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Edited by Fabian Dorsch and Dan-Eugen Ratiu

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# ***Hannah Arendt's Interpretation of Kant's 'Judgment' and its Difficulties***

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ABSTRACT. This paper aims at 1) reconstructing Hannah Arendt's theory of judgment in short, 2) discussing her interpretation of Kant's theory of judgment mainly through her *Lectures on Kant's Political Philosophy*, 3) pointing out the inappropriate interpretation she made and 4) suggesting possible amendments in order to ameliorate her interpretation. I begin the discussion with her theory of judgment and her interpretation on Kant's Judgment. And then I show the concept *sensus communis* is essential for her interpretation on Kant's political philosophy. Subsequently, I argue that she should not muddle up the difference between reflective and determinative judgment and in what sense the aesthetic judgment and political judgment should not be treated at the same thing. At last, I suggest we should consider the conceptual distinction between *sensus communis logicus* and *sensus communis aestheticus* and the importance of the teleological judgment for Kant's political philosophy in order to reinforce her interpretation.

## **i. Introduction**

Hannah Arendt planned to write *The Life of the Mind* in three parts, *Thinking*, *Willing* and *Judging*, in order to review and to consolidate her entire intellectual life. However, her sudden death just right after the completion of the draft of *Willing* terminated the project and left us her seemingly uncompleted thoughts on the power of judgment, which is in her eyes one of the most important capacity for a political being. Nevertheless, some academics think that Arendt had more or less completed her reflection on the related topic. We can actually abstract her thoughts from her works or postscripts, especially her *lectures on Kant's political philosophy*.<sup>1</sup>

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<sup>1</sup>. Ronald Beiner, "Hannah Arendt on Judging" in Hannah Arendt, *Lectures on Kant's political philosophy*, (Chicago: University of Chicago Press, 1982), 91-92.

In the lectures, Arendt constitutes her theory of political philosophy on Kant's aesthetics rather than on his moral philosophy. It seems to be an unusual choice since Kant himself established his moral and political philosophy on practical reason (*praktische Vernunft*) instead of the aesthetic faculties, namely, (power of) judgment (*Urteilkraft*). Arendt nevertheless claims that the first part of the *Critique of Judgment*, namely *Critique of Aesthetic Judgment*, contains the concealed part of Kant's political philosophy, and furthermore, she wants to elaborate her ideas by interpreting the concepts of "sociability" (*Geselligkeit*), which is deeply rooted in the concept of *sensus communis* in the context of the third *Critique*.

Although her interpretation on Kant's Aesthetics is fascinating and inspiring, I would argue in this paper that her interpretation is based on her understanding of aesthetic judgment by analogy with political judgment, and which is somehow inappropriate. However, at the same time I would point out that her interpretation in certain sense paved the way for constructing a political aesthetics or an aesthetic politics.

## 2. A Sketch of the "Two Models" of Theory of Judgment

Formulating a theory for a philosopher is not an easy task at all times. It is particularly hard in the case of Arendt because she did not intend to write in typical academic format, which are always required to stick on a clear and profound thesis. She likes to construct her arguments by using other philosopher's concepts freely in respect of the topic she wants to elaborate. It also happens in the case of interpreting Kant's philosophy. Ronald Beiner comments, "It is undeniable that she is very free in her handling of Kant's work, making use of his writings in accordance with her own purposes."<sup>2</sup> Although it may not an easy task to formulate a unified theory of judgment for Arendt, Beiner, the editor of Arendt's *Lectures*, and Maurizio Passerin d'Entreves, the contributor for *Stanford Encyclopedia of Philosophy*, also think that we are able to differentiate her thoughts on judgment into two phases in order to set up the "two models".

Beiner divides her writings on the theme of judgment into two "more or less distinct" phases – early and later, practical and contemplative – by a

<sup>2</sup>. Beiner, "Hannah Arendt on Judging", 142.

somehow vague and unclear standard.<sup>3</sup> He himself certainly aware of the vagueness of his division but he thinks that “it would be unreasonable to expect any neat division into distinct periods, and to single out a particular date as making a clear break between “early” and “late” will obviously appear in some respects arbitrary”.<sup>4</sup> I have no objection to his statement but I doubt that, if we draw the distinction by the impression instead of by certain guiding concept or principle, the division has less cognitive meaning for the reader to understand the change of Arendt’s thoughts on related topic.

