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ABSTRACT

Perhaps one of the most troubling passages in all three of Kant’s *Critiques* is a short, confusing passage in which Kant claims that a judgment of taste must precede the feeling of pleasure. Many interpreters have argued that such a claim necessitates a viciously circular argument. But this circularity might not be vicious at all. In fact, this revolving shape actually leads to the most important site of the entire *Analytic*: the logic of the “without” as in the famous “purposiveness without purpose.” From an alternative position we will see that this spiraling shape repeats throughout the text, especially the four moments of the *Analytic of Beauty*. We will try to distinguish this aesthetic spiral from the classic hermeneutic circle, then return to the circular order of precedence in aesthetic judgment. Finally, we will try to clarify what is universally communicated in the demand on others involved in a judgment of taste.

KEYWORDS

Kant, aesthetics, purposiveness without purpose, hermeneutics

Kantian Excentricities

Ryan Johnson

... damn everything that won't get into the
circle, that won't enjoy, that won't throw
its heart into the tension, surprise, fear
and delight of the circus, the round
world, the full existence ...
— e.e. cummings

• Voice of Fire •

Imagine walking into the National Gallery of Canada in Ottawa. Walk up the stairs to the second floor and into the International gallery. Hanging near the back is a very large painting, nearly eighteen feet tall and eight feet wide, consisting of three equally-sized vertical stripes: two blue stripes on the outside and a red stripe down the center. The painting is Barnett Newman's *Voice of Fire* (1967). Staring at the deep blue and

red which span the height of the painting, a question arises: which comes first, the feeling of pleasure or the judgment that this is a beautiful painting? Does the sensation of pleasure come first, followed by the judgment of the object to which the sensation refers? Or is there first a judgment of the object and only subsequently a feeling that fills in the content of the judgment?

In §9 of his *Critique of Judgment*, one of the most troubling yet important passages in all of his writings, Kant answers this question. If the pleasure were prior, he says, then the relationship to the object would be determinative. I would look at Newman's *Voice of Fire*, its deep colors would hit me, and I would feel pleasure. The object would *cause* me to feel pleasure. My aesthetic judgment about the painting would be a mere effect of the sensation. The object would completely determine the subject's feelings and opinions. Kant's term for such a causal relationship is "*agreeableness*."¹ What is lacking in the merely agreeable is the subject's contribution to the determination of the object.

For Kant, the order of aesthetic experience is the inversion of agreeableness: *a judgment of taste must precede the feeling of pleasure*. Aesthetic experiences are thus not causal in the Kantian account. Rather, the relationship between the subject and, to continue the example, Newman's *Voice of Fire* is less determining than is the case in causal relationships. The subject contributes to the contemplation of the aesthetic object. The represented object, rather than causing the pleasure, merely opens up an opportunity for the subject to judge the object as beautiful or ugly.

This is what Kant says in §9:

If the pleasure in the given object came first, and our judgment of taste were to attribute only the pleasure's universal communicability to the presentation of the object, then this procedure would be self-contradictory. For that kind of pleasure would be none other than mere agreeableness ... Hence it must be [that] the universal communicability of the mental state ... which underlies the judgment of taste as its subjective condition [comes first], and the pleasure in the object must be its consequence.²

Many interpreters have argued that Kant holds two incompatible positions in this passage: (1) the judgment must precede the pleasure, and yet (2)

the pleasure must precede the act of judging.³ Thus a judgment of taste presupposes the feeling of pleasure, and a feeling of pleasure presupposes a judgment of taste. It seems that Kant is left with a viciously circular argument.

However, this circularity might not be vicious at all. Allaying the problem of circularity is not merely a matter of determining an order of priority for judgment and sensation. The solution to the problem does not consist in simply explaining why one comes before the other. Although Kant calls §9 the “key to the critique of taste,” the question of priority is a false problem. To avoid it, we should look for a break in the circumference in order to exit the circle and examine the issue from a different perspective. From such an alternative perspective, we will see a revolving shape repeating throughout the *Critique of Judgment*, especially in the four moments of the “Analytic of Beauty.” Breaking open this vicious circularity, we will locate four moving spirals. Once we distinguish this aesthetic spiral from the classic hermeneutic circle, we can readdress Kant’s rotating analysis of the order of precedence in aesthetic judgment and sensation. Finally, we will try to clarify what is universally communicated in the demand made on others involved in a judgment of taste. Let us begin with a few points of clarification.

• The Act of Judging •

It is important to be clear about what is meant by the act of judging. The first thing to note is that the judging is a particular kind of activity. Rather than fully constituting an object, or as Kant would say applying an objective rule of the understanding, the act of aesthetic judgment “picks up on” the harmony in the object. Aesthetic activity is the act of attuning the subject with the object, reaching a certain accord with the object – engaging with the object as something that could be but is not necessarily “taken up” and used as a determinate object for some specific purpose. However, before the subject “takes up” the object for the purpose of determinative or moral cognition, there is a sort of “holding up” of the object to the subject. We could say that prior to “taking up” the object, the subject plays with the object, pushing and pulling it in various directions, exploring possibilities for objective determination. In aesthetic judgment, the subject speaks *with* the object rather than *to* or *for* the object.

