8

THE PRACTICE OF JUDGEMENT

Hannah Arendt's 'Copernican revolution'

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I

For those of us seeking new directions in political theory, Hannah Arendt's unfinished work on judgement continues to be a rich resource. Arendt herself was deeply critical of the tendency of theory to foreclose the power of judgement insofar as it pre-empts the need to make sense of what is novel in any given event. Drawing a strong distinction between theories and events, Arendt insists, for example, that before Galileo's telescope there was Nicholas of Cusa and Giordano Bruno, Copernicus and Kepler. We are tempted, she says, to think it was not Galileo but the philosophers and scientific theoreticians who abolished the geocentric worldview. When we look back – and reflecting on what is past is a central feature of judging – we are tempted to conclude that no event was needed to abolish that worldview. This confusion of theories with events, she suggests, is inherent in our tendency to deny what is new, refiguring it as the reappearance of what is old, for example, already there in the form of a potentiality. The discovery of the telescope and the astronomical discoveries it enabled become, on this reading, a mere realization of that which already existed in theory.[1] The notion of a potentiality that pre-exists any actuality was, in Arendt's view, a denial of freedom, a denial, that is, of the radical contingency of human action that inheres in an event qua event.

Rejecting Kant's two-world solution to the problem of freedom (i.e. his effort to save freedom by housing it in the noumenal realm), Arendt underscores the experience of freedom, its worldly character. And yet Arendt insists that our ability to affirm human action as contingent, hence free, is not simply a matter of 'knowing' that acts are caused contingently (Scotus) or that any act that was done could just as well have been left undone. For freedom as it relates to politics is not a matter of what one knows, or does not know. Like Kant, Arendt sees that whenever we reflect on an act, it seems to come under the sway of causality in such a way that we seem unable to recall its 'original randomness' (Arendt 1978: 138). She does not treat the

tendency to think strictly in terms of causality as a failure on our part, which could be corrected by better knowledge of what has come to be. When treated as an epistemological question, freedom appears to require that we step outside the condition of our own existence, take up the external standpoint, jump over our own shadow, as it were. Hence freedom is affirmed, but at the price of scepticism and worldlessness. Indeed freedom, when posed as a philosophical question that concerns *the* subject or 'Man in the singular,' almost always leads to the impasses Arendt describes in *The Life of the Mind*. To avoid these impasses, Arendt suggests that we think about freedom not as the substance or property of the subject; not as something we attain once we leave the world and others behind, but as a practice that begins by affirming plurality and non-sovereignty as the very condition of freedom.

'If men wish to be free, it is sovereignty that they must renounce,' declares Arendt (Arendt 1993a: 165). It is easy to miss the significance of this declaration because we do not see just how beholden we are to the Occidental tradition's notion of Man in the singular; just how tied our political concepts and theories are to the ideal of sovereignty that haunts us as a lost origin: in the beginning there was Man, not men. On Arendt's account, plurality is more than an ontological condition of human differences. As I have argued elsewhere, plurality is no mere state or condition of being human ('men not Man'), which we have a tendency to deny – though we do tend to deny that human condition of finitude, as both Stanley Cavell and Arendt in their different accounts of modern subjectivism and scepticism show (Zerilli 2005: 145). Rather, plurality requires that we *do* something in relation to whatever empirical differences may exist: plurality names not a *passive* state of ontological difference but an *active* and imaginative relation to others in a public space. Plurality, as a political relation, as the condition of action and freedom, I want to suggest, is based in the faculty of presentation (imagination) and not – or not initially – in the faculty of concepts (understanding). I can *know* that empirical differences exist as part of the human condition yet fail to *acknowledge* them, for the latter act involves more than cognition or the application of concepts to particulars (or, more precisely, *where* cognition is involved, acknowledgement requires that I *do* something on the basis of what I know).

