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Volume 6, 2014

Edited by Fabian Dorsch and Dan-Eugen Ratiu

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# ***Transcendentality of Art in Kant's Third Critique***

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ABSTRACT. In the *Critique of the Power of Judgment* Kant provides a transcendental grounding for the judgment of the beautiful. Although Kant believes that beauty can be encountered in nature and art alike, it is commonly held that Kant gives priority to the natural beauty, and that fine art plays a rather insignificant role in *Critique's* argument. It is at times even doubted that Kant has a strong concept of art at all – one that would be compatible with most post-Hegelian aesthetic theories. To this view, Kant's concept of fine art – established as a sub-species of art in general (that is, human production as such) – is an empirical concept, external to Kant's conception of aesthetics as a transcendently grounded autonomous realm. In this paper, I aim to show that, contrary to this common contention, fine art does have for Kant a transcendental status, which, as I argue, follows from the transcendental role "art in general" plays for the aesthetic judgment as such. My argument focuses on two moments in the *Critique*: deduction of the concept of fine art in § 43-45 and the placement of art in the tables of the faculties in the published and the unpublished Introductions.

## **1. Kant's Definition of Fine Art and its Interpretations**

In § 43 Kant defines art in general as "production through freedom" (§:303, 182)<sup>1</sup> – that is, purpose-governed formation of material objects. From this definition Kant taxonomically proceeds towards the deduction of the concept of fine art, by first subdividing the category of "art in general" into

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<sup>1</sup> All references to *Critique of the Power of Judgment* will be given in parentheses: the volume and page number of the standard German edition of Kant's *Gesammelte Schriften* (Berlin: Georg Reimer, later Walter de Gruyter & Co., 1900–). followed by the page number of the Cambridge edition (see References).

"mechanical art" (one that is governed by determinate concepts of usefulness, viz. equipment) and "aesthetic art" (one that has pleasure as its purpose), and then – by distinguishing within the latter category the art of the agreeable (entertainment, as we would call it today) and fine art (*schönen Kunst* – literally "beautiful art," as it was indeed rendered in Guyer and Matthwes' translation, which I shall sometimes keep, so as to articulate an ambiguity, central to my discussion, between beautiful art – as a distinct concept, and art that is beautiful). At the end of § 44, Kant arrives at the definition of fine art as the kind of art that "has the reflecting power of judgment ... as its standard" (5: 306, 185). (In what follows I'll refer to it as the "standard-definition").

There are two possible options of interpreting this definition, which I wish to outline, before I present my own. Both find support in Kant's text, but both – I believe – are inadequate. According to the first option, an influential version of which is found in Paul Guyer's *Kant and the Claims of Taste* (1997), this definition means that fine art is an empirical realm defined by a concept of intention to produce an experience of beauty – i.e. the exercise of the reflecting power of judgment. This interpretation is backed up by a common sense. I empirically know that sonnets are produced to be read by the standard of the reflecting power of judgment, and, thus, when I encounter a sonnet I know that it is a piece of fine art and is to be judged aesthetically. Needless to say, however, that not all of the sonnets I read, I judge to be actually beautiful. Thus, despite its seeming intuitivity, some may feel unease with this reading, inasmuch as in it being beautiful has absolutely no part in the concept of beautiful art.

According to another possible reading, the reflecting power of judgment is a standard for the very constitution of the phenomenon of fine art – beautiful art is art that is actually beautiful. Although implied in some modernist aesthetic theories that treat art as an essentially evaluative term, this reading is counterintuitive – for we do apprehend boring sonnets and ugly paintings as (unsuccessful) works of fine art.<sup>2</sup> Anyway,

<sup>2</sup> The theories I especially have in mind are, first, that of Michael Fried who claimed that "what modernism has meant is that the two questions – What constitutes the art of painting? And what constitutes *good* painting? – are no longer separable; the first disappears, or increasingly tends to disappear, into the second" (Fried, 1968: 124), and, second, that of Thierry de Duve, who interprets the judgment "This is art" – an empirical

without some significant elaboration, this reading does not further us towards a transcendental grounding of fine art, while denying it even the empirical particularity of an intention to please, granted to it by the first reading. It is an unsynthesized composition of two notions: the concept of art plus beauty, which indeed has the reflecting power of judgment as its standard, but has nothing specifically artistic about it.