This does not mean that the subject perfectly captures the actual sense (*sensus*) or meaning that is conveyed through this spontaneous community (*communis*); for that would presuppose that the object contains a determinate sense or meaning which we cannot access due to the lack of some key according to which one can decipher it.⁴ Rather there is always more to the object. Later we will see that the object's inexhaustibility is key to understanding at least one interesting aspect of Kant's non-objective notion of universality. As it is "picked up" by the subject and played with by the faculties, the object is not exhausted, nor are its possibilities for cognition. There are always alternative ways to determine the object. In the aesthetic realm, for instance, no artwork is exhausted by any one interpretation or set of interpretations. Each interpretation, each engagement, certainly offers something about the object, something is definitely conveyed or "made sense of," but there is no such thing as a "complete" interpretation or total conveyance. This claim about the impossibility of "complete" interpretation is not an underhanded gesture towards the possibility of an exhaustive account of an object in an omniscient being but simply the claim that nobody, regardless of cognitive prowess, could ever discover all that there is to know about an object. In short, an aesthetic object is interpretively inexhaustible.

The *Critique of Judgment*, on which my argument is based, primarily considers judgments of aesthetic objects. But does the inexhaustibility I've described characterize *only* aesthetic objects or all objects? Are non-aesthetic objects also conceptually inexhaustible? While answers to this question are contentious, we can make a provisional observation. Perhaps it is not that all objects are in fact inexhaustible but simply that all objects are *potentially inexhaustible*. How is this potentiality realized? How does an object escape cognitive exhaustion? One answer is to claim that an object appears inexhaustible when one's stock of concepts fails, becomes stale or leads to some problematic state of affairs. An object escapes determination and becomes inexhaustible when concepts fail to account for the potential expressivity of the object. An everyday object, such as a urinal, usually seems exhausted by purely utilitarian purposes. Most of the time, we do not give it a second thought. The meaning of the urinal seems fixed and completely determined. However, as Marcel Duchamp's *Fountain* reveals, there is always more to the object. A urinal does certainly express determinate utilitarian meanings, but it can also reveal an ever-expanding set of meanings: deep aesthetic considerations, a tortured history of policy decisions, a cultural preference for cleanliness, the distribution of gender through corporeal affordances, ad infinitum.

Reflecting back on the last one hundred years of art history, it is clear that one aim of much of twenty-first-century art is to reveal the aesthetic potential in seemingly non-aesthetic objects. In works like Duchamp's, aesthetic experience shows us that determinative cognition about objects does not exhaust the potential for engaging with objects.

• The Analogical Spiral of the 'As' •

The inability of a subject to exhaustively determine aesthetic objects returns us to the circularity of §9. Why is Kant's discussion of the precedence of the act of judging and the pleasure circular? Because there is always more to the aesthetic object. Consider one of the most common phrases in the *Critique of Judgment*: "as if" (*als ob*).⁵ The "as" expresses the analogical stance one must assume in aesthetic discourse, in particular when attempting to describe the transcendental grounds for aesthetic experience. As is apparent from the inexhaustibility of the aesthetic object, neither the vocabulary nor the rational and conceptual frameworks of science and morality do it justice. Hence the only way to talk about such an experience may be analogically. The ultimate indeterminacy of both "as if" and "like" express the necessarily inexhaustible excess of the aesthetic object.

The constructions involving "as" or "like" are very often followed by "without" (*ohne*). For instance, recalling the four headings in the "Table of Judgment" from the first *Critique*: the quality, quantity, relationality, and modality of aesthetic judgments are *like* those which are found in determinate judgments *without* being identical. The analogy rests on a spiraling shape centered on the "without." The analogical structure has this form: *x is like y without x being y.*

The use of "as if" (*als ob*) and "without" (*ohne*) is later echoed by what Derrida refers to as the *embouchure*.⁶ The *embouchure* is an opening or mouth, e.g., the mouthpiece of a musical instrument, the mouth of a pipe, or the mouth of a river. In itself, the *embouchure* is meaningless; but as the shared border of two worlds, it forms an effective yet indeterminate circular threshold. The *embouchure* is the place where two different systems meet: the land and the ocean, the body and the world, etc. The world on one side of the opening is inexplicable from the other side and

vice versa. The two systems have very different vocabularies and conceptual or concept-free frameworks, so the crossing of the threshold or mouth must be an analogical movement. The form of an *embouchure* is thus a circle of untranslatability. In the *Critique of Judgment*, this idea of a mouth or opening functions as the empty center of four spirals moving through the four moments of the "Analytic of the Beautiful," pulling the analysis along, revealing a genetic structure that leads out of one moment and into the next.

With this cyclical structure revolving through our minds, we can address another longstanding question that is raised in the third *Critique*: why does Kant retain the architectonic structure of the previous two *Critiques*?⁷ Why does Kant retain the category headings of the logical table of judgments – quality, quantity, relation, and modality – in his discussion of aesthetics? An obvious albeit unsatisfying possibility is that the faculties at play in aesthetic judgment share the same formal conditions for determinative judgment; and since these formal conditions are revealed through previous *Critiques*, Kant should retain a similar structure for the final *Critique*. However, this answer loses credibility as soon as we see that the concern of the last *Critique* is neither knowledge-based nor determinate. Since the character of aesthetic reflective judgment is indeterminate, it requires its own grounding, its own conditions. The question of the retention of an earlier architectonic persists.

Perhaps the best way to answer this question is to examine the way in which the analytic is divided. The first part of the "Analytic of the Beautiful" is divided into four sections, which Kant calls "moments."⁸ Etymologically, "moment" comes from the Latin *momentum*, which was taken up into German and English almost unchanged. Momentum is the moving power or the quantity of motion of a body often as it moves around an axis. Like a center of gravity, the axis is the hollow point around which momentum gathers. The moment is thus the axis that emits a centripetal force maintaining the momentum until the force of attraction is broken. A moment lasts as long as the momentum carries. In the *Critique of Pure Reason*, Kant defines a moment in at least two ways. In one sense, he writes, "every reality in appearance has an intensive magnitude, i.e., a degree. If one regards this reality as a cause ... then one calls the degree of reality as cause a 'moment.'"⁹ In a second sense, an effect is "possible only through continuous action of causality, which ... is called a moment. The alteration [effect] does not consist of these moments, but is generated

through them as their effect.”¹⁰ Kant thus defines a moment as an intensive magnitude, a degree, or a spark that generates movement.

