A Democratic Theory of Judgment

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We want to understand something that is already in plain view. For this is what we seem in some sense not to understand.  

LUDWIG WITTGENSTEIN
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Preface

The third volume of Hannah Arendt’s *The Life of the Mind* was never written. As Arendt’s editor, Mary McCarthy, observed, “After her death, a sheet of paper was found in her typewriter, blank except for the heading ‘Judging’ and two epigraphs. Some time between the Saturday of finishing ‘Willing’ [the second volume of the aforementioned work] and the Thursday of her death, she must have sat down to confront the final section.” Fond of quoting McCarthy, commentators have turned the missing volume on judging into an enigma of spectral proportions. What would Arendt have written had she lived long enough to finish her tripartite work? How would the volume on judging have fit with the rest of her oeuvre? What kinds of problems would that volume have addressed and perhaps solved?

Although we cannot know what Arendt would have written, we might reflect on the role that judging plays in her extant political theory and, more important for this book, what role it might play in contemporary democratic and feminist political theory. In her strikingly original view, the capacity to judge should be expected from each and every citizen. Although Arendt turned to Homeric impartiality, to Aristotelian *phronesis*, and to Kantian enlarged thinking, it is not Homer or Aristotle or for that matter Immanuel Kant to whom we can attribute her novel account of judgment. Rather, it is Hannah Arendt herself who first discovers judgment as a political capacity of ordinary democratic citizens, not elites with special knowledge or abilities. This discovery is at least equal to
her conception of action, which is normally taken to be the central feature of her political thought.

Notwithstanding the high aspirations suggested by its title, this book does not pretend to produce a definitive democratic theory of judgment, let alone a “how-to-judge” manual based on an imagined application of Arendt’s unwritten doctrine. My aim is to explore how Arendt might help us reframe the problem of judgment in contemporary democratic societies characterized by deep value pluralism. Wanting to affirm such pluralism as an achievement of such societies, yet understandably unwilling to declare all values to be of equal worth, an array of political thinkers has sought various means of adjudication based on a conception of validity (e.g., the “right” over the “good”) that is consistent with the principles of a liberal democracy. Over the course of time, I have come to see this otherwise reasonable concern with adjudication—indeed, the whole question of validity itself—as a kind of theoretical obsession that might well lead us to misunderstand what is at stake in judging politically.

What don’t we see when validity (or what I call an “adjudication imperative”) serves as the undisputed if often invisible frame of reference for a democratic theory and practice of judgment? The more I thought about this question, the more convinced I became that the answer was most likely right there in front of me, almost too ordinary to count as serious. One clue came in the form of Arendt’s own stunning indifference to judging, understood as the problem of adjudicating incommensurable value differences in the absence of a transcendent conception of the good. Arendt seemed almost blissfully unaware of the eternal war of the “gods” of ultimate values that had captured the imagination of Max Weber long before her and that has continued to define the problem of judgment for neo-Kantians such as Jürgen Habermas and John Rawls long after. For many critics, Arendt has no credible way of addressing the value relativism to which her own account of a kind of unfettered human plurality seems to lead. Was she blind?

And yet we know that whatever Arendt was, surely she was not blind to the corrosive character of the radical subjectivism and world-alienation that has come to define modern mass society. This destruction of what she called “the common world” and not the deadly conflict of plural worldviews, I began to see, was the real problem that concerned her. It was what led Arendt to seek an account of judging that was less adjudicative and more creative and reflective, the kind of judging without the mediation of a concept that she found in the aesthetic theory of Kant. As controversial and idiosyncratic as her turn to
Kant may be, it perfectly captures Arendt’s sense that judging must involve more than deciding questions of validity; it must be a democratic world-building practice that creates and sustains human freedom and the common space in which shared objects of judgment can appear in the first place.

This book extends my earlier arguments about the importance of political freedom to Arendt’s account of judging, but it departs from certain aspects of my critique of critics who had accused her of failing to answer to the all-important problem of validity. That defense made it sound as if Arendt were right to dismiss the question of truth and objectivity as irrelevant to politics. And though I still think it is freedom, not validity, that stands at the heart of Arendt’s account, I have come to see that judging cannot wholly evade the question of what counts as real or objective, perhaps as true, even if that question cannot be answered adequately in the manner of the validity thinkers.

Political judgments are evaluative judgments, the kind of judgments we make when calling something “good” or “bad,” “just” or “unjust,” “beautiful” or “ugly.” If we affirm with Arendt that they register more than merely subjective preferences, what kind of rationality and objectivity can evaluative judgments possibly have? And what would it mean to speak of better or worse evaluative judgments and ways of judging in democratic societies characterized by widespread value pluralism? These questions express concerns about the potential for interminable disagreement in such judgments that seem to present a genuine problem of value conflict and a democratic puzzle of fair adjudication.

David Hume, whose aesthetic theory I examine in chapter 2 of the present work, found scandalous those who “would assert an equality of genius and elegance between Ogilby and Milton, or Bunyan and Addison.” Although Hume generally holds fast to the fact/value dichotomy for which “all sentiment is right,” when faced with such “absurd and ridiculous comparisons,” he quickly declares that the “the principle of the natural equality of tastes is then totally forgot.” We are justly compelled to rank such value judgments—but how? What rational grounds can we have for defending a judgment that amounts in Hume’s view to little more than the projection of a feeling onto an object utterly devoid of value? How can we possibly justify the universality of a subjective preference, make a legitimate claim to the agreement of all?

As Kant would later see, “Of the Standard of Taste” could not solve the problem it so astutely diagnosed; the projectivist metaphysic to which Hume subscribed foreclosed all talk about the validity of a judgment based on feeling. And yet Kant’s famous account of the “subjec-
tive universality” or validity that characterizes aesthetic judgments in the third Critique would prove no less controversial than Hume’s earlier view. Though it has served as the basis for my own previous defense of Arendt, Kantian judgments of taste too leave us wondering how the affective response of a judging subject can claim to speak to how things actually stand in the world. Being irreducibly affective and yet no mere avowal, such judgments seem stranded somewhere between the register of the objective and the merely subjective, virtually doomed to make a claim they can never properly defend—that is, defend without recourse to Kant’s transcendental approach.

Notwithstanding these shortcomings, this in-between space (neither objective nor subjective, as philosophy has traditionally defined those terms) is where I shall continue to place the democratic world-building practice of judging politically as Arendt inspires me to describe it. How, then, might we defend the idea that to judge politically is to say how things stand not only with judging subjects (their affective response) but also with judged objects: how things actually stand in the world? To say, “This war is wrong,” is not to claim it is wrong to me but that others too ought to find it wrong—because it is wrong. On what basis can we defend that further claim to how something is if we neither subscribe to a philosophical idea of objectivity, devoid of anything subjective, nor restrict ourselves to the limited Kantian idea of subjective universality? How can we defend it while also upholding the raison d’être of Arendt’s approach to judgment—namely, human freedom and plurality?

Reflecting on these questions, I have become increasingly concerned about the reluctance of many democratic theorists to advance or to encourage citizens to advance publicly substantive (value-laden) views of the good without the significant constraints of adjudicative mechanisms such as public reason. And though I share the concern that such views have in the past been used—and indeed still are used—to enlist the power of the state to enforce normative ideals that do real damage to the many marginalized individuals and groups in modern democratic societies, I am not convinced that the alternative perspectives of the marginalized are better served by gestures of neutrality when it comes to matters of common concern. There is no singular idea of the good which all citizens ought to affirm, nor should there be. But there should be more public debate about what our competing visions are and what our shared visions might be. The tendency to seek ever more neutral grounds for public justification and judgment evades even as it claims to respect and safeguard plurality. It is as if plurality were not
the source of judging politically, as it clearly was for Arendt, but rather that which judging must manage, contain, or transcend.

A democratic theory of judgment must be more than a theory of normative justification or the adjudication of different perspectives. It must be a world-building practice of freedom rooted in the plurality of perspectives that alone facilitates our capacity to count as real, as part of the common world, what is real. In this spirit I present the following reflections.
ONE

Democracy and the Problem of Judgment

The loss of standards, which does indeed define the modern world in its facticity and cannot be reversed by any sort of return to the good old days or by some arbitrary promulgation of new standards and values, is . . . a catastrophe in the moral world only if one assumes that people are actually incapable of judging things per se, that their faculty of judgment is inadequate for making original judgments, and that the most we can demand of it is the correct application of familiar rules derived from already established standards.

HANNAH ARENDT

What would it mean to foreground the capacity to judge critically and reflectively as a central feature of modern democratic citizenship? This question, raised poignantly albeit not systematically in the work of Hannah Arendt, is of crucial importance for political theory today. In light of the widespread value pluralism of multicultural democracies, we, democratic citizens, find ourselves increasingly called upon to make judgments about practices not always our own, judgments that require what Arendt called the capacity for “representative thinking”—that is, an ability and willingness to imagine how the world looks to people whose standpoints one does not necessarily share. To engage in such thinking, she argued, is to resist the temptation, on the one hand, to employ our own concepts as rules with which to subsume the particulars calling for judgment and, on the other hand, to assume that in the absence of rules, we cannot judge at all. The break in tradition and the unprecedented experience of totalitarianism
led to the modern problem of judgment, Arendt held, but the irrevoca-
ble loss of standards also opened up a space for the democratic world-
building potential of judging anew.

However we may share Arendt’s optimism, her valorization of opin-
ion as the sole coinage of politics and refusal to regard political judg-
ments as making cognitive validity claims that can be adjudicated
according to shared truth criteria, critics charge, leaves her unable to
answer what is arguably the most pressing question for a contempo-
rary democratic theory of judgment; namely, how can we decide which
judgment is correct? In multicultural democracies the problem of how
to adjudicate among competing points of view seems paramount. “A
modern democratic society is characterized not simply by a pluralism
of comprehensive religious, philosophical, and moral doctrines but by
a pluralism of incompatible yet reasonable comprehensive doctrines,”
writes John Rawls. Given equally reasonable yet incompatible world-
views, whose criteria shall decide? That would appear to be the real
problem of judgment in a democracy.

