# KANT'S BEAUTIFUL ROSES: A RESPONSE TO COHEN'S 'SECOND PROBLEM'

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Abstract: According to Kant, the singular judgement 'This rose is beautiful' is, or may be, aesthetic, while the general judgement 'Roses in general are beautiful' is not. What, then, is the logical relation between the two judgements? I argue that there is none, and that one cannot allow there to be any if one agrees with Kant that the judgement 'This rose is beautiful' cannot be made on the basis of testimony. The appearance of a logical relation between the two judgements can, however, be explained in terms of what one does in making a judgement of taste. Finally, I describe an analogy between Kant's treatment of judgements of taste and J. L. Austin's treatment of explicit performative utterances, which I attribute to a deeper affinity between their respective projects.

In a recent publication in this journal,<sup>1</sup> Ted Cohen presents three problems in Kant's aesthetic theory, one of which, the second of the three, is particularly troubling, as it casts doubt on one of Kant's central claims. The pertinent claim is the one made in the title of the opening section of the *Critique of Aesthetic Judgement*, that 'the judgement of taste is aesthetic'.<sup>2</sup> This means, among other things, that the predicate of a judgement like 'This rose is beautiful', when that judgement is properly issued, is not a concept but a feeling of pleasure<sup>3</sup>—the word 'predicate' here signifying not the verbal

<sup>&</sup>lt;sup>1</sup>Ted Cohen, 'Three Problems in Kant's Aesthetics', *British Journal of Aesthetics*, vol. 42 (2002), pp. 1–12.

<sup>&</sup>lt;sup>2</sup>Immanuel Kant, *Critique of the Power of Judgment*, tr. by Paul Guyer and Eric Matthews (Cambridge: Cambridge U.P., 2000), § 1, p. 89, *Akademie* edition ('Ak.') 5:203. References to Kant not otherwise designated are to this text.

<sup>&</sup>lt;sup>3</sup>Kant, § 36, p. 169, Ak. 5:288; § 37, p. 169, Ak. 5:289; First Introduction, sec. VIII, ibid., p. 26, Ak. 20:224; cf. sec. VII, p. 77, Ak. 5:191. Three remarks: (i) Kant also allows for aesthetic judgements based on displeasure (Unlust), but for the sake of simplicity I shall consider only those based on pleasure. (ii) In § 1 Kant defines an aesthetic judgement as a one 'whose determining ground cannot be other than subjective' (p. 89, Ak. 5:203), while in the cited passage in the First Introduction, he defines it as a judgement 'whose predicate can never be cognition (concept of an object)'. He apparently considers these two characterizations to be equivalent. (iii)

predicate of the sentence by which the judgement is expressed but the predicative component of the corresponding mental act. On the other hand, Kant allows that a judgement like 'Roses in general are beautiful' may be derived from a collection of judgements on the beauty of individual roses. A judgement of this second kind, however, is not 'aesthetic' but, in Kant's terms, 'logical', meaning, again among other things, that it has a concept for a predicate. It follows that the general judgement, contrary to verbal appearances, cannot have the same predicate as the singular one. But that implication is at odds with Kant's concession that the general judgement can be derived from a collection of singular judgements of beauty. Consequently, either judgements of beauty, whether singular or plural, always have a concept for a predicate, or else general judgements of beauty cannot be inferred from singular ones; and neither option is compatible with Kant's declared views.

At the end of his discussion, Cohen takes up an analogy I once advanced between Kantian judgements of taste and Austinian explicit performative utterances, but confesses himself unable to solve the problem by means of it. I do not think that the analogy will solve the problem, but I believe that Kant can be gotten out of the present difficulty by other means.

In this comment I wish to do four things: (i) to restate Cohen's problem so as to make clear its importance and its difficulty; (ii) to offer my solution; (iii) to deal with a likely objection; and (iv) to enlarge a bit upon the comparison of Kant with Austin.