The first reading, however – besides its unconformity to our modern sensitivities – has an internal problem, which Guyer famously terms "the paradox of art" (Guyer, 1997: 351-355). The two conceptual components of "beautiful art" are at odds with each other – as much as having a purpose is essential to art, so being without purpose is essential to the beautiful. So, it appears, to successfully pursue its aim to be beautiful, a piece of art must "suppress its artistic nature" – that is, appear as if a natural product. Guyer rightly thinks that this view is misleading as regards Kant's "real theory of art." I agree with this conclusion, but this is not because Kant, as Guyer thinks, expresses in the "paradox of art" a view, to which he is not committed, but because this view here is seriously misconstrued. The problem is that interpretation of the standard-definition in terms of intention is also inadequate after all.

## **2. The Chiasmus of the Beautiful**

I want to propose an alternative interpretation of the famous passage in section § 45, of which Guyer's "paradox" is only one part: "Nature was beautiful, if at the same time it looked like art; and art can only be called beautiful if we are aware that it is art and yet it looks to us like nature." (§: 306, 185) Rightly interpreted, I argue, this passage – which instead the "paradox of art" I will call "the chiasmus of the beautiful" – provides an alternative understanding of the definition of fine art as having the reflecting power of judgment as a standard. Being "as if nature" is not a condition (or a technical prescription) for answering such a standard, but an analysis of what is claimed in its exercise (i.e. a judgment of beauty). The identification of beauty in art with its being "as if nature" can be understood only together with its counterpart – the identification of beauty in nature judgment in the usual reading of Kant – as an aesthetic judgment (De Duve, 1996: 304).

as being "as if art." Since, in the same section, Kant argues that the fundamental character of aesthetic response is the same with two kinds of objects, we may identify this character with what is actually the same in the two parts of the dictum: the "as if" articulated within the art/nature dichotomy. Being the common denominator of the two possible kinds of beauty, this "as if" – I wish to argue – is the constitutive principle of the Kantian aesthetic realm.

Now let us notice that the "as if" structure involves a particular conceptual awareness: to see X as if Y (rather than just "as Y") involves an awareness of both X and Y. This is why Kant says that to judge an artifact as beautiful – that is, as fulfilling the requirement of being "as if nature" – we *must* be aware of it as a piece of art. The same goes for the other side of the chiasmus: the awareness of the natural origin of the judged object is necessary not only for the intellectual interest in the beautiful, as Kant argues in section § 42, but also for the very appreciation of natural beauty. Indeed, the very "purposiveness without purpose," which defines the beautiful in the third Moment of the Analytic amounts to reflection of the "as if" relation between nature and art. Judging something to be without purpose is precisely judging it *not* to be art. If the art/nature dichotomy is, for Kant, not only exclusive, but also exhaustive, this means to say that, in this case, we must be aware of the object as a product of nature.

Now I think there is no doubt that for Kant the art/nature dichotomy is exhaustive. And so it is for our common sense. As much as an object cannot be both – an artifact and a product of nature – it cannot be neither as well. If awareness in terms of art/nature dichotomy is a necessary part of any conscious experience of an object, then the concepts of nature and art, as well as the distinction between them, may be said to have transcendental status: not bracketed or suppressed in the judgment of beauty, but quite to the contrary – constitutive thereof. Having an *idea* of nature and having an *idea* of art, I claim, is a necessary condition for having an aesthetic experience.<sup>3</sup>

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<sup>3</sup> This point, as though somehow differently, was made by Salim Kemal, who argued that "natural and artistic beauty are not identical but remain as the two conditions for making judgments of taste and experiencing beauty" (Kemal, 1992: 122). The difference between Kemal's position and the one I defend here, is that Kemal insists on natural and

My argument so far suffices only to claim that (the idea of) art – art in general – has a constitutive role for the aesthetic experience as understood in Kant. It doesn't suffice yet to clarify the relation of the idea to the concept of *fine art*. The question remains whether Kant's doctrine has a strong, transcendently grounded, concept of fine art, or does it signify an empirically constituted subspecies of art in general, art that aims – or happens – to be beautiful. As I will try to show in what follows, Kant's doctrine does provide fine art with a transcendental grounding – or at least it may be shown to do so by an explication of some latent or overlooked moments of this doctrine.