In the most widely read and cited texts in contemporary demo-
cratic theory—namely, those of neo-Kantians such as Rawls and Jür-
gen Habermas—judgment is defined almost wholly as a problem of
adjudicating value conflicts in the absence of universal criteria and a
transcendent or authoritative conception of the good. More precisely,
it is a problem of finding the proper criteria according to which such
conflicts could be fairly and rationally adjudicated given widespread
value pluralism. It is not that these theorists mourn the loss of a com-
mon standard according to which such conflicts could be rationally
settled, nor do they lament the empirical fact of value pluralism it-
self; on the contrary, they celebrate both as the achievement of liberal
democratic societies. Nevertheless, this celebratory spirit is also deeply
cautious and tempered by a persistent worry about widespread value
differences run amok, as it were, with parochial perspectives and af-
fected unchecked by reason and no way of deciding in favor of liberal
democratic values, save by means of a groundless will. To forestall ir-
reconcilable political conflict and decisionism, neo-Kantians advance
(various versions of) “public reason,” with which they seek ever more
neutral grounds “to separate by argumentation generalizable interests
from those that are and remain particular,” as Habermas puts it.

The ability of conceptual, discursive rationality to settle stark differ-
ences of opinion on public issues tends to presuppose the very shared
sensibility that neo-Kantians minimize as having any real relevance
to political life. As I argue in chapter 5, it is not difficult to see how I
might reach agreement with someone who already shares my sense of what Rawls calls “reasonableness,” itself rooted in basic values, cultural background, or worldview. In that case, the proper application of concepts to the particulars of political life may well strike me as having “the unforced force of the better argument,” to speak with Habermas. But are those the conflicts that really concern us today?

In the view of critics, the idea of public reason expresses the residual rationalism of the deliberative model. To purge such rationalism and the quest for public reason as the new standard of judgment, political theorists such as William Connolly, Leslie Paul Thiele, and John Protevi would have us focus not on political judgment but on political affect. Rather than view political judgment as a conscious language game of giving and asking for reasons, they see it as the modulated expression of the already primed, preconscious dispositions that are formed through the complex interaction of the social and the somatic. Rooted in various theories of body/brain processes (e.g., cognitive neuroscience, the complexity theory of Gilles Deleuze, the somatic theory of Antonio Damasio, the basic emotions theory of Silvan Tomkins and Paul Ekman, or some combination of these), these accounts of political affect distance themselves not only from the strict cognitivism of the neo-Kantians but also from the more familiar accounts of feeling, emotion, or sentiment that play a role in many feminist strands of affect theory, in theories of political judgment from Aristotle through John Stuart Mill, and in more recent feminist critiques of the deliberative models. Such accounts, it is argued, remain too tightly bound to the idea of a political subject as a rational cognitive subject. In new theories of political affect, affect is seen as a distinct layer of experience that is both prior to and beneath language and intentional consciousness, an irreducibly bodily and autonomic force that shapes, without the subject’s awareness, conscious judgment. As Connolly puts it, “Affect is a wild card in the layered game of thinking [acting and judging].”

Whereas deliberative approaches to intercultural value conflicts and the problem of judgment assume that disputes can be resolved by discursive argumentation once the ground rules for engaging in public debate are clear, many political affect thinkers regard public reason as a rationalist exercise in wishful thinking. The problem of judgment cannot be the presumably neutral adjudication of equally reasonable yet incommensurable worldviews, for these are little more than post hoc rationalizations of affective response. Rather, the problem of judgment is how to redirect affects through tactical work on dispositions installed below consciousness with the aim of promoting new modes
of affective responsiveness. For now, they argue, it is best to be deeply wary of any claims about our capacity for rational judgment if not to suspend judgment altogether.

What interests me in these two broadly construed contemporary ways of posing the democratic problem of judgment is less their easily discerned differences than how much they less obviously share. Theorists of political affect share with deliberative democrats a deep suspicion of our ordinary modes of judging and the pervasive sense that these are based on affective and parochial attachments that impair our ability to get the world in view. Whether figured in terms of the “lifeworld” (Habermas), a “comprehensive doctrine” (Rawls), or the subrational workings of affect, both approaches tend to see our ordinary modes of judging as intrinsically partial and distorting, especially when it comes to public matters of common concern. And though each puts forward a mechanism that would supposedly mitigate if not correct for that distortion, what remains is the basic sense that our ordinary criteria of judgment are not good enough and are in need of some sort of correcting supplement. Insofar as this supplement in multicultural democracies cannot take any substantive form of the good, it tends to be construed in increasingly neutral or minimal terms, be it public reason based on an empty rule of argumentation (Habermas) or an overlapping consensus about justice as fairness (Rawls), or the replacement of such reason with a vague conception of democratic ethos (political affect theory).

The distrust of ordinary modes of judging is rooted in a more general distrust of the intrinsic partiality and affective character of the perspectives with which each of us views the world. There is no doubt that our individual perspectives can and often do distort our view of any particular object or that our attachments, worldviews, and values can play a large role in such distortion, giving rise to false beliefs and ideological blind spots that deeply restrict our capacity to judge critically and reflectively—that is, without reliance on fixed rules that neglect the particulars of any given case. The issue, however, is not whether our perspectives sometimes or even many times distort our judgment but whether qua human perspectives they always distort, rooted as they are in our subjective and affective modes of apprehending the world.

The view of perspective as irremediably distorting, as James Conant argues, radically departs from the original historical understanding of perspective (in Renaissance painting), which lives on—albeit it in an often unacknowledged way—in our everyday understanding. On this ordinary view, objects can appear different depending on the condi-
tions and the perspective in which they are viewed (e.g., the same coin can seem elliptical when viewed from the side or round when viewed straight on). Whatever distortions arise from viewing the object from one perspective can be corrected by viewing the same object from other perspectives. Judging rightly would involve correcting for distortions in this way. Furthermore, the irreducibly subjective (human) dimension to perspective, though it surely can distort, is also crucial to our sense of an object’s shared reality and so to objectivity. “The concept of perspective,” observes Conant, “from its very beginning, involves an internal relation between objective and subjective moments in a perceptual encounter between a perceiving subject and the object(s) of his [or her] perception.”

For a democratic theory of judgment, the problem with thinking about perspective as irremediably distorting is that it can never quite shake the nagging sense that a plurality of perspectives and “affective interpretations”—the term is Friedrich Nietzsche’s—though clearly crucial to democracy, is also the greatest threat to democracy. What could the addition of more perspectives be other than more opportunities to distort? Suspicion toward our ordinary idea of perspective can lead us to think of its corrigibility in terms of something extraperspectival rather than the plurality of citizen perspectives themselves. Both the search to find ever more neutral rational grounds for democratic justification and the denial that any rational justification of a judgment can be achieved are symptomatic of a view of perspective and affective interpretations as intrinsically distorting and not corrigible by other perspectives. As I shall argue subsequently and develop in the following chapters, this suspicion is part of a larger problem of thinking about perspective as that which is “merely” subjective in our claims to what is objective or, put somewhat differently, thinking about our subjective endowments as limiting our access to how things stand in the world, as if we were confined in our current modes of subjectivity—absent, that is, a saving supplement.

The suspicion with which democratic theorists tend to view the particular affects and values that each of us brings to our encounters with the world takes the shape of an ongoing oscillation between celebrating the impossibility of ever affirming the objectivity of our judgments and recoiling into the ideal of objectivity that democratic citizens really can do without, one based on an ideal of reason that requires the elimination of “any admixture of subjectivity” that can only be hostile to plurality. This oscillation leads to the curiously shared view of deliberative democrats and some affect theorists that the capacity to
judge itself—insofar as it operates within “the space of reasons” (that is, the rational and normative structure that governs the use of concepts)—must involve the wholly conscious and rule-governed practice of subsuming particulars under concepts.\(^{14}\) The problem of judgment, as defined and debated by both sides, remains in the grip of the intellectualist conception of knowledge, according to which judgments, to be rational, require that the judging subject disengage its affective propensities and exercise a fully cognitive grasp of concepts as if “operating a calculus according to definite rules,” to cite Ludwig Wittgenstein.\(^ {15}\) Failing that, judgments are little more than the effects of already primed dispositions that lie beyond the reach of consciousness and meaning.

Worries concerning the place of our subjective endowments in anything we judge to be objective are visible in the opposition between reason and affect not only as this opposition maps onto the self-identified differences between deliberative democrats and political affect theorists but, more broadly, in debates about cognitive versus noncognitive modes of judging—that is, judgments (or states) with a truth-evaluable content and judgments (or states) without a truth-evaluable content. The political stakes of this opposition animate the now extensive critical literature on Hannah Arendt’s turn to the aesthetic judgments of Kant’s third Critique.

**Arendt’s Kantian Alternative**

The chapters that follow take up Arendt’s creative appropriation of Kant’s *Critique of Judgment* in an attempt to rethink the problem of judgment in late modernity beyond the frame of the intellectualist conception, be it the cognitivism of many neo-Kantian deliberative approaches to judgment or the noncognitivism of many forms of political affect theory, and to resituate the problem within the register of the ordinary.\(^ {16}\) It may seem strange to present Arendt’s reading of Kant as an alternative to noncognitivism, since it is precisely noncognitivism of which her reliance on the third Critique stands accused in neo-Kantian (and neo-Aristotelian) receptions of her work. This debate turns on Arendt’s insistence that politics involves the exchange of opinions that seek to persuade others, not truths that compel their agreement. Like aesthetic judgments on Kant’s account, political judgments cannot be treated as truth claims, for they are not based on concepts or the giving of proofs. Arendt’s turn to the third *Critique*, argues Habermas,
is symptomatic of her refusal to provide a “cognitive foundation” for politics and public debate (“ACCP,” 225). As Ronald Beiner, editor of Arendt’s Kant lectures, explains, “It is not clear how we could make sense of opinions that did not involve any cognitive claims (and therefore, by implication, truth-claims that are potentially corrigible) or why we should be expected to take seriously opinions that assert no claims to truth (or do not at least claim more truth than is claimed by available alternative opinions). It would seem that all human judgments, including aesthetic (and certainly political) judgments, incorporate a necessary cognitive dimension.”17

In Beiner’s influential extension of Habermas’s critique, noncognitivism is just where the problems begin. Not only does Arendt reject cognition as relevant to political judgment, she also seems to reject the idea that there is a “distinct faculty that we might identify, characteristically, as political judgment; there is only the ordinary capacity of judgment, now addressing itself to political events (or as Arendt would say, political appearances).”18 This shift from the specific faculty of political judgment to a “unitary and indivisible” (ordinary) faculty of judgment as such, argues Beiner, reveals the gap between Arendt’s earlier account, where judgment was linked to “‘representative thinking’ and opinion . . . [and] exercised by actors in political deliberation and action,” and what emerges as her “definitive formulation,” in which judging withdraws from the vita activa into the vita contemplativa, the life of the mind.19

The claim that Arendt’s later work on judgment represents a withdrawal from politics, then, is rooted in more than the charge of noncognitivism.20 It is also rooted in the accusing observation that she is no longer interested in political judgment as a distinct species of judgment at all, but only in the ordinary faculty of judging as such. This observation turns on the idea that political judgment is political because it takes as its object political things. What could count as a political thing in Arendt’s work is notoriously hard to pin down. Let’s take as an ordinary example the election of political representatives. So a judgment about, say, who should be the next mayor of Chicago would be a political judgment because the office of mayor is a political matter.

