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FOUNDING EDITOR: Robert W. Shahan

EDITOR: Christopher S. Hill
Department of Philosophy
University of Arkansas

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University of Michigan

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Conceptualizing the History of the Contemporary Museum: On Foucault and Benjamin¹

Norton Batkin
Bard College

I want to discuss here two models for conceptualizing the historical antecedents of the modern museum. The first model, the predominant one in recent writing about the history of the museum, derives its concepts, if not its methods, from Foucault, in particular from *The Order of Things* (1966; English translation, 1970) and from *The Archaeology of Knowledge* (1969; English translation, 1972). This model or approach to understanding the history of the museum appears both in recent writing in museum studies and in self-avowed "postmodernist," critical accounts of the museum; for example, Eilean Hooper-Greenhill's book *Museums and the Shaping of Knowledge* (1992) and Douglas Crimp's essay "On the Museum's Ruins" (1980).²

The second model I will discuss, which I am particularly interested in, for what I might call "practical" or "pedagogical" as well as philosophical reasons, I take from Walter Benjamin's well-known essay "The Work of Art in the Age of Mechanical Reproduction" (1936; English translation, 1969).³ To my knowledge, this essay, while it is widely cited in discussions of the visual arts, has not been the basis for any study of the history of museums.⁴ Later, I will say more about my "practical" and "pedagogical" interests in Benjamin's essay. For now I will note that my interest in these two models

64. Dewey, *Art as Experience* (New York: G. P. Putnam's Sons, 1934), 336.
65. *Ibid.*, 345.
66. Goodman, *Languages of Art*, 259. I am indebted to the account of Dewey's theory of art given by Richard Shusterman in *Pragmatist Aesthetics: Living Beauty, Rethinking Art* (Oxford: Blackwell, 1992), 3–33.
67. Goodman, *Languages of Art; Ways of Worldmaking* (Indianapolis: Hackett, 1978).
68. Goodman, *Languages of Art*, 264; see also 255–65.
69. *Ibid.*, 258.
70. *Ibid.*, 259.
71. Goodman, *Ways of Worldmaking*, 110.
72. *Ibid.*, 109–10n. 1.
73. Hilary Putnam, *The Many Faces of Realism: The Paul Carus Lectures* (La Salle, Ill.: Open Court, 1987), 21; hereafter this work is referred to as MF.
74. "Pragmatism and Moral Objectivity," in *Words and Life*, ed. James Conant (Cambridge, Mass.: Harvard University Press, 1994), 151.
75. See Putnam, MF, 77–78, and "Literature, Science, and Reflection," in *Meaning and the Moral Sciences* (Boston and London: Routledge & Kegan Paul, 1978), 93.
76. Putnam, "Pragmatism and Moral Objectivity," 160.
77. Putnam, "Beyond the Fact/Value Dichotomy," in *Realism with a Human Face*, ed. James Conant (Cambridge, Mass.: Harvard University Press, 1990), 141; Putnam's emphasis; hereafter referred to as *RwHF*.
78. Putnam, "Pragmatism and Moral Objectivity," 172.
79. Putnam, "Literature, Science, and Reflection," 89.
80. *Ibid.*, 91.
81. Putnam, "Taking Rules Seriously," in *RwHF*, 200.
82. *Ibid.*, 193–200.
83. *Ibid.*, 200.
84. *Ibid.*
85. Putnam, MF, 51. In "Taking Rules Seriously," he does not use the term "moral images" but does refer to "normative pictures" presented by Aristotle and Kant; see esp. 197.
86. Putnam, MF, 78.
87. Mark Johnson also defends the view that morality—even a putatively "pure" rationalistic ethics like Kant's—is chiefly a matter of metaphor and moral imagination in his book, *Moral Imagination: Implications of Cognitive Science for Ethics* (Chicago and London: University of Chicago Press, 1993); on Kant see esp. 65–77.
88. Putnam, "Is There a Fact of the Matter about Fiction?" in *RwHF*, 209–13.
89. *Ibid.*, 212.
90. *Ibid.*, 213.
91. *Ibid.*, 210.
92. Putnam, MF, 81–83. Though Putnam agrees with Apel and Habermas that claims aiming at truth and warrant must recognize implicitly the authority of an ongoing community which must have a certain structure, he thinks that this project is still too Kantian, too much an attempt to construct a universal ethic; see MF, 53–56.
93. *Ibid.*, 86.
94. John Dewey, *Art as Experience*, 345.
95. Stolnitz, "On the Cognitive Triviality of Art."
96. This issue of whether her view might apply to other artistic media is something Nussbaum briefly acknowledges in her "Endnote" to the Beckett essay in LK, 312–13.
97. Danto, *Playing with the Edge*, 93–95.

Lawfulness without a Law: Kant on the Free Play of Imagination and Understanding

Hannah Ginsborg
University of California, Berkeley

INTRODUCTION

Much of the "Critique of Aesthetic Judgment" is concerned with what Kant sees as a fundamental problem about judgments of beauty, namely how they are possible. The problem arises because, as he argues in the "Analytic of the Beautiful," such judgments exhibit an apparently contradictory combination of features. On the one hand, they are "subjectively grounded" in a feeling of pleasure, which means that they do not amount to cognition of an objective feature of the thing judged to be beautiful. On the other hand, however, they are universally valid, in that someone who judges that a thing is beautiful is entitled to demand agreement from everyone else. We are thus faced with the difficulty of reconciling these features: "how is a judgment possible which, merely from the subject's *own* feeling of pleasure in the object, independent of the concept of it, judges this pleasure to attach to the representation of the same object in *every other subject*, and does so a priori, that is without being allowed to await the agreement of others?" (§36, 288).¹

The cornerstone of Kant's solution to this problem is his claim that aesthetic judgment involves a "free play" of imagination and understanding. This free play bears a certain similarity to the activity of imagination and understanding in empirical cognition, in that the relation of the faculties is one of agreement or accord, just as in the case of cognition. But rather than being constrained by concepts, the imagination harmonizes freely with the understanding, with the result that we feel pleasure in the object rather than cognizing an objective feature of it. This notion of the free play is used by Kant to show how pleasure in the beautiful can be universally imputed. Because the free play consists in a relation of the faculties which is "requisite for cognition in general" (§9, 218), we may claim that it is universally valid in the same way that we claim universal validity for a cognitive judgment, even though the free play does not itself yield objective cognition.

This line of argument is generally regarded as unsatisfactory. The main difficulty for it can be posed in the form of a dilemma regarding the interpretation of the free play of the faculties.² If we endorse fully Kant's claim that the free play consists in a relation of the faculties which is required for all cognition, then it would seem to follow that every act of cognizing an object should yield aesthetic pleasure, and hence that every object should be judged to be beautiful. This conclusion is not only counter-intuitive, but also contrary to Kant's view of taste as a capacity which discriminates. However, if we regard the relation of the faculties in their free play as unique to aesthetic experience, it seems that Kant has no right to argue from the universal validity of empirical cognition to the universal validity of aesthetic pleasure. For, on this second interpretation, the free play of the faculties no longer appears to manifest a condition required for cognition.

Any attempt to resolve this difficulty on Kant's behalf is compounded by a more fundamental difficulty attaching to the notion of the free play itself. Kant describes the free play as a mental state or activity in which imagination stands in relation to understanding, but without being governed by concepts. Imagination's activity, Kant says, manifests the "lawfulness" [*Gesetzmäßigkeit*] characteristic of understanding, yet in a way which is at the same time "free," or "without a law" (240–41). On the face of it, each of these descriptions contains a conflict. From what Kant says of the workings of imagination and understanding in ordinary cognition, it does not appear to be possible that imagination can relate to understanding except insofar as its activity is governed by concepts. And it is clear that there is something paradoxical about the idea of "lawfulness without a law." But Kant does not explicitly address the question of how the apparent conflict can be reconciled. As has often been noted, the language he uses to characterize the free play (including the expression "free play" itself) is, in large part, metaphorical.³ What is needed, and what he does not seem to provide, is an explanation of how an activity answering to these characterizations is possible.

One factor which at first seems to compound the difficulty still further is the obscurity of Kant's account in the *Critique of Pure Reason* of how imagination and understanding function in cognition itself. Kant describes imagination as engaging in an activity of synthesis through which the manifold is "run through" and "held together." Concepts, it appears, are rules for the activity of synthesis: and these rules in some sense belong to the understanding. But Kant is notoriously unclear on the relation between concepts and synthesis, and hence on the way in which imagination and understanding contribute to cognition. For one thing, there appears to be a tension in the way he characterizes the relation between synthesis and empirical concepts. On the one hand, his view of concepts as rules for synthesis seems to commit him to the claim that empirical concepts precede the activity of synthesis; on the other hand, his view that synthesis is a precondition of conscious perceptual experience seems to commit him to the claim that empirical concepts depend on synthesis. This is paralleled by a conflict about the respective roles of imagination and understanding in synthesis: synthesis is described both as an "act of the understanding" and as a "mere result of imagination."⁴

However, rather than exacerbating the problem of the free play, these difficulties point the way to a solution. For, as I shall argue in sections II and III of this paper, their recognition forces us to a new way of looking at the relation between imagination and empirical concepts, one on which—as I shall put it—imagination is "exemplary" of the rules or empirical concepts which govern it. This way of thinking of imagination, in turn, allows us, as I shall argue in section IV, to see how imagination can be "lawful," or "conform to rules," yet without being governed by any rule or concept in particular. First, however, in section I, I shall offer a more detailed articulation of the problem of the free play and look at some attempts that have been made to solve it.

I

The idea of the free play of the faculties is first introduced into the *Critique of Aesthetic Judgment* at §9, the concluding section in the Second Moment of the *Analytic of the Beautiful*. Kant has argued in the First Moment that the judgment of taste is subjectively grounded on a feeling of pleasure, and in the Second Moment that it claims universal validity. Now he raises a question which bears directly on the issue of how these two apparently contradictory features are to be reconciled. As the title of §9 has it, the question is that of "whether, in the judgment of taste, the feeling of pleasure precedes the judging of the object, or whether the judging precedes the pleasure" (216). On the former alternative, he says, there is indeed a contradiction. If

the feeling of pleasure preceded the judging, it would depend immediately on the representation through which the object was given, and thus would have merely “private validity” as opposed to being “universally communicable”: that is, we would have no right to claim that all other perceivers of the object ought to share it. But the threat of contradiction is avoided on the second alternative, on which the judging precedes the pleasure. According to this alternative, the “determining ground” of the judgment of taste is not a mere sensation but instead involves an activity of the cognitive faculties. More specifically, it is “the state of mind which is met with in the relation of the powers of cognition to one another insofar as they refer a given representation to *cognition in general*” (217).

Kant goes on to characterize this relation as one of “free play”: “The cognitive powers which are put into play through this representation are here in a free play, because no determinate concept restricts them to a particular rule of cognition. Thus the state of mind in this representation must be that of a feeling of the free play of the powers of representation in a given representation for a cognition in general” (ibid.). He then identifies the relevant cognitive powers as imagination and understanding, since these are the powers required “in order that any cognition come of a representation through which an object is given” (ibid.). This allows a more specific characterization of the determining ground of the judgment of taste as “the state of mind in the free play of imagination and understanding (insofar as they harmonize with each other as is requisite for a *cognition in general*)” (217–18).

It is clear from §9 how the notion of the free play is supposed to serve Kant’s overall strategy for reconciling the apparently conflicting features of the judgment of taste. Because the activity of imagination and understanding is “free,” the corresponding state of mind does not involve the recognition of the object as falling under a concept, and hence is a non-cognitive state of mind, which is to say a feeling. At the same time, because imagination and understanding “harmonize,” the state of mind is related to the general conditions of cognition and hence is universally communicable. However, if this strategy is to work, Kant must provide some purchase on the notion of the free play beyond that offered in its initial introduction at §9. As we have just seen, he introduces the free play by way of the argument that aesthetic judgment must be based on a free yet harmonious activity of the faculties, since otherwise it could not be both subjectively grounded and universally valid. But the argument requires an independent account of this activity and, in particular, of how it is possible in the light of what Kant tells us about the ordinary workings of imagination and understanding in empirical cognition. For without such an account, we may suspect that the notion of a free yet harmonious activity of these faculties derives its content solely from the requirements—namely, subjectivity and universal communicability—

which a state of mind must satisfy to ground a judgment of taste. And in that case, rather than reconciling the apparent contradiction between the features of judgment of taste, the free play simply reproduces it at a lower level.

As a first step toward the kind of account we need, let us see how the *Critique of Judgment* characterizes the role of imagination and understanding in empirical cognition. One important passage is from section VII of the First Introduction:

Every empirical concept requires three acts of the spontaneous faculty of cognition: 1. the *apprehension* [*Auffassung*] (*apprehensio*) of the manifold of intuition 2. the *comprehension* [*Zusammenfassung*] i.e., the synthetic unity of the consciousness of this manifold in the concept of an object (*apperceptio comprehensiva*) 3. the *exhibition* [*Darstellung*] (*exhibitio*) in intuition of the object corresponding to this concept. For the first act imagination is required, for the second understanding, and for the third judgment. (220)

Leaving aside for now the act of “exhibition” which is described here as the contribution of judgment, it emerges from this that imagination serves to “apprehend” the manifold, while understanding serves to “comprehend” it under the concept of an object (220).