In the *Critique of Judgment*, the moments of quantity, quality, relation, and modality are four axes around which the analysis of beauty begins. Since Kant uses the cognitive structure of determinative judgments to analyze indeterminate objects, as the revolving momentum increases at each moment, the tie to the center breaks and unspirals into the next moment. As the machinery of cognition reaches out to determine the structure of aesthetic experience, the indeterminacy of aesthetic judgment reveals an inexhaustible excess, which judgment then seeks to determine yet again. As Kant tries to determine one moment of aesthetic judgment, the indeterminacy of that moment carries the analysis into the next moment. In using the architectonic structure of the critical enterprise in the four moments of the third *Critique*, Kant does not simply continue or complete his critical system but instead pushes it beyond its systematic limits. In the four moments of the “Analytic of Beauty,” Lyotard writes, “it [is] shown four times that taste only lets itself be understood by the category on the condition that it escapes the category’s logic.”¹¹ When the four logical categories prove unable to fully determine and exhaust the aesthetic object by placing it under a concept, the logical “as” gives way to the analogical “as if” in Kant’s phrasing. Here he encounters the threshold between the determinate domains of knowledge and morality on the one hand and the indeterminate “world” of life and aesthetics on the other. And thus, through the analysis of aesthetics, Kant confronts the limits of his logical system.

• The Four Moments and the Site of the “Without” •

The architectonics of the four moments in the “Analytic of Beauty” thus function as a genetic structure of interlocking spirals which are under constant threat of unraveling as the necessary inexhaustibility of aesthetic objects pushes Kant’s critical project to its limits. Beginning with the logical problems of the seemingly vicious circle from §9 of the *Critique of Judgment*, the viciousness drops away as the circle opens up, producing a set of moving spirals guiding Kant’s analysis. In other words, the open-ended and de-centered form of the analogical spiral is a repeated genetic

structure that produces and organizes Kant's "Critique of Aesthetic Judgment." Let us now explore the unspiraling nature of each moment.¹²

• First Moment of the Judgment of Taste: Quality •

In the "Analytic of the Beautiful," Kant writes that "taste is the power of judging an object or a presentation through a liking or disliking *without (ohne)* any interest. The object of such liking is called beautiful."¹³ Disinterestedness is thus the quality of aesthetic judgments. This may simply mean that there is no liking of an object that occasions one's experience such that this liking differentiates one subject from others. When the subject experiences disinterested pleasure, it is in rapt engagement with the object, pulled in by the gravitational force of the object's form, without a moral or theoretical interest motivating such an engagement. In a related sense, to say that an aesthetic judgment is disinterested could also mean that the subject has no interest in the existence of the object. Whether the object exists or not is not important, for the subject is only concerned with how he or she is affected by the presentation of the object within his or her experience. Since there is no personal interest in the existence of the object, the subject can claim that all beings with similar mental machinery should judge likewise. Anyone who shares the same cognitive structure should judge that *this* object is beautiful, ugly, etc.

In a different sense, the disinterested quality of the aesthetic moment is simultaneously the 'birth' and 'death' of the subject. On the one hand, the subject is born out of the harmonized "quickening of the faculties."¹⁴ On the other hand, the aesthetic moment occurs when the subject's faculties fail to determine the object as a particular kind of thing. As Kant says in both the A and B versions of the deduction in the first *Critique*, while the necessary condition for the proper functioning of the faculties is the transcendental unity of the subject, subjectivity requires the actual employment of faculties for its existence. Without the proper operation of its mental powers, the subject cannot be expressed. In short, it is not possible to be an "I" without the working of cognitive machinery. When the requisite determinacy of an object slips away, the faculties cannot perform an act of determination, pushing the whole mental machinery, including subjectivity, to a breaking point.

It is thus in this indeterminate moment that the subject 'dies' or ceases to function as a moralizing or knowing subject; it is de-subjectified almost to a point of selflessness. As we will see below in the discussion of the *sensus communis*, it is in an aesthetic experience that the subject's faculties become attuned to the world, reaching a sort of harmony with an object however indeterminate that object may be. Unlike pleasure in the agreeable or the good, the disinterested pleasure of aesthetic experience is a pleasure without a determinate object.

When the subject takes pleasure in an aesthetic experience, there is a "quickenning of his cognitive powers."¹⁵ Since the faculties of the imagination and the understanding are not engaged in determining the object of aesthetic experience as this or that type of thing, the mind spins its gears, revving itself up to a pleasurable degree. This pleasure aims "to keep us in the state of having the presentation itself, and to keep the cognitive powers engaged in their occupation without any further aim. We *linger* in our contemplation of the beautiful because this contemplation reinforces and reproduces itself."¹⁶ Thus, lacking the guidance of a concept, it seems that the feeling of pleasure leads out of and into itself, arching along the rounded edge of judgment, thereby encouraging us to preserve the state of pleasure and linger therein.

