensation which has a legitimate claim to universal assent). While each kind of judgement has as its condition universal cognitive faculties, aesthetic judgements of reflection have no determinate rules for application.

Indeed, all of his discussions of errors in judgements of taste take place within the context of arguments for universal subjective validity, about which claims of taste are made. Kant argues that a subjectively universal judgement 'does not pertain to the object at all . . . the predicate of beauty is not connected with the concept of the object' (2000: 5: 215). Subsequently, our errors in these judgements are not about whether or not the object is in itself beautiful, but about whether the pleasure occasioned in us has subjectively universal validity; that is, we are wrong about what we take our *relation to the object* to be. That we can be wrong means we can be wrong only in judging the nature of our pleasure. In a note to the first deduction where he defends universal subjective validity, he claims:

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> The judgement has taken into consideration solely this relation [of the cognitive powers] . . . If an error is made with regard to [this], that concerns only the incorrect application to a particular case of the authority that a law gives us, by which the authority in general is not suspended. (2000: 5: 290)

This definition of error should strike the reader as paradoxical, given that Kant's first definition of reflection in this text is the attempt to find a universal, for which a particular is given, and what is unique to beauty is that there is none. Here we are informed that error is the mistaken application of a law to a particular. This should clearly indicate that the first kind of reflection he explores is not sufficient to explain the judgement of taste, for we have seen that no law is found in this kind of reflection. The particular to which we apply law in this case is the pleasure (which is already a result of unintentional reflection). It is in the second level of reflection, in which we discern the cognitive origin of the pleasure, that the actual judging results. Since the judgement is about these states, and not the object, our mental state must be the particular to which we apply the universal, namely, the principle of purposiveness as how the object relates to our pleasure. Only through this (transcendental) reflection can we apply an a priori principle to our pleasure. That is, an error takes the pleasure to be one generated by a specific cognitive relation, one whose emergence we could assume in others by virtue of the universality of cognitive faculties, when in fact the pleasure is not of this kind. Allison explains this using a distinction between pure judgements of taste and 'objectively hypothetical' judgements. Errors are when we mistakenly take a judgement of taste to be pure – unmixed with concept, interest, etc. – when in fact they are not. Thus we cannot ever be sure that our judgement is pure.

While we cannot be wrong about the fact that all humans universally share the same cognitive faculties as conditions for judging in general, we also cannot be wrong about pleasure being a state that we are in. Fallibility then must pertain to our evaluation of our subjective state, that is, what we take to be the ground of our pleasure, and thus about how we are related to the object represented. Errors are about the gap between the pleasure we feel and the knowledge of universal subjective validity – the application of this to a particular state of pleasure. This is to say that the pleasure produced may actually be a result of charm, decoration,

or even interest. On Ginsborg's reading, however, we can have no account of error. Indeed, any interpretation of judgements of taste that asserts that our pleasure is a result of conscious reflection and therefore in consciousness of our mental state cannot account for error. If the judgement of taste is about our own normativity, it's not clear that we can ever be wrong, as the relevance of the particular falls away under such a model.

We cannot be in doubt that we are in a state of pleasure. But clearly we can be in error as to the nature of that pleasure, namely, its source. To locate fallibility here indicates that we do not have direct access to our subjective states, that is, they do not immediately inform us of their origin (i.e. sensation or a cognitive relation). (Some may: those pertaining to taste, smell, and touch are probably always sensory, I would argue.) If they did, it's not clear that we could be in error about them. When I encounter a photo or painting that occasions pleasure in me, I must seek the source of the pleasure: is it because I have a particular fondness for whatever the subject matter is (elephants, birds, what have you), or because the object is not one for which I have a concept? Judgements of taste claim that the pleasure I feel in combination with the representation of this given object is pleasure that all would feel, on account of each human being having the same faculties, and the pleasure is nothing but the harmonious free play of these very faculties. I cannot be wrong, or even doubtful, Kant thinks, about these conditions.[11] And there is no hint that we can be wrong about being in a state of pleasure, so we must be uncertain as to the *kind* of pleasure which we are experiencing. That is, we have judged our states incorrectly, and thus are in error as to our relation to the object in our representation. To not hold this would be to maintain that there are different kinds of pleasure that immediately inform our judgement. This would exclude the possibility of fallibility in judgements of taste.