But there is another way of thinking about what makes a judgment political, and that is when we say that “political” characterizes the means or process by which the judgment proceeds. (To see the contrast here, consider the phrase “diplomatic policy”: “it can describe policies about diplomatic matters,” writes Joseph Tinguely, that “need not themselves be arrived at by any diplomatic procedures”; or “it can
be understood to mean a policy which is arrived at diplomatically.”[21]
Thus the notion of “political judgment” can be understood in two quite distinct senses. In the first case, “political” is that about which a judgment is made—that is, about an external and prior or given object that is independent of the judgment itself (e.g., the office of mayor); in the second case, the “political” arises as something internal to the process of judging itself. Just as we can think of the first case in terms of an existing political object (e.g., the office of mayor), we might think of the second case as one in which something that was not already considered political (e.g., housework, sexuality, and reproduction, as feminists claim) can come to be seen and judged as such. The key interpretive question in reading Arendt and, more generally, in developing a democratic theory of judgment is whether the term political refers to a particular mode (form) of judgment or only to a particular kind of object (referent) judgments can have. I shall argue that it is the former, and I will be basing my case on a parallel argument in chapter 2 about how to understand Kantian aesthetic judgments.

Even to ask what Arendt means by “political judgment” is deceptive: Arendt rarely uses the term political judgment,[22] preferring rather to speak of “the capacity to judge [as] a specifically political ability.”[23] For her, judging is an activity, and judgment is not political because it is about political things that are prior, independent, and external to it; it is political because it is a judgment that is arrived at politically—that is to say, with Arendt’s Kant, by “[think[ing] in the place of everybody else.”[24] This form of thinking from the perspectives of other people, which Kant calls an “enlarged way of thinking” (eine erweiterte Denkungsart) and Arendt redescribes as “representative thinking,”[25] is a crucial part of judging in the absence of known rules in her view.[26] As I shall explain in this chapter, such thinking takes for granted that perspectives are corrigible not by something that is extraperspectival or neutral but by other perspectives themselves. The objects one considers from these perspectives are not external objects in the way that, say, the office of mayor is. They emerge into view as “objects” in need of our judgment, the judgment of citizens, only as part of the process of judging and of a broader process of orienting oneself in what Arendt calls “the common world.” Arendt elaborates, “The capacity to judge is a specifically political ability in exactly the sense denoted by Kant, namely, the ability to see things not only from one’s own point of view but in the perspective of all those who happen to be present.”[27] Arendt’s formulations waver somewhat on the scope of the people whose perspectives need to be taken into account. But she never wa-
vers on speaking about judgment as political because of the means or process by which it proceeds, not because it judges political objects that are prior and external to it.

If one thinks, with Arendt’s critics, that the proper meaning of political judgment is judgment of objects that are prior and external to the operation of judging itself, then it must indeed seem puzzling to exclude the cognitive dimension of judgment. What else would the faculty of judgment be judging if not the status of these objects? But if one thinks about what is political in judgment as a mode (form) of judging rather than as a particular kind of object (referent) judgment can have, as Arendt does, then cognition is only one way in which judgment might proceed. Arendt’s point was never to exclude cognition from judgments about the common world; it was to question the reduction of judging politically to the adjudication of validity claims. On this view, the objects of judgment are already given to us, and judging itself is a cognitive practice of subsuming an object under a concept. As we have seen, this is the position advanced by neo-Kantians such as Habermas and Rawls, for whom the whole problem of judgment in multicultural democracies is how to decide among competing claims about existing objects of judgment in the absence of universally shared standards. For Arendt, by contrast, the problem is rather how it is that citizens get certain objects into view as objects of judgment at all. That is the problem of what she calls “the common world,” as we shall see. Rather than embrace a politically naive noncognitivism, as her critics claim, Arendt’s turn to the third Critique advances a form of interpretive understanding focused on the creation and maintenance of the common world and how it is that new “objects” of judgment—or, more precisely, matters of common concern—can come into view for us.  

We can now better grasp why Arendt’s turn to Kantian aesthetics to talk about her ostensible topic of political judgment would strike critics as deeply puzzling, for they have a different understanding of the judging faculty. This difference concerns more than the mode versus referent models of judging just described. The critique of Arendt’s noncognitivism also turns on her critics’ fairly strict division between aesthetic and empirical judging, between the reflective judgments of taste, discussed in the third Critique, and the determinative judgments of objects discussed in the first, the Critique of Pure Reason. But this strict division does not hold in Arendt’s interpretation of Kant any more than it holds in Kant’s own work. As I argue in chapter 2, the point is not to exclude the relevance of cognition to politics; it is to emphasize the reflective and affective character of all judging, aesthetic and empirical.
I have suggested that judging is political, not because it is about political objects that are prior and external to it, but because it proceeds by taking into account the perspectives of others and does not rely on an algorithmic decision procedure or the mechanical subsumption of particulars under known rules. It is, however, not only a matter of discovering new “objects” for judgment but also one of judging politically those that are already in our view. It is possible to imagine cases in which objects already counted as political are nonetheless not judged in the political manner or mode so described. In these cases, judgments are treated as validity claims subject to a decision procedure based on the giving of proofs. Whether discovering new objects or judging politically objects already within view, what we count as “political” in the sense described here arises within the process of democratic judging itself. Understood in this way, judging is constitutive of the space in which the common objects of democratic judgment can appear, including those that are already known to us as political (e.g., the office of mayor) and those that have yet to be constituted or acknowledged as such.

Rather than think of the problem of judgment as the quest for the proper criteria to adjudicate value conflicts in the absence of a universal idea of the good, we need to focus our attention on what I shall call the prior question of what it means to have a world in common, a world in which so-called value differences present themselves, and are taken up, not as mere preferences but as politically relevant “objects” for judgment, matters of common concern. The problem of preferences is the problem of what Habermas calls the otherwise “impenetrable pluralism of apparently ultimate value orientations” that the deliberative approach would bring into a public language game of giving and asking for reasons. That is another way of saying—quite rightly, in my view—that so-called value judgments, if they are to have any democratic political resonance at all, cannot be mere preferences but must make a legitimate claim on the agreement of others.

Judging Values

To raise the question of values is to go to the heart of the matter between Arendt and her critics and, accordingly, to any attempt to develop a democratic theory of judgment based on the intimations of her view. How can a judgment that is not subject to validation on the basis of proofs possibly make a claim to the agreement of all? However
much she criticized liberalism, Arendt’s notion of opinion, rather than truth, as the sole coinage of political debate seems to invite the subjectivizing language of value qua preferences; namely, the language of value pluralism that characterizes liberalism. This “intrinsically subjectivizing vocabulary,” writes Beiner, “suggests . . . that value originates not in what is admirable or worthy of being cherished in the world, but in the idiosyncrasies of our own inner life. . . . It has the effect of canceling out the claims to real validity anchored in the world; it is a self-defeating moral language. Talk of values implies that we do not find goodness in the good things there in the world, but confer value from our own subjectivity.”30 Such talk, he continues, “is inseparable from the notion of an exhaustive dichotomy between facts and values, where it is presumed that the world consists of evaluatively neutral facts that we then inject with value on the basis of our own prejudices and proclivities.”31

I take up the problems that a subjectivist view of values raises for liberalism in chapter 3 in connection with the question of historicism in the work of Leo Strauss. Here I wish to consider how this view, far from unique to liberalism (or any other political form), is part of a larger (modern) way of thinking about the relationship of evaluative thought to the world. More specifically, it is connected to what Bernard Williams has called the “absolute conception of reality” or the “world,” which distinguishes between the world as it is independent of our experience from the world as it seems to us.32 Adherents to the absolute conception draw a sharp distinction between belief states with cognitive content, which are capable of correctly representing the world or disclosing its features, and noncognitive affective states, which are not. Rooted in a bifurcated conception of mind, which distinguishes the faculty of reason from the faculty of taste or sentiment, this view underwrites the classic distinction between subjective and objective, which, in turn, organizes most discussion of ethics, aesthetics, politics, and the difference between these and natural science. It is at the heart of noncognitivist approaches in these fields and therefore relevant to the debate about Arendt’s turn to the aesthetic judgments of the third Critique.

According to influential noncognitivists such as J. L. Mackie, for example, variations in valuing, which form the basis for liberal pluralism, are “more readily explained by the hypothesis that [the valuing] reflect ways of life than by the hypothesis that they express perceptions . . . of objective values.”33 On Mackie’s influential “error theory” of values, “value is . . . ‘part of the fabric of the world,’” explains John
McDowell, but “the appearance is illusory: value is not found in the world, but projected into it, a mere reflection of subjective responses.” Key to dismissing the idea that evaluative thought could be anything other than the mere expression of our private inner life, just feelings that we project onto the world, as noncognitivist Simon Blackburn in a somewhat different but related approach sees it, is the definition of “objective.” The world is “objective” on the noncognitivist account to the extent that it “is fully describable in terms of properties that can be understood without essential reference to their effects on sentient beings.”

This understanding of evaluative states as noncognitive and thus devoid of propositional content (that could be taken up by other judging beings), comments McDowell, rules out the possibility that “exercises of our affective or conative natures . . . [can] in some way [be] percipient, or at least [be capable of] expanding our sensitivity to how things [genuinely] are.”