Let us now look at the structure of the quality of aesthetic judgment. On the one side, there is pleasure; on the other side, interestedness. In between, simultaneously keeping the two sides apart and keeping them together, the middle is the analogical structure of the "without": aesthetic pleasure is *without* an object, *without* a motive, *without* a concept or idea of the good, *without* interest. The "without" is the axis that emits both centrifugal and centripetal forces to the two sides of the quality of aesthetic judgment. In short, the qualitative engagement with an aesthetic object is *like* the rapt engagement in the pleasures felt in the agreeable or in the good *without* actually being the same. Hence, the qualitative state of aesthetic pleasure is *without* interest, that is, disinterestedness. The structure generating the momentum spiraling out of the first moment is repeated in the second.

• Second Moment: Quantity •

The second moment looks at the quantity of a judgment of taste. A judgment of taste is singular and universal. One judges a singularity; one calls *this* very presentation beautiful or ugly, only *this* painting, only *this* song, only *this* flower. The quantity of aesthetic judgments is different than the quantity of determinate judgments. In the first *Critique*, Kant states that the universal and particular judgments embodied by determinative cognition are completely different from singular judgments. “[I]f,” Kant writes, “we compare a singular judgment with a generally valid ... cognition ... then the former relates to the latter as unity relates to infinity, and is therefore in itself essentially different from the latter.”¹⁷ In the third *Critique*, Kant explains that when singular judgments become universal or particular, they are no longer aesthetic but logical. “I may look at a rose and make a judgment of taste declaring it to be beautiful. But if I compare many singular roses and so arrive at the judgment, Roses in general are beautiful, then my judgment is no longer merely aesthetic, but is a logical judgment based on an aesthetic one.”¹⁸ Thus to say that some (a particular judgment) or all (a universal judgment) objects are beautiful is to make a logical and determinative judgment; in contrast, aesthetic judgments are indeterminate and thus have no recourse to objective concepts, laws, or rules. “For since I must hold the object directly up to my feeling of pleasure or displeasure, but without using concepts, these judgments cannot have the quantity that judgments with objective universal validity have.”¹⁹ Aesthetic judgments have a different but analogous kind of quantity: aesthetic judgments are *both* singular *and* universal.

The singularity and universality of aesthetic experience take the form of subjectivity without personality. Unlike what happens in agreeableness or a moral judgment, in an aesthetic judgment, the aesthetic object is experienced by the singular subject without reference to the peculiarity of the person. On the one hand, aesthetic judgments hold only for the subject in that unique moment in which a singular representation is held up to the subject. In this sense, the judgment is subjective. At the same time, Kant claims that there is a sort of “*general validity*” to aesthetic judgments.²⁰ In other words, aesthetic judgments are universal. The universality of aesthetic judgments is not a determinative universality, for it is not derived from the imposition of objective concepts supplied by the

understanding. Instead, according to Kant, aesthetic judgments are universally valid in the sense that the claim that *this* object is beautiful should hold for *all* subjects. This does not mean that everyone *will* or even *would* deem this presentation of the object beautiful; such a prediction would assume the form of a logical judgment mediated by concepts. Rather, in saying that everyone *should* find this object beautiful, there is a peculiar kind of normativity at play. Since the 'should' of aesthetic judgments is indeterminate, aesthetic normativity lacks prescription. In other words, without the mediation of an objective rule, the force of the normativity of aesthetic judgments lacks a conceptually determinate prescription. This concept-free and indeterminate experience of liking is a kind of harmony that Kant calls "*sensus communis*." If my liking for an object were derived from my personal history and experience (as would be the case if I found the object merely agreeable), then my judgment would not be universal; the 'should' of aesthetic normativity would only apply to those who share my history and my experiences. But since this liking emerges solely from my subjective faculties beyond any personal idiosyncrasies, according to Kant, it applies to all subjects. The universal voice of aesthetic judgment is thus a voice without a command, an expression without logos, an echo without a determinate source. Since aesthetic judgments are subjective without being personal, they are both singular and universal.²¹

The structure of the second moment of aesthetic judgment is the same as that of the first: the quantity of aesthetic judgments is universality *without* conceptuality, universality *without* objectivity, singularity *without* personality – in short, subjective universality. "Beauty," Kant says, "is what, without (*ohne*) a concept, is liked universally."²² The universality in aesthetic judgments is *like* the universality in objective judgments *without* being identical. Subjective universality is thus an alternative kind of universality.²³ The quantity of aesthetic judgment – subjective universality – also rests on a familiar shape, the turning spiral of the without that brings two seemingly contradictory things together as it also holds them apart.

• Third Moment: Relation •

The third moment of the "Analytic of the Beautiful" argues for a notion of formal purposiveness or finality as that criterion by which objects can be judged as beautiful. As expected, there are two conflicting sides to the nature of the relation of aesthetic judgment: on the one side, there is purposiveness; on the other, there is an actual determinate purpose. In the middle of course is the very familiar spiral of the "without." Kant begins the third moment with the notion of a purpose or end (*Zweck*). To phrase it in a typically Kantian manner: that which we regard as a purpose is the effect of an action that is dependent on the preexistent concept of the thing. Unpacking things a bit: a purpose is the product of an action, but this product is of such a nature that it could only have been produced according to a process that includes a representation of its nature prior to its existence. Calling something a purpose is to claim that the process of producing it seems to require a concept governing and conditioning its appearance. The purpose would not have been achieved unless there was a concept of that purpose guiding the productive process to the end. On this side of the "without" there is a purpose.

