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What is the Object of Thinking Differently?

I will begin with two remarks. The first concerns the title of our meeting, “Penser autrement / Penser autre chose (To think differently/to think something different). The title reminded me of a line by Gerard Lebrun, an expert on German idealism, from his book *Kant et la fin de la Métaphysique*. In this book Lebrun wrote that Kant’s *Critique of the Power of Judgment* “teaches us to think differently.”¹ This “thinking differently” is contained in that which constitutes the central problematic of Kant’s third *Critique*, i.e., as the title already suggests, the power of judgment, more precisely, the reflecting power of judgment.

What I will address here, therefore, are the following questions: How can we say that Kant’s concept of the reflecting power of judgment teaches us to think differently? What kind of thinking is this different way of thinking? And, what kind of object corresponds to this different way of thinking that is required or contained in the reflecting power of judgment? But let me first move on to my second remark.

This remark concerns the place of our meeting, the Museum of Modern Art. This place belongs primarily to the field of art. Which is why I will connect an illustration of the effects of thinking differently, which can be produced by reflective judgment, with the field of art – more precisely with the visual arts. I have to say first that as a philosopher I do not work with art. But I have had the opportunity to become closely acquainted with some of the works of a Slovenian contemporary artist, Jože Barši. His work, which I highly appreciate, is interesting for me in part because it is situated on the border between art and architecture – and architecture is already closer to what I work on in my philosophical work.

Below I will therefore also reference the work of Jože Barši. With the help of his work I will attempt to show how thinking differently is connected with the

¹ Gérard Lebrun, *Kant et la fin de la Métaphysique*, Librairie Armand Collin, Paris 1970, p. 13.

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reflecting power of judgment. The artwork I will discuss is *Public Toilet*, which Barši made in 1999. This work, which is a functional sculpture, was included in the first public presentation of the international Arteast collection in Ljubljana; there the structure actually also served its purpose.

My starting point employs two principles that Barši himself uses to define contemporary art. I think that both principles connect, in the most direct way, art with the reflecting power of judgment; even more, they present art as an operation of the reflecting judgment. And with the help of *Public Toilet* it is then possible to show what or what kind of structure the object of reflecting judgment has. By the way, here I could also connect to what Petra Čeferin told us about the object of architecture as a creative practice, as this object has the same structure as Barši's art object.

The first of Barši's principles posits that art is without particularity, more precisely, without that particularity that demands expertise, knowledge. Contemporary art is not a thing of those in the know, it is not a thing of experts. *Anyone* can be a member of the community of lovers of contemporary artistic practices. How many people constitute this community is unimportant; what counts is that it is an example of a community "for all". It is an example of a community that only counts on viewers who think because they want to think and who observe because they want to see. With this, art is placed in the domain of public use: art is all around us, and artworks are dispersed in a variety of other, also everyday, practices.

The second principle more precisely determines, in an essential way, the first. This principle states that an artwork cannot be *anything* and *whatever*. Indeed, in its works contemporary art does not refer to the particular that is subsumed under expert knowledge. However, it still lays a wager on the particularity of an artwork, one due to which the work is presented in its irreducible uniqueness, in short, in its *singularity*. An artwork is something singular that is, regardless of the difficulty that may accompany its reception, in principle accessible "to all", and thus is directly also universal. It is a kind of singular universality.

Reading the two principles together, that is, the way they actually work in Barši's artistic practice, leads us – in the third step – to the following conclusion: Although contemporary art is *anybody's* domain, it is not the domain of relativism,

the domain of the noncommittal pluralism of arbitrary interpretations, views, and opinions. The reason for this is precisely because an artwork *cannot be anything or whatever*, even if art itself knows neither norms nor regulations. To repeat, an artwork is something irreducibly singular that, at the same time, attributes to itself universal validity.

But to be able to read Barši's two principles together we need something: the power of judgment. If we want to think an artwork, if we want to answer the question of what it is that is not a *derivation* of a given rule or regulation, of *given knowledge*, and is at the same time not merely *anything*, we need the power of judgment, the power of judgment such as is elaborated in Kant's *Critique of Judgment*.

Below, I will first focus on three elements crucial for Kant's understanding of the power of judgement in the third *Critique*:

1. the extension of the notion of the transcendental aesthetic defined in the first *Critique*;
2. the comprehension of the particular in its irreducible particularity, i.e. singularity; and
3. the concept of aesthetic reflective judgment (judgment of the beautiful and the sublime).

As to the first point, in the first *Critique* Kant defines the transcendental aesthetic as a science of all principles of *a priori* sensibility². In fact, in this critique *a priori* sensibility is considered only as a function and element of *cognition*. It is considered only as a sensibility of the objective *sense*, *Sinn*. The third *Critique* adds to the notion of *a priori* sensibility that is the representation of the object: firstly, that which is *only subjective*, i.e. sensible; secondly, that which does not belong to the order of the empirical, but rather to the order of *a priori*, and thirdly, that which has no *cognitive*, *objective* function, i.e. a function that is constitutive for the object.