II

In the view of critics such as Jürgen Habermas, Arendt's insistence on plurality as the condition of democratic politics is admirable, but it offers no way to adjudicate different points of view. Because she refuses to grant any 'cognitive foundation' for politics and public debate, he holds, Arendt leaves us with 'a yawning abyss between knowledge and opinion that cannot be closed with arguments' (Habermas 1994: 225). Likewise, Ronald Beiner, editor of *Arendt's Kant Lectures*, reiterates the problems associated with 'the all-important contrast between persuasive judgement and compelling truth' in Arendt's thought and wonders why she failed to recognize that '*all* human judgments, including aesthetic (and certainly political) judgments, incorporate a necessary cognitive dimension' (Beiner 1992: 137). (You will be a better judge of art if you know something about the art you are judging.) A

Kantian approach, which excludes knowledge from political judgement, says Beiner, 'renders one incapable of speaking of "uninformed" judgment and of distinguishing differential capacities for knowledge so that some persons may be recognized as more qualified, and some as less qualified, to judge' (ibid.: 136).

Does Arendt sever the link between argument and judgement or even forbid the place of reasoned argument in the practice of judgement? As I have argued elsewhere, the critical charge that she does entirely misses the mark. Arendt's deep suspicion of a cognitively-based practice of political judgement is not disqualified by her reliance on a supposedly naïve concept of logical reasoning.[2] *Her point is not to exclude so-called rational discourse from the practice of aesthetic or political judgement – as if something or someone could stop us from making arguments in public contexts – but to press us to think about what we are doing when we reduce the practice of politics or judgement to the contest of better arguments.* Arendt is struggling with a difficult problem to which her critics, focused as they are on issues of the rational adjudication of political claims, are blind: our misplaced but deep sense of necessity in human affairs. If Arendt brackets the legitimation problematic that dominates the thought of Habermas, it is because she sees in our practices of justification a strong tendency towards compulsion, which, in turn, destroys the particular *qua* particular and, with it, the very space in which political speech (including arguments) can appear.[3] What shapes Arendt's critique of the public realm as a rationally-driven culture of argument is a conception of politics as the space of freedom, singular events, rhetorical speech and plurality. She sees how we tend to run the space of reasons into the space of causes: we risk transforming logical reasoning from a dialogic tool of thought, with which we aim at agreement, into a monologic tool of thought, with which we compel it. What Habermas calls 'the claim to rational validity that is immanent in speech' (Habermas 1994: 213) risks becoming what Wittgenstein once called 'the hardness of the logical *must*' (Wittgenstein 1996: I §121).

For Arendt, political judgements have the structure of aesthetic judgements. What does that mean exactly? And why is this shared structure different from what her critics call rational discourse? We can begin to answer the first question by recalling that, for Arendt, both political claims and aesthetic claims are practices of reflective judgement, that is, a form of judgement according to which, in contrast to what Kant called a determinative judgement, the rule is not given.[4] In the absence of the rule under which to subsume the particular, we are confronted with an event of singularity. As Arendt reminds us in her lectures on Kant, 'If you say, "What a beautiful rose!" you do not arrive at this judgment by first saying, "All roses are beautiful, this flower is a rose, hence this rose is beautiful"' (Arendt 1992: 13–14).

What confronts you in a reflective judgement is not the general category 'rose', but the particular, '*this* rose'. As Beiner puts it,

> [R]eflective judgment means attending to the unique qualities of the particular, to the particular *qua* particular, rather than simply subsuming particulars under some universal formula. Or, as Arendt would put it, judgment involves attending to the particular as an end in itself – that is, as a singular locus of meaning that isn't reducible to universal causes or universal consequences.
>
> (Beiner 2001: 94)

That *this* rose is beautiful is not given in the universal nature of roses. There is nothing necessary about the beauty of *this* rose. The claim about beauty is not grounded in a property of the object, which could be objectively ascertained (as is the case with cognitive judgements); such a claim belongs to the structure of feeling rather than concepts (i.e. *sensus communis*, discussed below).[5] *This* rose *is* beautiful because it is judged to be beautiful.[6]

This Kantian point is also crucial to what we might call Arendt's own 'Copernican Revolution', that is, her claim that political space does not precede political judgement, but rather is constituted by it. 'The public realm is constituted by the spectators and not the actors or the makers', as she puts it (Arendt 1992: 62). That is another way of saying that the public realm is constituted through a practice of judgement; it is constituted by us and what we hold (e.g. 'that these truths are self-evident'). If that is the case, then the public space, as we have constituted it, could be constituted differently: we do not have to hold these truths to be self-evident, nothing compels us. That we do so hold is an expression of our freedom. How, then, can we gain critical purchase on what we hold?