### I. THE PROBLEM

It is important to appreciate that the problem that Cohen identifies does not arise from any casual or incidental statements that Kant makes, but from one of the defining ideas of his aesthetic theory. There is, naturally, a certain amount of learned controversy over what exactly Kant means by saying that the judgement of taste is 'aesthetic', and over how deeply he is committed to the seemingly extravagant claim that the predicate of a pure judgement of taste is not a concept.<sup>4</sup> But the conviction underlying that claim should be

Whatever exactly Kant may mean by saying that the predicate of an aesthetic judgement is a feeling, it is clear that he means that it is *not a concept*, and that is enough for grasping the problem at hand.

<sup>&</sup>lt;sup>4</sup>To my mind the best case for denying Kant's commitment to the thesis of the non-conceptual character of judgements of taste has been made by Karl Ameriks. See his 'Kant and the Objectivity of Taste', *British Journal of Aesthetics*, vol. 23 (1983), pp. 3–17; and 'New Views on Kant's Judgment of Taste', in Herman Parret, ed., *Kants Ästhetik/Kant's Aesthetics* (Berlin and New York: Walter de Gruyter, 1998), pp.

clear enough. Technicalities aside, part of what Kant means by that claim, or is trying to preserve by it, is surely the sense that *declaring* a thing beautiful is essentially tied to *finding* it beautiful, in the sense of actually being struck by its beauty, and that this is not the case with declaring a thing to be of a certain colour or origin or moral character or what have you. A description, or the testimony of others, may persuade me that a certain thing is beautiful, but I cannot legitimately express that persuasion by saying 'X is beautiful'. Rather, I must say something like 'By all accounts, X is beautiful'; or 'X must be beautiful'; or 'X is said to be beautiful'. I cannot make an epistemically unqualified declaration that the thing is beautiful until I have experienced—in Kant's terms, 'intuited'—the object for myself and thereby found pleasure in the reflective exercise of my cognitive faculties. The question whether this justifies Kant's claim that the predicate of a judgement of taste is not a concept is one with which I shall deal later in this paper (section III).

Given that judgements of taste are essentially tied to intuition in the way just described, it follows that they must be made on objects one at a time; or as Kant says, 'In regard to logical quantity all judgements of taste are singular judgements.' The point may be supported by considering what might seem a counterexample, a judgement to such effect as: 'The flowers in that vase are beautiful'. It may seem that this is a non-singular judgement of taste. But consider: either the subject term refers to the flowers as a single collective object of intuition, or else the judgement as a whole means 'Each flower in that vase is beautiful'. In the first case the judgement, though grammatically plural, is logically singular, thus confirming Kant's claim. In the second case the judgement is not one of taste at all but a judgement made, presumably, by inference from a series of judgements of taste on the individual flowers; and this again confirms Kant's thesis. Kant makes this point in terms of the judgement 'Roses in general are beautiful', which he supposes to be made by a 'comparison of many singular ones'. If the

<sup>431–47.</sup> For the contrary case, see Hannah Ginsborg, 'Kant on the Subjectivity of Taste', ibid., pp. 448–65.

<sup>&</sup>lt;sup>5</sup>The basis of my attribution of this view to Kant is contained in §§ 32–33, pp. 162–66, Ak. 5:281–66. For a fuller account, see Ginsborg, 'Kant on the Subjectivity of Taste'.

<sup>&</sup>lt;sup>6</sup>For Kant's account of the reflective use of the cognitive powers see Kant, sec. VII, pp. 77–78, Ak. 5:189–90; also §§ 9, 21, and 35. This operation is the subject of Cohen's 'first problem'.

<sup>&</sup>lt;sup>7</sup>Kant, § 8, p. 100, Ak. 5:215.