This ascription of roles is spelled out in more detail in a passage at §35, according to which imagination is required “for the intuition and the composition [*Zusammensetzung*] of the manifold of intuition,” and understanding is required “for the concept as representation of the unity of this composition.” Here Kant makes clear that the apprehension performed by imagination is not merely the passive reception or “intuition” of the manifold, but involves an act of composition, or of putting the elements of the manifold together. He suggests further that, in grasping the manifold under a concept, we are conscious of the unity of this act of imagination. These two points are also indicated by Kant’s description at §21 of the empirical cognition of a perceptually given object: “a given object, by means of the senses, brings imagination into activity for the composition of the manifold, but imagination brings understanding into activity for the unity of this composition according to concepts [*in Begriffen*].”⁵

It is plausible to understand Kant as alluding in these passages to the account of concepts he had sketched in the *Transcendental Analytic* of the *Critique of Pure Reason*, according to which a concept is a rule governing the synthesis of imagination. On this view, to recognize that an object we perceive falls under this or that empirical concept is to recognize that one’s synthesis of the manifold through which the object is given is governed by this or that rule. Imagination synthesizes the manifold (“runs it through” and “holds it together”), but it is the work of the understanding to grasp the particular rules to which imagination is subject in its activity of synthesis, and

hence the concepts under which the given object falls. Thus the application of a concept to a perceptually given object is the recognition of a rule governing the synthesis through which the object is perceived.⁶ This approach to these passages is borne out by Kant's description at §40 of the accord which holds between imagination and understanding in empirical cognition: "The aptitude of human beings for communicating their thoughts . . . requires a relation of imagination and understanding, in order to match [*zugesellen*] intuitions with concepts, and concepts in turn with intuitions, which join together [*einfließen*] in a cognition . . . the harmony of these two faculties is lawlike [*gesetzlich*], under the constraint of determinate concepts" (295–96). The idea of concepts "constraining" the accord of imagination and understanding suggests that Kant thinks of concepts as rules; and it seems likely that, in accordance with his view in the first Critique, these are rules governing the activity of imagination.

With this suggestion in mind, let us return to the idea of the free play. In the continuation of the passage just quoted, Kant describes the case of aesthetic experience as one in which "imagination in its freedom arouses understanding, and understanding, without concepts, sets [*versetzen*] imagination into a regular play" (296). Imagination, it appears, engages in its composition of the manifold "in freedom," that is, without being governed by concepts. Yet it does so in such a way that it is still related to the understanding, in that it is the understanding that "sets" the imagination into play. Moreover, the play of the imagination, despite its freedom, is nonetheless "regular" (*regelmäßig*, literally "in accordance with rules.") This combination of freedom and accordance with rules is emphasized in the General Remark on the Analytic of the Beautiful. Kant begins this section by describing taste as "a faculty of judging an object in reference to the *free lawfulness* [*freie Gesetzmäßigkeit*] of imagination" (240). And he goes on to say that in the judgment of taste we have "a lawfulness without a law, and a subjective harmony of imagination with understanding without an objective one" (241).

How can understanding, that is to say the "faculty of concepts,"⁷ relate to imagination without imagination's being governed by concepts? And how can the play of imagination be lawful, yet in a way which is "free" or "without a law"? One way in which Kant elaborates these possibilities is to suggest that imagination can perform the activity required for the application of concepts, yet without any particular concept being applied. In such a case imagination is free because it is not constrained or governed by concepts, but at the same time it is in harmony with understanding and, to that extent, lawlike, because it conforms to the understanding's general requirements for applying concepts to the manifold. This suggestion is brought out in his discussion of "exhibition" at EE VII. Here, after sketching—in a passage quoted above—the roles of imagination, understanding, and judgment in empirical

cognition, Kant goes on to describe their relation in the "merely reflective" or nonconceptual judging which constitutes aesthetic experience:

But because in mere reflection on a perception it is not a matter of a determinate concept, but rather in general only of the rule for reflecting on a perception for the sake of understanding as a capacity of concepts: we see that in a merely reflective judgment, imagination and understanding are regarded as standing in the relation in which they must stand to each other in the faculty of judgment in general, as compared to the relation in which they actually stand in a given perception.

If, then, the form of a given object in empirical intuition is so constituted that the *apprehension* of its manifold in imagination harmonizes with the *exhibition* of a concept of the understanding (undetermined which concept), then in mere reflection understanding and imagination harmonize reciprocally for the furtherance of their business. (220–21)

Kant offers a further characterization along the same lines in the next section. In an aesthetic judgment, which is made about an individual object "before we have regard to the comparison of that object with others": "judgment, which has no concept ready for the given intuition, holds together imagination (in the mere apprehension of the object) with understanding (in the exhibition of a concept in general) and perceives a relation between these two cognitive faculties which constitutes the subjective and merely sensible [*empfindbar*] condition of the objective use of judgment (namely the mutual harmony of those two faculties)" (EE VIII, 223).

According to the published introduction, to "exhibit" a concept is to "place beside the concept a corresponding intuition" (VIII, 192). While the passage quoted from EE VIII appears to ascribe exhibition to understanding, and the published introduction ascribes it to the faculty of judgment, Kant usually describes it as the work of imagination.⁸ It is plausible, then, that exhibition consists in the formation of an intuitive representation or image which corresponds to a concept and thus provides it with sensible content. This means that it is a condition of the application of concepts to the sensible manifold, and hence of making objective judgments. What Kant seems to be suggesting in the passages quoted from EE VII–VIII is that, in aesthetic experience, this condition is met without any particular concept being exhibited. The apprehension of the manifold in imagination harmonizes with—perhaps we might better say "coincides with" or even "consists in"—"the exhibition of a concept of understanding (undetermined which)" (EE VII, 221); imagination is "held together" with understanding in the "exhibition of a concept in general" (EE VIII, 223).⁹ We thus engage in an indeterminate or general exercise of the activity of exhibition: an exercise which, as Kant says, satisfies the "subjective . . . condition of the objective

use of judgment” (ibid.), yet without any particular objective judgment being made. Similarly, it is in virtue of the indeterminacy of this activity of exhibition that the relation between imagination and understanding is that “in which they must stand in judgment in general” as opposed to the relation “in which they actually stand in a given perception” (EE VII, 220).

A similar idea of indeterminacy or generality is conveyed at §35, where Kant says that a judgment of taste consists in “the subsumption of imagination itself (in a representation through which an object is given) under the condition that understanding in general arrives at concepts from intuition” (287). Taste involves a principle of subsumption “not of intuitions under *concepts* but of the *faculty* of intuitions or exhibitions (i.e., imagination) under the *faculty* of concepts (i.e., understanding), insofar as the former in *its freedom* harmonizes with the latter *in its lawfulness*” (ibid.). Here again we have the suggestion that imagination accords not with a specific concept, but with our general capacity to apply concepts to the manifold.¹⁰ Imagination “schematizes without a concept” (ibid.), which is to say that it performs in a way suitable for the application of concepts in general but without leading to the application of any concept in particular.

The idea that imagination accords with the general conditions of concept-application without the application of any concept in particular has been viewed by a number of commentators as providing a solution to the question of how the free play is possible. Dieter Henrich, in particular, takes Kant’s invocation of the notion of exhibition at EE VII as central to an understanding of the free play. In aesthetic experience, Henrich says, reflective judgment “compares the state of imagination with the conditions of a possible conceptualization in general” (*Aesthetic Judgment and the Moral Image of the World*, 49). This means that, prior to any concept, “the ascent of reflective judgment from imagination to understanding necessarily always already takes into account the way in which concepts are generally applied and thus exhibited” (ibid.). It is in this way that understanding can enter into the free play prior to the acquisition of any particular concept. Imagination, for its part, functions freely but yet in a way which accords with the lawfulness of understanding. Henrich argues that this is because “the free employment of imagination results by itself in the creation of forms that correspond to the general feature of an exhibition of an empirical concept. In such cases the lawfulness of understanding is fulfilled without any coercion” (51). Or, as he goes on to put it: “[I]t is quite conceivable that an object presents in perception precisely that form imagination would create while being engaged in its free activity. In addition, the very same form can suit the general features of an exhibition. Whenever . . . these conditions are fulfilled at the same time, the harmonious play originates” (51–52). Imagination thus produces a “form”—presumably a perceptual image or schema—which “corresponds to

the general feature of an exhibition of an empirical concept” or “suits the general features of an exhibition.” It is in virtue of this indeterminate satisfaction of the conditions of concept-application that we may describe imagination as harmonizing freely with understanding.

However, it is not clear that we can give any more content to the notion of the “exhibition of a concept (undetermined which)” or of the “exhibition of a concept in general” than we can to the more obviously paradoxical notion of imagination’s “free lawfulness” or “lawfulness without a law.” How is it possible to “exhibit a concept in general” without exhibiting any particular concept, or—which seems to amount to the same thing—to “schematize without a concept”? (§35, 287)¹¹ Henrich’s suggestion that the imagination produces an image corresponding to the “general feature of the exhibition of an empirical concept” is, on its own, no clearer than Kant’s own formulations. To be helpful, it needs to be supplemented with an account of what that “general feature” is, an account which Henrich does not provide. The clarifications he does go on to provide remain, disappointingly, at the level of analogy: he compares the free play to a “dance of two partners who harmonize in their movements without influencing each other and who enjoy their joint performance” (52), to a ball game which is non-competitive but (in contrast to the dance analogy) involves mutual interaction, and to the unconstrained accordance between two friends (53). But these analogies do not advance our understanding of the free play beyond that provided by Kant’s own descriptions in terms of freedom and harmony, descriptions which Henrich himself regards as “unacceptably metaphorical” (40).

Other commentators have adopted the same general approach, but have looked more deeply into how it is possible for imagination to satisfy the conditions of concept-application without any particular concept being exhibited or applied. To take one important example, Paul Guyer claims that imagination, in the free play, unifies or synthesizes the manifold without the use of a concept. While this is similar to the claim that imagination schematizes without a concept or engages in exhibition without exhibiting any concept in particular, Guyer gives it determinate content by relating it to the details of Kant’s account of synthesis in the first edition *Deduction in the Critique of Pure Reason*. Kant there describes the synthesis of the perceptual manifold as threefold, consisting in the “synthesis of apprehension in intuition” through which the manifold is first taken in, the “synthesis of reproduction in imagination” through which apprehended representations are combined with previously apprehended representations, and the “synthesis of recognition in a concept” through which a concept is applied to the manifold. Guyer spells out the idea of imagination’s non-conceptual unification of the manifold by equating it with the first two of these stages, carried out in the absence of the third.¹²

A contrasting example is that of Paul Crowther, who, like Guyer, understands the free play in terms of imagination's non-conceptual accordance with the general conditions of concept-application, but who spells out this notion in terms of the phenomenology of aesthetic experience rather than in terms of the details of Kant's account of synthesis. For Crowther, aesthetic experience involves an imaginative play in which we regard the object "as a formal configuration alone (i.e., as a complex of shape, colour, mass, density, line etc.)."¹³ In our contemplation of it, we perceptually explore the relation between parts and whole. For example, we may attend to "the way the overall shape contains and directs sequences of colour and texture, and other contours within the manifold," or we may view some part of the manifold now as a foreground, now as a background element, "reconfiguring," with each switch, "the whole structure of virtual space." We may also supplement the perceptually given manifold with imaginative constructions: for example, "the visual rhythm [of an arabesque] . . . may suggest continuations beyond that which is immediately given" so that we "rhapsodically continue the rhythm in imagination."¹⁴ This activity, then, is one in which parts of the presented manifold are viewed as standing in a variety of different relations, both to one another and to purely imaginary elements, yet without these relations being grasped conceptually. Thus it gives content to the idea of imagination's non-conceptual accordance with the conditions of a possible conceptualization in general.¹⁵

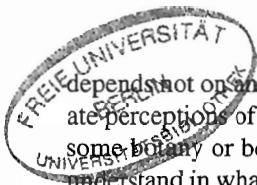
As I now want to argue, however, neither of these approaches is successful in avoiding the threat of incoherence. I want to begin by mentioning two difficulties for Guyer's approach, both of which are discussed in detail by Guyer himself. The first difficulty is that Kant appears, on the evidence of the first Critique, to hold that all synthesis is subject to the categories. Thus there seems to be no room in Kant's theory for a synthesis of imagination that is not governed by concepts.¹⁶ The second difficulty can be put in the form of the dilemma I mentioned in the introduction. Does the concept-free performance of apprehension and reproduction require only those capacities needed for the application of concepts to the manifold, or does it call on capacities over and above those required for ordinary synthesis in accordance with concepts? On the face of it, the first alternative may seem more plausible: if we take literally Kant's suggestion of a threefold synthesis, then there may seem to be no reason why apprehension and reproduction should not occur without the final stage of recognition. But this alternative appears to lead to an unacceptable consequence, namely that we should feel pleasure in every act of cognizing a perceptually given object. If we adopt the second alternative, however, we face another unwelcome consequence, namely that we have no right to claim universal agreement for our judgments of beauty. For if the imaginative activity involved in aesthetic response is not required for cogni-

tion, then there is no rationale for the claim that we can demand it of others who perceive the same object.

The same dilemma arises for Crowther's interpretation. It is clear that the kind of imaginative activity he describes is related to the apprehension and reproduction which Kant takes to be necessary for the conceptualization of the manifold. But it cannot itself be necessary for bringing the manifold under concepts, for otherwise we would feel pleasure in every act of perceptual cognition. What, then, entitles me to demand that others engage in it under the same circumstances as I do? We cannot rest its universal communicability on the ground that, while not itself necessary for conceptualizing the manifold, it manifests a general capacity for conceptualizing. For (to adapt a point made by Guyer) it seems perfectly intelligible that someone be capable of bringing objects under concepts (for example, of recognizing a given object as a rose), while lacking the capacity to consider an object in purely formal terms as a complex of colors and shapes. Thus there seems to be no reason why the universal communicability of cognition should entitle us to claim universal communicability for this further, non-cognitive, type of mental activity.

A natural response here might be to choose the second horn of the dilemma, thus accepting the failure of Kant's argument for the universal validity of taste.¹⁷ In effect, this is to take the difficulty as affecting, not the interpretation of the free play itself, but rather Kant's argument for the universal communicability of the free play. But the focus of the difficulty cannot be so easily shifted. For, to the extent that we deny that imagination's activity in the free play represents a requirement of cognition, we fail to do justice to the role of understanding in the free play. We have seen that Kant describes the freedom of imagination in the free play as balanced by a conformity to understanding such as we find in cognition: imagination and understanding harmonize with each other "as is requisite for a cognition in general" (§9, 219). But if what is characteristic of aesthetic experience is that imagination engages in an activity over and above what is required for the application of concepts to the manifold, then how are we to understand that activity as in any sense conforming to understanding?