To argue, as Arendt following Kant does, that beauty is not a property of the object but an expression of the subject in the act of contemplating it, raises the problem of what deliberative democrats such as Habermas call intersubjective validity. As Jennifer Nedelsky puts it, Kant

> identified the central problem of judgment: how can a judgment that is genuinely and irreducibly subjective also be valid. What does the claim of validity mean if we do not transmute the subjective into something objective – and thus lose the essence of judgment as distinct from ascertaining a truth that can be demonstrably, and thus compellingly proven?
>
> (Nedelsky 2001: 104)

Does Arendt herself suggest how we might adjudicate competing judgements about particulars? Although Arendt accepts (some version of) Kant's argument that aesthetic judgements must claim universal agreement to be valid (e.g. *this* rose *is* beautiful, not just beautiful *for me* – the latter being a misuse of the word 'beautiful'), she eliminates what Albrecht Wellmer calls 'the context of possible arguments' in which a particular claim could be 'redeemed' (Wellmer 2001: 169). If we follow Arendt, it would seem, every political qua aesthetic claim reduces to subjectivism and raises the spectre of decisionism, for there is no way to judge such judgements: there is no public measure or standard or criteria according to which we might evaluate them. What Arendt's critics fear is that, if all we have is the contention of opinions with no standards to redeem claims as valid, we will have no way of distinguishing between rhetoric and rational argument. This worry is as old as Western philosophy.

III

> Wherever people judge the things of the world that are common to them, there is more implied in their judgments than these things. By his manner

> of judging, the person discloses to an extent also himself, what kind of person he is, and this disclosure, which is involuntary, gains in validity to the degree that it has liberated itself from individual idiosyncrasies.
>
> (Arendt 1993a: 221)

What one discovers in the act of judging, says Arendt, is both one's differences with some judging persons and one's commonalities with others.

> We all know very well how quickly people recognize each other, and how unequivocally they can feel that they belong [or do not belong] to each other, when they discover [or fail to discover] a kinship in questions of what pleases and displeases.
>
> (Ibid.: 223)

Based in the activity of taste ('the it-pleases-or-displeases-me'), judging allows differences and commonalities to emerge that are by no means given in advance of the act itself. Arendt refuses to specify what values must already be in place to serve as the ground for community (though she nowhere denies that certain values are already in place). Judging may well call into question my sense of political community with some persons and reveal a new sense of community with others. This discovery of community is not guaranteed by the kind of rule-following Arendt associates with what Kant calls a 'determinative judgment', that is, a judgement in which a particular is subsumed under a universal (Kant 1987: 18). The rule-following associated with determinative (logical) judgements, says Arendt, compels everyone who has the power of reason and could just as well be discovered in solitude.

I said earlier that plurality might be the fragile achievement of democratic politics rather than a permanent threat to such politics or a mere ontological condition of being human. We can now better appreciate what might be at risk in a theory of political judgement that relies on reason and proof. Plurality is irrelevant when I proceed by means of rational arguments and proofs – irrelevant, that is, to whatever judgement I reach. As Salim Kemal observes,

> Proofs begin with generally accepted premises, asserting that certain relations hold between concepts and, from these, on the basis of inferential rules, draw relevant conclusions. If we accept the premises and the validity of the argument, then, unless there is a mistake, we must accept the conclusion. In some sense our agreement is compelled, for a dissenting individual's claim will be dismissed as false – because it does not tally with some part of the premises; or as irrational – because it cannot tally with any proof or procedure. Disagreement is still possible, because premises are questionable and proofs may be inadequate. But such arguments and conclusions are objective and universally valid on the basis of given procedure. Agreement between subjects does not determine the truth of cognitive claims; rather the truth of judgments depends on the nature of objects and their relations in the world.
>
> (Kemal 1997: 76)

Though proofs may well play a role when one speaks politically, speaking politically is not reducible to the ability to give proofs.