D’Entreves, on the other hand, gives a clearer “two models” distinction as a demarcation line by using Arendt’s own conceptions on *vita activa* and *vita contemplativa* in order. In the first phase, namely the early, practical period, Arendt put her focus on *vita activa*, which is about the activities and condition of human in modern time in comparison with the ancient Greek. She is in this phase concerned only with judging as a feature of political life instead of treating judgment as a distinct mental activity. In the second phase, Arendt focuses on how judgment as a component in the life of the mind, which concerns with the features of the individual who posits himself or herself as a spectator instead of an actor for the political events. The main difference between the actor and the spectator, according to d’Entreves, lies on the aim of the judging activity. Actor aims at the reason of an action, during the deliberation process we need the power of judgment to guide and determine our action. Therefore we can say that the judgment is the determining base of an action; Spectator, on the other side, processes a kind of pure, disinterested reflection on the past events with distance. The aim of the judging is to cull the meaning from the past, which is by nature a reflective and heuristic one. In short, the actor’s judgment can be conceived as an action-guiding and future-oriented judgment and the spectator’s judgment can be comprehended as a meaning-endowing and past-oriented judgment.<sup>5</sup>

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<sup>3</sup>. Ibid., 92.

<sup>4</sup>. Ibid.

<sup>5</sup>. Maurizio Passerin d’Entreves, *The political philosophy of Hannah Arendt*, (New York: Routledge, 1994), 104.

### 3. Reorientation of the *Critique of Judgment* and Interpretation of the Theory of Judgment

*Lectures on Kant's Political Philosophy* should be counted as the most important work to reveal Arendt's thought on Kant's philosophy. She gave these lectures first at the New School for Social Research in 1970. In the lectures, she constructs a political philosophy of Kant based upon his aesthetics, and she claims the first part of the third *Critique* included the most important theoretical elements of it. She conceives that two main questions were left in Kant's late ages. The first is the "sociability [*Geselligkeit*] of man" and the second is "the purpose of man". She admits, "The links between its two parts are weak, but, such as they are – i.e., as they can be assumed to have existed in Kant's own mind – they are more closely connected with the political than with anything in the other *Critique*."<sup>6</sup>

How did she justify the existence of this apparently weak linkage between the problem of sociability and the purpose – about the "why-questions" – of man? Her justification lies mainly on her reading and reorientation of the role of the *Critiques*. She claims "the topics of the *Critique of Judgment* – the particular, whether a fact of nature or an event in history;" and "the faculty of judgment as the faculty of man's mind to deal with it; sociability of men as the condition of the functioning of this faculty, [...] that is, important for the political – were concerns of Kant long before he finally, after finishing the critical business (*das kritische Geschäft*), turned to them when he was old."<sup>7</sup>

In her eyes, there is three very different perspectives of considering the affairs of men: 1) human species and its progress; 2) man as a moral being and an end in himself; 3) men in the plural, sociability of men. All the above correspond to different parts of the *Critiques*. The first topic is directly connected to the second part of the third *Critique*; the second topic, which is closely related to the laws of practical reason, autonomous, and realm of intelligible beings, can be conceived as the labour of the second and the first *Critique*; the last topic, treating man as the "earthbound creatures, living in a communities, endowed with common sense, *sensus communis*, a community sense," is the main theme of the first part of the *Critique of*

<sup>6</sup>. Hannah Arendt, *Lectures on Kant's political philosophy*, 13.

<sup>7</sup>. *Ibid.*, 14.

*Judgment*: aesthetic judgment.<sup>8</sup>

#### **4. Judgment as Critical Thinking, as Enlargement of Mind and as Evaluation**

Based on the mentioned interpretation, she starts to reconstruct Kant's theory of judgment using the texts mainly from the first part of the third *Critique*. Her reconstruction can be summarized in three aspects: Judgment as *critical thinking*, as *the enlargement of the mind* and as *evaluation*.