Crowther implicitly answers this question by claiming that the imaginative play conduces to the possibility of conceptualization: our exploration of different perceptual relations yields "new ways of understanding [the object's] . . . phenomenal structure,"¹⁸ and hence new concepts. But, to put the difficulty crudely, it is not clear that this imaginative play can yield any new concepts which would not have been available without it. A rose can be grasped under an infinite number of concepts: three-dimensional object, rose, close relative of the hawthorn, angiosperm, red-petaled thing, green-leafed thing, grue-leafed thing. . . . The ability to apply these and other concepts



depends not on any special imaginative activity with respect to my immediate perceptions of the rose, but on such cognitive achievements as knowing some, but not any or being familiar with the writings of Goodman. It is hard to understand in what sense the imaginative play offers additional possibilities of conceptualization. If we cannot make sense of the imagination's activity as conducing to the application of concepts, then we may indeed have accounted for the "freedom" of the imagination, but we have failed to account for its "lawfulness," that is, its conformity to understanding.¹⁹

The objections which I have raised suggest that we have not yet dispelled the air of conflict hanging over the notion of the free play. To do justice to its freedom, we have to distinguish it from the activity required for cognition. Failure to establish this distinction leads to the first horn of the dilemma on which all cognition is pleasurable. But insofar as we succeed in distinguishing it from the cognitive use of imagination, then we can no longer do justice to its lawlikeness or relation to understanding. And this leads to the second horn of the dilemma, on which the free play lacks universal validity. The dilemma, then, reflects a deeper difficulty in the notion of the free play itself: a difficulty which can be identified with the apparent paradox already implicit in the expressions "free lawfulness" and "lawfulness without a law." Thus the suspicion may appear justified that the notion of the free play simply reproduces a conflict implicit in the idea of judgment that is subjectively grounded, yet universally valid.

In section IV I shall try to show that there is a solution to the difficulty. To see the solution, however, we need first to look more closely at the workings of imagination and understanding in ordinary cognition, and in particular at Kant's account of imagination and empirical concepts in the first Critique. This will be the task of the next two sections.

II

In the previous section I alluded to the view, suggested by Kant in the first Critique, that concepts are rules for the synthesis of imagination. I now want to examine this view in more depth. We find it expressed most directly in the first edition Deduction, in the context of Kant's account of the "threefold synthesis which necessarily occurs [*vorkommen*] in all cognition" (A97). Kant describes, first, the synthesis of apprehension through which the manifold is "run through" and "held together" (A99), and, second, the synthesis of reproduction through which previously apprehended representations are "reproduced" along with those presently apprehended. The second synthesis, he claims, is necessarily connected with the first. This is because I cannot arrive at a complete representation, for example of a line, unless I

reproduce the previously apprehended parts of the line while "advancing to those which follow" (A102). But this reproduction in turn, Kant says, is "useless" [*vergeblich*] without a third synthesis, that of recognition in a concept. This recognition is the "consciousness that what we think is the same as what we thought a moment before" (A103). Without it, "the manifold of the representation would never form a whole, because it would lack the unity which only consciousness can impart [*verschaffen*] to it" (*ibid.*).

Now Kant links the unity made possible by the synthesis of recognition with the notion of an object. We think of the object of our representations as "that which prevents our cognitions from being haphazard or arbitrary" (A104), and hence as that which necessitates unity among our representations. Thus we take our representations as yielding knowledge of an object only insofar as they possess synthetic unity: "it is only when we have produced synthetic unity in the manifold of intuition that we can say that we cognize the object" (A105). It is at this point that Kant brings in the notion of a rule:

this [unity] is impossible, if the intuition could not have been produced [*hervorbringen*] in accordance with a rule, through such a function of synthesis as makes a priori necessary the reproduction of the manifold and makes possible a concept in which it is united [*sich vereinigen*]. Thus we think a triangle as an object insofar as we are conscious of the composition of three straight lines according to a rule, according to which such an intuition can always be exhibited [*darstellen*]. (*ibid.*)

We think of a triangle (presumably, one presented to us in empirical intuition) as an object only insofar as we think of our "composition" of the parts of the manifold as governed by a universal rule. In so doing, we think of the intuition of the triangle as having been produced—through apprehension and, consequently, reproduction—in accordance with the rule.

So far, Kant has not said that the rule is a concept. Rather, the rule-governed production of the intuition is described as taking place through a "function of synthesis" which, in necessitating the reproduction of the manifold, makes the concept possible. If, as seems plausible, we identify the rule with the function of synthesis, then the concept appears to be something which depends on the rule rather than being identical with it. But a few sentences later, Kant says that the concept itself "serves as a rule." He goes on to give an example: "the concept of body, in accordance with the unity of the manifold which is thought through it, serves as a rule for our cognition of outer appearances" (A106). Moreover, the continuation of this passage explicitly identifies the concept and the rule, making clear that it is the concept itself which "makes necessary" the reproduction of the various representations involved in the perception of a body: "But it [the concept] . . . can be a rule of intuitions only insofar as it represents in given appearances the

necessary reproduction of their manifold, and thereby [*mithin*] the synthetic unity of the consciousness of them. Thus the concept of body in the perception of something outside us makes necessary the representation of extension, and with it, those of impenetrability, shape etc.” (ibid.). And this identification of concepts with rules is reinforced a few pages later, when Kant alludes to the “necessary unity of the synthesis of all appearances according to concepts, i.e., according to rules, which . . . make them necessarily reproducible” (A108).²⁰

Before trying to understand how concepts can be rules for the synthesis of imagination, we first need to consider why Kant takes imagination to be involved in cognition at all. While this is a difficult and controversial question, the following sketch, inspired by Strawson, may serve as a provisional answer.²¹ For Kant, recognizing that a perceptually given object has a particular empirical property—for example, recognizing this animal in the garden as a dog—is not just a matter of receiving certain sensory impressions and then, on the basis of those impressions, making the judgment “This is a dog.” Rather, it involves *perceiving* the animal *as* a dog. This is to say that the recognition of the animal as a dog is not purely intellectual but takes place in the very act of perceiving the dog. It is also to say that the perception of the dog is not purely sensory, but is already in some sense conceptual. In Strawson’s metaphors, the perception is “infused with” or “animated by” or “irradiated by” the concept; or the concept is “alive in” the perception (“Imagination and Perception,” 89 and 93). This intermingling of sensory and intellectual elements in perceptual cognition is made possible by imagination. Imagination supplements or works over what is given through sense, both by combining what is presently given in some way rather than another (for example, such that I see the tail as belonging together with the head and legs rather than as being part of the tree in the background), and by calling to mind previous perceptions of the same dog or of other dogs (for example, so that I represent it as potentially barking or moving even though it is now silent and stationary). It is through these procedures of imagination, which correspond roughly to Kant’s syntheses of “apprehension” and “reproduction,” that I arrive at a perceptual image informed by the concept “dog,” and, by the same token, that I come to judge the object of my perception to be a dog.

Granted this involvement of imagination in perceptual cognition, why should Kant describe the concept as a *rule* for the activity of imagination? Part of the answer has to do with the universality of concepts. The activity of imagination can be thought of as yielding a perceptual image which is both particular and universal. It is an image of a particular dog in a particular situation, let us say a golden retriever now scratching its ear in the garden. Yet at the same time, my having the image entails that I perceive the object as a dog, and hence as having a feature which is common to all dogs.

Thus the image is intrinsically representative of something universal, namely the concept “dog.” Identifying concepts with rules is, in part, a way of capturing this duality. Despite the fact that each perceptual image of a dog is unique, they have in common that they are produced in accordance with the same rule, and this commonality is the ground for taking them to represent (or realize, or exhibit) the same concept. Something of this idea is suggested in the Schematism: “The concept of a dog signifies [*bedeuten*] a rule according to which my imagination can delineate the shape of a four-footed animal universally [*allgemein*], without being limited to any single particular shape which experience presents to me, or to any possible image which I can exhibit [*darstellen*] *in concreto*” (A141/B180). Every perceptual recognition of something as a dog—and indeed every picturing of an imaginary dog—involves a specific activity of imagination which differs according to the type of dog perceived or pictured. But we can think of all these activities as performed according to the same rule. It is in virtue of the identity of this rule that the resulting images, for all their particularity, can be regarded as images of the same thing: namely, as images of dogs.

Another—and perhaps deeper—part of the answer has to do with the normativity associated with the notion of a rule. The application of a concept to an object carries with it a normative implication, namely that there is a certain way in which the object ought to be perceived. Recognizing this as a dog implies recognizing that I ought to synthesize my representations in one way rather than other, for example, that I ought to see the tail as belonging with the head and legs rather than with the tree in the background, or that I ought to reproduce prior perceptions of barking, rather than, say, mewing or neighing. Recognizing the applicability of a concept, then, is recognizing a normative rule which governs the activity of my imagination in its reproduction of the manifold. It is because concepts serve in the first instance to specify ways in which the manifold *ought* to be synthesized, not just ways in which the manifold *is* synthesized, that they can be identified with rules for the synthesis of the manifold.²²

We have now provided some motivation for the view that imagination is involved in cognition and, more specifically, that concepts serve as rules for the activity of imagination. But much remains mysterious about this view. Most importantly: how exactly does a concept govern, or as Kant puts it at A106, “make necessary,” the activity of imagination in constituting our perceptual images? I have already suggested that the governing here is to be thought of as normative. One possible answer which is consistent with this suggestion is that the concept guides or directs imagination in combining and reproducing the manifold.²³ To elaborate on the example from the Schematism: suppose I glimpse a dog running by, and suppose the dog is running so fast that the legs are a blur. For all my sensory impressions tell me,

the dog could have three legs or six. But because I am guided by the concept “dog,” which includes the notion of being four-legged, my imagination combines and supplements my fleeting sense-impressions in such a way that I see the dog as having four legs. Furthermore, let us suppose, my present impressions are too indistinct to reveal the details of the dog’s coat or feet. But here again the concept “dog” guides my imagination so that I perceive it as furry rather than scaly, and as having paws rather than hooves. We might think of this as analogous to what goes on when, without any prompting from perception, I picture a dog in imagination or, indeed, draw a picture of a dog on paper. In the perceptual case, as in these purely imaginative cases, I produce an image under the guidance of a concept. The perceptual case differs only in that I construct the image on the immediate prompting of my present sense-impressions, and that these sense-impressions serve as part of the material for the image. This way of thinking about it finds support in Kant’s own suggestions that perceptual apprehension is a kind of drawing. For example, in the passage quoted from the Schematism, the concept of a dog is said to signify a rule for “delineating” [*verzeichnen*] the shape of a dog (A141/B180); and in the second edition Deduction Kant says that, in the apprehension of a house, I “as it were draw [*zeichne gleichsam*] its shape [*Gestalt*]” (B162).

But there is a difficulty with this proposal. If I am to be guided by a rule or concept in the synthesis of my perceptual image, then it would seem—at least on the face of it—that I must grasp the concept antecedently to the act of synthesis. Moreover, I must, again antecedently to the act of synthesis, recognize the case as one in which the concept is appropriate. I must recognize, that is, that given this particular sensory input, I ought to follow the rule “dog” rather than, say, the rule “armadillo.” Otherwise I have no basis for reproducing, in my perceptual image of it, previous perceptions of fur rather than of scales. But this in turn is just to say that I must recognize it as a dog prior to the synthesis of the manifold through which I form a perceptual image of it. And here we seem to be presupposing the very cognitive achievement that the imaginative synthesis was supposed to help explain.

Now it might be suggested in response that the “guiding” model does not demand conscious recognition that the object is a dog. Rather, it might be supposed, the sense-impressions of the dog somehow make it the case that I follow the rule “dog” rather than the rule “armadillo,” yet without my being aware, prior to the act of synthesis, that this is a dog rather than an armadillo. On this version of the model, the concept “dog” is present in my understanding antecedently to the act of perceptual synthesis. It is thus available, along with other concepts such as “armadillo,” to be as it were triggered by the appropriate sensory input. But it is only in virtue of the ensuing act of concept-guided synthesis that I come to recognize the object of my perceptions as a dog.

However, even if this response is granted, this still leaves the question of how I come to possess the concept “dog” to begin with. It cannot belong to my understanding prior to any experience, for that would undermine the distinction between pure and empirical concepts.²⁴ And it cannot be the result of a synthesis of imagination, since the proposed model requires that I possess it prior to any such synthesis. The only remaining alternative seems to be that it arises through the senses. But it is a fundamental tenet of Kant’s critical philosophy that sensible intuition on its own cannot give rise to concepts.²⁵ Kant does indeed say in the *Logic* that empirical concepts “originate through the senses through comparison of objects of experience” (§3, note 1; 9:92). His account of their origination is illustrated by the following well-known example: “I see e.g., a spruce, a willow and a linden. In first comparing these objects among themselves, I notice that they are different from one another with respect to the trunk, the branches, the leaves and so forth; but now I go on to reflect only on what they have in common, the trunk, the branches, the leaves themselves; and I abstract from their size, shape and so forth; thus I receive [*bekommen*] a concept of tree” (§6, note 1; 9:94–95). But this account does not depict the origin of empirical concepts from sensible intuition alone. It presupposes that I perceive each of the objects before me as having a trunk, branches, and leaves, and hence that I have already engaged in a perceptual synthesis of the given manifold. More strongly, it appears to presuppose that I perceive them *as trees*, for it is only on this assumption that we can account for my happening to “reflect on” just those features which are characteristic of trees (trunk, branches, leaves) while “abstracting from” those features which do not belong to the concept of a tree.²⁶ Thus it would seem that the operations of comparison, reflection, and abstraction take as their starting point a perceptual image: in particular, an image which represents each of the given objects as a tree. If the concept “tree” is supposed to be responsible for guiding the formation of this perceptual image, then these operations cannot account for our possession of it.

In the face of these difficulties, we might consider a contrasting interpretation of what it is for concepts to “make necessary” the synthesis of imagination. On this interpretation, the activity of synthesis is not guided by concepts but instead takes place blindly. When my fleeting sense-impressions of a running animal lead me to form the perceptual image of a furry four-pawed animal it is not because I am following the rule “dog,” but, at most, because my imagination conforms to psychological laws of association. However, that activity is still necessitated by the concept “dog” in the following indirect and conditional sense: if what I do is to count as judging that this perceptually given thing is a dog, then it is necessary that I combine and reproduce the manifold in this way rather than in some other way. In other words, it is a condition of my applying the concept “dog” to a perceptually

given object that I imagine it as furry rather than scaly. But the concept “dog” does not itself directly govern or necessitate my imaginative activity. If, for whatever psychological reason, I imagine a perceptually given dog as scaly instead of furry, then I have not violated any rule. I have simply failed to meet the condition under which I can be said to judge the given object to be a dog.