Further, in his analysis of the difference between the agreeable and disinterested satisfaction, the difference is not in the *kind* of pleasure that ensues, but simply in its source. Kant clearly holds that we have some way of knowing the difference; but if we are able to be in error about the nature of the pleasure that grounds a judgement of taste – that is, we may call something beautiful which in essence is only agreeable to us but do not recognize our interest in it or its charm – then how can we hold that we would *immediately* know that pleasure arising from interest or the senses (excluding those

listed above) is in fact from that source? This is to say that conscious reflection as a transcendental act that 'domiciles' our representation (here, pleasure) is *how* we come to know the difference between kinds of pleasure.

The idea that Kant thinks that we do not have immediate or certain access to our mental states should be evident. In the first *Critique*, the nature of the deduction is not that of evidential proof, but of establishing, through transcendental reflection, the conditions for the possibility of our experience. Kant's moral philosophy posits that we may never know what our true motivations for action are. In judgements of beauty, this is most clearly demonstrated in how Kant articulates the four moments, which, as he writes, are 'the moments to which this power of judgement attends in its reflection' (2000: 5: 203nt). What these moments serve, in short, is to provide the analytic criteria we employ in our conscious reflection on the pleasure that grounds the judgement of taste. They are the means through which we investigate pleasure and establish its source. In his discussion of the *sensus communis*, Kant gives what can be read as a concise summary of the end to which we employ the four moments:

> Now this [the taking account of everyone else's way of representation in thought to avoid taking subjective private conditions as objective] happens by one holding his judgement up not so much to the actual as to the merely possible judgement of others, and putting himself into the position of everyone else, merely by abstracting from the limitations that contingency attaches to our own judging; which is in turn accomplished by leaving out as far as possible everything in one's representational state that is matter, i.e. sensation, and attending solely to the formal peculiarities . . . nothing is more natural than to abstract from charm and emotion if one is seeking a judgement that is to serve as a universal rule. (2000: 5: 294)

This aspect applies most clearly to the first moment, in which we eliminate the merely subjective aspect of the source of pleasure, but the spirit of this claim is that we want to know what kind of judgement we are making in aesthetic judgements, and to do so we must establish (as in accordance with the first *Critique*'s notion of reflection) the source of the pleasure about which we judge.

Even though reflection is the means by which we come to 'domicile' our representation, Kant does not seem to think that aesthetic reflection yields anything like a direct or positive knowledge of the

source of the pleasure. That is, it is not evident in a certain or clear way that our faculties stand in a relation of free play predicated on universal conditions for judging in general. Rather, we come to judge this only by ruling out what our pleasure is *not* based upon; the judgement that the source of our pleasure is one unique to the experience of beauty, and is universal, is formed through a kind of exclusion. This can be seen in the formulations of three of the four moments. The first three moments (the fourth being modality, which announces what *kind* of judgement we are making, in contrast with the content evaluated by the criteria given in the first three) provide negative criteria, or criteria articulated through the negation or exclusion of some alternative. We attend to our cognitive state with these criteria in hand: 'Taste is the faculty for judging an object or a kind of representation through a satisfaction or dissatisfaction *without any interest*'; 'That is *beautiful* which pleases universally *without a concept*'; and 'Beauty is the form of purposiveness of an object insofar as it is perceived in it *without representation of an end*' (2000: 5: 211, emphasis in original; 5: 219, my emphasis; 5: 236). That the criteria through which we locate the origin of our pleasure are predicated on the negation of something indicates a lack of direct or positive assessment of our state of mind. The universality we assert in our judgements of taste is not based upon a direct 'perception' of our faculties, but rather in establishing that the pleasure felt is *not* of a certain kind (merely subjective in origin), and that the object does not fulfil a concept or accord with an end. Only when these three exclusions are made can we then assert that the judgement is of a certain kind. The universality that we take our judgement to have when we say 'This is beautiful' is not one predicated on direct and certain knowledge of the arrangement of our faculties. And it is precisely this lack of clarity in our access to our own mental states that allows for the possibility of error in judgements of taste. The single-moment view that takes the pleasure to be a consequence of the state of mind of which we are conscious cannot be in error; rather, reflection must be that which attends to the nature of the pleasure itself.