##### *a) Judgment as Critical Thinking*

In the early session (§ 5-7) of the lectures, she sets the tone for the discussion by analyzing the meaning of "critique" and "critical thinking". She introduces the meaning of "critique" by comparing with the concept of enlightenment and of criticism, these concepts are indeed not separated from each other in the age of enlightenment; "Enlightenment means, in this context, liberation from prejudices, from authorities, a purifying event."<sup>9</sup> She further quotes a note from the preface of *Critique of Pure Reason*:

[...] Our age is properly the age of critique, and to critique everything must submit. *Religion* and *legislation* commonly seek to exempt themselves from critique, religion through its *sanctity* and legislation through its *majesty*. But in doing so they arouse well-deserved suspicion and cannot lay claim to unfeigned respect; such respect is accorded by reason only to what has been able to withstand reason's free and open examination.<sup>10</sup>

It is clear for Kant that most of the human's practices, especially those in respect of religion and legislation, can be and should be examined openly by reason for the sake of getting its "unfeigned respect". This "open examination" should be done in public sphere (*in der Öffentlichkeit*), which implies

<sup>8</sup>. Ibid., 26-27.

<sup>9</sup>. Ibid., 31.

<sup>10</sup>. Immanuel Kant, *Krtik der reinen Vernunft* (KrV), translated by Werner S. Pluhar, (Indiana: Hackett Publishing Company, 1996), A xii.

that all the people, the plurality of reason, should have equal right and freedom to reflect upon certain believes, no matter those believes are assigned by religion or by constitution. And what is more, they should have chances to utter their opinion in order to facilitate the public discussion.

However, these statements are in fact rested on an assumption that human being is able to think independently and autonomously. Such independence, in Arendt's eyes, is the result of the criticism: "The result of such criticism is *Selbstdenken*, to 'use your own mind,'"<sup>11</sup> Here we may see that she intends to connect the spirit of criticism with the spirit of enlightenment. For Arendt, criticism and enlightenment are thus two sides of the same coin, which serves the purpose of promoting critical thinking or, in other words, judging critically.

To illustrate this point further, Arendt indicates that critical thinking is not something that stands between dogmatic metaphysics and skepticism. "It is actually the way to leave these alternatives behind."<sup>12</sup> The aim of the critical thinking is for her not "to criticize", but "to discover reason's sources and limits". It is not a duty for a critical judger to lay down any kind of "doctrine" as the results. Critical thinking is a kind of regressive and reflexive thinking instead of progressive thinking, which primarily aims at constructing or destructing theory. It concerns only if the thinking subject can deliberate freely, independently. The theory can be conceived as the byproduct instead of the end of the activity. To put it in other words, what critique thinking can "construct" is only the standard for judging, namely to judge *impartially*.

#### *b) Judgment as the Enlargement of the Mind*

How one can judge thing impartially? Although a critical thinker should be free from any prejudice or external pressure in order to judge impartially, every subject is constrained to judge by one's own limited perspective. Therefore, for the sake of overcoming this barrier, the power to enlarge one's mind is essential for promoting critical thinking. Arendt calls it the "enlargement of the mind".

Arendt believes that "the 'enlargement of the mind' plays a crucial role

<sup>11</sup>. Hannah Arendt, *Lectures on Kant's political philosophy*, 32.

<sup>12</sup>. *Ibid.*

in the *Critique of Judgment*" and she claims "the faculty that makes this possible is called imagination."<sup>13</sup> It is actually a mistake since Kant has indeed ascribed this faculty to *sensus communis* in the chapter she quoted (§40) and, furthermore, it is truly doubtful that if the power of imagination serves this function in the context of Kant's philosophy. However, what she really wants to address here is the function of the "enlarged mentality" that relates to the possibility of taking others' thoughts into account and, more importantly, it is essential for critical thinking:

Critical thinking is possible only where the standpoints of all others are open to inspection. Hence, critical thinking, while still a solitary business, does not cut itself off from "all others." To be sure, it still goes on in isolation, but by the force of imagination it makes the others present and thus moves in a space that is potentially public, open to all sides; in other words, it adopts the position of Kant's world citizen. To think with an enlarged mentality means that one trains one's imagination to go visiting.<sup>14</sup>

Here we can see that the function of imagination is for Arendt not limited to the power of reproducing representation, it is also able to 'make the others present' and to lead us to the public sphere (*die Öffentlichkeit*), a world presupposed the existence of the others.<sup>15</sup> Moreover, since we are able to enlarge our mentality by the power of judgment, we can not only be the actor, whose judgment through the action may affect the others, but also be the spectator, who can judge the past events in a distance and give opinion in public sphere, in the world. No matter whether we judge a case practically or reflectively, we do need the power of enlarging one's mentality to meet the requirement of being impartial.

