

The Artistic is Political

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In the opening paragraphs of *The Politics of Beauty*, Susan Meld Shell frames her project as a response to Rousseau's worry that "that progress in the arts and sciences [is] inimical to moral health and collective human happiness." (1) Rousseau is not alone in his wariness regarding the interplay between art and politics. Shell also notes Walter Benjamin's "juxtaposition of fascism, understood as the aestheticization of politics, and communism, understood as the politicization of aesthetics." (1-2) Against this background, Shell offers an interpretation of the first part of Kant's *Critique of the Power of Judgment* that characterizes Kant's account of fine art, in particular, as an inherently moral and political one.

Shell's aim is thus to argue that the *Critique of the Power of Judgment* is a political work that sits alongside Kant's more explicitly or obviously political texts. Of course, this is not an unheard-of claim, and Shell is careful to point to the differences between her argument for the moral and political nature of the third *Critique* and what is probably the most famous such account, namely Hannah Arendt's. Shell's foundational argument for the political nature of the third *Critique* rests on her interpretation of Kant's arguments regarding the nature and source of judgments of beauty. In particular, Shell advances an argument that judgments of free beauty and judgments of artistic beauty differ in their grounds: judgments of free beauty, she argues, are grounded in a constitutive notion of common sense, while judgments of artistic beauty are grounded in a regulative notion of common sense. It is this regulative notion of common sense – bound up with an ideal of humanity – that makes Kant's aesthetics, especially when it comes to fine art, both reliant upon a moral and political notion of the human being and something that can contribute to the moral development of the human being. My review will focus mainly on this claim.

The main argument advanced in the central chapters of the book is that Kant operates with two distinct notions of common sense when he argues for the communicability of aesthetic judgment. As noted, Shell argues that common sense is constitutive with regard to our judgments of free beauty, but regulative with regard to our judgments of artistic beauty. Thus, strictly speaking, no special skill is required for the experience of free beauty – even 'savages' and young children can enjoy free beauty, since the only precondition for this is a set of cognitive capacities that we all share. Appreciating the beauty of fine art, on the other hand, requires more than this. Kant has the rather intuitive view that a good degree of "social sophistication in both the artist and the judge" is required to create and appreciate the beauty of fine art. (6) This last claim, of course, is compatible with other interpretations of the difference between free beauty and artistic beauty, and Shell does not suggest that it alone is indicative of the interpretation she supports. Nevertheless, her interpretation certainly explains the observation.

To begin with the account of free beauty: Shell gives her interpretation *via* a discussion of Kant's four moments of taste. In terms of their quality, judgments of taste are subjective: they refer not to the object under consideration, but to feeling. In terms of their quantity, they are objects of universal satisfaction. In terms of their relation, they are purposive, but without an end or purpose. And with regard to their modality, they are necessary, but in a particular way, namely in that we demand or expect the "assent of all" (*KU* 5:237). Kant, of course, has his own arguments for each of these claims, which need not be rehearsed here. For the purposes of this review, it suffices to note that a crucial task for Kant will be to identify the ground of the possibility of judgments that take this form. When it comes to judgments of free beauty, Shell argues, we can identify that ground with a kind of common sense. As Shell points out (17) 'common sense' is not to be understood in terms of an Aristotelian external sense, nor in the way that Kant sometimes uses it, referring to a kind of common or shared understanding. Here, 'common sense' refers *either* to "the actual communicable 'effect' of the 'free play' of the forces of the mind" *or* "as a shared 'capacity' for such a 'feeling,' perhaps not yet developed." (18) This disjunction will prove to be central to Shell's account: judgments of free beauty will follow the first path;

whereas judgments of artistic beauty will follow the second. So, to draw a line under Shell's account of free beauty: these judgments are grounded in a shared capacity for our minds to be put into an enjoyable state of free play by objects of free beauty.

Though even a 'savage' or child can make a judgment of taste, at least when it comes to free beauty, Shell points out that there is still room for even these judgments to become more refined, since we become aware of the moments of taste only through conscious reflection and analysis. (8) And, of course, there is always the possibility that judgments of taste regarding free beauty can be distorted or crowded out by other judgments. A child might find it difficult to appreciate the free beauty of snow on tree branches if her feet are cold and wet. Naturally, the point extends to adults, too.