Because this interpretation does not require that concepts precede the synthesis of imagination, it has the advantage of allowing us to appeal to the synthesis of imagination in accounting for the acquisition of concepts. Granted that imagination is able to form perceptual images of dogs without the guidance of the concept “dog,” we can take these images to serve as the basis for our recognizing things as dogs, and in turn for our formation of the concept “dog” through comparison, reflection, and abstraction. But in denying that the synthesis of imagination is a genuinely rule-governed activity—as opposed merely to there being rules which specify that this or that synthesis is necessary for the application of this or that concept—we face a fresh difficulty. Recall that the immediate context in which Kant introduces the idea of concepts as rules is his discussion of the concept of an object. As we saw earlier, Kant claims that we refer our representations to objects only insofar as we take them to possess a necessary unity. He goes on to say that this in turn requires that we regard them as synthesized in accordance with rules: “this [unity] is impossible, if the intuition could not have been produced [*her-vorbringen*] in accordance with a rule, through such a function of synthesis as makes a priori necessary the reproduction of the manifold” (A105). He cites as examples the concepts of triangle and of body, and then goes on a few pages later to reiterate the connection between objectivity and rules. We are conscious, he says, of “[a] necessary unity of the synthesis of all appearances according to concepts, i.e., according to rules, which not only make them necessarily reproducible, but also thereby determine an object for their intuition, that is, the concept of something in which they necessarily cohere [*zusammenhängen*]” (A108). These passages suggest that it is only because I think of the reproduction of my representations as necessitated or governed by rules that I can refer them to objects. To go back to the example of a dog, I have to take myself as required under the sensory circumstances to reproduce my representations in the particular way that I do rather than in some other way—in this instance, by reproducing past perceptions of fur and paws rather than scales and claws—in order to take the resulting perceptual image to represent an object. For to think of my perceptual image as objective is just to think of myself as required or necessitated to form the image in the way that I do: something that in turn entails thinking of my synthesis as necessitated or governed by rules. And it is important to note that, as indicated by Kant’s qualification of it as “a priori” in the passage cited from A105, the necessity here is not the empirical necessity of natural psychological laws.

Rather, to draw on a point made earlier in our discussion of Kant’s identification of concepts with rules, the invocation of rules implies that the necessity is normative. What makes my perception of the dog objective is that I take my reproduction of fur rather than scales to be appropriate under the circumstances. I take it that it is what I ought to be doing, rather than something that I merely happen to be doing under the sway of psychological or other natural influences.

Now on the first model we considered, we could make sense of this necessity in terms of rule-guidedness. According to this model, I take myself to be reproducing the manifold as I ought, because I think of this reproduction as necessitated by an antecedently grasped rule, namely the concept of a dog. On the present interpretation, however, I do not think of myself as normatively required to reproduce representations in the way that I do. Either I think of my reproduction as necessary in the merely conditional sense outlined above, or I think of it as empirically necessary in that it is externally determined by psychological laws of association. But as Kant makes clear, for example at §§18–19 of the second edition Deduction, connection in accordance with such laws does not endow my representations with the kind of unity required for cognition of an object. It is only if we think of our imaginative activity as necessitated in the sense of being governed by normative rules—as opposed to being merely a necessary condition for the application of this or that concept, or to being necessitated by empirical natural laws—that we can regard our synthesis of the manifold as objective.

But it might now be claimed that the objectivity of our synthesis of the manifold does not require empirical concepts, but can be secured by the pure concepts of the understanding, or categories, alone. And it might be noted further that the objection to the original “guiding” model does not apply in the case of the categories. First, since the categories are given to us a priori by understanding, there is no difficulty in the claim that these concepts are available to us prior to any experience. Second, since they apply universally to the objects of our experience, there is no problem—as there was in the case of, say, “dog” as opposed to “armadillo”—of how we can recognize the appropriateness of one rather than another in a given perceptual situation.

These considerations suggest a third interpretative model which seems to steer between the difficulties encountered by the other two. On this “hybrid” model, I engage in a synthesis of the empirical manifold which is guided, and hence genuinely necessitated, by the categories. This synthesis endows my empirical representations with the kind of rule-governed unity which qualifies them as objective. But it is not itself necessitated by empirical concepts, except in the indirect or conditional sense. Thus, rather than having to be preceded by empirical concepts, it makes possible their acquisition. For I am able to arrive at empirical concepts on the basis of the perceptual images formed

through my synthesis in accordance with pure concepts. Now the hybrid model need not deny that empirical concepts are themselves rules for synthesis. For it may be allowed that, once acquired, they can guide our apprehension of particular empirical objects. But the synthesis through which we arrive at them is governed by the pure concepts alone, so that the circularity threatening the original “guiding” model is avoided.²⁷

However, this interpretation too is faced with difficulties. To begin with, neither of the examples that Kant gives in the central passage at A103–6 is a category. As we saw, the concepts he cites as necessitating the reproduction of the manifold, and thus as endowing our representations with objective unity, are the concept of body, which is an empirical concept, and the concept of triangle. And while the latter qualifies as a pure concept, it is not a pure concept of the understanding, but rather a “pure sensible” concept (A141/B180). While we possess the concept itself a priori, its application to perception—which is what is at issue in the passage²⁸—depends no less on experience than does the application of an empirical concept. This suggests, at the very least, that Kant does not take objectivity to be conferred on the empirical manifold by the categories alone.

In addition to this textual problem, there is a difficulty in seeing how the synthesis of the empirical manifold can be governed by the categories without also being governed by empirical concepts. As I suggested initially in sketching the role of imagination in perceptual cognition, we can think of the synthesis of the empirical manifold as the formation of a perceptual image through which we perceive what is given as being of such-and-such a kind, or as having such-and-such features. But we cannot perceive or imagine something as, say, a substance *tout court*. As Kant says in the Schematism, “the schema of a pure concept . . . can never be brought into any image” (A142/B181); similarly, a pure concept, in apparent contrast to an empirical concept, “can never be met with in any intuition” (A137/B176). We can perceive or imagine something as a substance only by perceiving or imagining it as, say, a dog, or an armadillo, or some other particular kind of substance. But this implies that, to the extent that I am governed by the concept of substance in my synthesis of the given empirical intuitions, I must at the same time be governed by the concept of dog or of armadillo or whatever the relevant empirical concept is. I cannot, as it were, first synthesize my intuitions according to the concept of substance and then, on the basis of that synthesis, perceive the object as a dog. Rather, the pure and the empirical concept go together: my synthesis can be governed by pure concepts only insofar as it is governed by some empirical concept or other.²⁹

Even if we allow that there could be a synthesis of the empirical manifold according to pure concepts alone—that is, a “transcendental” synthesis of the empirical manifold—it is hard to see how it could put us in a position,

either to form empirical concepts, or to recognize the appropriateness of this or that empirical concept on any given occasion. We noted earlier that, in order to arrive at the concept of “tree” on the basis of the perception of given objects it seems that I must form a perceptual image through which I perceive them *as trees*. But it is not clear how a synthesis in which I combined the elements of the manifold solely in accordance with general concepts of quantity, quality, and so on, could yield a perceptual image with the required specificity, even assuming—contrary to the considerations raised in the previous paragraph—that it could yield an image at all. And the same difficulty would apply with respect to the recognition of perceptually given objects as falling under one empirical concept rather than another. Even if we concede that we can form particular empirical concepts as a result of the transcendental synthesis, and that these empirical concepts can then serve to guide us in our apprehension of particular objects, it is not clear how we could recognize that the apprehension of this particular object should be guided by the concept “tree” (rather than, say, “dog” or “armadillo”) except by perceiving it, prior to that apprehension, as a tree: something for which a transcendental synthesis appears to be inadequate.³⁰

If the considerations raised in this section are well founded, we are faced with a tension in Kant’s view. On the one hand, it seems that we must think of concepts—empirical as well as pure—as guiding or directing the synthesis of imagination, and *a fortiori* as prior to it. For otherwise that synthesis seems to lack the intrinsic rule-governedness in virtue of which we can regard it as yielding objective cognition. But on the other hand, the difficulty that arose for the “guiding” model suggests that we must think of the synthesis of imagination as prior, if not to pure concepts, then at least to empirical concepts. For the synthesis of imagination seems to be required both for the recognition of particular objects as falling under empirical concepts and for the possession of those concepts.

We might try to resolve this tension by distinguishing between rules for synthesis on the one hand and concepts on the other. On this approach, synthesis is antecedently guided by rules, both pure and empirical. But these rules are not to be identified with concepts, for we follow them unconsciously, and to grasp something under a concept implies that we are conscious. Rather, it might be proposed, we arrive at concepts through reflecting on, and thus becoming conscious of, the rules that we follow in our synthesis.³¹ Even though this interpretation goes against Kant’s identification of concepts with rules for synthesis, it might be argued, it is nonetheless consistent with his discussion at A103–06. For it seems to fit the idea of “recognition in a concept”: grasping a perceived object under a concept is a matter of explicitly recognizing the rule that I have been unconsciously following in synthesizing my perceptual image of it. We might also take this approach

to be supported by Kant's claim at A141/B180 that empirical concepts require schemata. The empirical concept, Kant says, "stands in immediate relation to the schema of imagination, as a rule for the determination of our intuition"; and he goes on, as if to illustrate this point, to describe the concept of a dog as "signifying" [*bedeuten*] a rule for the delineation of a four-footed animal. It is tempting to see schema and concept respectively as corresponding to an unconsciously followed rule and the conscious representation of it.

However, quite apart from the difficulty of how we are to make sense of following rules unconsciously,³² this proposal does not escape the objections raised against the original "guiding" model. For it is no easier to account for our possession of empirical rules or schemata prior to the exercise of imagination than it is to account for our possession of empirical concepts.³³ Kant's refusal to admit that empirical concepts can be immediately abstracted from the material of sensible intuition derives from their generality. And the unconscious rules invoked on this approach are no less general than the concepts through which we bring them to consciousness.

The tension I have noted is apparent in Kant's own descriptions of the relation between synthesis and concepts. We can see it in the passage with which we began this section. On the one hand, Kant suggests that concepts are responsible for the unity of the manifold, thereby implying that they direct, and hence precede, the synthesis through which the various representations are brought together. As we saw at the beginning of this section, it is the consciousness afforded by "recognition in a concept" which "imparts" [*verschaffen*] unity to the manifold (A103). A concept, Kant says, is the "unitary [*eine*] consciousness which unites the manifold, successively [*nach und nach*] intuited and then also reproduced, into one representation" (ibid.). On the other hand, however, Kant also suggests that the concept represents, or involves the consciousness of, unity in the synthesis of the manifold: a suggestion which implies that the unity is brought about by the imaginative synthesis prior to its grasp under a concept. Thus he says that the concept of a number is "nothing but the consciousness of . . . unity of synthesis" (ibid.) and that the concept of body "represents the necessary reproduction of the manifold" of given appearances.

We find a corresponding tension in Kant's account of the respective roles of imagination and understanding in the activity of synthesis.³⁴ In the second edition Deduction, for example, Kant says that all combination, whether we are conscious of it or not, is an "act of the understanding," and he goes on immediately to identify combination with synthesis (B130). He also describes the activity of schematism (which is essentially equivalent to synthesis) as a "procedure of understanding" (A140/B179). However, we also find him ascribing both synthesis and schematism to imagination, suggest-

ing the contrary idea that concepts are not necessary for synthesis but are grasped subsequently to it. Thus in the Metaphysical Deduction, synthesis is the "mere result of imagination, a blind but indispensable function of the soul" (A78/B104), the role of understanding being merely to "bring this synthesis to concepts." And in the Schematism, his characterization of schematism as a procedure of understanding is immediately followed by the claim that the schema is "in itself always only a product of imagination" (A140/B179). In one well-known passage, Kant reconciles these apparently contradictory ascriptions by claiming that imagination and understanding are, at bottom, identical: "it is one and the same spontaneity, which in the one case under the name of imagination and in the other case under the name of understanding, brings combination into the manifold of intuition" (B162n.).³⁵ But without a clearer understanding of the relation between synthesis and concepts, this claim remains mysterious.

III

We saw in the previous section that there seems to be a tension in Kant's account of the relation between synthesis and concepts, in particular empirical concepts. The tension arises from the pull of two apparently conflicting requirements on Kant's theory of cognition. On the one hand, if Kant is to hold that our representations have objective unity, he must claim that their synthesis is governed or necessitated by empirical concepts. On the other hand, if he is to hold that sensible intuition alone cannot give rise to concepts, then he must claim that the possession and application of empirical concepts in turn presupposes the synthesis of our representations. I now want to suggest that the tension can be reconciled. We can make sense of the idea that empirical concepts govern the imaginative synthesis of our representations, while at the same time holding that empirical concepts depend on that synthesis. To do this, we have to reject the model on which synthesis is guided by rules. In its place, I suggest, we must substitute an alternative model: one on which synthesis is—as I shall put it—*exemplary* of rules. This model, which I shall try to explain below, makes room for a conception of synthesis as genuinely rule-governed, yet without requiring that the rules be grasped antecedently to the activity which they govern.

I want to explain the model I have in mind by analogy with another, more familiar, example of a rule-governed activity: that of speaking one's native language, say, English. It is clear that speaking English is an activity governed by rules, for example lexical rules and rules of grammar. Moreover, these rules are not mere descriptive generalizations, but rather normative constraints, since speakers who do not conform to the rules may be described

as violating the rules and hence as speaking incorrectly. But this does not imply that a native English speaker is consciously guided by the rules of English grammar and usage. She learns English, not by first learning rules and then implementing them, but rather through a natural and unstudied process in which the imitation of others plays a central role. At later stages of the learning process, she may receive some explicit instruction in the rules of English, but this is not essential to her acquiring competence as an English speaker. Once she is a competent speaker, the appropriate use of words usually comes naturally to her. Only in rare circumstances does she need to bring to mind a rule to determine whether a given usage is correct.