But on the other side of the "without" is the idea of purposiveness or finality (*forma finalis* or *Zweckmäßigkeit*), which is derived from Kant's definition of purpose or end.²⁴ An object is considered purposive if it seems to have been produced according to a purpose, that is, according to some driving force or plan. To attribute purposiveness to an object is to say something about the causal history of the object's production, namely that there was a certain goal in mind that guided the production of the object and is thus the cause of the object. An object is purposive because it seems to require an intention or plan in someone's mind in order for it to have been produced.²⁵ Purposiveness then is the momentum driving toward a purpose. It is now possible to insert the "without" (*ohne*) that ties and separates both purposiveness and a determinate purpose. The "without" is the circle of untranslatability of Derrida's *embouchure*. When a subject comes across a certain object, unclear as to what purpose this object is intended to serve, one can still see it as purposive, given that its formal qualities seem to have required a plan that guided the very production of the object. While an object may or may not have a determinate purpose behind it, it is still possible to consider it purposive even in the absence of such a purpose. In other words, Kant claims that

certain objects seem to have a complex design, an appearance of form that leads us to postulate a designer for that form and ascribe purposiveness to the object. The way in which the parts of the aesthetic object hang together, seemingly for some purpose, is *like* the way in which other objects hang together in their being directed towards some definite purpose – only aesthetic objects actually lack such a purpose. Hence Kant's description of aesthetic objects as "purposiveness *without* purpose."²⁶ Spiraling around the "without," like Derrida's *embouchure*, is the analogical structure that requires purposiveness to seek out a purpose without ever arriving at one. Purposiveness and purpose strive to coincide but continually miss each other, almost like two ships passing in the night. Since it never arrives at a determinate end, the momentum of the third moment breaks the gravitational force that binds it to the empty center and unspirals into the fourth moment.

• Fourth Moment: Modality •

Kant's discussion of the moment of subjective necessity also shows us that there are two incongruous sides of the "without": on one side is subjectivity; on the other is necessity. To understand subjective necessity, it is helpful to recall the subjective universality of the second moment. Like universality, necessity seems to entail objectivity. The necessary assent of human subjects to empirical truths of science, for example, stems from the appeal to objective proofs or criteria by which disagreements can be measured and resolved. Everyone ought necessarily to confirm the accuracy of the physical laws of motion because their validity is susceptible to open experimentation and testing that holds for all subjects, not merely for a single person or particular group. However, like subjective universality, since subjective necessity lacks determinate concepts of the understanding, it is subjective insofar as it is justified "by feeling rather than by concepts."²⁷ Unlike subjective universality, which entails the normativity of aesthetic judgments, subjective necessity concerns the strength of the universal voice. Not only does the 'should' apply to all, it applies to all by necessity.

If aesthetic judgment is not rooted in any objective criteria, what gives the modality of aesthetic judgments its necessity? The answer to this question revolves around the notion of a *sensus communis*. Although

Kant defines *sensus communis* in a few different ways, it is sufficient to notice the general force of this concept.²⁸ The *sensus communis* is a condition that is required for subjects to make indeterminate judgments. Considered a "subjective principle," this condition is a way of attuning the subject to a certain object in a way that finds no recourse to practical or cognitive principles.²⁹ In an aesthetic judgment, the mental faculties are left ajar, freed up and therefore open to new possible forms of cognition; it is in this state of free play that the subject harmonizes with the indeterminate object. Since neither the understanding nor the imagination assumes a legislative role in aesthetic judgment, the two powers are set at a certain tension that exists prior to any particular determination. This pre-cognitive or pre-practical open space, a sort of ground without determinate ground, is where the subject speaks as an anonymous subject with a universal voice. It is a ground of determinability (*Bestimmbarkeit*) without determination (*Bestimmung*).

The *sensus communis* is not an objective accord. It is not a subjection of empirical objects to a legislating faculty that also determines the role of the other faculties. Instead, it is a purely subjective accord. Conditioned by an ungrounded basis, it is an accord that makes a plurality of determinations possible without being tied to any single determination. This purely subjective accord in which an aesthetic judgment occurs is universal because the *sensus communis* is what makes cognition possible.³⁰ Again, aesthetic judgments are simultaneously subjective and necessary. The necessary demands that others judge as I do. The necessary relationships involved in aesthetic judgments are thus *like* the necessary demands and relationships in objective judgments *without* such a necessity being equivalent to the kind in mathematical or empirical judgments. Hence, subjective necessity or necessity without apodicticity. As Kant says, "[s]ince an aesthetic judgment is not an objective or cognitive judgment, this necessity is not derivable from definite concepts, and so is not apodictic."³¹

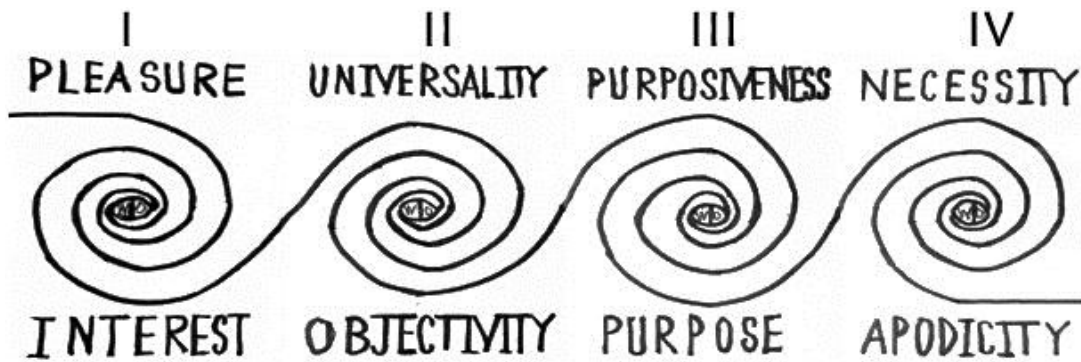
• The Three Characteristics of the Spiral •

The spiraling structure that recurs in each of the moving moments of the "Analytic of Aesthetic Judgment" has three main characteristics: (1) two exterior sides separated and connected by the central "without"; (2) the

inequality of the two sides; and (3) the decentered state of the empty center. Thinking back to the beginning of the paper, the dynamic structure of the three vibrant red and blue stripes in Newman's *Voice of Fire* is a visual expression of the sort of tripartite configuration of the four moments in Kant's aesthetic analysis.