Arendt does not dismiss the question of validity but rather asks: what kind of validity is proper to the realm of politics, where we are concerned with the problem of human freedom – how to affirm rather than deny it – and with sustaining the condition of such freedom, namely, plurality? Whatever premises we do share rely on a sense of realness derived from seeing from multiple perspectives. Objectivity requires not simply that one 'be in agreement with one's own self [logic's principle of non-contradiction], but . . . consist[s] of being able to "think in the place of everybody else"', she writes (Arendt 1993a: 221). That is what it means '*to see politically*' (Arendt 1993b: 96). The origins of this political way of seeing lie in 'Homeric objectivity' (i.e. the ability to see the same thing from *opposite* points of view: to see the Trojan War from the standpoint of *both* of its greatest protagonists, Achilles *and* Hector).[7] This is different from the kind of seeing that ends with the cognition of an object, which involves not seeing from the viewpoints of others, but the ability to subsume particulars under rules.

In Arendt's reading of Kant's *Critique of Judgment*, aesthetic judgement

> never has the validity of cognitive or scientific propositions, which are not judgments, properly speaking. (If one says, 'The sky is blue' or 'Two and two are four', one is not 'judging'; one is saying what is, compelled by the evidence either of one's senses or one's mind.)
>
> (Arendt 1992: 72)

As the last sentence suggests, the affect at issue in judgement is different from the first-hand experience of our senses. Arendt's reading of Kant foregrounds judging as an activity, not judgements as the result of an activity, judgements which, being universally valid, could be extended beyond the activity of judging subjects and applied in rule-like fashion by other subjects.[8] It is this emphasis on judging as an ongoing practice that leads Arendt to eschew tying reflective judgement to rational argument and claims of truth. The emphasis is on judging rather than judgements because, according to Arendt, judging comes into its own only once the rules for judging the objects of the common world are lacking, that is, are not given in advance of the activity of judging itself. Judging concerns particulars for which the rule under which to subsume them is missing.

Citing Kant, Arendt emphasizes that judgements of taste, far from being private and subjective (*de gustibus non disputandum est*), have (what he calls) 'subjective validity' (Kant 1987: 85–95), which entails, as Arendt puts it, 'an anticipated communication with others with whom I know I must finally come to some agreement' (Arendt 1993a: 220–21). This anticipated agreement relies on *sensus communis*, 'the very opposite of "private feelings"', *sensus privates* (ibid.: 222). What Arendt calls *sensus communis* is more akin to what Wittgenstein means by our pre-reflective 'agreement in judgments', which underlies our practices of justification, and which is itself a practice not susceptible to or in need of proof, than it is to Kant's idea of *sensus communis* as a transcendental, a priori principle which grounds the universal

validity of judgements of taste (and which, therefore, is in no way the product of some social process, of deliberation or agreement in a particular community).[9] Some readers of Arendt (e.g. Lyotard 1994) accuse her of losing sight of the a priori character of the Kantian *sensus communis*, and of treating judgement as if it entailed reaching actual agreement with others or were based on some form of empirical sociality.[10] Judgement according to Arendt would then entail little more than striving for agreement with a community's norms. Rhetoric, understood in its conventional sense as a sophistic technique of persuasion, would then rear its ugly head, threatening to lure us back into the Platonic cave, where we are unable to distinguish the shadowy shapes of things from the things themselves, opinion from truth.

Clearly, Arendt, for whom totalitarianism raised the whole problem of judgement, cannot be taken to limit judgement or the *sensus communis* in this way. Although Arendt does not accept the transcendental character of the Kantian *sensus communis*, like Kant, she recognizes that empirical communities can be deeply flawed in their judgements. Furthermore, to judge according to the common understanding of a given community is, as Kant himself says, 'to judge not by feeling but always by concepts, even though these concepts are usually only principles conceived obscurely' (Kant 1987: 87). For Kant, however, what makes concepts obscure is itself often connected to feeling: it is none other than rhetoric or 'the arts of speech', which, in the *Critique of Judgment*, he accuses of being a perfect cheat and of 'merit[ing] no respect whatsoever'. Rhetoric stands accused of being 'the art of transacting a serious business of the understanding as if it were a free play of the imagination'. As Robert Dostal observes, 'it is just this play of imagination that Arendt wishes to affirm' (Dostal 2001: 154). In contrast to Kant, for whom the *ars oratoria* 'insofar as this is taken to mean the art of persuasion' deceives us by means of a 'beautiful illusion' and makes our 'judgments unfree,' Arendt affirms that 'the rhetorical arguments of our fellow spectators free us' (ibid.: 154). It is all the more curious that Arendt, though she emphasized imagination over reason and understanding as the primary political faculty, never developed the account of imagination that her ruminations on judgement required, for she never thought about the imagination as anything but reproductive.[11] I will leave aside the question of why in this context and concentrate, by way of concluding, on what a theory of productive imagination might contribute to an account of political judgement based in the Kantian idea of subjective validity.