When we want to determine the correctness of a given usage, how do we discover the rules that govern it? The methods we employ all involve some kind of appeal to the actual linguistic behavior of English speakers: our own, and that of others. I may learn the rules governing the use of a word from a dictionary which has been compiled by codifying the actual usage of other English speakers. More directly, I may notice how other speakers use the word, or I may ask another English speaker whether she would use it in this or that situation. In some cases, I may even draw on my own usage by rehearsing analogous but more familiar uses to see if they sound right. The fact that I can discover a rule by consulting my own usage illustrates a more general reciprocity according to which each of us can in principle serve as an authority for the others.³⁶ It is not that the actual speech of one group of speakers is normative for another group of speakers: rather, the actual language-use of English speakers in general is normative for English speakers in general.

This is not to say that the actual behavior of English speakers is an infallible guide to the rules of English. If it were, we would not need to discover the rules of English because the correctness of our usage would never be in doubt; in fact, it is hard to imagine how the notions of correctness and incorrectness could apply to our usage at all. Nor is it even to say that the usage of a majority of English speakers serves, in every case, as a guide to correct use. For we can certainly make sense of a mistake which is made by most, although not all, speakers of the language. These qualifications notwithstanding, it is still the case that the rules governing how English *ought* to be spoken can be discovered only through reflection on how English *is* spoken. Moreover, it is not only our knowledge of the rules, but also the rules themselves which depend on the facts of actual usage. In formulating the rules on the basis of actual speech-behavior, we are not treating that behavior as evidence of rules by which speakers are consciously guided. Nor do we regard ourselves as detecting a system of rules existing antecedently to the English language as a whole (as we might infer the syntax of an artificial language from the structure of sample sentences, or, more picturesquely, as we might discover the rules originally laid down for the performance of an ancient rit-

ual through observing its enactment by present-day inheritors of the tradition). Rather, it is simply a basic feature of the activity of speaking English, or any other natural language, that the facts of actual usage determine the rules.³⁷ The idea of an activity's being exemplary of rules is meant to capture this fundamental feature. An activity exemplifies rules if its actual performance determines the rules according to which it ought to be performed.

Another way of capturing this feature is to say that the activity conforms to internal standards of correctness. We can formulate rules or standards specifying how it ought to be performed, but these rules derive not from anything external to the activity, but rather from the activity itself. We have already noted one respect in which the standards for speaking correct English are internal rather than external, namely that they are not laid down or grasped antecedently to the actual speaking of English. But they have a further characteristic which qualifies them as internal, namely that they are in a certain sense arbitrary: they are not determined by constraints on the success of the activity. While it is necessary that English be governed by some rules or other in order that we be able to use it to communicate, it is not necessary for the satisfaction of that goal that the rules be the particular rules they are. A language which was like English except insofar as the word "knife" meant what we mean by "spoon," and vice versa, would be no less effective as a means of communication. In this respect, speaking English contrasts with activities like crafts, which produce objects meant to fulfill a certain function. The craft of making shoes, for example, while similar to the activity of speaking English in the first respect I mentioned, is unlike it in the second. The rules for making shoes were not laid down antecedently to the practice of making shoes, and it is presumably possible for someone to learn the craft of shoemaking without grasping explicit rules. But these rules are not arbitrary like the rules of English, but rather determined by the conditions for something's being a good shoe: they are rules to which the activity must conform if the resulting shoe is to be durable, comfortable, waterproof, and so on.³⁸

Other examples of activities which exemplify rules, or which conform to internal standards of correctness, can be seen in the practice of the fine arts, especially in its technical aspects. Here again we find standards which are neither external in the sense of being specified antecedently to the activity, nor external in the sense of deriving from a goal which the activity is meant to satisfy. Consider, say, the rules for writing a sonnet, for constructing a classical entablature, or for composing a movement in sonata form. Such rules, while they may differ from the rules of a natural language in being consciously followed by individual practitioners, nonetheless are derived by codifying the actual practice of poets, architects, and composers. Haydn—if indeed he is correctly credited as the originator of sonata form—did not formulate the rules of sonata form prior to writing the first music in

that form; rather, the rules were derived retrospectively from reflection on his works and on those of his contemporaries and successors. Nor do these rules represent standards that must be met if the resulting work is to satisfy its purpose. For it is possible to imagine that the eighteenth century could have produced equally successful compositions according to a quite different set of formal constraints.

We might also note that the idea of something's exemplifying rules is not confined to activities. It applies not only to products of human activity, like classical entablatures and sonnets, but also to natural things, specifically to organisms. We think of plants and animals in normative terms: we regard some organisms within a given species as healthy and well functioning, and others as unhealthy or defective. Thus we think of any given organism as subject to normative rules or standards. For example, if we came across an eight-legged honeybee we would say that it was an aberration, that there was something wrong with it. We would regard a bee with eight legs as, in effect, failing to meet a normative standard applicable to bees: namely, that bees ought to ("are meant to") have six legs. But this is not because six-legged bee-like things are intrinsically preferable to eight-legged bee-like things, in the way that shoes which do not let in water are better than shoes which do. (Or, at any rate, even if we do think the six-legged ones are preferable for some reason, this is not our reason for saying that the eight-legged one is defective.) Nor is it because of rules which are laid down in advance, as it might be in the case of a perfectly satisfactory machine that is nonetheless judged defective because, through an oversight on the part of the manufacturer, it does not conform to the designer's specifications. Rather, the standard is internal. We can arrive at it only by examining actual examples of bees and taking their characteristics as a guide to the characteristics that bees, in general, ought to have.³⁹

I have been trying to illustrate the idea of something's being exemplary of rules. Now I want to look more closely at what is involved in judging something—an activity, or a thing of a given kind—to be exemplary of rules. From what I have said so far it should be clear that there is a normative element in this judging. In taking something to be exemplary of rules we are taking it to exemplify how it (and in the case of a thing, others of its kind) ought to be. And we can also put this by saying that we judge it simply to *be* as it ought to be. But this last formulation has to be understood in a particular sense. For there are two ways in which we can judge that something is as it ought to be, and hence two meanings which attach to the expression "being as it ought to be." According to one way, which I shall label "derivative," judging that something is as it ought to be requires the antecedent assumption that there is some determinate way it ought to be. The force of the judgment is to say that it succeeds, rather than fails, in being that way.

In other words, the judgment presupposes that there is a rule or standard applying to the thing and claims that the thing conforms to, or satisfies, the rule or standard. It is this kind of judgment that we make when we claim of a six-legged bee, as distinguished from an eight-legged bee, that it is as it ought to be.

But according to the second way, which I shall call "primitive," no antecedent rule or standard is presupposed. Rather, the point of our judgment is to say that the thing itself exemplifies—or indeed constitutes—the standard for how it (and others of its kind) ought to be. As in the derivative case, we take the thing to conform to a standard: but in contrast to the derivative case, we take it to do so as a trivial consequence of its exemplifying the standard. In saying that it is as it ought to be, our point is not that it successfully conforms to some antecedent conception of how it ought to be, but rather that its "is" determines an "ought to be" in the first place. We might make this kind of judgment in distinguishing, say, a non-defective bee from a stone. Although in certain contexts we may judge that a given stone meets or fails to meet an antecedently specified standard (for example, if we judge that it would make a good paperweight but a bad knife-sharpener), we do not take the features of stones in general—as we do of bees—as normative standards governing their kind. Stones merely are: how they are is not at the same time how they ought to be. It is also the primitive kind of judgment which we make when we take the activity of speaking English to be exemplary of rules. We judge that the way English is spoken is the way it ought to be spoken, but the point of our judgment is not to say that most people speak English correctly rather than incorrectly. Rather, it is to contrast speaking English with activities like eating, strolling, daydreaming, and taking a bath, which, while they may be subject to external normative constraints (e.g., that one shouldn't eat with one's mouth open or daydream in class), they do not themselves set a standard for their own correct performance.⁴⁰

I have called these two kinds of judgment "derivative" and "primitive" to indicate a certain relation of priority between them. The possibility of taking a given use of English to be as it ought to be in the derivative sense presupposes that we can take the linguistic practice as a whole to be as it ought to be in the primitive sense. It is only because we can think of the activity of speaking English—unlike eating or strolling—as setting a standard for its own correct performance that we can articulate rules in terms of which particular uses of English can be judged to be correct or incorrect. Similarly, a given organism cannot be judged to be well formed or defective except insofar as we take other organisms of the same kind to serve as exemplars of how members of that species ought to be. It is only given this primitive judgment—a judgment which cannot be made of stones or lumps of wood—that the organism can be regarded as subject to standards to which it can conform or

fail to conform. The primitive judgment is thus primitive in the sense that, unlike the derivative judgment, it does not presuppose determinate rules governing how its object ought to be, but rather makes such rules possible to begin with. Because we do not judge the object in reference to any antecedently specifiable rule, we may be described as taking the object to be as it ought to be, or to conform to rules, in an indeterminate or general sense. But in doing so, we put ourselves in a position to formulate determinate rules in terms of which the thing, and others of its kind, may be assessed.

Let us return now to Kant's account of the relation between synthesis and empirical concepts. I want to propose that we can reconcile the apparent tension in this account by interpreting Kant as committed to the following fundamental principle: we are entitled to regard our synthesis of the perceptual manifold as exemplary of rules, that is, as being, in the primitive sense, as it ought to be. The synthesis of imagination, I want to suggest, is not guided by rules, whether consciously or otherwise. Like the speaking of a language, it is a natural psychological process which does not presuppose any antecedent grasp of rules or standards. But, on the principle I am proposing to ascribe to Kant, we are nonetheless entitled to think of it as governed by rules, and in particular by empirical concepts. We can think of it, in the way we think of a natural language, as subject to rules which are not imposed externally but rather determined by the very activity they govern. What our imagination in fact does in the perception of a given object may be regarded as setting the standard for what our imagination ought to do in the perception of that object and others of its kind. Thus we can think of imagination as subject to standards, and hence as rule-governed, without requiring that these standards be grasped prior to the exercise of imagination which is subject to them.

Recall that one of the difficulties of the "guiding model" discussed in section II was that it could not account for how we acquire empirical concepts. Empirical concepts, being empirical, are not given to us a priori by understanding. But, being concepts, they cannot be acquired from the immediate data of sense either. To acquire the concept "tree" on the basis of my sensory experience of trees, I must carry out a synthesis of imagination through which I form perceptual images of trees. And through this synthesis, more specifically, I must come to represent each of those trees *as a tree*. But according to the guiding model, this synthesis requires an antecedent grasp of the concept of tree, leading to an unacceptable circularity.

As we saw in section II, this difficulty suggests that we must reject the model on which synthesis is guided by empirical concepts and instead think of empirical concepts as acquired on the basis of the activity of synthesis. It must be that we can form the perceptual image of a tree, and indeed perceive the tree *as a tree*, without antecedently possessing the concept of a tree. This

led us to an alternative model on which the activity of imagination is not governed by concepts except in the conditional sense that I must synthesize the manifold in such-and-such a way if I am to apply such-and-such a concept. On this alternative model, the activity of imagination is not intrinsically rule-governed. But I pointed out a new difficulty: namely that if the activity of imagination is not intrinsically governed or necessitated by rules, then the unity that it brings about is merely subjective and psychological, in contrast to the necessary unity which is required for my representations to relate to an object. It is only insofar as I can take it that my imagination *ought to* combine and reproduce the manifold in the way that it does in my perception of the tree that I can take myself to be representing an object distinct from my representations of it.

However, our discussion in section II overlooked the possibility that an activity can be governed by rules without being guided by them. It overlooked, that is, that an activity can be exemplary of rules: that it can be rule-governed in a way which does not presuppose that the rules are grasped prior to the performance of the activity. And this possibility yields the model of imaginative activity which I am now proposing as Kant's view. On this model, as on the second of the two models just sketched, empirical concepts need not be grasped prior to our activity of synthesis but are, rather, arrived at on the basis of our activity of synthesis. Imagination proceeds blindly in its response to sensory stimulation by objects: like the activity of speaking one's native language, imagination's activity in perception is a natural process, performed without the guidance of rules. But we may nonetheless take it to have a normative dimension insofar as it exemplifies rules for the perception of the objects which affect us. That is, I may take the actual features of my imaginative activity in the perception of a given object to serve as rules or standards governing how my, or indeed anyone else's, imaginative activity ought to be in the perception of that object. In this way I can regard my synthesis in a given case of perception as governed by a rule or concept, and hence as meeting the conditions for objective cognition, even though I do not grasp the rules prior to performing the synthesis.

This enables us to overcome the difficulty about the acquisition of empirical concepts. Let us suppose, following Kant's example in the *Logic*, that we can identify those occasions of perceiving trees through which I first come to acquire the concept of a tree, and let us consider the act of perceptual synthesis performed on one of those occasions. According to the model I am proposing, this act of synthesis is not guided by rules: I do not first need to grasp the concept of a tree, or indeed any concept, to form the perceptual image that I do. But the general principle that I am entitled to regard my activity of imagination in the perception of given objects as exemplary of rules—that is, as being as it ought to be in the primitive or indeterminate

sense outlined above—allows me to regard this particular act of synthesis as exemplifying a rule for the perception of the particular object presented to me. Thus my awareness of each feature of that particular act—for example, that it involves the perception of the object as having leaves, branches, and a trunk—translates into the awareness of a specific rule or concept which it exemplifies, and a fortiori, by which it is governed. It is in this way that I acquire the concept of a tree: a concept which serves as a standard not only for my own subsequent acts of synthesis and for those of others, but for the very act of synthesis through which I come to acquire the concept.

The principle that I am here taking as fundamental—that we are entitled to take our perceptual synthesis as exemplary of how it ought to be—is nowhere acknowledged in the *Critique of Pure Reason*. My proposal that we ascribe it to Kant is based not on any direct textual evidence, but rather on the ground that we need to do so if we are to make sense of Kant’s apparently conflicting commitments with regard to synthesis and empirical concepts. We may put the need for the principle more strongly by saying that it is required as a condition of the very possibility of empirical concepts. It is only because I am entitled to take my imagination in general to be exemplary of rules that I can take some specific feature of its workings—for example, my “reproducing” leaves, trunk, and branches in my perceptual image of a tree—not merely as characteristic of how my imagination actually *does* perform under a given set of circumstances, but also as exhibiting a rule determining how it *ought* to perform, and hence as yielding an empirical concept.⁴¹ If I cannot take my imagination to be exemplary of rules, then I must regard it either as belonging entirely to the domain of empirical psychology, that is as governed only by empirical laws of association, or as a faculty which operates entirely a priori, governed only by the pure concepts of the understanding. I am not entitled to think of it—as I must if I am to think the manifold as unified under empirical concepts—as governed by rules that are both genuinely normative and have their source in actual experience.