<sup>&</sup>lt;sup>8</sup>Pluhar's translation (Indianapolis: Hackett, 1987), which Cohen uses (p. 4), takes Kant's phrase'Vergleichung vieler einzelnen' to mean a comparison of 'many singular roses'. It seems to me evident from the construction of the German sentence, however, that Kant means 'many singular judgements', as in the Guyer-

inference seems too great a leap, Kant could equally well have used an example in which the generalization is across a finite number of objects of a certain kind, such as the flowers in a particular vase.

Indeed, Kant's point can be made without even mentioning a judgement of universal logical quantity. What matters is only that the judgement is *general*; and general judgements may be particular as well as universal. Thus, if the inference from a series of singular judgements on the beauty of individual roses to the universal judgement 'Roses in general are beautiful' lacks credibility, take instead the unimpeachable inference from 'This rose is beautiful' to 'Some rose is beautiful'. Kant's point holds good: the latter cannot be a judgement of taste, because it does not express the speaker's *finding* some object beautiful. It is made, not by an exercise of taste, but by an inference from someone's exercise of taste (presumably one's own).

I take it to be evident, then, that, given Kant's view that a genuine judgement of taste can only be made by the reflective exercise of one's cognitive powers upon an object of one's own intuition, one must accept the implication that such judgements can only be singular and not general (and a fortiori not universal). So far, there is no problem.

But then we must recall Kant's claim that in logically general judgements of beauty, the predicate corresponding to the word 'beautiful' is a concept, while in the singular judgement of taste it is not. It follows that the two kinds of judgement do not share a common predicate; from which in turn it follows that the general judgement, contrary to verbal appearances, cannot be a generalization of the singular one. And that seems to fly in the face of manifest fact. At the very least, it makes it difficult to explain how a general judgement of beauty can be inferred from a singular one, or from any collection of singular ones. Hence Cohen's observation: 'It seems incredible, and it is more than a little frustrating, that the logic of this inference is so difficult to formulate' (p. 6).

Matthews translation. An interesting incidental question is: what exactly does Kant mean by 'roses in general'? For the sake of simplicity I have proceeded as if he meant 'every rose'; but it is possible that he means something more nuanced, such as 'any rose that is not defective *qua* rose (e.g., wilted, torn, blighted, deformed, . . .)'.

<sup>&</sup>lt;sup>9</sup>For the distinction between general (*generale*) and universal (*universale*) judgements, see the Kant–Jäsche *Logic*, § 21, note 2. In the *Critique of Pure Reason* (A71/B96), the distinction is between *gemeingültige* and *allgemeine* judgements, also customarily translated as 'general' and 'universal'. The distinction, or some equivalent one, is, I believe, standard in scholastic logic, and even in present-day logic, quantifiers—signs of generality—may be either universal or particular.

#### II. THE SOLUTION

If there is, among the claims just presented, one to which Kant is *not* clearly committed, it is surely the claim that a judgement like 'Every rose is beautiful' is the universal generalization of 'This rose is beautiful'. In fact, Kant never even makes that claim: he merely says that the general judgement 'arises from the comparison of many singular ones' and 'is no longer pronounced merely as an aesthetic judgement, but as an aesthetically grounded logical judgement.' The difficulty is that, if the one judgement is not the universal generalization of the other, it is unclear what the logical relation between the two judgements is, or how the one may be inferred from the other.

It seems to me that Cohen, in a couple of separate remarks, actually suggests the way out of this difficulty, though he does not take the right path himself. First, he observes that, although Kant says or implies that the predicate of a general judgement of beauty is a concept, he does not say what this concept is (p. 5). What then could it be? Presumably it is the concept of the beautiful. But what is the content of that concept? A number of different answers would be compatible with the various things that Kant says about the content or purport of the judgement of taste (such as his four 'definitions of the beautiful'). I propose to adopt the formula 'capable of being judged with pleasure in mere reflection' as an analysis of the concept of the beautiful. 'Mere reflection' is one of Kant's descriptions of the operation of the cognitive faculties that gives rise to the distinctive pleasure of taste; 'judging' is the aspect of this operation whereby the sharing of this pleasure is required of all who judge of the object.<sup>12</sup>

<sup>&</sup>lt;sup>10</sup>Kant, § 8, p. 100, Ak. 5:215.