IV

Imagination is much more than the faculty of re-presentation, that is, the faculty of making present what is absent, which is 'the reproductive imagination' in Kant. On the one hand, Arendt is clearly concerned with imagination as the faculty that gives me objects as representations so that I can be affected by them, but not in the direct way I am when the object is given to me by the senses. Imagination prepares the object so that I can reflect upon it, which is to say, judge it. It also allows me to visit

standpoints not my own, creating the conditions for the relations of proximity and distance that are vital to Arendt's understanding of political space (Arendt 1992: 68–9). 'Imagination alone enables us to see things in their proper perspective', she writes,

> to put that which is too close at a certain distance so that we can see and understand it without bias and prejudice, to be generous enough to bridge abysses of remoteness until we can see and understand everything that is too far away from us as though it were our own affair.
>
> (Arendt 1994: 323)

Citing Kant's observation that imagination brings together sensibility and understanding by 'providing an *image for a concept*', a 'schema' (Arendt 1992: 81) in the absence of which there would be no experience in the Kantian sense, Arendt once again reduces imagination to its reproductive function and subordinates it to the faculty of understanding. Writes Arendt,

> Our sensibility seems to need imagination not only as an aid to knowledge but in order to recognize sameness in the manifold. As such, it is the condition of all knowledge: the [in Kant's words] 'synthesis of imagination, prior to apperception, is the ground of the possibility of all knowledge, especially of experience'.
>
> (Ibid.: 83)

She never considers Kant's claim, in the A-edition of the *Critique of Pure Reason*, that this synthesis of the manifold 'is the mere effect of the imagination, of a blind though indispensable function of the soul, without which we should have no cognition at all, but of which we are scarcely ever conscious' (Kant 1998: A78). This is Kant's discovery of the 'transcendental imagination' as a productive power, the discovery of an 'unknown root' [*unbekannte Wurzel*] from which, according to Arendt's teacher Heidegger, he 'recoiled' and subsumed under reason (Heidegger 1988: 161).

Put somewhat differently, the generative power of imagination is its capacity to create relationships among otherwise disparate things. We can see it in Kant's idea of the 'example'. Although the example plays a role in both reflective and determinant judgements, it is particularly important as the third or mediating term in a reflective judgement, in which there is no rule for thinking the particular. The example, writes Arendt, 'is the particular that contains in itself, or is supposed to contain, a concept or a general rule' (Arendt 1992: 84). She explains,

> I cannot judge one particular by another particular; in order to determine its worth, I need a *tertium quid* or a *tertium comparationis*, something related to the two particulars and yet distinct from both. In Kant we find actually two altogether different solutions to this difficulty.
>
> (Ibid.: 76)

The first solution, 'a real *tertium comparationis*', includes 'the idea of an original compact of mankind as a whole, and derived from this idea is the notion of humanity', and, in *Critique of Judgment*, 'the idea of purposiveness [without a purpose]', that is, the idea that things like aesthetic objects and human beings, which are not defined by their use, please us, but this pleasure 'can never be proved' (ibid.: 76). The second and, in Arendt's view, far more valuable, solution is *exemplary* validity. ('Examples are the go-cart of judgments.')

> Let us see what this is. Every particular object – for instance, a table – has a corresponding concept by which we recognize the table as a table. This can be conceived as a 'Platonic' idea or Kantian schema; that is one has before the eyes of one's mind a schematic or merely *formal table* shape to which every table somehow must conform. Or one proceeds, conversely, from the many tables one has seen in one's life, strips them of all secondary qualities, and the remainder is a table-in-general, containing the minimum properties common to all tables; the *abstract table*. One more possibility is left, and this enters into judgements that are not cognitions: one may encounter or think of some table that one judges to be the best possible table and take this table as the example of how tables actually should be: the *exemplary table* ('example' comes from *eximere*, 'to single out some particular'). This exemplar is and remains a particular that in its very particularity reveals the generality that otherwise could not be defined. Courage is *like* Achilles. Etc.
>
> (Ibid.: 76–7)