To provisionally convince you that such a speculative pursuit is not an act of interpretational violence, but rather a matter of clarification necessitated by the Kantian text itself, I wish to call your attention to two perplexing cases of confusion – or what seems to be a confusion – in this text. First, there is a strange phrasing of the section § 45 title, not accounted for, as far as I know, in the secondary literature. The title goes: "Beautiful art is an art to the extent that it seems at the same time to be nature."<sup>4</sup> In the light of the suggested interpretation of the section, we would expect the proposition to sound "Beautiful art is *beautiful* to the extent it seems at the same time to be nature" (indeed, this is precisely what Kant says in the text of the section). Confusion it may be, but we may think it points at something deeper if we notice that in the taxonomical laying out of the concepts of art in sections § 43-44, to which I have earlier referred, seem to disclose a confusion akin to the peculiarity of section § 45 title. Strangely enough, in the last passages of section § 43, Kant ascribes to the definition of art in general the very features of pleasure and freedom of spirit (i.e. genius), by which he will specify the concepts of aesthetic and fine art respectively later on (§: 304, 183).

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artistic beauty as two different phenomena and, contra most interpreters, argues that the third *Critique* provides support for the precedence of the latter over the former. Having no aim in this paper to discuss the question of precedence, I wish to claim only that art and nature are irreducible transcendental parameters of beauty – of art and nature alike – which is essentially the same in both cases.

<sup>4</sup> Schöne Kunst ist eine Kunst, sofern sie zugleich Natur zu sein scheint. (§: 306)

**3. Art in Tables of the Faculties in the Introductions**

To clarify the relation between art in general and fine art and to pursue a possible transcendental grounding of the latter concept, I now turn to discuss the appearance of Art in the published and the unpublished Introductions to the *Critique*, where it proudly stands between Nature and Freedom in the tables of the faculties (20: 242, 45; 5: 198, 83), and signifies the transcendental realm of application of the power of judgment (see FIGURES 1 AND 2).

Faculty of the mind	Higher cognitive faculties	<i>A priori</i> principles	Products <sup>a</sup>
Faculty of cognition	Understanding	Lawfulness	Nature
Feeling of pleasure and displeasure	Power of judgment	Purposiveness	Art
Faculty of desire	Reason	Purposiveness that is at the same time law (Obligation)	Morals <sup>b</sup>

All the faculties of the mind	Faculty of cognition	<i>A priori</i> principles	Application to	5: 198
Faculty of cognition	Understanding	Lawfulness	Nature	
Feeling of pleasure and displeasure	Power of judgment	Purposiveness	Art	
Faculty of desire	Reason	Final end	Freedom	

FIGURES 1 AND 2.

This placing itself provides a strong support for my suggestion that for Kant art has the same conceptual status as the other two notions – namely, it is an idea of reason: a concept indemonstrable in experience, but constitutive of its necessary domain. The idea of nature signifies, as Kant's

explanations make clear, the totality of the domain governed by the *a priori* principle of lawfulness grounded on the faculty of understanding. The totality meant here, however, does not refer to the actual aggregation of appearances but to the realm of possibility governed by "natural causality." As such it is opposed to the "domain ... of the concept of freedom" (5: 197, 82), understood in Kant as an alternative mode of causality: unconditioned spontaneity governed by the laws of reason alone, and, in this sense, the hallmark of reason's autonomy. The domain of the concept of freedom, as the unpublished version of the table makes clear, is morals. The domain regulated by the principle of the final end is, as Kant puts it elsewhere, "the kingdom of ends": the totality of the *ought*, the existence of which is essentially supersensible. Thus, nature and freedom, signify the respective totalities of two ontologically incommensurable realms. Bridging the great chasm between the two, to use Kant's famous metaphor, is what the transcendental project of the third *Critique* aims to achieve by providing the power of judgment with an *a priori* principle of its own. Art, as we see, occupies in the tables the structural position of such a bridge.

But what does art mean in this context? Whatever the meaning of the term here would be, it could hardly be tantamount with the concept of art in general, operative in our previous discussion. Indeed, there are two notions of art involved in the model of the tables. Defined in § 43, as "production through freedom ... that grounds its action in reason," this concept does not explicitly appear in the tables, but belongs apparently to the freedom side of the model. When we speak of a product – a formed object – the opposition of nature and freedom comes about as the opposition of nature and art (to which we had earlier referred as art/nature dichotomy). In its explicit place in the tables, however, art is "the mediating concept between the concept of nature and the concept of freedom" (5: 196, 81). The content of this mediating concept is far less clear than that of the concepts it mediates. Sometimes Kant identifies art as the domain of application exquisite for the power of judgment; sometimes he identifies it with purposiveness of nature as the *a priori* regulative principle of this domain. In all cases, however, although granting it a privileged transcendental status, never explicitly granted to art in the first sense, Kant explains it by an analogy with the latter.