On the noncognitivist view of evaluative thought, genuine (read: rational) disagreement over values—be it in the register of aesthetics, morality, or politics—is impossible. Ethical (or any evaluative) concepts are “mere pseudo-concepts,” as classic theorists of “emotivism” such as Alfred J. Ayer and Charles L. Stevenson in their own ways argued. “Emotivism is the doctrine that all evaluative judgments and more specifically all moral judgments are nothing but expressions of preference, expressions of attitude or feeling”—indeed, it is “a theory which professes to give an account of all value judgments whatsoever,” according to Alasdair MacIntyre. But if attitudes, feelings, and preferences are all that evaluative judgments are about, then they cannot possibly count as judgments at all. You might express your attitude and I mine, but how could we possibly agree or disagree about whether, say, violence against women is wrong? All we can say is: “It is wrong (or not wrong) to me.” As Ayer states, “One really never does dispute about questions of value.” Or, as McDowell sarcastically puts it, “Think of the practice of expressing one’s attitudes to various flavours of ice cream.”

How, then, are we to account for the quotidian experience of disagreeing with others about values? For Ayer (and value noncognitivists of various stripes both before, e.g., David Hume, and after, e.g., Mackie), such experience exists but is not what it seems. We can argue only about facts, and any argument about facts is possible “only if some system of values is presupposed. If our opponent concurs with us in expressing moral disapproval of all actions of a given type t, then we may get him to condemn a particular action A, by bringing forward arguments to show that A is of type t. For the question whether A does
or does not belong to that type is a plain question of fact.”

In most situations in which we (mistakenly) take ourselves to be arguing about values, then, we are really arguing about facts, proceeding deductively, and expecting others to agree. “And as the people with whom we argue have generally received the same moral education as ourselves, and live in the same social order, our expectation is usually justified,” notes Ayer. “But if our opponent happens to have undergone a different process of moral ‘conditioning’ from ourselves, so that, even when he acknowledges all the facts, he still disagrees with us about the moral value of the actions under discussion, then we abandon the attempt to convince him by argument.” At this point we may resort to insults, decrying the opponent’s system of values as inferior, perhaps barbaric, “but we cannot bring forward any arguments to show that our system is superior. For our judgement that it is so is itself a judgement of value, and accordingly outside the scope of the argument,” Ayer concludes.

If the facts are logically divorced from the evaluative judgments, then disagreement in valuation is in principle interminable (for it is not genuine—i.e., rational—disagreement at all). If we do manage to bring others around to our view, then this can only be by means of (nonrational) persuasion, as Stevenson came to argue. In that case, there is no substantive distinction between bringing people to change their minds on the basis of reasons and manipulating them in a way that has nothing to do with rationality. Absent any standard of correctness, there is no difference, as Habermas would put it, between “illusionary and non-illusionary convictions” (“ACCP,” 225).

Unwilling to accept the idea that we cannot reason with evaluative concepts, some noncognitivists (e.g., Mackie, R. M. Hare) have suggested that the content of such concepts can contain enough descriptive material to enable us to rationally debate whose judgment is correct. On this view, then, one does not have, say, genuinely aesthetic cognitions but only genuinely descriptive cognitions with so-called aesthetic or affective responses. This “disentangling manoeuvre,” as McDowell calls it, assumes that in relation to any value concept, one can always “isolate a genuine feature of the world—by the appropriate standard of genuineness: that is, a feature that is there anyway, independently of anyone’s value experience being as it is—to be that to which competent users of the concept are to be regarded as responding when they use it: that which is left in the world when one peels off the reflection of the appropriate attitude.”

Philosophical debates over so-called thick concepts—that is, concepts that are held to involve both a descriptive and an evaluative
component (e.g., fairness, kindness, courage, brutality)—bring to light what Hilary Putnam calls the deep “entanglement of fact and value.”

A word such as cruel, for example, can be used in ways that we might think of as normative (e.g., “He is a cruel teacher”) or it can be used more descriptively (e.g., “as when a historian writes that a certain monarch was exceptionally cruel, or that the cruelties of the regime provoked a number of rebellions”). “‘Cruel’ simply ignores the supposed fact/value dichotomy and cheerfully allows itself to be used sometimes for a normative purpose and sometimes as a descriptive term,” continues Putnam. The same principle can apply for a word such as democratic, which is typically thought to have both “thin” and “thick” connotations. When asked how a certain teacher runs his classroom, I might say idiomatically, “He is not particularly democratic.” But I could also answer “democratic” to the question of a particular form of regime. In either case, argues Putnam, I would have to understand the evaluative meaning of the concept to know how to apply it descriptively, which is to say, to extend it to new cases.

Noncognitivist attempts to disentangle facts and values, descriptive content from evaluative content, cannot work: mastery of an aesthetic (or any evaluative) concept requires more than cognitively picking out so-called natural descriptive features of the world. As we shall see in chapter 8 when we turn to Peter Winch’s “Understanding a Primitive Society,” the capacity to evaluate objects in ways that can be considered rational requires the development of a certain sensibility or sensitivity, requires it in such a way that a person from another culture who failed to see the evaluative point of a thick concept, who had not learned the meaning of the concept in relation to the concerns of the human community in which it is operative—such knowledge need not be gained firsthand but might work through imaginative learning—would not be able to predict local uses of it on the basis of descriptive similarities alone. There is no “fact of the matter” to which he or she could refer that would not involve such sensitivity; or, to put the same point another way, sensitivity is what enables one to discern the existence of such a fact. “Only a creature that can judge of value can state a fact,” to speak with Stanley Cavell (CR, 15).

Neo-Kantian ideas of public reason have various ways of managing the threat that subjectivist approaches to evaluative thought pose to the normativity of democratic debate. Whereas Rawls’s would bracket public claims to the truth of value judgments that express “comprehensive doctrines” or worldviews (without directly addressing whether
such approaches get evaluative thought right), Habermas’s would redeem otherwise particularistic and only incompletely cognitive or objective value (ethical) judgments by way of the “truth analogous” validity of moral metanorms (and show why, when it comes to moral judgments, such approaches get evaluative thought wrong). Political affect theorists, for their part, press the mysterious workings of affective response deeper down in the judging subject, beneath the level of conscious feeling as it was understood by classic emotivists (Ayer, Stevenson) or value noncognitivists (Hume, Mackie, Blackburn). We shall examine their responses in due course.

The question for us now is why these approaches have such an uneasy grip on us, why they seem at once to speak to, and to distort, what we are doing when we make ordinary evaluative judgments, which are the kinds of judgment we are called on to make in a democracy and which were clearly what Arendt had in mind when she turned to the third Critique. Part of what drives us, democratic thinkers, into an emotivist (noncognitivist or projectivist) metaphysic—regardless of whether we have philosophical knowledge of such a thing—is something I will happily not only concede but affirm: we do not “cognize” evaluative facts, not in the way that the rationalists or strict cognitivists would have it. And yet, notwithstanding the ordinary sense in liberal democratic societies that political judgments are not cognitions in the strict sense of determinative rule following that “guarantees” agreement (e.g., when I say “This table is square”), but are, rather, considered opinions that may well conflict (e.g., “This war is wrong”), it is also our ordinary sense that not all judgments are equal, that some are better and some worse than others, and that they are better or worse not because one has a better or worse “feeling” about a particular object but because one either is or is not mistaken about the facts of the case. On the latter point the emotivists were right, but they could not see how a feeling could be world-giving, bound up with discovering the facts and thus with rational ways of judging. “The whole idea of an emotive meaning reckoned separately from cognitive content,” writes David Wiggins, “does insufficient justice to our feeling that divergence of attitude must itself be founded in something, and reflect a prior or coeval disagreement in something not itself reducible without residue to emotive attitude (i.e., in something the sentence is about, which is not so far accounted for).”

Or, as Bertrand Russell succinctly states, “I cannot see how to refute the arguments for the subjectivity of ethical values, but I find myself incapable of believing that all that is wrong with
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wanton cruelty is that I don’t like it.”56 And yet not liking it is somehow connected with finding it wrong, connected in ways that are no mere “phantasm,” to borrow Hume’s description of evaluative thought.

By contrast with noncognitivist approaches, a democratic theory of judgment takes sensibility and affective response as world-giving, but it needs a way of talking about evaluative facts as something that we do not simply cognize, as rationalist (or strict cognitivist, e.g., Habermas) approaches to judgment would have it (and as noncognitivists, holding fast to the fact/value distinction, would too).57 The problem of cruelty, or any other matter of common concern, is not just that Bertrand Russell (or for that matter you or I) does not like it, “but that it is not such as to call forth liking given our actual collectively scrutinized responses,” comments Wiggins.58 One could conceivably imagine reasons for not caring about the things that we do care about or become suspicious of ingrained habits of caring, but in the absence of such reasons, it is not necessarily question-begging to remind ourselves of why we do care (when we do). The question is how to develop that thought (about the ways in which we do or do not care and thus do or do not value certain things as right or wrong, just or unjust, better or worse) such that we can affirm the centrality of our “affective and attitudinative propensities,” as McDowell puts it, to getting the world in view.59 It is by means of these propensities that we can be brought to care about the things of this world, and brought to care in ways that are public—that is, shared. And this thought might be extended so as to refuse the (metaphysical) realism that presents itself as the only alternative to noncognitivism.

Attending to affective and attitudinative propensities will enable us to grasp what it means to agree or disagree, not just about what each of us individually or we collectively value, but in valuation. “Rival attempts to speak for us as a community,” as Wiggins notes, “cannot be plausibly reduced to rival accounts of what, if anything, the community does already say.”60 It is not a sociological matter (of the difference between certain people or cultural groups). Surely these will always exist: that is the empirical fact of value pluralism. The empirical fact of disagreement about what we value, in other words, rests on the possibility of disagreement in valuation. But understanding the latter (with emotivists and noncognitivists) as disagreement in attitudes expressed does not capture what those attitudes are about—that is, the intentional character of judgment. We can and do ask if a particular valutational response is appropriate to its object. Human interest constitutes a particular perspective, a perspective without which there is
no value to speak of. Accepting this thought while refusing subjectivism, we could hold that human perspective provides a genuine mode of access to the world. To speak with Thomas Nagel, we could resist the “voracity of the [scientistic] objective appetite,” as “perhaps the best or truest view is not obtained by transcending oneself as far as possible.”