Now the possibility of empirical concepts is not a central concern of the first Critique, which is concerned primarily with the question of a priori knowledge. This might explain why this principle—if I am right in ascribing it to Kant—does not figure in the first Critique. But the *Critique of Judgment*, by contrast, is explicitly concerned with the issue of empirical concepts. The faculty of judgment in general is the faculty for “thinking the particular as contained under the universal” (IV, 179); and its most characteristic employment is as “reflective judgment,” which is the capacity for “finding the universal” for a given particular (ibid.). And Kant makes clear that this is, in large part, a matter of arriving at empirical concepts for given representations, that is, “reflecting on a given representation for the sake of a concept which is thereby made possible” (EE V, 211).

If Kant is committed to the principle at all, then, we would expect to find it in the third Critique. And in the next section, I want to suggest that we do, although not in quite the same form I have stated it. More specifically, I want to suggest, it plays a central role in Kant’s account of aesthetic experience.⁴² This brings us back to the free play of the faculties. For, as I shall now argue, the principle that we can regard imagination as exemplary of rules allows us to see how imagination can both be free from the constraint of particular concepts and also conform to the understanding’s requirement of lawfulness in general.⁴³

IV

I argued in section I that Kant’s characterizations of the free play of the faculties are open to the accusation of incoherence. As we saw, Kant describes the free play of the faculties as a state in which imagination harmonizes with understanding, yet without being subject to the constraint of particular concepts. The activity of imagination displays the “regularity” (§40, 296) and “lawfulness” (241) associated with understanding; yet, the regularity or lawfulness is “free lawfulness” (240) or “lawfulness without a law” (241). These apparently paradoxical expressions raise the question of how such a state is possible. Given what Kant tells us about the workings of imagination and understanding in ordinary cognition, how can imagination relate to understanding without being governed by concepts, and how can it be lawful while remaining free from the constraint of any law?

As a step toward answering this question, we considered the suggestion that imagination in the free play conforms to the general conditions for applying concepts to the manifold, yet without any concept actually being applied. For Kant indicates, as we saw, that the free play involves a general or indeterminate reference to concepts: it involves what he calls the exhibition of a “concept of the understanding (undetermined which concept)” (EE VII, 221) or of a “concept in general” (EE VIII, 223). It appears, then, that imagination engages in the same activity which is in general required for the application of concepts to the manifold, but without being governed by any particular concept: an idea also conveyed by Kant’s description of imagination in the free play as “schematizing without a concept” (§35, 287).

Here again, however, we found difficulties in making sense of this activity. We considered two attempts to characterize it in more detail. Despite significant differences, they agreed that it brings about a unity or interrelatedness among the elements of the manifold, yet without this unity or interrelatedness being grasped conceptually. But both of them, we saw, faced a dilemma: either this activity takes place in every act of cognition (in which case every object

of cognition should be experienced as beautiful), or else it fails to be universally valid. And I suggested, by way of conclusion, that the dilemma indicates the same threat of incoherence in the notion of the free play as is initially apparent in Kant's seemingly paradoxical characterizations. We can avoid the first horn of the dilemma by emphasizing what differentiates the activity of imagination in aesthetic experience from its activity in cognition, that is, its freedom. But this means that we can no longer do justice to what makes it akin to cognitive activity, that is, its lawfulness or relation to understanding.

However, the considerations raised in sections II and III suggest that the notion of the free play might, after all, be coherent. For, if correct, they deepen our understanding of the relation between imagination and empirical concepts in a way which opens up new conceptual space: space in which there might be room for an activity of imagination which, in a general sense, conforms to rules, but which is not governed by any rule in particular, and which, moreover, may properly be described as free. Our discussion of the free play in section I—in common with most discussions of this topic—took for granted a somewhat sketchy picture of the relation between imagination and concepts in ordinary cognition. We assumed that concepts are rules governing the activity of imagination without inquiring into what determines those rules and how we come to grasp them. But, in the light of tensions that emerged from our discussion of perceptual synthesis in section II, we were led in section III to refine that picture. On the more refined picture, the activity of imagination may be regarded not only as governed by concepts but also as itself the source of the concepts which govern it. For I am entitled to regard my imagination as exemplary of rules, which means that I may think of the rules governing imagination as set by the activity of imagination itself. This suggests—in a very general way—that there might not after all be a conflict between the idea of imagination's performing freely, without being subject to particular rules, and its being at the same time lawful, or in conformity with rules. When we think of imagination as “conforming to rules” in the sense of exemplifying them, we think of it not only as conforming to rules, but also as free insofar as it sets the rules to which it conforms.

Now I have suggested that it is a condition of our being able to think given objects under empirical concepts that we regard the activity of our imagination as exemplary of rules and hence as “freely lawful” in the way just specified. This comes out most clearly in the case of acquiring a new concept. When I acquire a concept on the basis of perceptual experience, on the view suggested, I take features of what my imagination actually does in the perception of an object—its combining and reproducing of representations to form, say, the image of something with leaves, branches, and a trunk—to serve as a rule determining how that, and other such objects, ought to be perceived. But this is possible only because I am entitled to take my

imagination to be, in general, exemplary of rules: that is, to “be as it ought to be” in the primitive or indeterminate sense which does not presuppose antecedent rules determining how it ought to be. Without this assumption, the actual features of my imaginative activity remain just that: actual features of my imaginative activity. They cannot serve as standards for how my, or anyone else's, imagination ought to function in the perception of that object or others of its kind.

But does this mean that the acquisition of a concept requires that—on the occasion of acquiring the concept—I experience the free lawfulness of my imagination? That is to say, do I consciously take my imagination, in the particular act of perceptual synthesis through which I arrive at an empirical concept, to conform indeterminately to rules, or to be, in the primitive sense, as it ought to be? The answer is no. For in the act of perceptual synthesis through which I acquire, say, the concept of a tree, I take my act of imagination not only to exemplify but also to be governed by the concept “tree.” It is true that I do not grasp this concept *antecedently* to my act of synthesis, since it is precisely this act of synthesis which is required if I am to acquire the concept in the first place. But I come to grasp it *in* the act of synthesis, which means that I take my act of synthesis itself—the very act through which I come to grasp it—to be governed by the concept. Thus to the extent that I take that particular act of synthesis to be as it ought to be, I do so not in the primitive sense, but rather in the derivative sense. Although my acquisition of the concept “tree” depends on the assumption that my imaginative activity *in general* is primitively or indeterminately as it ought to be, I take any *particular* act of perceiving a tree—including the act through which the concept is acquired—to be governed by the concept “tree” and hence to be as it ought to be only in the sense that it conforms successfully to that concept.

We can put the point in more general terms by saying that the acquisition of a concept cannot take place in isolation from the recognition of its applicability. The act through which I acquire the concept “tree” is at the same time my first act of judging something to be a tree. So I am no more aware of the free or indeterminate lawfulness of my imagination in first coming to grasp the concept “tree” than I am in any subsequent judgment that something is a tree. In both kinds of case, I take the synthesis of my imagination to be governed by the concept “tree.” But to take the synthesis of my imagination to be governed by the concept “tree” is just to take the object I am perceiving to be a tree. My experience, then, is not the subjective experience of my imaginative activity as freely lawful, but simply the objective experience of something as a tree.

This does not mean, however, that I can never have an experience in which I take the activity of my imagination to be freely lawful. For it is possible that a given object might elicit an activity of imagination such that rather

than becoming aware of specific features of that activity which exemplify rules for how the object ought to be perceived, I take the activity to be exemplary *simpliciter* of how the object ought to be perceived. I take it—as I am entitled to take my imaginative activity in general—to set a standard for how my or anyone else’s imagination ought to function with respect to the object which elicits it. But I do not—as I do in each case of empirical cognition—specify that standard in terms of determinate rules according to which imagination ought to function with respect to the object. Rather, I take my imaginative activity in the perception of the object to be as it ought to be in the primitive sense, which means that I have no conception of *how* it ought to be except that afforded by the example of my activity itself: namely, the indeterminate conception that it ought to be *this way*. And we may put this by saying that I take it to “conform to rules” in a way which is indeterminate or “free.”

For Kant, I want to suggest, the experience of an object as beautiful is an experience of just this kind. To perceive an object as beautiful, on this suggestion, is to take my imagination to function as it ought to function with respect to the object, yet without either having in mind an antecedent concept of how it ought to function, nor arriving at such a concept through the activity itself. This qualifies as an act of judgment, but of a non-conceptual kind: it fits Kant’s description of an aesthetic judgment as one “which is not based on any concept we have [*keinem vorhandenen Begriff*] of the object, and which does not provide [*verschaffen*] one” (VII, 190).⁴⁴ But in spite of the fact that my act of judgment is neither based on, nor gives rise to, a concept of the object, it makes a claim to universal validity. For in taking my imagination to function as it ought to function in the perception of the object, I take it that everyone ought to perceive the object the same way I do. I take my activity of imagination, that is, to exemplify a universal standard to which everyone ought to conform. Thus my judgment, as on Kant’s description of aesthetic judgment, “demands agreement universally,” even though this universality “does not rest on concepts of the object (not even empirical ones)” (§8, 214).

Now because I do not take my act of imagination to conform to any particular concept, but only to the standard that it itself sets (for me and for all other perceivers of the object), I do not perceive the object as having any determinate property. This means that my experience, while qualifying as a perception and more generally as a representation of the object, nonetheless can yield no objective cognition of it. But for Kant the only representations which cannot serve for cognition of an object are feelings of pleasure or displeasure.⁴⁵ Thus the experience must be a feeling: and there is evidence, more specifically, that it must be a feeling of pleasure. At §10 of the *Critique of Judgment*, Kant defines pleasure in general as “the consciousness of the

causality of a representation in regard to the subject’s state, *to maintain* the subject in the same state” (220). And at EE VIII he describes pleasure in the beautiful, more specifically, as “a *state* of mind in which a representation harmonizes with itself, as a ground . . . merely for maintaining this very state of mind” (EE VIII, 230). If, as I have suggested, my state of mind in an aesthetic judgment is one in which I take my mental activity with respect to an object to exemplify how my (and everyone else’s) mental activity ought to be with respect to that object, then it makes sense to describe it as “harmonizing with itself” or as serving “as a ground merely for maintaining this very state of mind.” For the content of my state of mind is precisely that I ought to engage in my present mental activity, and hence that I ought to be in that very state of mind. In exemplifying how my state of mind ought to be, my state of mind sets a rule with which it itself accords, and thus serves as the ground for its own continuation in me.⁴⁶

There is good reason to suppose, then, that the experience I have been describing—and which qualifies, I have claimed, as an experience of the free or indeterminate lawfulness of one’s imaginative activity—corresponds to Kant’s notion of aesthetic experience. I want to note two further points in support of this suggestion. First, the idea of the “exemplary” character of my act of imagination, and hence of my aesthetic judging itself, is intimated in Kant’s own characterization of the aesthetic judgment as possessing “*exemplary* validity” (§22, 239) or “a necessity . . . which can only be called *exemplary*, that is, a necessity of *everyone’s* assent to a judgment which is seen as the example of a universal rule which cannot be stated” (§18, 237). In taking it that my imaginative activity in the perception of the object is exemplary of how the object ought to be perceived, I take it that everyone’s imaginative activity with respect to that object should be the same as mine, and hence that everyone should judge the object the same way I do. But this means that I “see my judgment as the example of a universal rule”: a rule which “cannot be stated” because there is no way of characterizing how the object ought to be judged except by pointing to the example of my own imaginative activity in the judging of the object.

The second point has to do with Kant’s notion of “subjective purposiveness.” As I noted earlier, the experience I have been describing is not one through which we ascribe a determinate property to the object. We can, however, characterize it as the experience of *something* about the object: namely, the object’s appropriateness or suitability to the imaginative activity through which it is perceived. For, in perceiving my imaginative activity to be as it ought to be with respect to the object, I perceive my imaginative activity and the object as appropriate to each other: where this appropriateness is, again, “primitive,” in that it does not presuppose any feature of our imaginative activity or of the object in virtue of which they conform to each other. It is

not that I take my imaginative activity to be appropriate to the object because I recognize both that the object has a certain feature (say, being a tree, or being red) and that my imaginative activity (say, seeing the object as a tree, or seeing it as red) conforms to that feature. Rather, I take my imaginative activity to be appropriate to the object *tout court*: so that, instead of taking myself to perceive correctly an objective property of the object, I take there to be an irreducible harmony or fit between the object and the imaginative activity it elicits.

This fits with Kant's claims that aesthetic experience is the perception of purposiveness in the activity of one's cognitive faculties with respect to the object. At §15, for example, Kant says that an aesthetic judgment "does not bring to our notice any property [*Beschaffenheit*] of the object, but only the purposive form in the determination of the powers of representation which are engaged with the object" (§15, 228). As I read this, he is saying that aesthetic judgment makes us aware that our powers of representation are functioning as if they had been designed to function that way under those circumstances. We perceive their determination as "purposive" insofar as we perceive them not just as happening to function the way they do with respect to that object, but as if meant to function the way they do with respect to that object: in other words, we take their functioning to be appropriate to the object. But this is also to say that we perceive the object, similarly, as "purposive" for the activity of our powers of representation: we perceive it as if it were meant to elicit the mental activity which it does in fact elicit. And this fits with Kant's claims that we perceive the object as subjectively purposive or as purposive for our activity of representing or judging the object. The pleasure in aesthetic judging "can express nothing other than the conformity [*Angemessenheit*] of the object to the cognitive faculties which are in play . . . insofar as they are in play, and thus merely a subjective formal purposiveness of the object" (VII, 189–90).⁴⁷

So far I have been trying to make sense of Kant's view that aesthetic experience is the awareness of a free or indeterminate lawfulness of imagination. I have said nothing about his descriptions of the free play in terms of imagination's relation to understanding. But these descriptions can in turn be understood in terms of the idea of imagination's lawfulness; that is, we can describe the awareness of imagination's free lawfulness in the perception of an object as the awareness of its free or indeterminate relation to understanding. For understanding, according to the first Critique, can be characterized preeminently as the "*faculty of rules*"; compared with the other possible characterizations ("faculty of concepts" and "faculty of judgments") this one "is more fruitful and approximates more closely to the essence" of understanding (A126).⁴⁸ To think of imagination as lawful or in conformity with rules, then, is *eo ipso* to think of it as standing in relation to understanding.