To understand the meaning of this strange concept, as well as its pe-

cular relation to the concept of art in general, we should say more about the project of transition from nature to freedom, in which it plays such a central role. What is precisely at stake in this project? What problems does it aim to solve? There are two distinct problems we can point at, corresponding to the two sides of the "chasm" to be bridged. Both are present in Kant and his commentators, although in somehow detached manner. Yet they have one and the same transcendental solution. On the nature side, there is the problem of amenability of nature to human cognition: systematicity of the laws of nature, necessary for scientific pursuit, is not ensured by the transcendental concepts of understanding, deduced in the first *Critique*. As the regulative principle of the power of judgment, purposiveness of nature is the *a priori* condition for the exercise of this power, rather than actual content that can be predicated in any determinate judgment about the objects of nature. It thus enables the sciences to explore natural phenomena in teleological rather than purely mechanical terms, without pursuing an impossible theoretical demonstration of their necessary presupposition.

On the side of morals, the problem is the amenability of nature to moral ends. Since the unconditioned causality of freedom, strictly speaking, is unconditioned only in the supersensible domain of the *ought*, the *a priori* principle of the final end does not itself ensure that the maxim deduced from it can be realized in the natural realm. Taken (in a weaker sense) as a possibility of free action (recognition of an action as free) or (in a stronger sense) of the possibility of actualization of the highest good, the amenability of nature to moral ends cannot be deduced from the concepts of freedom alone, but is rather something the purposiveness of nature enables us to hope for.

Purposiveness of nature thus is a notion that with an extent of generalization amounts to a notion of nature as a humanly meaningful realm – amenable to human cognition and action alike. As an *a priori* subjective principle it enables us – indeed, prescribes to us – to conceive of nature *as if* its objects were capable of having ends (rather than just mechanical causes) as their ground. This notion – phrased also as "technique of nature" – amounts, thus, to seeing nature as if art. "Nature seen as if art" is precisely what the term art, as the domain of the power of judgment, governed by the principle of the purposiveness of nature, signifies in the tables of

the faculties. This domain, however, does not constitute an autonomous realm in the sense freedom and nature do. For this realm is coextensive with the realm of nature – it is materially the very same realm, only seen *as if* art.

Throughout the introductions Kant states that first, this concept is totally distinct from the concept of art in its usual sense, but – on the other hand – must be understood by analogy with the latter. Indeed, as I've already mentioned, Kant never defines the art of the tables *otherwise* than by analogy with art in its proper sense. Art as the *a priori* concept of the power of judgment is unique among transcendental concepts, inasmuch as its proper (i.e. transcendental) meaning is an analogical one. In this sense, art might be taken to stand for the transcendental “as if” – the common feature of two horns of the chiasmus of the beautiful – which I have earlier suggested to view as constitutive of the aesthetic realm. Before we come back to develop this idea a bit further, I wish to point at another peculiar trait of art's unique conceptual standing. Although the subject case acquires its meaning from the analogous case, the possibility of the analogous case is grounded in the subject case: the possibility of empirical art is grounded in the transcendental concept of art.

To support this claim – that I expect to be raising an eyebrow – I propose the following consideration. As I've earlier suggested, the notion of art in general as purpose-governed formation of material objects is a derivative (aspect, if you like) of the idea of freedom. The production of artifacts is either informed by naturally conditioned ends (and then art – as production through freedom – collapses into nature, and is therefore not free after all) or else art shares the problem entailed by morality: inasmuch as this is not clear how the moral action (action through freedom) can be realized in the realm of material nature, so it is not clear, how a material object can be an adequate achievement of production through freedom: how can art (not just fine art, but any art) be possible at all? What I wish to say is that the possibility of art must be seen as part to the problem of the amenability of nature to human ends. This problem, as we have seen, is solved by positioning of the principle of the purposiveness of nature – that is of seeing nature as if art. The same goes, I argue, for the possibility of art – the *a priori* concept of purposiveness of nature is the transcendental principle that enables us to recognize an otherwise material natural

object as an artifact – that is, as an adequate bearer of human ends. For nature to be a bearer of *human* ends, it should be seen as being capable of bearing ends; for human art to be possible something like art should be already present in nature.