<sup>&</sup>lt;sup>11</sup>That is, the definitions of the beautiful as the object of a satisfaction 'without any interest' (p. 96, Ak. 5:211); as 'that which pleases universally without a concept' (p. 104, Ak. 5:219); as 'the form of purposiveness of an object, insofar as it is perceived in it without representation of an end' (p. 120, Ak. 5:236); and as 'that which is cognized without a concept as the object of a necessary satisfaction' (p. 124, Ak. 5:240).

<sup>&</sup>lt;sup>12</sup>This of course raises the issue: what is the relation between the act of judging and the feeling of pleasure in a judgement of taste? Kant poses this question in § 9, and gives the surprising answer that the judging precedes the pleasure (p. 102, Ak. 5:216–17). Commentators are divided between those who hold that there are two acts of judging, one that gives rise to pleasure and another that requires everyone to share that pleasure, and those who hold that there is just one act of judging, which of itself somehow constitutes the pleasure whose universal sharing it requires. The 'two-acts' view is defended by Paul Guyer in *Kant and the Claims of Taste*, 2nd ed. (Cambridge: Cambridge U.P., 1997), pp. 133–41, the 'one-act' view by

This much granted, the question arises: how can Kant maintain that the word 'beautiful' expresses that concept, or any concept, in a so-called aesthetically grounded logical judgement, but not in a judgement of taste?<sup>13</sup> The answer to this can again be derived from a remark of Cohen's. Defenders of Kant, Cohen observes, often insist that for Kant a judgement is not a statement or a proposition but an act of the mind (p. 7). So what is the act in question? In the case of 'Every rose is beautiful', it would be the act of combining the concept of a rose with the concept of beauty using what Kant calls the logical functions of the understanding, specifically those of the categorical, universal, affirmative, assertoric form of judgement.<sup>14</sup> In the case of 'This rose is beautiful', the act would consist in judging the object with pleasure in mere reflection.

From this it follows that, in making the judgement of taste, one does not assert that the rose in question is capable of being judged with pleasure in mere reflection; rather, one simply does so judge it. That one does so judge the rose implies that it is capable of being so judged. That is why, once I have judged that this rose is beautiful, I am in a position to make the logical judgement 'Some rose is beautiful', or, once I have made the judgement 'This rose is beautiful' of a certain number of roses, or perhaps of every rose in a certain vase, I am in a position to make the judgement 'Roses in general are beautiful', or 'Every rose in that vase is beautiful'. I infer the logical judgement from the judgements of taste that I have made, in the sense that I infer it from having made those judgements. I do not infer it from them as their logical consequence, as I might infer 'Some man is mortal' from 'The man Socrates is mortal'.

If Cohen does not see the possibility of this solution, or does not accept it as a solution, that may be because he assumes that the items from which an inference is made must be propositions or statements. Thus, even when

Hannah Ginsborg in 'On the Key to Kant's Critique of Taste', *Pacific Philosophical Quarterly*, vol. 72 (1991), pp. 290–313. In my view, only the 'one-act' interpretation is compatible with Kant's thesis that the judgement of taste is essentially tied to the judging person's own intuition of the object of the judgement; but there is not space for me to justify this claim here.

<sup>&</sup>lt;sup>13</sup>The question, please note, is *how* Kant can maintain this; in section III, I shall address the question *why* he maintains this, or rather why he must do so.

<sup>&</sup>lt;sup>14</sup>See *Critique of Pure Reason*, A 70/B 95. To be sure, Kant would say that this is only a 'general-logical' characterization of the act of judgement: there would also be a 'transcendental-logical' characterization in terms of the synthesis of a manifold of empirical intuition in accordance with the transcendental unity of apperception and so forth. The first purports to describe how concepts are related to one another in the judgement, the second, how intuitions are 'brought to concepts' in the first place.

he takes up the idea that a Kantian judgement is an act of the mind, he seems to take this to imply that a judgement of taste should be represented in an inference by a *statement* to the effect that a certain person judges a certain object with a certain sort of pleasure.<sup>15</sup> But it need not, and, if I am right, should not be so represented. On the account that I have proposed, I do not draw my inference from any premises—any statements or propositions—at all, but from my own prior acts of judging.