This last point is suggested in particular by the General Remark following §22. Kant begins this section by concluding from the results of the Analytic of the Beautiful that taste is "a faculty of judging an object in relation to the *free lawfulness* of imagination" (240). This seems to imply that imagination in aesthetic judging is both free and lawful. But later on in the same paragraph, Kant qualifies this implication: "[To say that] *imagination* is *free* and yet *of itself lawful*, i.e., that it carries an autonomy with it, is a contradiction. Understanding alone gives the law" (241). We may say that imagination is lawful, but we may not say that it is the source of its own lawfulness: insofar as we regard it as lawful, we must regard it as standing in relation to understanding. Thus the fact that we do not take it to be governed by concepts does not mean that we take it to be independent of understanding altogether, but rather that we take its relation to understanding to be free or indeterminate.

We now have a better understanding than we did in section I of Kant's suggestions that the free play satisfies a general condition of concept-application without the application of any concept in particular. More generally, we can make better sense of his claim that it involves a relation of faculties requisite for "cognition in general" or "judgment in general." Consider, for example, Kant's claim at EE VII that, in an aesthetic judgment, "imagination and understanding are regarded as standing in the relation in which they must stand to each other in the faculty of judgment in general, as compared to the relation in which they actually stand in a given perception" (220). I argued in section III that it is a condition of my thinking objects under empirical concepts—and hence of empirical cognition—that I be entitled to regard the activity of my imagination in general as exemplary of rules. In other words, I must be able to take it to be as it ought to be in the primitive way which does not presuppose any rule or rules determining how it ought to be. And we might also note that this is a condition of what Kant calls the faculty of judgment, for judgment is the faculty of "thinking the particular under the universal" (where the "universal" is a "rule, principle or law") (IV, 179). The possibility of judgment in general requires that I be able to take my imaginative activity as exemplifying how it ought to be with respect to the object which are given to me.

Now, at least in the cognitive domain, this condition applies at a completely general level. In any particular case of empirical cognition, as we have seen, I regard my imaginative activity as governed by a determinate concept. Even if, as in the case of concept-acquisition, I also take it to exemplify that concept, I do not take it to be "exemplary of rules" or "exemplary of how it ought to be" in the primitive sense we have been invoking. Rather, it is my imaginative activity *as a whole* which I think of as exemplary: just as I might think of the whole practice of speaking English—not just this or

that particular utterance—as determining what counts as correct English usage. But we have seen in this section that it is, nonetheless, possible for the condition to be satisfied in particular cases of imaginative activity. This happens in an aesthetic judgment, when I take the imaginative activity elicited by a particular object to exemplify how it ought to be with respect to that object. In this case, it might be said, our faculties of imagination and understanding are regarded as “standing to one another in the relation in which they must stand to each other in the faculty of judgment in general” and hence that the activity of the faculties satisfies a condition of judgment or cognition in general.⁴⁹

From this it should be clear how the dilemma discussed in section I can be resolved. The free play of the faculties does not take place in every or, indeed, in any act of cognition. It is only when I take my imaginative activity in the perception of some particular object to exemplify how it ought to be with respect to that object that my faculties may be said to be in free play. And that does not happen in perceptual cognition, but only in the special case of aesthetic experience: for it is only in aesthetic experience that I take my imaginative activity to be as it ought to be without having in mind any determinate rule to which it conforms.

But the free play nonetheless satisfies a condition of cognition insofar as it consists in a particular application of the general principle of judgment: that is, the principle that I am entitled to take my imaginative activity as exemplary of how it ought to be. In any particular cognition, as we have seen, this condition of cognition is satisfied precisely insofar as I take my imaginative activity to conform to some determinate rule rather than another. For that reason we are not aware in each such cognition of the applicability of the principle as such. The role of the principle in cognition is exhausted, so to speak, in allowing us to think of our imaginative activity on any particular occasion as governed by determinate concepts: a result which prevents us from thinking of our imaginative activity on any *particular* occasion in the way that we must think of it *in general* if those concepts are to be possible. In aesthetic experience, however, we regard our imaginative activity with respect to some particular object in the same way that we must regard it with respect to objects in general if cognition is to be possible. Thus we may take it, as we may take our imaginative activity in general, to exemplify a normative standard and hence to be universally valid.⁵⁰

1. References beginning with a Roman numeral or an Arabic numeral preceded by “§” are to the *Critique of Judgment* (Roman numerals refer to sections in the Introduction and Arabic numerals preceded by “§” refer to sections in the main text); the number following indicates the page number according to the pagination of volume 5 of the *Akademie* edition of Kant’s collected writings (Berlin: De Gruyter, 1902–). References to the First Introduction (*Erste Einleitung*) to the *Critique of Judgment* are abbreviated “EE” and include the section number and the page number according to the pagination of volume 20 of the *Akademie* edition. With the exception of the *Critique of Pure Reason*, which is cited according to the pagination of the first (A) and second (B) editions, references to other works by Kant cite volume and page number of the *Akademie* edition. Translations are my own, but I have consulted Werner Pluhar’s translations of the *Critique of Judgment* and the First Introduction (Indianapolis: Hackett, 1987), James Creed Meredith’s translation of the *Critique of Judgment* (Oxford: Oxford University Press, 1928), James Haden’s translation of the First Introduction (Indianapolis: Bobbs-Merrill, 1965), and Norman Kemp Smith’s translation of the *Critique of Pure Reason* (London: Macmillan, 1929).
2. For statements of this dilemma, see for example Paul Guyer, *Kant and the Claims of Taste* (Cambridge, Mass.: Harvard University Press, 1979), 297, and Ralf Meerbote, “Reflection on Beauty,” in *Essays in Kant’s Aesthetics*, ed. Ted Cohen and Paul Guyer (Chicago: Chicago University Press, 1983), 81.
3. See, for example, Paul Guyer, *Kant and the Claims of Taste*, 87–91; Eva Schaper, “Aesthetic Appraisals,” in *Studies in Kant’s Aesthetics* (Edinburgh: Edinburgh University Press, 1979), 67; Dieter Henrich, *Aesthetic Judgment and the Moral Image of the World* (Stanford: Stanford University Press, 1992), 40.
4. For references and further discussion, see section II.
5. In the *Akademie* edition, Windelband, following Vorländer, amends the text of this passage to read “unity of this manifold” rather than “unity of this composition,” and this emendation is reflected in the translations of both Meredith and Pluhar. However, the reason for the emendation is not clear to me, especially in view of the fact that the phrase “unity of . . . composition” also occurs in the passage quoted above from §35. (In his own edition [Hamburg: Felix Meiner Verlag, 1924], Vorländer also amends the text of §35 so that “unity of this composition” is replaced by “unity of this comprehension”; presumably this is for the same reason as his emendation of §21. But in this instance the *Akademie* edition retains the original text.)
6. This account will be discussed in more detail in section II.
7. See, for example, §29, 266; §35, 287; §39, 292; §62, 365 and 366.
8. See, for example, §17, 232; §23, 244; §26, 251 and 253; §35, 287; §62, 365 and 366. Kant also refers to the exhibition of an intuition at A105 and the exhibition of an image at A141/B180: both of these references are obscured by Kemp Smith’s translation, which has “represent” for *darstellen*.
9. See also §23, 244, where Kant says that the liking for the object is “referred to concepts, although undetermined which,” and §26, 256, where he says that aesthetic judgment “refers imagination in its free play to *understanding*, in order that it harmonizes with *understanding’s concepts* in general (without those concepts being determined).”
10. See also VII, 190: “reflective judgment compares [imagination’s apprehension of forms] . . . with its faculty of referring intuitions to concepts.”
11. As Rudolf Makkreel points out, this expression “appears to be self-contradictory” (*Imagination and Interpretation in Kant* [Chicago: Chicago University Press, 1990] 55).
12. Guyer, *Kant and the Claims of Taste*, 85–86.
13. Paul Crowther, *The Kantian Sublime* (Oxford: Oxford University Press, 1989), 55–56.
14. Crowther, “The Significance of Kant’s Pure Aesthetic Judgment,” *British Journal of Aesthetics* 36 (2) (1996): 114.

15. A similar kind of view is suggested in David Bell, "The Art of Judgment," *Mind* 96 (1987): 237; see also Donald Crawford, *Kant's Aesthetic Theory* (Madison, Wisc.: University of Wisconsin Press, 1974), 88–89.
16. Guyer answers this objection by invoking a controversial interpretation of Kant's account of cognition in the first Critique (*Kant and the Claims of Taste*, 86–87). According to this interpretation, the categories are not required for the occurrence of synthesis, but simply for the verification of claims to knowledge that are made on the basis of synthesis. Thus in saying that all synthesis is subject to the categories, Kant does not mean to rule out a non-conceptual synthesis, but only to say that it must be subsumed under the categories if it is to yield claims to knowledge (as opposed to belief or feeling). But this proposal creates a new difficulty for Kant's aesthetic theory. For, as Guyer makes clear, it depends on construing the imagination's synthesis of the manifold naturalistically, as a purely psychological phenomenon, which in turn means that the free play cannot ground a genuinely normative demand for agreement. Our experience of the free play in the perception of a given object cannot justify us in claiming that all others *ought* to experience the object in the same way we do, but, at most, in predicting that they *will*. For more discussion of this issue, and of Guyer's view more generally, see my "On the Key to Kant's Critique of Taste," *Pacific Philosophical Quarterly* 72 (4) (1991).
- It should also be noted that the initial objection, like the dilemma that I go on to discuss in the text, is related to the central difficulty of understanding how imagination's activity can be both free and lawful.
17. This is in fact Guyer's response to the dilemma as it affects his own view; see *Kant and the Claims of Taste*, 319–24.
18. *The Kantian Sublime*, 56.
19. One might also object against this view that the imaginative play it invokes is neither necessary nor sufficient for feeling pleasure in the beautiful. Crowther's examples are all visual and involve the extended contemplation of an unchanging object; but I can also feel aesthetic pleasure in listening to music or watching the sun set, cases to which his model of sustained perceptual exploration does not seem applicable. Conversely, I can engage in the kind of perceptual exploration he describes without feeling pleasure in the object or finding it beautiful. Drawings which lend themselves to gestalt switches (like the duck-rabbit or the transparent cube) offer a simple example of the imaginative activity he invokes, insofar as they prompt the awareness of different possible configurations of the represented space. But they do not strike most of us as beautiful, and it is not likely that more complex versions, involving a wider range of perceptual possibilities, would be any different in that respect. Crowther's description does apply to a certain kind of aesthetic experience, one often associated with the experience of abstract visual art, but that experience cannot be straightforwardly identified with pleasure in the beautiful.
20. The idea that Kant takes concepts to be rules figures prominently in Robert Paul Wolff's valuable discussion of synthesis in *Kant's Theory of Mental Activity* (Gloucester, Mass.: Peter Smith, 1973); see especially 121–31. The connection between concepts and rules is also extensively explored by Richard Aquila; see especially *Representational Mind* (Bloomington: Indiana University Press, 1983), chap. 5, and *Matter in Mind* (Bloomington: Indiana University Press, 1989), chap. 3. See also Béatrice Longuenesse's illuminating discussion of concepts as rules in her *Kant et le pouvoir de juger* (Paris: Presses Universitaires de France, 1993), 44–48. Longuenesse distinguishes two senses in which a concept is a rule: a "sensible" sense in which it is a rule for the synthesis of intuition, and a "discursive" sense in which it serves as the major premise of a syllogism. I will be concerned throughout with concepts as rules in the first of Longuenesse's two senses.
21. P. F. Strawson, "Imagination and Perception," first published in 1971, reprinted in Ralph Walker, ed., *Kant on Pure Reason* (Oxford: Oxford University Press, 1982).
22. The normativity of rule-governed activities is emphasized by Wolff (*Kant's Theory of Mental Activity*, 122).
23. This is suggested, for example, in H. J. Paton's account of the apprehension of a house: "[The] principle at work in the synthesis is the empirical concept of 'house'. The successively given intuitions . . . are combined in accordance with a single plan; and this plan is what is thought generally in the concept of 'house' (*Kant's Metaphysics of Experience* [London: George Allen and Unwin, 1936], vol. 1: 272). See also Longuenesse: "the empirical concept [of body] guides our apprehension-reproduction of the phenomenal manifold" (*Kant et le pouvoir de juger*, 45).
24. But see George Schrader, "Kant's Theory of Concepts," first published 1958, reprinted in Robert Paul Wolff, ed., *Kant: A Collection of Critical Essays* (Garden City, N.Y.: Anchor Books, 1967), which argues that empirical concepts are "on a par with the categories in issuing from the understanding" (154), that "we are bound to regard them as a priori" (147), and that "the difference between empirical concepts and a priori concepts must be construed as one of degree rather than of kind" (152). For Schrader, we are driven to these conclusions by the kind of consideration outlined in the remainder of the paragraph.
25. See, for example, Schrader, "Kant's Theory of Concepts," 136–37. Against this, some writers suggest that general features of objects may be given in sensible intuition prior to the activity of imagination. For example, J. Michael Young says that imagination serves to identify features of objects which are already "present in sensible awareness" ("Kant's View of Imagination," *Kant-Studien* 79 [2], [1988]: 164). Kant himself sometimes suggests that empirical concepts are given in intuition or perception, for example at §36, 287–88, where he speaks of the perception of an object as "containing" the "empirical predicates" of the object. However, in line with the argument I go on to give in the text, I take it that "perception" here should be understood as a product of the activity of imagination, not as a sensible intuition given prior to that activity.
26. See Robert Pippin, for whom "the process [described in the quoted passage] seems more like our making much clearer to ourselves a concept we already have, than to be a genuine derivation" (*Kant's Theory of Form* [New Haven, Conn.: Yale University Press, 1982], 113). Pippin's discussion is especially valuable in raising the question of what entitles us to form "complex" concepts (e.g., "tree") out of "simpler" concepts (e.g., "having leaves," "having branches"); see *ibid.*, 108–16 and 146–47.
27. I take this to be the kind of model endorsed by Wolff, *Kant's Theory of Mental Activity*, 118, and Longuenesse, *Kant et le pouvoir de juger*, 48n. 1 and 138n. 2. (Longuenesse in turn ascribes this model to Hansgeorg Hoppe, *Synthesis bei Kant* [Berlin: De Gruyter, 1983], 185ff.) Wolff introduces this model in the context of a difficulty similar to the one I initially raised for the "guiding" model: "It would appear that empirical concepts are ingredients in the very mental activity (unification of consciousness) whereby they first become possible. They both precede and depend upon consciousness" (118). He goes on to suggest that Kant's answer to this difficulty is to argue that the pure concepts make consciousness possible, thus putting us in a position to acquire empirical concepts. As the argument I go on to give in the text is meant to suggest, this answer is inadequate, since empirical concepts are required not just for consciousness in general, but for the consciousness of objects as having particular empirical features: a consciousness for which the pure concepts are insufficient.
28. As noted by Longuenesse, *Kant et le pouvoir de juger*, 44.
29. Here I am in agreement with Guyer, who argues for the same conclusion in *Kant and the Claims of Taste*, 97. See also his "Reason and Reflective Judgment: Kant on the Significance of Systematicity," *Noûs* 24 (1) (1990): 18, and his contribution to the symposium "Kant's Conception of Empirical Law," *Proceedings of the Aristotelian Society*, suppl. vol. 64 (1990): 229. Note that I am not here ruling out the possibility of a synthesis according to categories alone, but only denying that such a synthesis could be exercised with respect to the *empirical* manifold, and hence that it could account for our grasp of empirical concepts. I leave open the possibility that the *pure* manifold of space and time can be synthesized in accordance with the categories alone.
30. Insofar as the hybrid model postulates two separate acts of synthesis—a "transcendental" act through which empirical concepts are formed and an "empirical" act in which

these concepts in turn guide our apprehension—it is subject to further (notorious) difficulties about the status of these acts and how they are connected. For discussion of some of these difficulties, see, for example, Wolff, *Kant's Theory of Mental Activity*, 164–74.