#### **4. Purposiveness of Nature and Transcendentality of Fine Art**

The transcendental concept of art (i.e. idea of nature "as if art"), as the *a priori* principle of purposiveness of nature, is discovered in aesthetic experience. As Kant puts it in section § 23, "the self-sufficient beauty of nature reveals to us a technique of nature," and expands our concept thereof "into the concept of nature as art" (5: 246-247, 129-130). But this holds for the beauty of nature and art alike for, as we have seen in § 45, "whether it is the beauty of nature or of art that is at issue: that is beautiful which pleases in the mere judging" (5: 306, 185). This is because pleasure to be found in the mere judging *is* the discovery of the principle of the purposiveness of nature – that is, nature seen as if art. Since this was posed in our discussion of the chiasmus as the definition of beauty in nature, the identification of this very definition with the principle informing aesthetic experience as such may be seen as a proof for the priority of natural over artistic beauty. The chiasmus is not symmetrical, it appears: "art as if nature" is derivative of "nature as if art." But this asymmetry is at least an ambiguous one, for the flip side of the alleged priority of natural beauty – which, unfortunately, usually remains overlooked – is the constitutive status of the idea of art in the principle that makes it a beauty in the first place. Although in many well-known passages Kant does, of course, prioritize natural beauty, the only priority that can be allotted to nature on the basis of the model we have outlined, is that the phenomenon of the beautiful – in nature or in art – claims something *about* nature. Art, however, is precisely *what* is claimed about it – and this is why it is this term that is posed in the tables as the exquisite aesthetic domain.

Moreover, on the basis of Kant's equivocation of the two kinds of beauty in the context of the chiasmus, we have earlier identified the genuine aesthetic principle with what is actually the same within its two sides – the transcendental "as if." I had then suggested that art's unique conceptual standing – the circular relation between the two meanings of the term

– makes the “as if” *the* transcendental content of this term. So what is the principle constitutive of the aesthetic experience as such – “nature as if art” or the “as if” which the transcendental concept of art signifies? The paradoxical answer (the paradoxicality of which stems from the matter at case) would be – both: “nature as if art” is the content of the aesthetic experience, while “as if” is the principle of its operation – its transcendental form, whose name is Art.

This principle of operation becomes evident if we look closer the chiasmus of the beautiful, so as to notice the endless circular movement in each of its sides. This consideration will also bring me to my last point – that is the transcendental grounding of fine art. Let’s begin with the art-side. In claiming that to be beautiful a piece of art must appear as if a product of nature, Kant can be hardly taken to mean nature as the realm of meaningless physical causality. Neither the beautiful artifact should appear as an organism – understood, for teleological judgment, as a “natural end.” As much as a beautiful natural object, a product of fine art should be judged as purposive without determinate purpose that could be represented as its cause – that is, “art as if nature” is actually “art as if nature as if art.” And the chain may – and *should* – be continued ad infinitum. For the nature side of the chiasmus implies an analogous loop. What kind of art is meant in the statement “nature was beautiful if at the same time it looked like art”? If it would appear to be a piece of handicraft or the art of the agreeable, then the pleasure produced by such a natural object would seem as if a result of a determinate purpose, and consequently won't be the pleasure of the beautiful, which is defined as purposiveness without purpose. We must, therefore, conclude that that, as if which the beautiful nature is meant to be taken in this statement, is *beautiful* art – that is art as if nature as if art (etc.).

In its theoretical positioning as the *a priori* regulative principle of the power of judgment, purposiveness of nature – that is, nature taken by analogy with art – does not require a specification of the analogous concept beyond the general notion of production through ends. Indeed, in teleological judgment, which *applies* this principle, these ends would be conceptually defined. In the reflecting aesthetic judgment, however, which *discovers* or *claims* this principle by the means of non-conceptual, yet communicable, pleasure, these ends could not be represented as determinate.

This means that for “nature as if art” as discovered in the judgment of beauty, the general term of art could not serve as an adequate analogy without an aesthetic specification. Thus, not only does the concept of art play a constitutive role in the aesthetic realm, this role necessarily involves the specification of the concept as that of fine art.

So my conclusion is that, although Kant does not have a strong concept of fine art, constituting an ontologically distinctive set of phenomena, his aesthetic doctrine provides fine art with sufficient transcendental grounding. The interpretation of Kantian fine art as an empirical realm constituted by a principally contingent intention to aesthetically please – not only offends our modern sensitivities, but is also unfaithful to some latent, yet irreducible aspects of this doctrine. The fact that these aspects were probably latent for Kant himself accounts for the strange confusions we have pointed in his deduction of the concept. Fine art has reflective power of judgment as its standard inasmuch as reflecting power of judgment has the concept of fine art as an irreducible component of its transcendental principle. Whether Kant knew it or not, the discovery of purposiveness of nature as the *a priori* principle of the power of judgment – gives birth to the transcendental idea of art in the modern sense.

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