To be sure, it is not clear how one should characterize this operation beyond what I have already said, namely that, having made certain judgements of taste, I am in a position to make (indeed am committed to) a certain general judgement. I call the act an inference because it is the recognition, in a judgement, of the implication of another judgement that one has made. One may, if so minded, restrict the term 'inference' to the drawing of logical consequences from propositions, so long as one recognizes that in the present case, the making of one sort of judgement has consequences for what other judgements one can legitimately make.

What, then—to return to our troubling question—is the logical relation between the judgement of taste 'This rose is beautiful' and a general judgement like 'Every rose is beautiful' or 'Some rose is beautiful', on Kant's theory? I believe it best to say that, properly speaking, there simply *is* no logical relation between those judgements. The first judgement being by hypothesis aesthetic, <sup>16</sup> it cannot enter into any logical relation, properly so called, with another judgement at all. <sup>17</sup> *Making* that judgement, however, does have implications for what other judgements one can legitimately make.

To sum up: When I make a judgement of taste, I perform an act of reflection whereby I both derive a certain pleasure and require that pleasure

<sup>&</sup>lt;sup>15</sup>This is what I take Cohen to be claiming in the second paragraph on p. 7, though I find the exact purport of this passage difficult to make out.

<sup>&</sup>lt;sup>16</sup>'By hypothesis' because there is nothing about the *words* 'This rose is beautiful' that guarantees that they are the expression of a genuine judgement of taste: someone might utter those words, and mean them, but on the basis of the judgements of others, say.

<sup>&</sup>lt;sup>17</sup>I am aware that this implies that a judgement of taste can have no contradictory. However, the seeming logical opposition between 'X is beautiful', uttered as a judgement of taste, and 'X is not beautiful' may be accounted for along the lines of the explanation already given: 'X is beautiful' betokens the performance of a mental act whose possibility is denied by 'X is not beautiful'. It will be noted that this presumes that 'X is not beautiful' is a logical judgement, not a judgement of taste. Such I believe to be the implication of Kant's declared views. I discuss the related issue of whether 'X is ugly' can be a Kantian pure judgement of taste (and argue that it cannot) in 'Can Kant's Deduction of Judgments of Taste Be Saved?', *Archiv für Geschichte der Philosophie*, vol. 84 (2002), pp. 20–42, at pp. 27–29.

of everyone with respect to the object of the judgement. By doing that, I put myself in a position to affirm the proposition that the object is capable of being the object of such an act, along with whatever may be a logical consequence of that proposition. That is why, having made a favourable judgement of taste on each rose in a certain vase, I may make the general judgement that every rose in the vase is beautiful (or that some rose is beautiful). Both judgements are brought to expression with the word 'beautiful', but only in the second case does that word correspond to a concept in the act of judgement itself. My logical judgement is thus, as Kant says, aesthetically grounded, but is not, despite verbal appearances, a logical consequence of the preceding judgement or judgements of taste. Judgements of taste have no logical consequences properly so called.

#### III. AN OBJECTION ADDRESSED

I am aware that the interpretation of Kant offered here may strike some readers as an oversubtle attempt to avoid the obvious, the obvious here being, supposedly, that the predicate of a judgement of taste, like the predicate of any other judgement, surely *is* a concept. Why not simply embrace this fact and avoid the need for so much laborious finesse?