To be in a position where we might accept such inspirational advice, however, we need first to understand why we are tempted to transcend ourselves when we judge.

**Vertigo**

The tenacious sense that evaluative judgments are subjective preferences is linked to the idea that to be rational and objective, they would have to conform to rules and to a mode of rule following in which rules for the correct application of concepts are fixed independently of the responses and reactions of judging subjects. This idea underwrites the noncognitivist disentangling maneuver by which the evaluative and descriptive aspects of an object can be distinguished, and a person who has no competence with the relevant evaluative concept can still pick out the relevant facts to which the concept “refers,” be able to extend the concept to new cases, and communicate his or her judgments to those who have such competence. It is a view of rationality rooted in the absolute conception of the world, where science, with its established procedures, is the model. Accordingly, as Stanley Cavell observes, “the rationality of an argument depends upon its leading from premises all parties accept, in steps all can follow, to an agreement upon a conclusion which all must accept. . . . What is the significance of saying that a rational argument is one whose conclusion ‘all must accept’ for thinking about evaluative judgments? (CR, 254)

“Aesthetic (and moral and political) judgments lack something: the arguments that support them are not conclusive the way arguments in logic are, nor rational the way arguments in science are. Indeed they are not, and if they were there would be no such subject as art (or morality [or politics]) and no such art as criticism,” concedes Cavell. Rather than give the cognitivists and noncognitivists what they most desire, he adds: “It does not follow, however, that such judgments are not conclusive and rational.” As we shall see in chapter 2, evaluative judgments on Cavell’s Wittgensteinian account have a kind of “logic” or necessity and claim validity (as if they were empirical judgments), which Kant calls “[speaking] with a universal voice.”

To speak with
a universal voice, as Kant describes judging aesthetically (e.g., “This rose is beautiful”), is to demand, impute, or claim agreement with our judgments, which we do not do when asserting our subjective preference, the register of what he calls the “agreeable” (e.g., “I like canary wine”).  This necessity differs from logical reasoning and the giving of proofs—that is, as Cavell states, “arriving at conviction in such a way that anyone who can follow the argument must, unless he finds something definitely wrong with it, accept the conclusion, agree with it.” The sense of necessity that leads us to speak with a universal voice, Cavell writes, “is, partly, a matter of the ways a judgment is supported, the ways in which conviction in it is produced: it is only by virtue of these recurrent patterns of support that a remark will count as—will be— aesthetic, or a mere matter of taste, or moral, propagandistic, religious, magical, scientific, philosophical,” or political. We might think, then, about logic or rationality, comments Stephen Mulhall, as “a matter of agreement in patterns rather than an agreement in conclusions. Whether the particular patterns or procedures are such that those competent in following them are guaranteed to reach an agreed conclusion is part of what distinguishes one type or aspect of rationality from another; but what distinguishes rationality from irrationality in any domain is an agreement in—a commitment to—patterns or procedures of speaking and acting.”

Calling attention to agreement in “patterns of support,” rather than conclusions, as the crucial element in rational argument, Cavell shows how we misunderstand the difference between evaluative judgments, on the one hand, and empirical or logical judgments, on the other hand. It cannot be reduced to the difference between cognitive and noncognitive judgments, as the debate over Arendt’s turn to the third Critique would have us believe. In thinking about Cavell’s alternative account, however, it is tempting to treat these patterns of support as if they were antecedent to anything that can rationally be said, as if they functioned like rules that laid out in advance of actual practices of speaking and judging the grammar of mutual intelligibility. It is tempting, not least because our “uses of language are pervasively, almost unimaginably, systematic,” writes Cavell (CR, 29). What Wittgenstein calls “agreement not in opinions, but rather in form of life” and “not only an agreement in definitions, but (odd as it may sound) agreement in judgments [Übereinstimmung in den Urteilen]” is characterized by a remarkable spontaneity of intelligibility or mutual attunement in language (PI, §§241, 242). This attunement can lead us to think that something must underwrite or ground our uses of words, something
must guarantee their normativity. The very fact of our agreement in language seems to attest to the presence of a rule and to our following a rule. Is not this idea of normativity as rule-governed at the core of Wittgenstein’s legacy?

Indeed, in the long-standing debate over positivism and scientism, Wittgenstein has appeared to many social and political theorists as offering an account of normativity that avoids the impossible choice between objectivism and subjectivism. Wittgenstein’s account of rules and rule following, it is said, offers a third way that takes into account the (subjectivist) notion of the unique or meaningful nature of human thought and action, without relinquishing the (objectivist) idea that normativity necessarily transcends individuals, their actual practices of speaking and acting. Accordingly, Wittgenstein is seen as replacing the positivist’s law-governed (nomothetic) view of human speech and action with a rule-governed account that does not reduce meaning to individual subjective states.

Habermas’s early effort to develop a language-based conception of rationality, for example, credits what he takes to be Wittgenstein’s rule-governed conception of language for providing an alternative to “the philosophy of consciousness” that casts normativity in objectivist law-governed terms. Wittgenstein’s agent-centered approach to rules and rule following, argues Habermas, also avoids the perils of subjectivism by putting “tacit knowledge” of rules or practical competence at the heart of judging and acting. In the process of acting “knowledgeably,” individuals draw on an omnipresent transcendental order of tacit rules that shape and inform their activities, securing the normativity of those activities in ways that require, rather than exclude (as did rationalist approaches), their skilled participation without their conscious knowledge or their ability to formulate an explicit discursive account of what they are able to do. It is the task of the critical theorist to give this tacit knowledge of rules and rule following propositional form.

I want here to query the reception of Wittgenstein as advancing a theory of language as a framework of rules and of mutual intelligibility as dependent on rules and rule following, tacit or not. “In his later work,” as Nigel Pleasants observes, “Wittgenstein tries to show that transcendental inference to hypothetical cognitive powers and tacit rules—as entities which must exist in order to account for the meaningfulness of human action and experience—gives a wholly delusory sense of adequate explanation.” A central theme in the later work “is that meaning is not ‘hidden from us,’” it is not shrouded in a mysterious tacit knowledge of a transcendental order of rules but plainly open
to view in our action.\textsuperscript{72} In section 75 of \textit{Philosophical Investigations}, for example, Wittgenstein emphasizes that my knowledge, my possession of a concept, is completely expressed in the explanations that I could give. If the concept is “games,” for example, the expression of my competence would take the form of describing a variety of games; showing how something might or might not count as a game if it shares certain features with existing games; explaining to someone that “it is only a game”; and so on.\textsuperscript{73}

Wittgenstein does not deny that, when asked by someone in a particular situation where a particular game is in play, we may well formulate a rule to describe what we do. In the \textit{Blue Book}, he speaks about the difference “between what one might call ‘a process being in accordance with a rule,’” and “‘a process involving a rule.’”\textsuperscript{74} Whereas the latter refers to actions that are explicitly followed by subjects engaged in a particular practice (e.g., a novice learning how to play a game of chess), the former speaks to what an observer of any practice might say when asked to explain what is being done. These are perfectly ordinary ways in which we speak about what it means to follow a rule or to be guided by a rule. In neither case, however, does following a rule require that the activity is “everywhere circumscribed by rules,” as Wittgenstein states (\textit{PI}, §68).\textsuperscript{75} And once a certain competence has been established, it seems strange to say that one is following a rule, tacitly or not. When attempting to provide a theory of linguistic meaning according to which all meaningful action and speech is governed by rules, the ordinary sense of a rule is, to speak with Steven Affeldt, “philosophically stretched out of shape.”\textsuperscript{76}

Following Cavell, I read Wittgenstein not as putting forward an alternative theory of linguistic meaning, of language as a grammatical framework of rules, but as seeking to expose misunderstandings about what kinds of structures must underwrite everything that humans can meaningfully do or say. This nonstandard reading is crucial for my rethinking of Wittgenstein’s relevance to a democratic theory of judgment. Even as astute a scholar as Hanna Fenichel Pitkin, whose pathbreaking book, \textit{Wittgenstein and Justice}, opened up entirely new ways of approaching basic concepts in political theory and has been a guiding inspiration for my own work, was not immune to seeing in Wittgenstein’s account of language something more than a “form of action,” something that transcends and guides ordinary language use.\textsuperscript{77} Working from what she took to be Cavell’s teaching, Pitkin argued that Wittgenstein’s work, from the \textit{Tractatus} to the \textit{Philosophical Investigations}, is continuous in its “Idealist theme, the insistence that
our language controls what can possibly occur in the world” and that it also “provide[s] a framework which governs the possibilities of anything we can say about reality.” Although Pitkin clearly recognizes that for Wittgenstein language is an “open system,” the grammatical relations among concepts, she writes, “might be considered a sort of linguistic Kantianism; what Wittgenstein calls ‘grammatical knowledge’ very much resembles Kant’s ‘transcendental knowledge’; and the validity of grammar might well be said to be synthetic a priori.” In this sense, it is not objects but grammar that comes to “contain or govern the ‘possibilities of all situations’ . . . Knowing the grammar of a word, we know what kinds of things are—can be—said with it, what would count as appropriate occasions for saying them.”

Understood as quasi-transcendental—that is, as logically “prior to any particular empirical investigation,” as that which “determines a logical space of possibilities,” as Stephen Mulhall in a similar interpretation of Cavell’s Wittgenstein writes—“the grammar of our language” starts to look suspiciously like the very transcendental mechanisms of constraint on human action and speech that Wittgenstein sought to expose as a misunderstanding of ordinary language. The readings of Mulhall and Pitkin are instructive: they are both critically engaged with the idea of language as a prison house of sorts that determines in advance of any context of use and actual use what will count as the intelligible use of a word. They would agree, as I explain in chapter 9, that when Philosophical Investigations famously describes how we follow the mathematical rule “Add 2,” Wittgenstein is doing more than questioning a certain way of thinking about what rule following entails (e.g., the Platonist conception of rules that are like “ideal tracks” laid out to infinity). He is “bringing to light our confusions about the normative power of rules and the fantasies concerning the nature of rules that we construct in order to account for that power as we confusedly imagine it,” asserts Affeldt. Wittgenstein is calling our attention to “how inessential the ‘appeal to rules’ is as an explanation of language,” as Cavell observes, and indeed of our whole conception of normativity. And yet the otherwise astute readings of Mulhall and Pitkin alert us to how the lure of the appeal may persist even in cases where we think ourselves to be deeply wary of its call. And this too Wittgenstein invites us to see. He redescribes the lure as a tenacious “picture” that holds us “captive” (PI, §115). But captive to what? a democratic theorist might ask.