In the aesthetic spiral, two sides are separated but simultaneously tied together by the "without." We have used Derrida's figure of the *embouchure*, the empty center at the heart of two incommensurable sides, to express the structure of the "without." Although the most explicit example of this occurs in the third moment – namely, purposiveness without purpose – this structure repeats throughout the text, as my analysis has shown.

In every moment, the two sides of the "without" are unequal, and this inequality carries the momentum of the analysis forward. Inequality in this sense indicates the "push" of, say, purposiveness, the striving towards a purpose and the inability of this pushing or striving to match up with a determinate purpose. The "towards which" is always empty, a sense of "attraction without anything attracting."³² The "as if" and the "without" continuously revolve around each other at the empty core of this dynamic structure. The inequality between the two sides acts as the logical dynamic that, as we saw near the beginning, was mistakenly interpreted as a vicious circle. Rather than vicious, I have demonstrated that this is what pushes the analysis of aesthetic judgment along, communicating the momentum spiraling into the center of the *embouchure* and out into the next moment. If everything were at equilibrium, cognitive determination would be possible; a concept could be sufficiently applied to an intuition. Without an excess on one side and a lack on the other, there would be no room for free play, no affirmation of the pleasure, no self-generated impulse to *linger* over the aesthetic representation. Since the object slips away at every attempt to determinatively apply a concept, the inequality at the center of the four moments pushes the analysis along. Consider the following diagram of the four moments, each a spiral with the "without" at its center.



The center of the spiral, the moment-axis, is always decentered. The necessity of the constitutive inequality follows from the inability of the table of logical judgments to fully articulate a full aesthetic experience. If the table of judgments could fully capture the quality, quantity, relation, and modality of this experience, then the two sides of this circular structure would be tied down at the determined center. If this were the case, then aesthetic judgment would be pleasure *with* interest, universality *with* objectivity, purposiveness *with* a purpose, and necessary *with* apodicticity. However, the center of these two dissimilar sides in a judgment of taste is not a “with” but a “without.” Thus, the repeated circular structure includes two unequal halves evolving around a displaced center: the without.³³

• Spiraling Away from the Hermeneutic Circle •

To truly grasp the decentered nature of this circular structure of the without that continually appears throughout Kant’s text, we can compare it to the famous hermeneutic circle popularized by the phenomenological tradition.³⁴ Despite some similarities, we will see, this comparison reveals significant differences.

The hermeneutic circle is meant to explain the phenomenological process that constitutes interpretation of a text or world. For the early hermeneutists, such as Schleiermacher or Dilthey, the hermeneutic circle was a way of articulating the relationship between the parts and the whole of a text. When a person reads and understands the text, one must not focus only on the particular word, sentence, or page that one is reading at the moment, for such myopia would cause one to lose sight of the entire work

and possibly misinterpret it. Instead, as the reader encounters the particular sections of the text, he or she must repeatedly refer to the work as a whole. The reader, as it were, moves from the part to the whole and back again along a turning circle with each side continuously affecting the other. It is in this movement that the reader successfully comes to interpret the meaning of the entire work although no interpretation is truly final. For Heidegger and later phenomenological hermeneutics, the mutual interdependence of the parts and the whole also appears in the form of *Dasein's* self-understanding of himself and his world. The important thing for Heidegger is not the leaving of the circle once a clear and complete grasp of the text has been achieved but rather a question of when to *enter* the circle. For him, it is important to authentically investigate the ontological conditions of the life of *Dasein* and relate those conditions to everyday existence. Again, we see a circular movement between, say, the ontological and the ontic.

The spiraling structure of the "without" is not identical with the hermeneutic circle. There are of course plenty of similarities. Both of the Hermeneutic circle and the Kantian spirals contain movements between two unequal parts: in aesthetic judgment, between, for example, purposiveness and purpose; and in hermeneutics, between the part and the whole. The spiral of aesthetic judgment and the hermeneutic circle also both potentially allow for infinite interpretations of a single thing. This latter similarity however is also a point at which the two diverge.

While both the hermeneutic circle and the spiral of aesthetic judgment allow for endless interpretations, the hermeneutic circle continues to turn along a single path, proceeding in a linear direction. Although there is a back-and-forth movement from the part to the whole, the overall direction of the circle as it cycles towards a culminating (albeit only temporary) interpretation is unidirectional. The spiraling structure of the "without" in aesthetic judgment, on the other hand, unravels as it moves outward from the axis-point, trailing off in multiple directions at once. The unspiraling of the aesthetic spiral is without telos, without purpose, without definite direction, without linearity. It is nonlinear. However, it is not a descent into chaos but rather the movement of decentering or excentering itself: the momentary axis-point loses its centripetal force so that Kant's spiraling argument tips over and reorganizes according to another pattern. Rather than chaos, a new pattern of organization emerges. This is also the sense of new life in the quickening of the faculties involved in aesthetic judgments.

Since there is no end towards which aesthetic experience may head, it is unable to reach the sort of understanding that one obtains at the close of the hermeneutic circle. Rather than a determinative, cognitive understanding of the meaning of the text, there is only the free play of the faculties in a moment of indeterminate harmonization. While it is true that a somewhat conclusive interpretation seems to result from the experience of an aesthetic representation, the hermeneutic circle comes too late, arriving only after the aesthetic moment has lost its freedom from the laws of the understanding and has been determined.