31. This kind of approach is suggested by Paton, for whom empirical concepts are not rules, but concepts of rules: “when we know the synthesized manifold by means of a concept, we are in some degree making explicit the rule which is manifested in the synthesis of imagination” (*Kant's Metaphysic of Experience*, vol. 1: 273). Aquila also distinguishes concepts from rules, but he does not take it that we can ever arrive at “conceptual awareness” of these rules. On his view, Kant takes each empirical concept to be associated with a system of rules which determines the content of that concept, but of which we are not aware except in a preconceptual sense (*Representational Mind*, 134–35).
32. See, for example, Wolff, *Kant's Theory of Mental Activity*, 76–77 and 131.
33. Aquila in effect acknowledges this difficulty as it affects his account (see n. 31 above): Kant offers no account, he says, of “the process whereby the rules determinative of conceptual content . . . are instituted in the first place” (*Representational Mind*, 134).
34. The tension here has been noted, for example, by Young, “Kant's View of Imagination,” 148, and by Henry Allison, *Kant's Transcendental Idealism* (New Haven, Conn.: Yale University Press, 1983), 163. See also Wolff, *Kant's Theory of Mental Activity*, 75–77. Young proposes to resolve the tension by endorsing the suggestion that synthesis should be ascribed to imagination and by rejecting the suggestion that it should be ascribed to understanding (“Kant's View of Imagination,” 148–49).
35. Allison cites two further passages, from B152 and B153 respectively, as similarly denying the distinction between understanding and imagination (*Kant's Transcendental Idealism*, 163).
36. I say “in principle” here because in practice we tend to take the speech of a socially and educationally privileged minority to be normative for everyone else. However, any usage can become sufficiently widespread and well-accepted that it too comes to be regarded as setting a normative standard for the use of the language as a whole. It is in this way that expressions that might at one time have been regarded, say, as slang or as foreign idioms or as grammatical mistakes have come to enter the mainstream of the English language.
37. If Chomsky is correct in hypothesizing a “universal grammar,” then this requires qualification. For on that hypothesis, there is a sense in which some of the rules of English—namely, those which English shares with all other languages—are determined independently of the linguistic usage of English speakers in particular. However, the vast majority of what we normally think of as the rules of English (for example, that the term “spoon” is correctly applied to spoons, or that the plural of “mouse” is “mice”) are peculiar to English and do not form part of universal grammar. In using the example of speaking English to illustrate the idea of an activity's being exemplary of rules, it is rules such as these which I have in mind, rather than the kinds of rules which might be of more interest to theoretical linguistics. I am grateful to Peter Hanks for prompting this clarification.
38. The claims made in this paragraph again require some qualification. As Peter Hanks has pointed out to me, the successful use of a language may well impose some constraints on the rules which govern it: for example, that they be recursive. Conversely, there may be rules of shoemaking which are not required for the success of the finished product: we could imagine mediaeval master cobblers teaching their apprentices that they should always start cutting the leather from the left, even though it made no difference to the resulting shoes. (I owe the example to Randall Amano.) However, it remains true that the rules for speaking a given language (say, English as opposed to French or Japanese) are to a large extent arbitrary, in a sense in which the rules for exercising a craft generally are not.
39. This point is discussed in my “Kant on Aesthetic and Biological Purposiveness,” in *Reclaiming the History of Ethics: Essays for John Rawls*, eds. Andrews Reath, Barbara Herman, and Christine M. Korsgaard (Cambridge, U.K.: Cambridge University Press, 1997), 340–47. The rules at issue here—that is, rules governing how an object ought to be—should be distinguished from the rules we discussed in section II—that is, rules governing how an object ought to be perceived. The former type of rule applies only to organisms and artifacts; as I go on to suggest in the text, there are no rules determining how a stone or a lump of wood ought to be. But the latter type of rule applies to objects quite generally: in the perception of any given stone (e.g., one which happens to be round and black), my imaginative synthesis is governed by rules determining how it ought to be perceived (e.g., as round and black), and these rules are the empirical concepts applying to the stone. The distinction can sometimes be obscured by the fact that, in non-defective organisms and artifacts, the two kinds of rules are parallel in content: a non-defective dog ought to have four legs, and it ought also to be perceived as having four legs.
40. The distinction drawn in the last two paragraphs is discussed more fully in my “Kant on Aesthetic and Biological Purposiveness,” 343–47.
41. It might be objected here that the principle I have invoked is in no way fundamental, but simply a consequence of the first Critique's principle of the unity of apperception. It is precisely because I can take my perceptual synthesis to be governed by the categories, on this objection, that I can take it to be as it ought to be, and hence to yield empirical concepts. The argument I gave in section II against the “hybrid” model is intended to forestall this kind of objection. The question of how empirical concepts are possible cannot be answered by appeal to the categories alone: indeed, if the argument I gave is correct, we need to give an independent account of how empirical concepts are possible in order to show how the categories can be applicable to the empirical manifold.
42. Although I cannot argue the point here, I believe that a version of this principle also figures in the introductions to the *Critique of Judgment*, as the principle of nature's purposiveness for our cognitive faculties. Very schematically: to say that nature is purposive for our cognitive faculties is to say that nature and our cognitive faculties stand in a relation of mutual appropriateness. But to say that imagination exemplifies how it ought to be with respect to the objects which are given to us is to say both that it is appropriate to those objects, and that those objects are appropriate to it. If we take imagination to be paradigmatic of our cognitive faculties generally, and the totality of given objects to constitute nature, then this amounts to saying that nature stands in a relation of mutual appropriateness to our cognitive faculties.
43. The idea that imagination is exemplary of rules has some affinity with views put forward by John McDowell in *Mind and World* (Cambridge, Mass.: Harvard University Press, 1994). Drawing on Kant's own conception of experience as involving the co-operation of receptivity and spontaneity, that is of sensibility and understanding, McDowell proposes the view that “even though experience is passive, it draws into operation capacities that genuinely belong to spontaneity” (13). On this view, “spontaneity permeates our perceptual dealings with the world, all the way out to the impressions of sensibility themselves” (69). In recommending this view, McDowell claims that we can “reconcile the fact that sentience belongs to nature with the thought that spontaneity might permeate . . . the workings of our sensibility” (70). To say that our sensibility places us in a causal relation to objects does not rule out that it belongs in the “space of reasons” (71n.) or that its operations are “shaped by concepts” (72): this means that, on the sense of “natural” urged by McDowell, sensibility can be both natural and “permeated by spontaneity” (69).
The view that I am ascribing to Kant can be seen as one way of fleshing out this last idea. On this view, we form perceptual images as a natural causal response to the objects which affect our senses. Imagination is thus “passive” or “receptive”: it may be thought of as continuous with sensibility, or even as a part of sensibility construed in a broad sense. But we are entitled to take our natural causal responses to objects as exemplifying how we ought to respond to those objects; and, in doing this, we endow imagination (and, more broadly, sensibility) with a normative dimension which qualifies it as “spontaneous.”

McDowell credits Kant with the insight that sensibility is structured by spontaneity, but reads him as unable to carry it through satisfactorily, in part because of an overly limited conception of nature. Part of Kant's failure, for McDowell, is that he cannot “find a place in nature for . . . [the] required real connection between concepts and intuition”

(98). On my reading of Kant's account of imagination, Kant is closer to McDowell's own view than McDowell supposes: imagination is the "place in nature" where concepts and intuition are connected. More generally, McDowell's objections to Kant's conception of nature might be addressed to some extent by appeal to the *Critique of Judgment*, which aims to show that nature is, in McDowell's terms, "partially enchanted" (85). This can be seen from the Critique of Teleological Judgment, which aims to show that we can regard plant and animal nature in terms of purposes, and from the Critique of Aesthetic Judgment, which aims to show that certain of our natural human responses to objects—responses we have *qua* embodied sentient beings—can be understood in normative terms. (I believe that Kant's discussion of nature's purposiveness for our cognitive faculties, in the introductions to the third Critique, also tends in a direction congenial to McDowell's view; but this point lies outside the scope of this paper.)

44. In the Antinomy of Taste, Kant seems to go back on this claim: a judgment of taste, he says, is based a concept which is "indeterminate" (§57, 340–41). In spite of the difficulties raised by his description of this concept as "that of the supersensible substrate of appearances" (341), I think that it is possible to account for this claim along the same lines that we can account for his claims that the free play involves the exhibition of a "concept . . . undetermined which" or of a "concept in general."
45. See, for example, VII, 189; §1, 204; §3, 206; Introduction to the *Metaphysics of Morals*, I (6:210–11). I discuss this point more fully in "Kant on the Subjectivity of Taste," forthcoming in *Kant's Aesthetics* ed. Herman Parret (Berlin: De Gruyter).
46. For more discussion of this point, see my "On the Key to Kant's Critique of Taste," 300–303.
47. For more on this point, see my "Kant on Aesthetic and Biological Purposiveness." There, and in previous papers (most fully in "On the Key to Kant's Critique of Taste"), I argued that an aesthetic judgment for Kant is a reflexive or self-referential judgment in which I take my act of judging to be universally valid—that is, to be as it ought to be—with respect to the object. My account in the present paper is different in that it brings in the notion of imagination: the judgment is one in which I take my imaginative activity to be universally valid—that is, to be as it ought to be—with respect to the object. (Sarah Gibbons rightly criticized my earlier account for not taking seriously enough the role of imagination. See *Kant's Theory of Imagination* [Oxford: Oxford University Press, 1994], 91n.) However, although I have not emphasized this point in the present discussion, the judgment is still self-referential. This is because the imaginative activity in question can be characterized only by saying that it is the imaginative activity taking place in my very act of judging the object: to put the point more strongly, the imaginative activity *is* the judging.

This last claim may seem odd, but should appear less so in the light of my initial discussion of imagination in section II. As Strawson's account suggests, perceptual images are informed by concepts: to form the perceptual image of a dog in response to a given object is to perceive that object as a dog, and hence to recognize or judge it to be a dog. In the cognitive case, then, the activity of imagination is not only a response to the object, but also a judging of it. (It is the possibility of just this kind of identification that McDowell aims to establish in *Mind and World*; see n. 43 above.) A parallel point holds in the present case, with the difference that my imaginative activity cannot be identified with the perception of the object as, say, a dog, but rather with the perception of the object as appropriate to ("purposive for") my present imaginative activity. This perception, as in the cognitive case, is at the same time a judgment: not, however, a conceptual judgment, but rather the judgment of its own universal validity with respect to the object.

The view I presented earlier has been criticized by Pippin for the lack of content it ascribed to the aesthetic judgment, and thus for its apparent implication that an aesthetic judgment can legitimately be made about any object whatsoever ("Kant on the Significance of Taste," *Journal of the History of Philosophy* 34 [1996]: 561n. 25). Similarly, Miles Rind has objected that an aesthetic judgment, on my reading, is analogous to a claim like "What I am saying about this object is true." By elaborating my

account to bring in the notion of imagination, I hope to have provided at least a partial response to this kind of criticism. On the account I am giving now, the act of judging which I judge to be universally valid—and with it, the judgment of universal validity itself—is at the same time an imaginative activity which the object elicits on my part. Thus, even though the act of judging lacks content, in that it does not bring the object under a specific concept, it still has reality insofar as it can be identified with a particular imaginative response that I have to the object. This means, to go back to one of Pippin's concerns, that whether I make a judgment of this kind about a given object is not just up to me, but depends on the imaginative activity which—as a matter of empirical fact—the object elicits. I cannot arbitrarily choose to engage in this kind of judgment with respect to a given object, any more than I can arbitrarily choose to perceive a given object as a dog. The difference is that, in the latter case, we can point to features of the object which make the judgment legitimate or illegitimate, whereas in the former case there is nothing to point to except my imaginative activity itself.

48. See also A 132/B 171.
49. As I suggested in n. 42 above, I believe that this condition can also be identified with the principle of nature's purposiveness for our cognitive faculties, which Kant explicitly identifies with the principle of judgment in general.
50. This paper owes a great deal to discussions with Randall Amano and to his insightful criticisms of earlier drafts. The paper, and my understanding of its topic, have also benefited greatly from David Hills' deep and extensive comments. I am grateful as well to Lydia Goehr for suggestions about section III, and to Daniel Warren for many hours of helpful discussion.