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<sup>13</sup>. Ibid., 43.

<sup>14</sup>. Ibid.

<sup>15</sup>. Arendt has elaborated her views on the power of imagination not only in the lectures but also in a seminar on *Kant's Critique of Judgment*, given at the same school at 1970. The note under the title "Imagination" can be found also in *Lectures on Kant's political philosophy*, 79-85. For Arendt, one of the main function of imagination is that this faculty could provide the representation of an object which is absent. It is a kind of mental faculty that serves the purpose of reproducing the possible representation in our mind so as to prepare the object for judgment.

*c) Judgment as Evaluation*

The third meaning of judgment is closely related to the characters of judgment of taste by Kant. Throughout the lectures, Arendt indeed talks about judgment in general instead of aesthetics judgment or political judgment. However, she has not emphasized the difference between determinative and reflective judgment, which are clearly distinguished by Kant in the third *Critique*. Aesthetics judgment as a reflective judgment has its own characters which are very different to the theoretical and practical one. It is disinterested, subjectively universal, and takes the member of the sociality into consideration. All of the above characters are just fit for Arendt's theory of judgment and thus she takes for granted that the characters of reflective judgment are the same as the characters of judgment in general. and future, she fits her understanding of judgment to her "two models" of judgment.

She believes there are two kind of theory in Kant that can be conceived as the principle of reflection (theory) and the principle of action (practice). The judging subject as a spectator, who reflects upon the events with distance, occupies 1) "a position of the onlooker" and 2) "the idea of progress, the hope for future, where one judges the event according to the promise it holds for the generations to come."<sup>16</sup> The judging subject is able to hold these "interconnected" but "by no means otherwise" position because the subject, as the spectator, stands on a position that allows him or her to judge the events with distance, which "enables him to see the whole", and therefore he is "impartial by definition – no part is assigned him". On the contrary, "the actor, because he is part of the play, must enact his part – he is partial by definition."<sup>17</sup> The actor, first, is partial by definition. Second, the actor concerns with *doxa* – the word means both "fame" and "opinion" of others – which makes him not autonomous.<sup>18</sup>

Since the action of the actor is dependent on the opinion of the spectator, the actor is not a truly free subject to judge. The spectator is truly free subject because he is the provider of the standard, he can give opinion autonomously and independently with distance. His deliberation should

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<sup>16</sup>. Ibid., 54.

<sup>17</sup>. Ibid., 55.

<sup>18</sup>. Ibid.

be remote, uninvolved and disinterested. All of the above matches the characters of reflective judgment and it is the presupposition of giving genuine evaluation. For Arendt, it is “requisite for approbation and disapprobation for evaluating something at its proper worth.”<sup>19</sup> Judgment as evaluation is not restricted by taste, we can reflect on the object (or event) and make a disinterested judgment with different values such as “right or wrong, important or irrelevant, beautiful or ugly, or something in between”.<sup>20</sup> Judgment is more than to judge aesthetically, it corresponds to very diverse, vast and abundant worlds of value.

### **5. The Presuppositions of Judgment: Imagination and *Sensus Communis***

Judgment for Arendt, as we mentioned, can be viewed in three aspects. Now, after the summary of her views on judgment, the following question arises: How is this kind of judgment in Kant's philosophy possible? Arendt claims that it depends on the “two other faculties” or “two mental operations in judgment”: *imagination* and *common sense (sensus communis)*. As we mentioned before, in early sessions of the lectures, Arendt claims the faculty that makes judgment as critical thinking and as enlargement of mind possible is imagination. At the later sessions (§10-12), she adds *sensus communis* as another presupposition of judgment.