As Arendt's other examples (e.g. 'Goodness is like Jesus of Nazareth') of the example make clear, this is but another way of saying that the 'go-cart of judgment', that which enables us to think the particular, is not a principle but a metaphor, and its condition is the *sensus communis*.[12]

But Arendt's account of exemplary validity, far from being a clear alternative to a rule-governed judgement, can start to sound like the application of concepts by other means. The only criterion for the validity of the example, says Arendt, is that it must be 'well chosen'. The example must resonate for others in a particular cultural context. Although this does not mean that the example must repeat or confirm the views of any given community, it seems important to recognize that some examples can do just that; that is, they can function as concepts that effectively preclude the ability to see something new. This risk seems unavoidable when the imagination is reduced to its reproductive function, as it is in Arendt's reading of Kant.

If we see imagination as generative, as the creator of new social forms, however, we can think about the example as having an inventive character that can by no means be reduced to a combination of pre-existing elements. According to Ernesto Grassi, 'this function of establishing relationships [is] the act of *ingenium*', which 'penetrates and binds together *in a common relationship* . . . things that appear . . . uncommonly fragmentary and disparate'. Put slightly differently, '*ingenium* is the

ability to reveal similitude as a common element in things which, as such, attains to universality' (Grassi 1976: 561).

The kind of universality at issue in reflective judgement and its vehicle, the example, obtains in the realm of the probable; that is, this form of universality is never eternally valid, as logical judgements claim to be. To cite Grassi again,

> Here the universal, on the basis of which we define and recognize something, is *not* the product of abstracting from previous insights but arises in a concrete comparison with the principle of our own life itself. It is therefore a 'commonness' of 'similarity' that is ascertained concretely from case to case.
> (Grassi 1980: 98)

Accordingly, the truth that emerges is different from that attained through the exercise of logical reasoning (truth as consistency) or the adequation of our concepts to their objects (truth as correspondence). As Arendt says of logical truth,

> It is the only reliable 'truth' human beings can fall back upon once they have lost the mutual guarantee, the common sense, men need in order to experience and live and know their way in a common world. But this 'truth' is empty or rather no truth at all, because it does not reveal anything [that is not already given in the premises].
> (Arendt 1973: 477)

Notwithstanding Arendt's claim that truth is at odds with political (rhetorical) speech and thus with the practice of judgement, we see that it is possible to speak of truth, only truth is something we reveal rather than prove or deduce. This conception of truth as something revealed is at one with judgement: what they share is the quest for meaning. For Arendt, meaning is what judgement reveals: it is not given in the nature of things, the structure of the world or the objectivity of history, but is a creation of significant relations which generate our sense of the real. 'Reality is different from, and more than, the totality of facts and events, which, anyhow, is unascertainable', she writes. Meaning is what we produce when we judge the objects of the common world apart from their function or utility or necessity.

It is judgement, then, that creates meaning and with it the space in which the objects of the common world can appear, not the other way around. That is Arendt's 'Copernican Revolution' in political thinking. According to Arendt, our very sense of reality – that is, 'a nonsubjective and "objective" world which we have in common and share with others' – depends upon the practice of judgement. Judgement is how we discover community, that is, with whom we are in community. Rather than think about community as the ground of judgement, that is, as that which gives us the grounds for our judgements (as a communitarian view might have it), Arendt suggests that the practice of judgement creates our sense of community. Like our sense of the real, this sense of community is both stable and open to contestation. It

is stable because, whenever I judge, I anticipate universal assent: I appeal to the *sensus communis*, not in the Kantian, transcendental sense, but in the Wittgensteinian one of our mutual attunement in language. This sense of community is contestable because I can never compel anyone to agree with my judgements, I can only 'woo' or 'court' the agreement of everyone else. To judge is not only to assume that others share my view of the world, but also to risk discovering that someone does not. I cannot compel another person to see the world as I do; at best I can try to show her or him how I see it, and wait and see what comes from that showing.