The reply to this is that one cannot embrace that putative fact without relinquishing the observation that I put forward earlier as the main support of Kant's thesis that 'the judgement of taste is aesthetic'. This was the observation that, unless I have actually found a thing beautiful, in the sense of being struck by its beauty, I am in no position to affirm without qualification that it is so. I may say, on the basis of testimony or description, that the thing must be beautiful, that it is said to be beautiful, that it is supposed to be beautiful, or other things of the sort; but I cannot say outright that it is beautiful. This could not be the case if in judgements of the form 'X is beautiful', when properly made, the word 'beautiful' expressed a concept; for if it did so, then testimony or description could in principle yield sufficient evidence to justify a judgement of beauty apart from any exercise of taste on the part of the judging person.

The objection, however, may be pressed further. My reply, it may be said, presumes that Kant's non-conceptuality thesis is the only possible explanation of why neither testimony nor description can justify an unqualified singular judgement of beauty. But an alternative explanation appears to be available, namely that an inference from testimony or description is subject to empirical uncertainty. To infer from a description that a certain thing is beautiful (so the explanation would run), I must command some laws or reliable universal statements correlating observable features of things with beauty; and unfortunately no one has yet established

any such statements. In order to infer from the judgements of others that a thing is beautiful, I must be assured of their competence as judges and of the propriety of their exercise of taste with respect to the particular object in question; and there is much room for error on both counts. Thus, it seems, we can account for our initial observation without accepting Kant's non-conceptuality claim: the reason why I cannot rely on testimony or description in order to affirm without epistemic qualification that a thing is beautiful, we may say, is not that the term 'beautiful' is sometimes non-conceptual, but simply that those sources of evidence are not sufficiently reliable.

But this explanation will not work. Consider only the supposed uncertainty of inference from testimony. 18 If such uncertainty were responsible for the need to add epistemic qualifications to judgements of beauty made on the basis of testimony, then it would require us just as much to add such qualifications to judgements of beauty that we make from our own exercise of taste; for I have just as much reason to doubt my own capacities and the propriety of my exercise of them as I have to doubt those of others. In that case, there would be no such thing as a legitimate judgement of taste, or a legitimate epistemically unqualified singular judgement of beauty: to call a thing beautiful, without qualification, would always be to make an assertion in excess of the evidence. <sup>19</sup> Thus the explanation on offer entails the rejection of the fact that was to be explained, namely that judgements of taste can only (which also means that they can) be made on the basis of a certain acquaintance with their objects. Those who would reject that claim may have their reasons for doing so, but they can only reject Kant's account of judgements of taste wholesale. In sum, one cannot modify Kant's aesthetic theory by rejecting his thesis of the non-conceptual character of judgements of taste, but must accept or reject theory and thesis together.

#### IV. KANT AND AUSTIN

Finally, I want to return to the analogy by which, as Cohen reports, I once compared Kantian judgements of taste with Austinian explicit performative utterances. The analogy was intended to have the following purport. It will

<sup>&</sup>lt;sup>18</sup>To deal with the other part of the proffered explanation, the part concerning judgements from description, would require a longer discussion. To show that one part of the explanation fails is enough to show that the explanation as a whole fails.

<sup>&</sup>lt;sup>19</sup>One may be tempted to think that this is true even in Kant's theory, for on that theory, judgements of taste are not made on the basis of anything that can be called 'evidence' at all. But then it is incompetent to say that such judgements *exceed* the evidence.

be agreed (I hope) that the word 'promise' has the same sense in 'I promise to be there' (when uttered by someone—say me—to make a promise) as in 'M. R. promised to be there'; but, according to Austin, in the second case it describes or reports someone's act of promising while in the first case it does not. Thus a word may have both a descriptive and a non-descriptive function without therefore having two different senses. Note that the second sentence is of a kind that can function in logical inference, while the first is not: one draws inferences not from the sentence 'I promise to be there', but from someone's uttering it. These inferences nevertheless reflect genuine implications of the utterance. With this linguistic precedent in view, it should be easier to accept that the word 'beautiful' can have the function of expressing a concept in 'Some rose is beautiful' but not in 'This rose is beautiful', without thereby changing its sense; and also to accept that one draws inferences, not from the sentence 'This rose is beautiful', but from someone's uttering or thinking it. In proposing this analogy, I did not suppose that the workings of Austin's theory of explicit performative utterances would serve to explain what is going on in the judgement of taste, nor am I inclined to follow Cohen's proposal that the word 'beautiful', as used in a judgement of taste, '[makes] explicit what act is being performed by the judge' (p. 8). The point was merely to make it easier to accept the peculiar character that Kant's account of judgements of taste requires us to attribute to the word 'beautiful'.