Importantly, identifying the ground of judgments of taste with regard to free beauty is not the same as providing a *deduction* of such judgments. In other words, we can locate the capacity or set of cognitive faculties that would explain the universal communicability of disinterested judgments of taste, but it is still a separate project to prove that we have these capacities, such that we can justify our making of these judgments of taste. Compare the moral case: Kant's reciprocity thesis locates the ground for the possibility of the categorical imperative in a free, autonomous will. (GMS 4:447) But it is a different – and notoriously difficult – project to prove that we have such a will.

Fortunately, Kant does not think that the deduction of judgments of taste is so philosophically fraught. Quite the contrary: it is "so easy because it is not necessary for it to justify any objective reality of a concept.... It asserts only that we are justified in presupposing universally in every human being the same subjective conditions of the power of judgment that we find in ourselves." (KU 5:290) In order to provide a deduction of judgments of taste, we do not need to prove the reality of a pure will (for example); rather, we need only point to the shared cognitive capacities and workings of human beings in general. However, a major part of Shell's argument is that this deduction of taste in §38 only serves as the deduction for judgments of taste when it comes to free beauty. (19) In other words, in order to justify our judgments of artistic beauty, Shell thinks, Kant must appeal to more than just these shared 'subjective conditions of the power of judgment.'

As a brief aside, even if Shell is correct about this last claim, I suspect that the deduction of taste in §38 extends also to adherent beauty, at least in most cases. After all, if we think of our empirical concept of an object as providing conditions on the way that, for example, a church or arsenal can be beautiful, then it seems as though Kant's deduction in §38 is sufficient since empirical concepts do not require any special deduction. The case is admittedly harder when a concept that is not wholly empirical is involved in our judgment of adherent beauty, as in the case of the human being. Indeed, Shell's discussion of the first part of the *Critique of Judgment* only treats adherent beauty very briefly (14-15). In one sense, this is understandable, given her larger interpretative aims. If we think of judgments of free beauty and judgments of artistic beauty as having two distinct origins, then Kant's discussion of adherent beauty is at best a sort of addendum to the discussion of free beauty, or a concession to the fact that many of our judgments of beauty are about objects for which we do have a concept. Nevertheless, Shell's downplaying of adherent beauty is, I think, noteworthy because Kant's discussion of adherent beauty provides a kind of template for an alternate account of artistic beauty. Such an account, I suspect, also accomplishes many of the same interpretative aims that Shell hopes to accomplish. I will return to this point momentarily.

In any case, we are now in a position to consider Shell's argument about the source of judgments of artistic beauty. As noted, her major claim is that these are grounded in a regulative notion of common sense. In other words, instead of locating the ground of judgments of artistic beauty in a set of shared cognitive capacities and activities, she locates it in a yet-to-be-accomplished ideal, characterized in an important passage as the concept of the "supersensible substrate of humanity." The passage occurs in Kant's resolution to the antinomy of taste: namely, that, on the one hand, it seems as though a judgment of taste *cannot* be based in concepts, since otherwise it would be possible to "dispute about it (decide by way of proofs)". But, on the other hand, it seems as though a judgment of taste *must* be based in concepts, since "otherwise it would not even be possible to argue about it." (KU 5:338–339) Kant explains:

All contradiction falls away if I say: the judgment of taste grounds itself in a concept (of a general ground of the subjective purposiveness of nature for the power of judgment), but through which with regard to the object nothing can be known or proven...; while though the same concept it acquires validity for everyone (to be sure as a singular judgment immediately derived from intuition), because its determining ground perhaps lies in a *concept of that which can be regarded as the supersensible substrate of humanity*. (KU 5:430, my emphasis)

Now, of course, it is a further question what Kant could possibly mean here by 'the supersensible substrate of humanity,' and, by extension, the concept of it. One option would be to say that the mention of a supersensible substrate points us in the direction of a pure, autonomous will. Shell, however, interprets the notion more politically and historically than metaphysically: on her view, it is a species-level concept "whose actualization is the never-to-be-fully-completed task of human history." (48)

Setting to one side how we should interpret the notion of the concept of a supersensible substrate of humanity, Shell's view is that this regulative ideal is, in effect, what the developing capacity for aesthetic feeling mentioned in the disjunction above aims at. What textual and philosophical evidence can we offer in favor of this interpretation? First, of course, there is the fact that judgments of artistic beauty involve concepts, while judgments of free beauty do not. If judgments of artistic beauty are grounded in a kind of shared ideal, then we would have a non-arbitrary and non-empirical way of accommodating their conceptual nature. Second, this approach would also help to make sense of a difficult Kantian puzzle: judgments of artistic beauty seem

obviously to be acquired (as anyone who has visited an art museum with a child knows); but they are, on Kant's view, also universal and necessary. Again, if judgments of artistic beauty are grounded in a regulative notion of the concept of humanity, then we can explain these facts by pointing out that understanding and appreciating this regulative ideal takes a good degree of maturation. Even adults must always sharpen their judgment in their aim to approach the ideal.