93

Any relation of our representations can be objective, that is, a constitutive part of the cognition of the object as an appearance, even if the representation is

² Immanuel Kant, *Critique of the Power of Judgment*, ed. P. Gruyer, trans. P. Guyer and E. Matthews, Cambridge University Press, Cambridge 2000, B 35/A 21.

in itself only subjective, such as the representation of space, which merely expresses the subjective aspect of our representations. The only thing that in our representations cannot but be subjective and cannot become an element of cognition at all is the feeling of pleasure or displeasure: “by means of which nothing at all in the object is designated, but in which the subject feels itself that it is affected by the representation.”³ Under the name of the feeling of pleasure or displeasure, the representation is related entirely to the subject, indeed to its feeling of life.⁴

Concerning the second point, the notion of the sensibility of feelings, in the third *Critique*, is closely connected with the *Critique*’s second central problem. What is at stake here is the question of knowing how to make available to cognition that which by definition resists a cognitive determination, the particular in its irreducible particularity, namely its *singularity*. Kant provides a twofold response to this question – and I will allow myself a simplification here. To the view that cognition of the singular is not possible because singularity is, for the cognition of Understanding, something that is through and through contingent, lawless, unordered, Kant responds with an oppositional thesis, which is developed with the notions of the Beautiful and the Sublime. According to Kant’s first answer, singularity is recognised as such, precisely as something that is through and through contingent, lawless, unordered, and constitutive for cognition. The reflective power of judgment is a thought protocol that is based on the decision or declaration that there exists in objective reality constructed from the universal and the particular also that which does not exist in it, the singular, an example of the inexistent. It is a declaration and affirmation of the existence of the inexistent. But in the third *Critique*, based on this thesis, Kant also invents a new notion of the universal. This is the universal that constitutes itself as universal by including the moment of singularity, a moment that supplements the universal in its universality from the outside. This moment of singularity is what Kant calls *a case*, a case of the Idea.

As regards the third point, the main conceptual innovation of the third *Critique*, its central issue and a primary conceptual tool, is the concept of reflective power as an independent faculty of cognition, i.e. the concept of the *reflecting power*

³ *Op. cit.*, § 1.

⁴ *Ibid.*

of judgment. In this concept both of the aforementioned problems of the third *Critique* – the extension of the notion of the transcendental aesthetic and the determination of irreducible singularity – are directly connected. Kant considers it to be “a direct relationship” between the *faculty of cognition* and the *sensibility of the feeling of pleasure and displeasure*, this direct relational junction of the faculty of cognition and sensibility is conceived of as that “which is precisely puzzling in the principle of the power of judgment,”⁵ and which gives the reflecting power of judgment its stamp of uniqueness.

As we know, Kant distinguishes between two kinds of power of judgment. The power of judgment in general is the faculty for thinking of the particular as contained within the universal – the law, the principle, the rule. But – and this is where the distinction originates – the universal can be given, in which case the power of judgment is *determining*. When we come across an unknown phenomenon in nature, culture, or society and want to know what it is, we solve the task by finding a corresponding universal concept for this particular of the world by which we can determine it, and thus understand it. This is a kind of power of judgment made to the measure of the globalised world in which we live. For this world there only exists the particular, which can be put in the box of the universal, in which there are other, similar particulars. That which is singular does not exist for this world, strictly speaking.

Kant’s other kind of power of judgment is more interesting: the *reflecting* power of judgment. The reflecting power of judgment, which is the central problem of Kant’s third *Critique*, is at work when, as Kant says, only the particular is given. That is, when we see before us something about which we are not quite certain, as to what it is, and do not have a universal concept, law, rule, etc., to help us pigeonhole it, that is, understand it.

95

We do not have the universal, but – and this is Kant’s main point – not because we are unable to find it or do not know about it, even though it is given. We do not have the universal because there simply is no universal for what we see before us. The task of the reflective power of judgment is precisely to *invent*, in the very process of judging, a universal concept for something that does not fit in any cognitive box because it is singular. It must invent a universal rule for

⁵ *Op. cit.*, B 4.

that which defies any universal rule and exists as the absence of any rule, for that which is contingent per se, non-cognitive, in short, for the particular in its irreducible particularity, that is, its singularity.

Now I would like to emphasise two elements that are of key significance for the reflecting power of judgment. The first one concerns the specific cognition that is connected with the reflecting judgment; the second one concerns the specific object of cognition characteristic of the reflecting judgment.