A strange result of this is that what Kant calls mere sensory aesthetic judgements may also involve reflection. That is, it may be that the only way we come to know this kind of pleasure – one that is sensory, or even based in interest – must involve conscious reflection on our pleasure to determine its kind. This judgement

would, in some sense, be reflective; however, as it is not constituted by the a priori principle of purposiveness, as that which characterizes the relation of the object to our pleasure, it cannot be said to be a judgement of reflection, which must involve the faculty of judgement's own a priori principle. Reflection in merely aesthetic judgements would involve reflection only to the same extent that all kinds of judgements, as Kant claims, involve reflection. In this way, we see that a judgement of taste, as a judgement of reflection, not only involves reflection, but applies its principle as constitutive of the judgement. That this is the case confirms what I have hoped to emphasize throughout this paper, namely, that judgements of taste, while subjective, are essentially about our relatedness to the object in our representation. It is precisely in not recognizing this as the crux of reflective judgements that the single-moment viewpoint falters.

For Further Consideration

While the insufficiency of the single-moment view comes to the fore in our discussion of error, I would also like to suggest another reason for adopting the two-level reading of reflection that addresses concerns seemingly external to reflection itself. The broader concern at stake is that only when the relation of the object to the subject's pleasure is taken as central to the judgement of taste can we understand how the third *Critique* fulfils Kant's promise in his letter to Reinhold and to the readers of the third *Critique*, that the text will bridge the gulf between freedom and nature. My gesture here will be only that, a gesture toward the idea that if the relation of freedom and nature is at issue, this would certainly provide a more fruitful lens through which to understand the structure of reflection. The gulf, as Kant understands it, is that practical reason and the demands of freedom are such that nature must be seen to be *for us*, that is, as capable of accommodating the ends of freedom. Determining judgements, legislated by the understanding, yield only a nature experienced as mechanistic in its causality, and therefore unable to accommodate freedom's ends. Nature can also be thought of regulatively, in the ideas of reason and the postulates of practical reason, as having a non-mechanistic, teleological structure that does accommodate freedom's ends. These ideas, though, do not relate or refer to nature itself, but are born of the needs of reason itself; thus, they remain ideal, and incapable of bridging the gulf between freedom

and nature. Neither determining judgements, nor ideas of reason, can accommodate the demands of freedom that it be able to be made actual in nature. What I suggest here is that under the two-level interpretation of reflection, it can be seen how judgements of reflection occupy a space between regulative ideas and determining judgements of nature. In judgements of reflection, we judge that nature is purposive, but we do so with reference to nature itself, as that which occasions the pleasure and reflection involved in such judgements. Because judgements of reflection both judge nature as purposive, and do so in relation to nature itself, they may provide a way to bridge these two domains. This gesture, clearly, is a cursory one. It can suggest, though, a route to us whereby the third *Critique* speaks directly to the problem announced at its opening. This route, I contend, is not open to the account of reflection as self-relation, as it does not yield a judgement that is directly about our relatedness to nature. In the context of the relation of freedom and nature, then, we can see that judgements of taste, understood as explicitly about the subject's relation to objects, point us down a likely more successful path in bridging these two domains.

That judgements of taste are about the subject's relation to an object in representation – as established by reflection – seems clear enough. The first moment investigates whether our pleasure is related to the object through interest; the second, through a concept. The third moment, however, develops a principle that articulates the relation of subject and object, namely that of the purposiveness of the form of the object. A judgement of taste judges the subject, but does so in so far as it applies the reflective principle of purposiveness to the object. What we cannot forget is that for Kant, the importance of naming judgements of taste judgements of reflection is not simply that they involve reflection, but that the predication of the object as beautiful is merely reflective, and not constitutive or determining. Judgements of taste still make claims about objects, although the claim they make is valid only subjectively and only has as its content the relation of the form of the object to the subject.