Imagination could provide the representation of an object which is absent. It is a kind of mental faculty that serves the purpose of producing a possible representation in our mind so as to prepare the object for judging. *Sensus communis*, on the other hand, provides the ground of judgment through which we are able to judge something *as if* we have the consensus from everyone in the community. In fact, these two mental operations are an interconnected two-step operation in judgment. She claims, “This twofold operation establishes the most important condition for all judgments, the condition of impartiality, of ‘disinterested delight.’”<sup>21</sup> Through this twofold mental operation, we could think out of the box,

<sup>19</sup>. Ibid., 67.

<sup>20</sup>. Ibid.

<sup>21</sup>. Ibid., 68.

consider from others' perspective, and enlarge our mentality by true communication.

*Sensus communis*, as the idea of a communal sense, guarantees the communicability of the sense. Kant elaborates his idea about *sensus communis* mainly in chapter 19 to 22 and chapter 40 of third *Critique*. Kant claims that judgment of taste is subjectively universal, which means that the universality of the judgment is claimed by the one who judges. Arendt, on the other hand, interprets this kind of universality as "generality". She translates "*allgemein*" into "general" instead of the standard academic translation, "universal". Beiner explains, Arendt is intended to make this change in relation to her reading of Kant. She thinks that "judgment is endowed with a certain specific validity but is never *universally* valid". The universality of judgment is endowed by the judging person and it only corresponds to the application of the judgment. It is not valid for those who do not judge or for those who are not members of the public realm. Therefore, it is never truly universally valid for all.<sup>22</sup>

The enlargement of the mind is actually the result of the twofold mental operation by imagination and *sensus communis*. Imagination first prepares the object for reflection and *sensus communis* then gives the standard for judging. The operation of imagination provides the representation for us to reflect, and this kind of representation is not a value-neutral representation. It is actually "discriminatory by nature: it says it-pleases or it-displeases."<sup>23</sup> She thinks that this operation "like taste, it *chooses*." In other terms, this operation is a kind of pre-selection or primaries. Imagination is not an unconditional and unoriented mental operation because it involves the taste of an individual, which is obviously not the same to everyone. Moreover, she thinks this "choice" is itself subject to another choice that one can approve or disapprove of this pre-selected feeling. To this feeling, we can approve or disapprove of it, hence we may have an additional pleasure or displeasure from it, a kind of contemplative pleasure. Therefore she said "all this approbation or disapprobation are afterthoughts"<sup>24</sup>, namely

<sup>22</sup>. Note 155 written by Ronald Beiner. *Ibid.*, 163. Quotation from Arendt's essay "The Crisis in Culture" (in *Between Past and Future*, enl. Ed. [New York: Viking Press, 1968]), 221.

<sup>23</sup>. *Ibid.*, 69.

<sup>24</sup>. *Ibid.*, 69.

a discursive feeling by reflection.

## 6. The Relation between Judgment and *Sensus Communis*

Based on her twofold-mental-operation interpretation of judgment which involved twofold of choosing, she further asks what is the criterion and standard of this choice. Her answer is quite direct: The criterion is communicability, and the standard is *sensus communis*.<sup>25</sup>

The English translation of *sensus communis* as “common sense” is sometimes misleading. For the reason that the German expression “*gemeiner Menschenverstand*” and “*Gemeinsinn*” can also be translated to “common sense” in the different context. Arendt suggested to translate *sensus communis* as “community sense” so as to distinguish it from common sense. It is indeed a brilliant interpretative understanding of the word that can not only avoid the ambiguity of the translation but also echo with her whole interpretation of Kant’s judgment. Although there is an obvious problem that the primary meaning of the Latin word “*communis*” is generally to be understood as common, general or ordinary; Of or for the community can only be conceived as the derivative meaning, this translation is yet in certain sense closer to the original meaning raised by Kant.

In Chapter 40, Kant concludes the relations between *sensus communis* and power of judgment as follow:

[...] I maintain that taste can be called a *sensus communis* more legitimately than can sound understanding, and that the aesthetic power of judgment deserves to be called a shared sense more than does the intellectual one, if indeed we wish to use the word *sense* to stand for an effect that mere reflection has on the mind, even though we then mean by sense the feeling of pleasure. We could even define taste as the ability to judge something that makes our feeling in a given presentation *universally communicable* without mediation by a concept.<sup>26</sup>

<sup>25</sup>. Ibid.

<sup>26</sup>. Immanuel Kant, *Kritik der Urteilkraft* (KU), translated by Werner S. Pluhar, (Indiana: Hackett Publishing Company, 1987), 296.