The hermeneutic circle seems concerned with interpreting a ready-made meaning that is presumed to be there in the center, waiting for the interpreter to break the code. In contrast, the aesthetic spiral is actually decentered, lost, without center. There is no hidden meaning of the aesthetic object that merely needs to be punctured and disclosed through interpretive engagement. Rather, the more one attempts to determine aesthetic experience, the further away one gets from any such determination. Reminiscent of Alice's experience at the Sheep's Shop in *Through the Looking Glass*, the center of the aesthetic moment is always-already decentered, lost in perpetual displacement. Unlike in the book shop, where you will almost always find the text you are looking for, the Sheep Shop

seemed to be full of all manner of curious things – but the oddest part of it all was that whenever she looked hard at any shelf to make out exactly what it had on it, that particular shelf was always quite empty, though the others around it were crowded as full as they could hold ... [no matter how close she got to the thing she sought] was always on the shelf next above the one she was looking at ... "I'll follow it up to the very top shelf of all. It'll puzzle it to go through the ceiling, I expect!" But even this plan failed: the "thing" went through the ceiling as quietly as possible, as if it were quite used to it.³⁵

• Fire of Voice •

It is now possible to return to our discussion of the circularity in Kant's discussion of the order of precedence of the act of judging and the sensation of pleasure that first started this investigation. Which comes first: the judgment or the pleasure? As should be clear, this is the wrong

question. Much ink has been spilt over this small passage in Kant's text, and as tends to happen when such a difficult problem appears, attempts to help solve Kant's problem have actually led the discussion far away from the text itself.

A more productive approach then is to interpret the problem as a way of homing in on the site of the spiral of the "without" or *embouchure*. The problem of precedence may or may not be determinately solved, but this may not be such a grave concern. What is of concern is the location of a fundamental point or threshold of untranslatability; and this threshold of untranslatability, which is also the spark of infinite interpretability, appears along with each occurrence of the spiral. In this structure, Kant is showing us a limitation, a threshold that we cannot cross, a sight before which we cannot speak. As Nietzsche, a perhaps unexpected ally, might say, Kantian aesthetics locates a place that can only be "sounded out" with a sensitive tuning fork, that can only be sensed and not determinatively cognized. Neither words nor concepts will suffice; rules and laws do not apply. If one cannot help but speak, if one must communicate to the universe of like judges an undecidable experience, then he must speak analogically by way of the "as if," but he cannot fully capture the complete sense of the sensation.

The "without" is then a pointing to more, a turning out, towards an exit, an indication of an exteriority, of an externality. The judge is without: without words, without concepts, without interest, without purpose; one is caught in an infinite turning out (*ex*, *Über*, or *Auß*) of the spiral from the decentered site of the "without." In short, a judgment of taste is *excentric*. All one can do is *ex-pose* oneself, and *ex-pose* oneself to the *ex-cess* (*Überschuss*) inherent to the object. This is a confrontation with an infinite *ex-ternality* (*Externalität*), an *ex-ternality* that will always remain an outside (*außerhalb*) insofar as there is an internal world of logic, science, and morality (the three fundamental disciplines of the Greeks).

We find in this also a way to reformulate what is meant by the normativity in this universal voice, this *fire of voice* (recalling Newman's painting). What is said in a universal voice; what is universally communicated in an aesthetic judgment? It is a demand or *ex-pectation* that others *ex-pose* themselves to the *ex-cess*, that others *ex-ceed* (*überschreiten*) the ends of the domains of science and morality and engage the object as a presentation of an always already (or never will be) *ex-teriority*. Others should judge as I do in that we should all put ourselves in an unfamiliar position on unsteady grounds, *ex-posing*

ourselves to the object. To *ex*-pose oneself (*sich expoenieren*) is to go out on a limb, to leave the trunk, to decenter oneself, to be without. This exposure of the subject is then a confrontation with the ends of subjectivity itself. Although the German word for “without” is *ohne*, a perhaps more accurate translation combines *Aus* – “out” – and *mit* – “with” – to get *Ausmitte*, which translates back into English as “eccentricity.”

Hence, Kantian excentricities.

• Notes •

- 1 Immanuel Kant, *Critique of Judgment*, trans. Werner S. Pluhar (Indianapolis: Hackett Publishing Company, 1987), 206.
- 2 *Ibid.*, 217.
- 3 Although the secondary literature on this topic is vast, see See Beatrice Longuenesse, “Kant’s Leading Thread in the Analytic of the Beautiful,” in *Aesthetics and Cognition in Kant’s Critical Philosophy*, ed. Rebecca Kukla. (Cambridge: Cambridge University Press, 2006), 121-149; Hannah Ginsborg, “On the Key to the Critique of Taste,” *Pacific Philosophical Quarterly* 72 (1991) 290-313.; Paul Guyer, “Pleasure and Society in Kant’s Theory of Taste,” in *Essays in Kant’s Aesthetics*, eds. Ted Cohen and Paul Guyer. (Chicago: University of Chicago Press, 1982), 21-54; Craig Burgess, “Kant’s Key to the Critique of Taste,” *The Philosophical Quarterly* 39, no. 157 (1989): 484-492.
- 4 This is not to say that there is actually “a code” in the object and that the problem is that we just cannot decipher it. Rather, the point is that we approach objects “as if” they were appropriate to our forms of cognition, “as if” there were a code embedded in the object and that we just need to find out what that code is; this is the sense of approaching the object as an object “to be taken up as a kind of object.” In fact, one of the interesting elements of aesthetic judgment is that there will never be an act of deciphering the “code” of the object. As we will see, this impossibility of final decipherment then accounts for the potentially infinite amount of interpretations of the object.
- 5 Depending on the translation, in the “Critique of Aesthetic Judgment” alone the ‘as if’ appears over thirty-five times.
- 6 Jacques Derrida, “Economimesis,” *Diacritics* 11, No. 2, (Summer 1981): 13.