As I read Wittgenstein in the chapters that follow, the picture that holds us captive is the idea of the normativity of language as a more or
less fixed framework of rules. This picture matters for a democratic theory of judgment, and for at least two reasons. It matters (1) because the idea that *something* must ground mutual intelligibility in the political realm risks entangling us in fantasies concerning the nature and power of rules that lead us to lose track of our own part or voice as democratic citizens in deciding what will and what will not belong to the common world. As we shall see, it is this displacement of our political agency understood in the Arendtian terms of freedom as nonsovereignty, and not some naive noncognitivism, that animated Arendt’s turn to the third *Critique*. And it matters (2) because the power we ascribe to rules is part of what animates the search for criteria that would be appropriate to public debate in a pluralistic liberal democracy, which clearly cannot adopt a scientific conception of rationality as agreement in conclusions.

The idea of public reason as a standard of correctness—one of the rules that govern our uses of words, that constitute them as the specific uses they are (e.g., as political speech), and in terms of which they can be normatively assessed (e.g., as democratically legitimate)—may seem to be nontendentious (e.g., an empty rule of argumentation or a thin concept of justice as fairness). It may not put forward a clearly defined rule meant to cover all possible cases of political speech. Nevertheless, as Affeldt remarks, even a “philosophically weak conception of a standard of correctness preserves the thought that there is a job for, and that there are things that serve as, explanations or justifications of words (or actions) apart from the specific situations in which they are employed as explanations or justifications in response to specific confusions, doubts, questions, and so on.”84 Wittgenstein invites us to question not simply the idea that there could be a standard covering all cases and so all eventualities but, more important, whether something “can count as a standard of how to go on, in the absence of an actual need for some explanation of how to go on” in, say, democratic deliberation.85 What are we doing when we provide a template of the permissible structure of normative argumentation in advance of any particular arguments?

This view of mutual intelligibility commits us to the idea that we must have criteria for every concept and for every use of a concept in judgments that are democratically legitimate. It separates out criteria from actual judgments, makes them the ground of such judgments, and in this way assumes that we have criteria for all eventualities. It assumes that a person’s divergent application of a word can simply and definitively be corrected by reminding the person of its agreed criteria (e.g., not invoking one’s religious views to attack or defend a par-
ticular public matter of equality) and, in this case, seeing whether it fits with the criteria for deciding whether something will count as an instance of democratic political speech. In this way, as I argue in chapter 5, Rawls maintains that the terms of one’s comprehensive doctrine (e.g., belief in “God”) or claims about self-evident truths will not count as proper political speech and ought to be avoided in public deliberations; and in this way, as I show in chapters 4 and 7, Habermas can argue for the radical difference between cultural values and universal norms. But what is to say that such truth words or culturally bound values cannot be projected into new contexts, public political contexts, and be heard as belonging to the patterns of support that Cavell describes as belonging to the rationality of evaluative judgments? Do we really need to have our standards or rules firmly in place for deciding what utterances will count as legitimate—that is, deserving of our response—before anything has actually been said?

Cavell’s discussion of what he calls “project[]ing] a word” into new contexts—using words learned in one context and with one sense in other contexts and with related but different senses—can help us see what is at stake. The projection of a word is a fundamental aspect of language use, and the ability to project a word that one has learned in one context into new contexts demonstrates one’s understanding of the word. Cavell tries “to bring out, and keep in balance, two fundamental facts about human forms of life, and about the concepts formed in those forms: that any form of life and every concept integral to it has an indefinite number of instances and directions of projection; and that this variation is not arbitrary” (CR, 185). These two facts define the twin “condition of stability and tolerance” that characterizes our lives with language, argues Cavell. We can, for example, move from learning to “feed the kitty” or “feed the lion” to say “feed the meter” and be understood (CR, 181). “But though language . . . is tolerant, allows projection, not just any projection will be acceptable, i.e., will communicate,” Cavell cautions. “You can ‘feed peanuts to a monkey’ and ‘feed pennies to a meter,’ but you cannot feed a monkey by stuffing pennies in its mouth, and if you mash peanuts into a coin slot you won’t be feeding the meter” (CR, 182,183).

We should resist the thought that yet another regulative mechanism is in play here, determining in advance of any actual speaking in actual contexts what will count as a legitimate projection of a word and of our own willingness to count this projection in this context. To say, as Cavell does, that the “variation” in the projection of words is not “arbitrary” is not to say that it is somehow controlled by something...
outside speakers of the language, what they will count, and the context
in which they speak. Rather than criteria or rules that prevent us from
speaking intelligibly when we project a word in this way or that deter-
mine our ability to project intelligibly, it is our ability to properly locate
the uses of words in recognizable interests, desires, purposes, forms of
life, natural reactions, and so on. Cavell explains:

We learn and teach words in certain contexts, and then we are expected, and ex-
pect others, to be able to project them into further contexts. Nothing insures that
this projection will take place (in particular, not the grasping of universals nor the
grasping of books of rules), just as nothing insures that we will make, and under-
stand, the same projections. That on the whole we do is a matter of our sharing
routes of interest and feeling, modes of response, senses of humor and of signifi-
cance and of fulfillment, of what is outrageous, of what is similar to what else, what
a rebuke, what forgiveness, of when an utterance is an assertion, when an appeal,
when an explanation—all the whirl of organism Wittgenstein calls “forms of life.”
Human speech and activity, sanity and community, rest upon nothing more, but
nothing less, than this. It is a vision as simple as it is difficult, and as difficult as it is
(and because it is) terrifying.87

“The terror of which Cavell writes at the end of this marvellous pas-
sage,” comments McDowell, “is a sort of vertigo, induced by the
thought that there is nothing that keeps our practices in line except
the reactions and responses we learn in learning them.”88 Cavell seems
to offer little more than a lucky convergence of subjectivities, held to-
gether by a grab bag of affective sensibilities that can hardly make a
claim to normativity. How would we know that we are really
going on

It is tempting to recoil from the vertigo into the idea of grammar as
a kind of Kantian synthetic a priori or of rules that are like ideal tracks
objectively there to be followed regardless of whether this felicitous
convergence of subjectivities ever takes place.89 The problem with such
recoil is not only that in specifying the conditions for intelligibility
we exclude the radically open aspect of language that Cavell describes
as projecting a word. The problem is that we lose track of—or, worse,
deny—our actual conditions of mutual intelligibility; namely, our own
activity in the “whirl of organism” that Wittgenstein calls “forms of
life.”90 And though we shall find “forms of life” to be one of the most
deeply contentious and misunderstood phrases in Wittgenstein’s entire
corpus, when seen as dynamic and open, rather than (ethnographi-
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cally) static and closed, it does not lead down the slippery slope of relativism, as critics charge. Instead, it opens up a way of thinking about the imbrication of affectivity and rationality that situates subjective response at the heart of anything we consider objective. It perfectly captures the contingently necessary complex of human relations in which knowing how to go on has its original home. Affeldt explains:

To possess a concept, to be able to go on with a concept, is to appreciate how its significant employment is bound up with our interests, desires, purposes, biological and social forms of life, facts about our social and natural world, and the like. Or, in order to avoid the erroneous impression that concepts stand alone and that we come to possess them one by one, it is more accurate to say that to possess concepts, to be able to go on with them, is to appreciate the weave of connections both among our concepts and between our concepts and our interests, desires, purposes, forms of life, natural reactions, facts about our world, and so on. In coming into possession of concepts—learning to speak significantly—we are coming to appreciate this weave of connections. It is in this sense that coming into possession of concepts is becoming an initiate of forms of life. And in the matter of becoming initiates of forms of life light dawns gradually over the whole.\(^91\)

The idea of “becoming initiates of forms of life” comes to displace the focus on rules in Wittgenstein’s and Cavell’s thought, observes Affeldt\(^92\)—as it should, I shall argue, in ours. It is not that rules no longer matter, but they can only matter as part of the larger “whirl of organism” in which they have their life. It is only by becoming an initiate that I so much as know what to do with any rule that presents itself as the way to go on in a practice, be it a game of chess or a public debate. The focus on rules occludes the crucially important role of voice in anything that we can meaningfully say or judge politically. Cavell emphasizes how saying something intelligible, something that others may not necessarily agree with but can understand why you might say that, requires that you speak in a way that resonates with others in the specific context in which you speak. Surely this must be the first step in moving to an idea of what might be “reasonable,” as described by democratic thinkers such as Rawls. It is not rules that guarantee our mutual intelligibility as democratic citizens but rather our mastery of speaking in particular public contexts. There need to “be reasons for what you say, or be [a] point in your saying of something, if what you say is to be comprehensible. We can understand what the words mean apart from understanding why you say them; but apart from understanding the point of your saying them we cannot understand what you mean,”
Cavell maintains (CR, 206). In this sense of “to speak is to say what counts,” it is to show your willingness to acknowledge certain things about the world and those to whom you speak and not to acknowledge others. This focus on voice rather than rules or criteria understood as a standard of correctness for what can be intelligibly said when we speak politically will be crucial to developing a democratic theory of judgment.

To treat these natural reactions, interests, or purposes as part of the “lifeworld” (Habermas) or the “background culture” (Rawls) where the rules of public reason do not apply is to distort the grammar of mutual intelligibility. It is to treat our interests, desires, or purposes in any act of speaking intelligibly as the mere background on which the real source of that intelligibility—namely rules,—merely rests, as if the rules could be pried off that normative background. It is to evade or deny the ordinary. More precisely, to minimize the place of that normative background in judging politically reflects a continued and deep skepticism toward ordinary modes of perception and forms of subjectivity, and in a way that sustains just what contemporary neo-Kantians critique—namely, the absolute conception of the world according to which objectivity requires the elimination of every admixture of subject dependence. Consequently, the neo-Kantians remain wary toward the very condition of liberal democracy that they also celebrate: plurality. Though they are explicit critics of metaphysical realism and its singular nonperspectival ideal of truth, they remain in the grip of its basic antipathy toward any degree of dependence on our forms of subjectivity.