There is, however, a further significance to the comparison with Austin. One of the things that Austin brought to the attention of Anglophone philosophers was that human utterance is subject to conditions and implications quite distinct from those customarily called logical, but fully as irremissible, and in that sense as rigorous, as logical ones. These are the conditions and implications, not so much of the sentences that we utter, as of our acts of uttering them. Austin's aim in first setting up and then undercutting the term 'performative utterance', as I understand him, is to get us first to recognize the peculiar character of such conditions and implications, and then to recognize their pervasiveness: all intelligible utterances turn out to be performative.<sup>20</sup>

Something similar, I believe, occurs in Kant's third *Critique*. To be sure, for Kant the primary object of examination is not the utterance but the judgement, which he seems habitually to think of, in most un-Austinian

<sup>&</sup>lt;sup>20</sup>A caution: that all utterances are performative means only that to say something is always to do something (beyond just saying something). It does *not* mean that every utterance is an *explicit* performative, like 'I promise', 'I accept', etc. See J. L. Austin, 'Performative Utterances', in his *Philosophical Papers*, 3rd edn (Oxford: Oxford U.P., 1979), pp. 244, 249.

fashion, as a kind of private mental performance. Yet it is striking how much of Kant's characterization of aesthetic judgements is in terms of how they are expressed, and in terms of the peculiar force and burden of using such a word as 'beautiful', as against some other, such as 'agreeable'. 21 It is more striking still that a critique of the power of judgement should find its primary object in a judgement marked by its non-conceptual, or in Kant's terms (which in this instance turn out to be less eccentric than they may have seemed at first) its non-'logical' character. Kant maintains that the judgement of taste cannot be explained in terms of what is asserted in it, but only in terms of what one does in making it, namely to engage in a peculiarly 'free', reflective operation of the cognitive faculties. That operation is supposed to reveal the nature of our very capacity to make judgements, cognitive or other, and thus to be no less fundamental than the forms and functions of logic. The analogue here is Austin's use of the explicit performative utterance to reveal the performative aspect of utterance in general.<sup>22</sup> I make no claims for the plausibility of Kant's account of the mental operation supposedly underlying judgements of taste. I merely draw attention to the boldness of his undertaking, and to its affinity with Austin's.<sup>23</sup>

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<sup>&</sup>lt;sup>21</sup>See §§ 7–8, pp. 97–99, Ak. 5:212–14. For an eloquent account of the affinity between Kant's account of judgements of taste and the claims of ordinary-language philosophy, see Stanley Cavell, 'Aesthetic Problems of Modern Philosophy', in his *Must We Mean What We Say*? (Cambridge: Cambridge U.P., 1976), pp. 86–96. See also Stanley Bates and Ted Cohen, 'More on What We Say', *Metaphilosophy*, vol. 3 (1972), pp. 1–24, at pp. 22–24.

<sup>&</sup>lt;sup>22</sup>It may be pointed out that Kant does not analogously hold that all judgements have a 'taste' aspect. Indeed not, but, as has been repeatedly observed, his account of judgements of taste has at least an appearance of implying that the pleasure of taste must accompany all cognitive judgements. I discuss this matter in 'Can Kant's Deduction of Judgments of Taste Be Saved?'

<sup>&</sup>lt;sup>23</sup>I thank Ted Cohen and Lauren Tillinghast for their comments on an earlier version of this paper.