- 7 While answers to this question are plentiful in secondary literature (although none is sufficiently satisfying), the discussion of architectonic structure is aptly addressed in the first *Critique*. See, for example, Longuenesse, “Kant’s Leading Thread.”
- 8 The German word that Kant uses – *Moment* – is identical to the English ‘moment.’
- 9 Immanuel Kant, *Critique of Pure Reason*, trans. and eds. Paul Guyer and Allen W. Wood (Cambridge: Cambridge University Press, 1998), A168/B210.
- 10 *Ibid.*, A208/B254.
- 11 Jean-Francois Lyotard, *Lessons on the Analytic of the Sublime*, trans. Elizabeth Rottenberg (Stanford, CA: Stanford University Press, 1994), 46.
- 12 It should be noted that the order of the circles does not, in itself, matter. For the order is quite arbitrary, and Kant himself echoes this sentiment as he changes the order of the moments of the logical table of judgments for the different *Critiques*. In the first *Critique*, Kant lists the logical table of judgments in this order: quantity, quality, relation, and modality. In the final *Critique* however the order changes to this: quality, quantity, relation, and modality. Although Kant says that this change is due to the special nature of aesthetics, this does not have to be read as necessitating a specific order of precedence.
- 13 Kant, *Critique of Judgment*, 211; translation slightly modified, emphasis added.
- 14 Kant’s use of the phrase the “quickenning of the faculties” is quite interesting because in medical parlance “quickenning” is the stage in a pregnancy when the fetus first gives indications of being alive.
- 15 Kant, *Critique of Judgment*, 222.
- 16 *Ibid.*, 222, emphasis in the original.
- 17 Kant, *Critique of Pure Reason*, A71/B96.
- 18 Kant, *Critique of Judgment*, 215.
- 19 *Ibid.*, 215.
- 20 *Ibid.*, 214; emphasis in the original.
- 21 Based on this subjectivity without personality, some argue that judgments of taste may act as a foundation for moral judgments. While I think this is true, I push the idea even more. More than a foundation, judgments of taste are the genetic source for both moral and epistemic judgments. Even further, aesthetics is the genetic ground for morality and for knowledge.
- 22 *Ibid.*, 219.
- 23 It is important to note that I am not claiming that subjective universality is merely an additional kind of universality without objective universality being the primary kind of universality. Rather, the order of dependency should be reversed. Objective universality is only made possible by first raising the question of the universality of universality, which is exactly what Kant’s admittedly ambiguous discussion of subjective universality raises.
- 24 *Ibid.*, 220.
- 25 It is important for Kant’s theory however that the causal history is not determined; that is the process of production that brought about the existence of the object seems to be necessarily of such a nature, but the exact process of the causal history is not determined in an aesthetic judgment.

- 26 Ibid., 219.
- 27 Kant, *Critique of Judgment*, 238. Thinking back to Kant's critique of Hume, the two things that Kant wanted to discover were universality and necessity. These two terms go hand-in-hand in Kant's project. This is another reason why the second and fourth moments of the third Critique are so closely connected.
- 28 See my "An Accord In/On on Kantian Aesthetics" for a more in depth analysis of the ternary usage of the *sensus communis* in the third Critique. In this paper I examine three uses of the *sensus communis*: one, the "subjective principle" as a prerequisite for the judgment; two, as the faculty/power of taste itself; three, and as the "free play of the faculties." Ryan Johnson, "An Accord in/on Kantian Aesthetics (or the *Sensus Communis*: Attunement in Diverse Sites of Purposiveness)," *Kritike: An Online Journal of Philosophy* 5, No.1 (2011):117-135.
- 29 Kant, *Critique of Judgment*, SS 20.
- 30 Although this is not the place to make a further claim, it might be worthwhile to put forward a suggestion for a future avenue of research that would complete the open thread still lingering from this discussion. Namely, to explore the possible implications on Kant's critical project of claiming that aesthetics is first philosophy. Moreover, this is also why all objects, even seemingly non-aesthetic objects, are potentially aesthetic.
- 31 Kant, *Critique of Judgment*, SS 18.
- 32 Jacques Derrida, *The Truth in Painting*, trans. Geoff Bennington and Ian McLeod (Chicago: The University of Chicago Press, 1987), 86-87.
- 33 Finally, although it is not possible to locate every instance of this circular "without" structure in such a small paper, this contrasting yet complementing structure appears in many other parts of the text. Just to name a few, there are the organized yet free play of the faculties (lawfulness without law), the definition of beauty (what pleases without a concept), the definition of aesthetic judgment (a faculty of judging without the aid of concepts), the mathematical sublime (magnitude without comparison), the dynamical sublime (aesthetic presentation without form), the answer to the antinomy (schematizing without a concept), etc.
- 34 Although I am trying to distinguish between the aesthetic circle of the "without" involved in aesthetic reflective judgment and the hermeneutic circle, the latter might be closer to teleological reflective judgment, especially considering the relationship between a particular representation of nature and the regulative ideal of nature as a whole when investigating living scientific entities.
- 35 Lewis Carroll, *Through the Looking-Glass* (Boston: Lothrop Publishing Company, 1898).

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