By the quotation we can see, for Kant, the judgment of taste actually can be conceived as a kind of judgment of *sensus communis*, which is an aesthetic power for reflection that presupposed a pre-established consensus or attunement of taste in the community. Arendt elaborates in detail: “By using the Latin term, Kant indicates that here he means something different: an extra sense – like an extra mental capability (German: *Menschenverstand*) – that fits us into a community.” Also, “It is the capability by which men are distinguished from animals and from gods. It is the very humanity of man that is manifest in this sense.”<sup>27</sup> It is clear that for Arendt, the mainly point of judgment of taste lies on the community aspect. She concerns mainly the interaction between judgment and community in addition to the manifestation of humanity by our aesthetics power of judgment. With this above interpretation of the power of judgment, she extends the meaning and application of judgment of taste. Judgment of taste is no more restricted to the realm of aesthetics, it is also valid for critical thinking, for enlarged mentality, and for evaluation, which are not only valid for aesthetics but also valid for politics.

## **7. Critical Question on Arendt's Interpretation of Judgment, Aesthetics Judgment and Political Judgment**

In the last secession, I will point out the weaknesses of Arendt's interpretation and suggest some possible amendments. The first point would be about her understanding of the nature of judgment.

### *i) A Muddle: Judgment, Determinative Judgment and Reflective Judgment*

Throughout the lectures, Arendt seldom mentions the concept of reflective judgment. In most of the case, she use judgment directly in replacement for this concept. It should be strange for many Kantian scholar that to ignore this conceptual distinction because it is extremely important to distinguish the meaning of the judgment in the third *Critique* from the first and the second *Critique*.<sup>28</sup> Not surprisingly, she knows the different between the reflective and determinative judgment, we may find the

<sup>27</sup>. Hannah Arendt, *Lectures on Kant's political philosophy*, 70.

<sup>28</sup>. Cf. Session 1 to 3 of the second introduction of KU, 171-179.

evidence from a seminar note:

The *Critique of Judgment* deals with reflective judgments as distinguished from determinative ones. Determinative judgments subsume the particular under a general rule; reflective judgments, on the contrary, “derive” the rule from the particular. In the schema, one actually “perceives” some “universal” in the particular. [...] Kant hints at this distinction between determinative and reflective judgment in the *Critique of Pure Reason* by drawing a distinction between “subsuming under a concept” and “bringing to a concept.”<sup>29</sup>

This note shows that she knows precisely the difference between determinative and reflective judgment, but why did she not bring this issue up in her lectures? One of the possible reason is that she wants to maintain the righteousness of the concept “judgment in general” instead of using a specific concept “reflective judgment”, which is by nature different to the moral judgment, a “determinative judgment”. I suppose, Arendt’s theory of judgment mainly serves for the purpose of her political theory and it is interesting that her political theory seldom deals with the principle of justice, moral correctness, etc. directly. I would say, she is interested in the origin of things instead of constructing a normative theory. For example, through the case of Eichmann, she proposes the concept of banality of evil in order to explain why one who was living under totalitarianism would do certain action and judgment. The concept of banality of evil can be conceived as the cause of an action or of a judgment, but it is not a guiding principle which serves as a determinative base for an action. Arendt concerns about human condition, but she did not propose a straight answer for how should we live. Instead, she tries to unfold the possibility of a discussion and to understand the origin of certain political actions. It is reflective rather than determinative.

However, back to the very beginning, although she has less interest in constructing theory, is it a sufficient reason to muddle up the difference between reflective and determinative judgment? Certainly not. Right from the start of *Critique of Judgment*, Kant introduces the difference between determinative and reflective judgment in order to answer the question: how can the two different legislative concepts, namely concept of

<sup>29</sup>. Hannah Arendt, *Lectures on Kant's political philosophy*, 83.

nature and freedom, work together “in a same territory of experience.” Kant states that there is an “immense gulf” between the domain of nature, the sensible, and the domain of the concept of freedom, the supersensible.<sup>30</sup> Reflective judgment serves here a special role to bridge these two disjunctive fields and regulate the representation within our mind. It “is obliged to ascend from the particular in nature to the universal”<sup>31</sup>, and is in force in respect of “a special a priori concept that has its origin solely in reflective judgment”, which is purposiveness.<sup>32</sup> Kant is intended to do so in order to complete his critical system, it should not be overlooked easily.