Notes

1 See Arendt (1989: ch. 6).
2 See Steinberger (1993: esp. 63).
3 On Arendt's bracketing of the legitimation problematic, see Villa (1996: 72).
4 As Béatrice Longuenesse explains, the peculiar feature of aesthetic and teleological judgements is not that they are reflective judgements *(for every judgement on empirical objects as such is reflective)*; it is rather that they are *merely* reflective judgements, judgements in which reflection can never arrive at conceptual *determination* (Longuenesse 1998: 164).
5 Kant writes,

> If judgments of taste had (as cognitive judgements do) a determinate objective principle, then anyone making them in accordance with that principle would claim that his judgment is unconditionally necessary . . . So they [judgments of taste] must have a subjective principle, which determines only by feeling rather than by concepts, though nonetheless with universal validity, what is liked or disliked. Such a principle, however, could only be regarded as a *common sense*. This common sense is essentially distinct from the common understanding that is also sometimes called common sense (*sensus communis*); for the latter judges not by feeling but always by concepts, even though these concepts are usually only principles conceived obscurely.
>
> (Kant 1987: 87)

Kant is talking not about empirical opinions of a given community but about an a priori principle.

6 The pleasure obtained in the act of judging is subjective. It is based on a priori principles (ibid.: 396) and entails the agreement or harmony of the faculties (understanding and imagination) in the absence of a concept, for reflective judgement fails to produce any conceptual determination. That is why Kant speaks of aesthetic and teleological judgements as merely reflective judgements *(nur reflektierende, bloß reflektierende)*. See ibid.: 399, 412.
7 Arendt writes,

> This Homeric impartiality is still the highest type of objectivity we know. Not only does it leave behind the common interest in one's side and one's own people which, up to our own days, characterizes almost all national historiography, but it also discards the alternative of victory or defeat, which moderns have felt expresses the 'objective' judgment of history itself.
>
> (Arendt 1993a, 51)

The modern conception of objectivity, in contrast, is premised on the idea that standpoints, intrinsically deceptive, should be eliminated, based as they are on subjective sense experience. 'The "extinction of the self" [...becomes] the condition of "pure vision"', in

Ranke's phrase. Objectivity is a clean relation to the facts; it requires abstention from judgement (ibid.: 49).

8 Judgment is endowed with a certain specific validity, but is never universally valid. Its claims to validity can never extend further than the others in whose place the judging person has put himself for his consideration . . .; it is not valid for those who do not judge or for those who are not members of the public realm where the objects of judgment appear.

(Ibid.: 221)

9 As a work of transcendental philosophy, the *Critique of Judgement* is concerned with the possible validity of our judgements, not with actual judgements. Kant explicitly excludes community standards as the basis for judgement:

> Whenever a subject offers a judgment as proof of his taste [concerning some object], we demand that he judge for himself: he should not have to grope about among other people's judgments . . . To make other people's judgments the basis determining of one's own would be heteronomy.
>
> (Kant 1987: 146)

As an a priori principle, *sensus communis* is the condition of what he calls the 'exemplary necessity' of a judgement of taste, that is, the 'necessity of the assent of *everyone* to a judgement that is regarded as an example of a universal rule that we are unable to state' (ibid.: 85). Kant distinguishes exemplary necessity from theoretical and practical necessity, which he elaborates, respectively, in *The Critique of Pure Reason* and *The Critique of Practical Reason*.

10 According to Beiner, Arendt mistakenly reads her favourite concepts from the third *Critique* (common sense, enlarged mentality and so on) as if they were empirical, whereas for Kant they are strictly transcendental (Beiner 2001: 96).

11 See Zerilli 2005: ch. 4.

12 Metaphors, as the go-carts of judgement, do not have universal validity. Arendt writes,

> When judging, one says spontaneously, without any derivations from general rules, 'This man has courage'. If one were a Greek, one would have in 'the depths of one's mind' the example of Achilles. Imagination is again necessary . . . If we say of somebody that he is good, we have in the back of our minds the example of Saint Francis or Jesus of Nazareth. The judgement has exemplary validity to the extent that the example is rightly chosen . . . [I] can talk about Napoleon Bonaparte as a particular man; but the moment I speak about Bonapartism I have made an example of him. The validity of this example will be restricted to those who possess the particular experience of Napoleon, either as his contemporaries or as the heirs to this particular historical tradition.
>
> (Arendt 1992: 84)

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