I will begin with the first element, the orientation of the sensibility of feeling to cognition. The extension of the notion of the aesthetic is based on the fact that Kant no longer connects the sensible character of representation with the representation itself, but rather connects it with the “act of the *power of judgment*,”⁶ and namely with the act of the power of judgment that is considered only in its *subjective dimension*. The feeling of pleasure/displeasure is produced in the act of the reflecting judgment, which turns from the object to the representation of the object and to its subjective conditions of possibility. In this feeling we realise – in an aesthetic, i.e. sensible, way – that in the representation of an object given in experience, in its mere apprehension prior to any concept, there is that unity between imagination and understanding at work, the unity that is the elementary condition for any kind of effect of cognition.

Despite the fact that the aesthetic judgment does not concern the objective cognition of the object, the reflective judgment does not give up on every orientation towards cognition. Just the opposite, Kant attributes to the feeling of pleasure/displeasure the function of a kind of undetermined cognition, the cognition without (objective) cognition, which he calls “cognition in general”⁷ in the third *Critique*.

In short, and this is essential, the withdrawal of the feeling of pleasure/displeasure from the cognition of understanding is not an affirmation of the “logic of heart” against the “logic of understanding”. The reflective judgment is conditioned by the *general communicability* of the feeling of pleasure/displeasure that the judgment produces. And, according to Kant, only cognition can be commu-

⁶ *Op. cit.*, I. Intro., VIII, p. 351.

⁷ *Op. cit.*, § 8,9.

nicated generally. The feeling of pleasure/displeasure is “cognition in general”; because with this cognition we ascribe to everyone else that what we see and feel as beautiful or sublime, he/she too will necessarily judge in the same way.⁸ Let me now move to the second key element of the reflecting judgment. Where for Kant’s philosophy there is cognition, although only “cognition in general”, there namely is necessarily also the *referent* of this cognition. The referent of a reflecting judgment is what Kant calls “a case”, *der Fall*. A case is that which represents the irreducible particularity of each particular instance of such a judgment: that is, a singularity. Hence, it corresponds to this particularity itself in its irreducible singularity. The singular is that which, in a particularity, is more than that particularity itself – without being truly, empirically, or objectively, something more. On the one hand, the singular is inseparable from the particularity in which it is embodied. On the other hand, this singular only becomes a *case* due to its immediate connection to the generic universal, to the universal of the idea of reason. It is something that can be immediately universalised, something that could hold, as Kant would have put it, “for all times and all peoples.”⁹ The singularity of a case corresponds to that element of the particularity that only exists in the multiplicity of its possible trans-temporal and trans-historical consequences. Hence, it only exists in the form of a decision ceaselessly renewed. “This is a case of the generic Idea of Reason.” Thus, it could be said that the universal too exists only to the extent that it is possible to affirm the singular in the potentially infinite multiplicity of its universally valid consequences.

With this we have entered the domain of art practices. The power of judgment in its reflecting form is, to simplify a bit, everything we need when dealing with an artwork. With a work that is, as Barši says, without particularities – but not, for that reason, just anything. It is not anything because it is singular. In order not to be anything but to have the potential of being an artwork it has to be produced and accepted as something irreducibly singular. As such, an artwork is an example of the existence of the non-existent and pertains to the domain of the reflecting power of judgment. Because the latter is a thought protocol that is based on the decision or declaration that there exists in objective reality constructed from the universal and the particular also that which does not exist in it, the singular, an example of the non-existent. It is a declaration and affir-

⁸ *Op. cit.*, § 8, 9.

⁹ *Op. cit.*, § 17.

mation of the existence of the non-existent. A declaration and affirmation is a thought act that realises, in the given world, something that does not have an objective existence, something that therefore does not exist in it, but has to be realised and represented precisely as such, as the existence of the non-existent. I will return now to Barši's *Public Toilet*.

For me, *Public Toilet* belongs to a sequence of art operations of the de-realisation of reality and the de-sublimation of the sublime that are characteristic of contemporary art. In this sequence, Barši's project works in a specific way; with it, art, so to speak, directly invades the world of reality, and a consequence of this invasion is a radical de-realisation of reality. Indeed, what Barši creates by making a public toilet is the art object *Public Toilet*. But this *Public Toilet* is not a sublimation of an ordinary public toilet, or its elevation to the dignity of the Thing. Barši's *Public Toilet* only exists in a de-sublimated form; indeed, it is not a trivial public toilet, but neither is it anything other than a trivial public toilet. The fact that Barši built a trivial public toilet as part of his artistic activity says that this trivial object is built as *Public Toilet*, that the "thing" of art is created in it, that it has found its place in it. However, the trivial object public toilet is preserved as the trivial object public toilet, never becoming a bare shell of the sublime object *Public Toilet*.