Additionally, we must notice that the reflective and determinative judgment are not two different faculties, which are subordinated to (power of) judgment in general. We should categorize them as two faces of the same coin, Kant said:

Judgment in general is the ability to think the particular as contained under the universal. If the universal (the rule, principle, law) is given, then judgment, which subsumes the particular under it, is *determinative* [...]. But if only the particular is given and judgment has to find the universal for it, then this power is merely *reflective*.<sup>33</sup>

According to Kant, they have totally different functions to our mind and has different roles in constituting human experience. However, although Arendt knows the difference between reflective and determinative judgment, she still muddle them up with judgment in general. Indeed, she has the responsibility to make it clear, otherwise it would lead to the problem that we are going to discuss.

*ii) Political Judgment is by Nature Different from Aesthetic Judgment*

First, disregarding the above conceptual distinction may vacillate her cardinal claim: *Critique of Aesthetic Judgment* contains the core of Kant's political philosophy, which is mainly combined with the discourse on sociabil-

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<sup>30</sup>. Kant, KU, 175-176.

<sup>31</sup>. Ibid., 180.

<sup>32</sup>. Ibid., 181.

<sup>33</sup>. Ibid., 179.

ity of man, concept of progress and history, communicability and publicity of judgment, etc.

This claim is certainly at first sight difficult since Kant himself established his moral and political philosophy on practical reason instead of human aesthetic faculties. However, by the reconstruction of her theory of judgment and her interpretation on Kant's judgment, we may agree that some of the concepts are really involved certain political implication. Then, to what extent should we accept Arendt's interpretation of Kant's political philosophy?

To answer this question, we have to clarify the relation between aesthetic judgment and political judgment. A political philosophy is possible, for a Kantian, only if there is a kind of faculty which grounds the possibility of corresponding experience. Therefore, although Kant has never name anything as political (power of) judgment, we are eligible to name the faculty which grounds political action or deliberation as political judgment. What then follows, if there is a political judgment, would it possess the same principle with aesthetic (power of) judgment?

Based on Arendt's interpretation, it is reasonable to infer that, if there is a kind of political judgment, it has to be based on aesthetic judgment as well. For the reason that all the characters which fits to describe a political judgment are extracted from the description of aesthetic judgment. It is justified to say that in Arendt's mind the character of aesthetic and political judgment should be the same. However, I suppose this assumption is incorrect. Political judgment should not be conceived as the same to aesthetic judgment for the reason that they are by nature different. The crucial point is that Arendt fails to see the meaning of the concept of purposiveness.

Aesthetic judgment as a reflective judgment, which is ruled by purposiveness, merely corresponds to the immanent harmony of the subject. It is a kind of immanent action, a free play of faculties (*freies Spiel der Kräfte*). It has no interest in the actuality of the reflected object or, we may say, the object of aesthetic judgment serves only as a mean for our aesthetic meditation. However, it is hard to conceive that the political judgment do not concern about the actuality of the object. It has to connect with the object (or event) and deliberate on it. For a *vita activa*, he has to make judgment for a particular event. It has to be in certain context, no mat-

ter if it is happening or will happen in the future; for a *vita contemplativa*, although he deliberates the political event by imagination, the object has to be actual too. No matter he reflects on the things past, or deliberates on a possible future, it must be “in context”. Additionally, the political deliberation does not necessary leads to a feeling of pleasure or displeasure, but for Kant, the aesthetic judgment does! Hence it should not be hard to conclude that political judgment is by nature different from aesthetic judgment.

*iii) First Amendment: Replace 'Sensus Communis Aestheticus' with 'Sensus Communis'*

Although political judgment should not be considered as another form of aesthetic judgment, I believe that Arendt's interpretation is still amendable by introducing a very subtle conceptual demarcation in a footnote of third *Critique*.