This evasion of the ordinary is not without costs. When rules come apart from our interests, desires, or purposes; when the locus of normativity is understood to be rules rather than our interests, desires, or purposes themselves, we are not better but rather worse able to resolve deep disagreements between speakers of a language when they arise. We are worse able because we cannot understand what a person has said and thus what we are disagreeing about without understanding it as part of those interests, desires, or purposes. We cannot just take the words uttered (e.g., “God requires us to treat people as equals”) to see if they meet our criteria of public reason. “Another way to put this thought,” states Affeldt, “is to say that we don’t know what someone has said until we know what they (might have) meant—and we may misunderstand what a person has said or done because we wrongly imagine, or take for granted that we know, the interests, desires, etc. being expressed.” What someone might mean points not inward to some private mental realm but outward to a shared sense of reality and
conditions of meaning, what Kant will describe as “sensus communis” and Arendt as a “common world.”

I said earlier that the arguments for public reason claim that the rules for democratic deliberation are not inflexible and do not constitute a resolution of a disagreement (i.e., apart from the actual articulation of a disagreement). But this leaves us with little to say when intractable disagreements arise. Paradoxical though this might seem, the idea that divergent applications of a word can be corrected by reminding someone of its agreed criteria only begins to get at the real difficulty in our current conception of the problem of judgment. Even if we concede, as both Rawls and Habermas in their own ways do, that the ability of public reason to settle a disagreement cannot be decided apart from the specifics of the case, it is the job of public reason to determine whether someone’s use of a word is divergent (i.e., does not conform to the criteria of public reason), which in turn assumes that we already know what the divergent speaker is trying to say. And it must be assumed because on the account I am questioning, our rules are the only way of determining what someone is doing or saying: that is the point of thinking about language as a framework of rules.96

Although approaching a divergent speaker in terms of our rules may seem to put us in a position of strength for ordering an otherwise “impenetrable pluralism of ultimate value orientations,” as Habermas put the task of public reason, we shall find that public reason actually leaves us with little to say in the face of ways of going on, of voicing political claims, that we find problematic or unintelligible in the terms set out by our rules. If we then abandon these rules that alone render speech intelligible qua political speech, what other resources will we have to make sense of what the divergent speaker is saying? He or she will more likely remain opaque and mysterious, speaking the language of a worldview and preferences or values that we do not share. In the end, what we take to be the disagreement and its resolution will likely be wholly within the terms of our own position, notwithstanding sincere efforts to the contrary.97

All of this in no way suggests that taking into account the desires, interests, or purposes that I have argued to be the real conditions of political life (as of human life in general) is easy or that it guarantees mutual intelligibility or skillful judging politically—far from it. But it does allow a pathway into another way of thinking about the problem of judgment in pluralistic modern democracies than that of finding the proper criteria that would correct for the distortions associated with affective subjectivity. This is the pathway opened up by Hannah Arendt.
CHAPTER ONE

Judging and the Common World

For Arendt, the modern problem of judgment is not one of specifying criteria but of creating and maintaining a political space in which differences in valuation can be publicly expressed and judged. Far from embracing noncognitivism, Arendt thinks about politics and judgment outside the absolute conception of the world within which values are affectively motivated subjective preferences or projections. For her, human life takes place in the space of appearances, and appearance is not “mere” appearance. She explicitly rejects the “two-world theory,” according to which there is a “metaphysical dichotomy of (true) Being and (mere) Appearance,” and affirms instead “the primacy of appearance for all living creatures to whom the world appears in the mode of an it-seems-to-me [dokei moi].” Appearance is not the epistemological veil that covers the “true world” but the genuine human mode of access to reality. Appearance is not something to be by definition mistrusted, as it is in metaphysics, or to be gotten beyond, as it is in “modern science’s relentless search for the base underneath mere appearances” (LMT, 25). Appearance is fundamental to how human beings exist in and relate to one another and to the world. “That appearance always demands spectators and thus implies an at least potential recognition and acknowledgment has far-reaching consequences for what we, appearing beings in a world of appearances, understand by reality, our own as well as that of the world,” explains Arendt (LMT, 46). The faith that we have in the reality of what we see, hear, taste, smell, or touch, our faith in the reality of what is given to us through the five senses, “depends entirely on the object’s also appearing as such to others and being acknowledged by them [as the same].”

This faith in appearance, in the “it-seems-to-me” [which qua appearance] is “open to error and illusion” (though not by definition illusory) is what Arendt calls the “prior indication of realness” (LMT, 49). Realness is not produced by any one of our senses taken in isolation, or by any object taken out of context. It is, rather, “guaranteed by its worldly context, which includes others who perceive as I do, on the one hand, and by the working together of my five senses on the other. What since Thomas Aquinas we call common sense, the sensus communis, is a kind of sixth sense needed to keep my five senses together and guarantee that it is the same object that I see, touch, taste, smell, and hear.” But taken alone, she continues, common sense could not overcome “the
subjectivity of the it-seems-to-me” were it not for the fact that “the same object also appears to others though its mode of appearance may be different” (LMT, 50). This difference in the mode of appearance, the plurality of perspectives on the same object, is crucial to our sense of realness and thus to the common world.

However important the phenomenological account of realness is to Arendt’s attempt to reclaim the idea of sensus communis for democratic politics, it is not enough. Through the Greek idea of “learning to see politically” and the Kantian idea of “enlarged thinking,” Arendt develops a conception of objectivity that goes beyond these phenomenological claims and deepens the Wittgensteinian perspective of Putnam and Cavell, which refuses philosophical and scientific conceptions of objective as something’s being the case independent of how anyone would regard it. She develops a new political conception of objectivity for which judging in the public space is crucial to our sense of reality, of inhabiting a common world.

In claiming that Arendt develops a new political conception of objectivity based on sensus communis, I am aware of her tendency to put objective in scare quotes. I take this distancing gesture to be part of her continual struggle against a philosophical tradition that is concerned with Truth, focused on “Man in the singular,” hostile to “men in the plural” and all things contingent, but nonetheless (still) held to be an authorizing metadiscourse for political theory. Rather than yield the term objective to the philosophical tradition (or modern science), we might reclaim it for democratic theory: reclaim it as we contest non-cognitive approaches to evaluative judgments without affirming cognitivism, and as we advance a practice of judging politically that resonates with Arendt’s own refuguration of a humanly possible conception of objectivity in the political terms of a “common world.”

For Arendt, the problem of objectivity is not—not in the first place—a question that can be addressed through various (anti-metaphysical) philosophical correctives, as important as these were in the development of her thinking. The concepts of Reality or Objectivity that metaphysics and science in their own ways forward are largely a response to skepticism or relativism understood as threats to genuine knowledge. For Arendt, however, the far greater danger lies in “radical subjectivism” or “Cartesian doubt,” understood not as an epistemological problem but as the “worldlessness” or “world alienation . . . [that] has been the hallmark of the modern age.” Not only can this threat—which has its origin not in theories but events—not be met by various philo-
sophical rearticulations, but it also cannot be properly understood if we remain wholly within the epistemological/philosophical paradigm in which it seems to arise.102

The most important consequence of “the modern age’s doubt of the reality of an outer world ‘objectively’ given to human perception as an unchanged and unchangeable object,” writes Arendt,

was the emphasis on sensation _qua_ sensation as more “real” than the “sensed” object and, at any rate, the only safe ground of experience. Against this subjectivization, which is but one aspect of the still growing world-alienation of man in the modern age, no judgments could hold out: they were all reduced to the level of sensations and ended on the level of the lowest of all sensations, the sensation of taste. Our vocabulary is a telling testimony to this degradation. All judgments not inspired by moral principle (which is felt to be old-fashioned) or not dictated by some self-interest are considered matters of “taste,” and this in hardly a different sense from what we mean by saying that the preference for clam chowder over pea soup is a matter of taste. (“CH,” 53)

Arendt goes on in later work to reclaim “taste” as Kant reconstructed it—namely, in terms of judgments with “subjective validity.” She remained convinced, however, that, in the wake of totalitarianism and the rise of scientism and mass society, the corrosive effects of Cartesian doubt and the erosion of common sense had turned all evaluative judgments in liberal democracies into (noncognitive) subjective preferences, not because such judgments are by definition noncognitive but because the worldly conditions of their objective and shared character had been lost. In her view, this was no longer a problem of knowledge as it had arisen in early modern science but a political problem of the expansion of the social, the triumph of “life [as] our supreme and foremost concern,” and the consequent decline of action and the public space (“CH,” 52),103

What we need to grasp here is the extent to which our common sense of reality, the ordinary sense of objectivity, is _publicly_ generated and sustained—not just in the crucially important sense of Wittgensteinian language games or criteria, but in the specific _political_ sense of the speech and action in concert that defines the Arendtian public realm. Politically speaking, it is not just a matter of recognizing something to be an objective fact but of recognizing, counting, or acknowledging this fact as meaningful for what we do or do not have in common. That is why the withering of the public realm is so devastating in Arendt’s grim view of modernity, why the corrosive effects of its dis-
appearance go far beyond anything we might narrowly associate with political life. That is also why any restriction of what can—or how it can—be debated in the public realm in the name of saving the public realm ends up destroying it, according to Arendt. This is not to say that all subjective perspectives on the world capture things as they really are, only that any correction of a perspective would be by means of other perspectives rather than by something untainted by our affective forms of subjectivity.

The distinctively political character of objectivity, as Arendt understands it, is not restricted to the kind of objectivity that is proper to politics (as it is for Rawls) versus, say, the kinds that are proper to natural science or to ethics. As we shall see in chapter 4, these differences exist, to be sure, but Arendt’s conception goes further. There is something fundamentally political to our shared sense of a common world: political, that is, in what critics find to be Arendt’s rather narrow but to my mind compelling freedom-centered conception of politics, of acting and speaking in public, in the presence of one’s peers. As I have argued elsewhere, for Arendt, “the raison d’etre of politics is freedom,” and political freedom is based not in the “I-will” but the “I-can,” which depends on other citizens who enable us to realize what we may “will.”104 Freedom is radically distinguished from “sovereignty,” be it the philosophical conception of “free will” or the liberal idea of “negative freedom” (freedom from). Freedom is no more a state of being or a property of a subject than it is an end, something that it is the very goal or purpose of politics to secure. “It is rather the substance and meaning of all things political. In this sense, politics and freedom are identical,” argues Arendt (“IP,” 129).