If reflective judgements are wholly subjective (perhaps even solipsistic) as they are on Ginsborg's reading, the *relation* between nature and freedom cannot be said to be brought into relief. It is for this reason that I name the single-moment view a kind of cognitive self-relation, as it does not maintain the relatedness of the subject to nature as a constitutive feature, but only the subject's relation

to its own state. Such an account offers no route through which we might consider the overarching problem of the third *Critique* as bridging the gulf between nature and freedom. The two-level reading, however, allows us to understand judgements of taste as specifically about our relatedness to objects (i.e. objects in nature or nature as a whole). This is precisely what reflection accomplishes when it takes as its object the pleasure produced by the representation of an object – it reflectively judges that our pleasure is the result of the purposiveness of an object. Thus the possibility of conceiving nature 'in a such a way that the lawfulness of its form is at least in agreement with the possibility of the ends that are to be realized in it in accordance with the laws of freedom' (2000: 5: 176).

The interpretation of the two-level view presented here not only gives us a propaedeutic to bridging the gap between freedom and nature, but retains what seems most essential about the third *Critique* as a whole, namely, that judgements of reflection are judgements about our relatedness to nature. Moreover, the two-level view also allows us to understand Kant's claims that reflection produces pleasure, in so far as we have shown that we are warranted in taking the first moment of the judgement of taste to be a kind of (unconscious) reflection that leads to the harmony of the faculties.

Notes

[1] Kant, Immanuel (2000) *Critique of the Power of Judgement*, The Cambridge Edition of the Works of Immanuel Kant. (Cambridge: Cambridge University Press), 5: 168. (All Kant citations will refer to the Akademie volume and pagination in an effort to provide consistency between translations.)

[2] I deliberately characterize these judgements as 'proper' judgements of reflection because reflection may be involved in discovering or developing empirical concepts, through which objects may be cognized (determined); and as we will see below, reflection is involved in all of our judgements. For a clear discussion on the role of reflection in empirical concept formation, see Longuenesse (2000).

[3] It will also emerge that there are two moments of pleasure in this judgement: the initial pleasure that is a result of the free play of the faculties, and the pleasure of being conscious of the purposiveness of nature we take to be the cause or source of this pleasure, which is an extension of, or maintenance of, the first. That there are two moments to the judgement of beauty is not out of keeping with Kant's other analyses; he is explicit that in the sublime there are two moments, [first] 'the feeling of momentary inhibition of the vital powers and the

immediately following moment and all the more powerful outpouring of them' (Kant 2000: 5: 245). The initial inability of the imagination to comprehend the object of experience results in a kind of displeasure, followed by reflection on this feeling and a subsequent recognition that it is reason that demands such comprehension, thereby elevating our rational nature over our sensuousness.

[4] We should note that these two aspects of reflection do not map onto the first and second moments of reflection in the third *Critique*, but rather come together in the second moment.

[5] As Guyer notes, there is some textual consistency in Kant's use of mere or simple reflection in contrast to reflection, though it is not thoroughgoing, and to rely on such designations is complicated not only by Kant's own usage, but also by Gasché's (2003: 17–41) discussion of 'mere' reflection.

[6] See especially Kant (2000: 5: 191).

[7] Gasché does not go on to establish two levels of reflection in his account.

[8] I will not address why this arrangement is pleasurable, as it is beyond the scope of this paper. It will emerge, however, that I deny that consciousness of one's state is constitutive of the pleasure.

[9] Guyer focuses on this passage to highlight that Kant sometimes uses *Beurteilung* or 'estimation', when discussing the first act of reflection, though he submits that Kant does not use this terminology consistently.

[10] It is worthwhile to suggest an analogous structure in Kant's moral philosophy. For Kant, the feeling of respect is the way in which the obligation of the moral law becomes known to us. In turn, it is only through our experience of the moral law that our freedom becomes apparent to us: 'the moral law is the condition under which we can first become aware of freedom' (1999: 5: 5nt). Lyotard seems to allude to this idea in his brief discussion on the 'morality's "aesthetic"', wherein we become aware that 'morality rests on a "fact," the fact of a supersensible causality, or freedom, which can only be "thought of"'. The manner of becoming aware is, of course, reflection as a kind of transcendental method (1994: 40–43).

[11] That this is so is a prevalent, though often unspoken assumption in Kant's works. He addresses it specifically in §21 of the third *Critique*, where he writes that common sense 'must be able to be assumed with good reason, and indeed without appeal to psychological observations, but rather as the necessary condition of the universal communicability of our cognition, which is assumed in every logic and every principle of cognitions that is not skeptical' (2000: 5: 239).

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