Barši's art object *Public Toilet* is a body with a double minimal difference. It is the embodiment of the difference between, firstly, a public toilet and a public toilet, and secondly, between *Public Toilet* and *Public Toilet*. The difference between the trivial object and the Object is minimal, negligible, both constituting and marking the ordinary object as the sublime "thing itself". The de-sublimation of the sublime object *Public Toilet* is also the de-realisation of the trivial object public toilet: the trivial public toilet does not manage to be "itself", to be just a trivial object, and the sublime *Public Toilet* does not manage to be "itself", it does not manage to really shine forth as a sublime art object, but is reduced, in the same instant it appears as such, to the level of a trivial object. Barši's art object is something that exists precisely as being neither a public toilet nor *Public Toilet*. It is a materialisation of the double absence of this "neither the one nor the other"; in it, the existence of the non-existent has found its body.

A specific trait of Barši's operation in which the art object is created as an object of a special kind lies in the fact that this object remains a solid component of

our everyday reality. In *Public Toilet* the de-realisation of reality prevails over the play with the de-sublimation of the art object. The fact of it prevailing has very material effects: it opens our eyes so that we can see that our objective reality is objective only under the condition that we are capable of understanding and using it as a place where also something non-existent is present. We do not need much for this – and therein lies the answer to the question of what an art object has to do with the power of judgment – we only need our power of judgment. That form of rationality, that operation of the inseparability of thought and action that, supported by the point of singularity, invents in this world the universal rules for the absence of rules.

There are artworks that are dispersed in everyday and other practices, the works that with their *No* to art indicate that art is all around us – that is what Barši says. Art that is everywhere does not mean: art is everything. It means: art *works*, it *can work* as one of the thought operations that open up, in the middle of our everyday world, the possibility of seeing that this world is not everything, that this world is at the same time also something more and something other than what is shown to us, without being really something more and something else. Thereby it enables us to see that the world we live in is not the only world possible for us.

In conclusion, I will advance a claim that, while going beyond Kant's self-understanding, strictly speaking, nonetheless opens up the horizon of something that could be called the "second Copernican turn" of his philosophy. The crucial issue here is that the existence of the case of the reflecting power of judgment is *decided existence*, more precisely the existence that is decided by thought. The reflecting judgment is based on the decision that the only true or real thing in every thing is the thing decided by thought, in short, the *thing of thought*. This decision is connected with another decision, namely that we truly think only when we try to bring that thing which affects our thought and which only really affirms thinking as a generic human faculty, that is, as more than a mere survival tool, to the point when it appears in empirical reality. The decision of the reflecting judgment concerning the existence of the case of the feeling of pleasure or displeasure is more than the mere realisation that in the world of appearances there also exists something which is inexistent. It is a decision about the point that only the existence of the inexistent, conceived of as the existence

of some universally valid singularity, gives the empirical world the stamp of the *world for all*.

The view that the subject, as Kant points out, feels himself or herself in the feeling of pleasure or displeasure entails a re-orientation in the thinking of the one who thinks; a re-orientation from the object and objectivity as the *norm* and *aim* of cognition, to the singularity of the case, which is decided by thought, as the *cause* and *driving force* or *incentive* of thinking and action. What assures thought its orientation is not the idea of reason in itself, an idea in the heaven of ideas, nor the cognitive machinery of understanding, which knows no orientation of its own. It is instead the thing of thought, the existence of the case of the singular, which can only be decided through thinking, in the act of the reflecting power of judgment, and which is affirmed in the world as something universal. Cognition in general, which presents itself in the feeling of pleasure or displeasure, does not have the status of non-objective cognition because it withdraws itself from the constituted objective reality, but because it is a *re-constitution of this reality*. There where the power of judgment is at work the world is no longer only a realm of objectivity; rather, it becomes the scene of its re-constitution. Kant's formulation that the feeling of pleasure or displeasure is the *feeling of life* can in this regard be understood in the following way: the reflecting power of judgment is life that is endowed with an orientation. Put differently, it is the orientation towards that which is its *Triebfeder*, incentive or drive, towards the cause of thinking and action, more exactly, towards the thing of thought.

To return now to the question that I posited at the beginning of this presentation: How then does Kant's third *Critique* and its concept of the reflecting power of judgment teach us to "think differently"? We can draw at least two conclusions on the basis of the operation of the reflecting judgment. Firstly, the starting point and the foundation of a different thinking is an affirmation that in the given reality there also exists something that exceeds this reality or lacks therein. In the given reality there also exists something non-existent. And secondly, the affirmation of the existence of the non-existent in the given reality is at the same time also the operation of the de-constitution or de-realisation of this reality. Not the de-realisation of the given reality in the name of some higher, more sublime, merely utopian reality, but rather, the de-realisation of reality in the name of this same reality, which is, however, understood and lived as something that is also something other than what it is.