It is interesting to consider what a deduction for judgments of artistic beauty, understood in these terms, would have to look like. Though Shell interprets the supersensible substrate of humanity politically and historically, it must nevertheless be ultimately grounded in a pure, moral will. After all, it could not otherwise explain the universality and necessity of judgments of artistic beauty. If this is the case, then this would seem to imply that the deduction of judgments of artistic beauty is not so easy after all: it would, at least in part, be found in the notoriously difficult attempt to provide a deduction for the moral law.

In any case, we are now in a good position to connect Shell's interpretative arguments regarding the ground of free beauty and artistic beauty to her larger project of underscoring the political nature of the *Critique of the Power of Judgment*. The project goes beyond some of the more obvious connections between Kant's aesthetics and his ethics, e.g. his argument that beauty is a kind of symbol for morality, or, of course, his account of the dynamical sublime. For Shell, judgments of artistic beauty are bound up with morality at their very foundation: to be able to make a judgment of beauty is to have a capacity for morality, even if it is one that needs to be constantly sharpened. Though one should be careful not to exaggerate the point, Shell's interpretation casts judgments of artistic beauty as having this, at least, in common with the sublime. Given the aims and limitations of the project, Shell understandably does not discuss the sublime at length, but there does seem to be a clear sense in which her interpretation of artistic beauty presupposes a moral capacity from the very beginning, just as the experience of the sublime does, even if the experience of the two remains obviously distinct.

Shell gives us some good reasons to think that her interpretation is the right way to go, but there are, so to speak, more streamlined interpretations available, according to which one would not have to rely on two distinct notions of common sense in order to explain the obvious and important differences between our judgments of free beauty and beautiful art. One way to do this, as hinted above, would be to take a clue from Kant's discussion of adherent beauty. The account, very roughly, would proceed as follows: just as the concept of the object gives us some limiting conditions on the ways that it can be beautiful when it comes to adherent beauty, so, too, does some external concept give us conditions on artistic beauty. Note that this interpretation would also have the virtue of more directly accounting for the free play that Kant continues to identify in judgments of artistic beauty (*KU* 5:306): if artistic beauty is essentially an addendum to or constraint upon free beauty, then free play is there all along.

Of course, on this account, not just any sort of concept could serve as a kind of 'limiting condition' for artistic beauty: whatever concept we appeal to would still need to account for the universality and necessity of judgments of artistic beauty. An obvious candidate would be Kant's notion aesthetic ideas, understood as expressing moral ideas.¹ Shell acknowledges this suggestion in a footnote, but rejects it, arguing that these judgments cannot be "'adherent' in the sense of being conditional on the perfection of their object" since there "can be a beautiful representation of a dying horse or a ruined church." (26n) But that objection seems to misidentify the relation between artistic beauty and the limiting condition of a well-expressed aesthetic idea. The idea of mortality or finitude can be very well expressed through a dying horse, even if a dying horse is far from a perfect specimen of its kind. In any case, both views interpret Kant as saying that morality must enter the picture somewhere along the line in order for judgments of artistic beauty to be possible. The major difference is that Shell thinks that they part of the very ground of the possibility of judgments of artistic beauty, whereas the alternate view would be that they come along later, as essentially limiting conditions.

Let us grant that Shell's interpretation is correct. It is clear that, on her view, the proper development of morality will be a necessary condition of the exercise of judgments of artistic beauty. As a corollary, art can also be *misused* to take advantage of the common sense particular to judgments of artistic beauty. We can see this point spelled out in more detail in Shell's insightful discussion of rhetoric and poetry: rhetoric, as Kant understands it "presents itself under the deceptive guise of seriousness." (40) It thus, "strikes the power of judgment at its weakest point by blocking the crucial reflective stage by which the mind normally advances from provisional opinion to well-grounded conviction." (41) In sum, we can see how Kant might, in light of this interpretation, respond to Rousseau's concern: art need not be inimical to moral health, though there is a danger that it can be misappropriated to be so. Rather, moral health and progress supports and promotes our appreciation of artistic beauty, and *vice-versa*.

Bibliography

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¹ See Guyer 1997, 356–363. But see Matherne 2013, who argues that aesthetic ideas are not limited to moral ideas.