In the footnote, Kant names taste as a *sensus communis aestheticus* and common understanding as *sensus communis logicus*.<sup>34</sup> I suppose this conceptual demarcation has an unrealized importance for Arendt's interpretation of aesthetic judgment as the basis of political judgment. For the reason is that a *sensus communis aestheticus* as “taste” is by nature not determined by concepts but by feeling. Judgment of taste is not a kind of judgment which is determined by pure or empirical concepts, it is just a kind of indeterminate activity of soul, a free play of the imagination and understand in the aesthetic contemplation. *Sensus communis* as a subjective principle of judgment of taste provides a necessary condition for supposing the sense is communicable, and it grounds the subjective necessity of the judgment of taste. However, it is still hard to say that *sensus communis* is “the standard” of judging things aesthetically. We can only say that it is the ground, the presupposition or the faculty of the judgment of taste. For the reason is that standard means certain objective ground for comparison. Like ruler, which provides the ‘standard’ out of one's subjective feeling or disposition. A standard should be determinative and constitutive.

If we really want to talk about the standard of judgment for political concepts or events, we need empirical concepts that serve as exemplar.

<sup>34</sup>. A footnote from KU under the page 294.

Common understanding as *sensus communis logicus* in certain sense may fit for this purpose more than *sensus communis aestheticus*. It is because the former one is at least in connected with concepts, although those concepts from Kant's perspective may be just too 'vulgar'.<sup>35</sup>

Nevertheless, the point I would like to address here is not about which kind of *sensus communis* fits more with Arendt's interpretation. My point is that the conceptual demarcation by Kant shows that there is a kind of *sensus commiunis* does relate to concepts, by which one can still obtain the standard for judging. Therefore, Arendt's interpretation of *sensus communis* as the standard of approbation or disapprobation to the feeling is not totally unsound. Once we point out that there is still a kind of *sensus communis* in relation to concepts instead of feelings, Arendt's interpretation is still in certain sense valid.

*iv) Second Amendment: Take Teleological Judgment into Consideration*

In order to formulate a kind of political philosophy by Kant, I suggest, Arendt should take teleological judgment into consideration as an additional amendment. I agree the political judgment can be regarded as a reflective one, but it belongs not necessary *only* to aesthetic judgment. Since the transcendental principle of aesthetic judgment is subjected to the subjective purposiveness (purposiveness without purpose) instead of objective purposiveness, it is basically not related to the purpose or the existential status of human beings. Under the consideration of the relevance of the topics like history, culture, progress, etc., the part of *Critique of Teleological Judgment*, I suppose, should not be excluded from her project.

Teleological Judgment plays a very important role for bridging the gap of Kant's critical philosophy and his later doctrines, which are mostly related to political issues. In chapter 83 and 84 of third *Critique*, Kant claims that the ultimate purpose (*der letzte Zweck*) of nature as if a teleological system is man and the final purpose of the existence of a world (*Endzweck des Daseins einer Welt*) is man as a moral being. All of these passages are important to his later project on theology, politics and the development of human morality. If we want to construct a kind of political judgment by Kant, these passages are not neglectable. Arendt wants to establish a

<sup>35</sup>. Cf. KU, 293.

united theory of judgment related to actor and spectator, or even to human condition in general, it is correct to pick *Critique of Judgment* as the main philosophical text to elucidate the character of political judgment. However, she put her focus only on *Critique of Aesthetic Judgment* instead of the whole book. I would say, it is a regrettable mistake.

## 8. Conclusion

Although Arendt's interpretation that Kant's political philosophy can be based on his aesthetics is seemingly rough, her interpretation is still in many ways insightful and in certain sense acceptable. Arendt seizes correctly the spirit of the third *Critique* that the power of judgment as reflective judgment concerns the particular. It is true that the *Critique of Judgment* in certain sense has strengthened the rights of the particular and the individual.<sup>36</sup> We may say, her contemporary reading does pave the way for the latecomers to consider a kind of political aesthetics or aesthetic politics. It is in certain sense a successful modernization of Kant's thoughts.

## References

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<sup>36</sup> Cf. "In other words, the topics of the *Critique of Judgment* – the particular, whether a fact of nature or an event in history; the faculty of judgment as the faculty of man's mind to deal with it; sociability of men as the condition or the functioning of the faculty, [...] that is, important for the political – were concerns of Kant long before he finally, after finishing the critical business (*das kritische Geschäft*), turned to them when he was old." See *Lectures on Kant's political philosophy*, 14.