Arendt’s identification of politics with freedom includes but goes beyond “freedom of spontaneity,” the Kantian idea of the human capacity to start a new series in time, which informs her conception of action as beginning anew. “Although all political freedom would forfeit its best and deepest meaning without this freedom of spontaneity, the latter is itself prepolitical” (“IP,” 127), she writes. To become the I-can of Arendtian action, spontaneity must involve others, “action in concert.” But because spontaneity arises from within the individual, it can survive even under conditions of tyranny and at some distance from the political realm, in her view (“IP,” 127–28). Political freedom requires much more than spontaneity; it requires the freedom to speak with one another and the creation and maintenance of a “political space” within which to generate our sense of the common world (“IP,” 129).

The political conception of action and freedom with speaking and
acting among equals fundamentally alters our understanding of something as basic to liberal democracy as “free speech.” By contrast with a narrow liberal conception, Arendt’s conception of such speech as requiring a public space connects it with opinion formation, with judging as a public practice, and so with the creation and maintenance of our sense of worldly reality. Thus, what we call “free speech has always come in many different forms and with many meanings,” she writes.

The key thing, however, . . . is not that a person can say whatever he pleases, or that each of us has an inherent right to express himself just as he is. The point is, rather, that . . . no one can adequately grasp the objective world in its full reality all on his own, because the world always shows and reveals itself to him from only one perspective, which corresponds to his standpoint in the world and is determined by it. If someone wants to see and experience the world as it “really” is, he can do so only by understanding it as something that is shared by many people, lies between them, separates and links them, showing itself differently to each and comprehensible only to the extent that many people can talk about it and exchange their opinions and perspectives with one another, over against one another. Only in the freedom of our speaking with one another does the world, as that about which we speak, emerge in its objectivity and visibility from all sides. Living in a real world and speaking with one another about it are basically one and the same, and to the Greeks, private life seemed “idiotic” because it lacked the diversity that comes with speaking about something and thus the experience of how things really function in the world. (“IP,” 128–29)

It is in this way that “political space as such realizes and guarantees both the freedom of all citizens and the reality discussed and attested to by the many,” Arendt concludes (“IP,” 130).

The meaning of freedom emerges in Greek society as “freedom of movement,” first, in the “physical [world]” and, then, in the “mental world,” argues Arendt (“IP,” 168). She locates the origins of the latter, the ability “to truly see topics from various sides—that is, politically—” (“IP,” 167) in “Homeric impartiality” which “is still the highest type of objectivity we know” (“CH,” 51).105

Learning to see politically is to get the world in view by moving back and forth between perspectives. Were perspectives intrinsically distorting, as they are for the philosophical ideal of objectivity that Arendt (like Kant) rejects, we could not correct for one perspective by occupying other perspectives. Rather than serving as reminders of a limit, of our confinement in our human-all-too-human modes of subjectivity, perspective and affective interpretations are now taken to be
the very means by which we can overcome the restrictions on seeing how things actually stand in the world that may be associated with our particular location in it. Freed from any (albeit unacknowledged) nostalgia for the metaphysical ideal of objectivity that haunts (even as it is disavowed by) many contemporary theorists of judgment, Arendt replaces “the ‘extinction of the self’ as the condition of [what Ranke called] ‘pure vision,’” perspective untainted by anything subjective, with the ability to exchange one’s own viewpoint, one’s own opinion, the way the world “appears to me” and to take up the standpoints of others (“CH,” 49). By “simply putting aside personal interests,” she writes, we run the risk of “losing our ties to the world and our attachment to its objects and the affairs that take place in it” (“IP,” 168). We lose our affective relation to the world and thus our sense of realness as something shared. The political kind of seeing that “stays in the world” is an attempt “to understand—not to understand one another as individual persons, but to look upon the same world from one another’s standpoint, to see the same in very different and frequently opposing aspects” (“CH,” 51). It concerns not what we would call the ethical practice of recognition (of the other) but the shared political practice of getting the world in view.

For Arendt, it is not the quest for objective knowledge or even truth as such that is the problem for democratic politics. This quest must in any case be part of more general practices of human flourishing. Rather, it is the mode and space in which this quest takes place. As we shall see in chapter 4, far from being hostile to the supposedly antipolitical concepts of objectivity and truth, Arendt takes them to be ordinary concepts sustained through quotidian public acts of speaking among citizens. The problem with these ordinary concepts arises when “we seek [exclusively, as it were] a meaning beyond the political realm . . . [and] like the philosophers of the polis, we choose to interact with the few rather than with the many and become convinced that speaking freely with others about something produces not reality but deception, not truth but lies” (“IP,” 130). This is the idea of perspective and appearance (dokei moi—it-seems-to-me—opinion) as irremediably distorting that Arendt explicitly rejects. At that point, truth and objectivity become Truth and Objectivity, metaphysical ideals, the pursuit of which sets us apart from those with contrasting standpoints and thus with genuine touchstones of reality, and throws us back instead into an endless cycle of dogmatism or skepticism, animated by the fantasy of sovereignty.106

The plural standpoints and perspectives that make up the public
realm are crucial for anything we call objective. For Arendt, to belong to a democratic political community is to have a “common world,” not to share a worldview, and this common world exists only where there is a plurality of worldviews.¹⁰⁷

The reality of the public realm relies on the simultaneous presence of innumerable perspectives and aspects in which the common world presents itself and for which no common measurement or denominator can ever be devised. For though the common world is the common meeting ground of all, those who are present have different locations in it, and the location of one can no more coincide with the location of another than the location of two objects. Being seen and being heard by others derive their significance from the fact that everybody sees and hears from a different position. This is the meaning of public life. . . . Only where things can be seen by many in a variety of aspects without changing their identity, so that those who are gathered around them know they see sameness in utter diversity, can worldly reality truly and reliably appear. (HC, 57)

Not only is there no common human nature that might guarantee unity in diversity, there is no “common measurement or denominator,” no metacriteria according to which to adjudicate plural perspectives, only the actual public articulation of those perspectives themselves, the eliciting of ordinary criteria or “what we say,” to speak with Cavell.

Our sense of what we have in common, of what is objectively given to us, can appear only when it is seen from other perspectives. These perspectives are not *mere* perspectives in the sense of irremediably distorting. Consequently, the reduction of competing perspectives results not in a world that is more shared but in a diminished sense of what we have common.¹⁰⁸ “If a people or nation, or even just some specific human group, which offers a unique view of the world arising from its particular position in the world—a position that . . . cannot readily be duplicated—is annihilated, it is not merely that a people or a nation or a given number of individuals perishes, but rather that a portion of our common world is destroyed, an aspect of the world that has revealed itself to us until now but can never reveal itself again,” warns Arendt (“IP,” 175). This is so, she adds, because “strictly speaking, politics is not so much about human beings as it is about the world that comes into being between them and endures beyond them” (“IP,” 175) This world, the tangible and intangible “inter-*est*” or in-between whose reality emerges through acting and speaking in the shared space seen from various perspectives, is, then, quite unlike anything approaching Reality.¹⁰⁹
So understood, it can sometimes sound as though the common world is given in the ontological fact of human plurality. But it is much more than that. The common world, as I wish to develop this Arendtian concept in the pages that follow, is constituted not only in and through “the fact that everybody sees and hears from a different position,” but that they are also able to see from positions not their own—in short, they are able to think representatively and judge reflectively (HC, 57). Were the common world ontologically given, then it would be hard to see how it could ever be lost. But in Arendt’s account, it surely can.  

Under the conditions of a common world, reality is not guaranteed primarily by the “common nature” of all men who constitute it, but rather by the fact that, differences of position and the resulting variety of perspectives notwithstanding, everybody is always concerned with the same object. If the sameness of the object can no longer be discerned, no common nature of men, least of all the unnatural conformism of a mass society, can prevent the destruction of the common world. . . . The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective.” (HC, 57–58)  

However rooted the idea of plural standpoints may be in the ontological idea of human plurality, we do better to think of the common world as a political achievement requiring the creation and maintenance of public space. The common world, built as it is not only out of diverse perspectives but also out of imaginative acts of thinking and judging that take them into account, is “the space in which things become public.”

“If the sameness of the object can no longer be discerned, no common nature of men, least of all the unnatural conformism of a mass society, can prevent the destruction of the common world,” cautions Arendt (HC, 58). This destruction entails the loss of plural perspectives that give us the object as the same, but it is not just that. It is a loss of the ordinary concept of perspective, according to which “perspectives are perspectives on something, so that the same thing can appear differently depending upon the perspective, from which it is viewed,” as Conant describes the original concept, and the distortions in any one perspective on the same object can be corrected by other perspectives.  

The corrosive doubt, anomie, and loneliness that characterize modern mass society, where people “are all imprisoned in the subjectivity of their own singular experience” (HC, 58), observes Arendt, also involves a radical change in this ordinary concept: the idea of there being a same object that is viewed from different perspectives drops out.
and there are only perspectives and more perspectives (understood, for example, as competing cultural or worldviews), no one any better than the other, just more entrenched, powerful, or appealing in ways that have nothing to do with rationality or better or worse ways of judging. At this point, plurality can present itself only as a threat. The task for democratic theory and public reason then becomes one of reducing the collateral damage that goes along with an ever-expanding universe of perspectives without objects.

The point at which we no longer have any sense of there being objects which we have different perspectives on captures the radical subjectivism that Putnam and Cavell see as the other face of an impossible objectivism. For Arendt, I have argued, such subjectivism does not so much flow philosophically from objectivism but is the political consequence of the radical shrinkage of a public space in which various perspectives can attest to the existence of a common object. It is the idea that perspectives with no object are all we have that leads us to grope around for new (albeit neutral) standards of judgment, as if they could solve the problem of relativism that attends not plural perspectives, as is commonly thought, but the loss of the objects that these perspectives are perspectives on. It is this loss of these objects as it is figured in our mistrust toward ordinary perspectives, rather than relativism as the immanent threat in plural perspectives, that defines the current predicament—even crisis—of judging in democratic societies.

Indeed, the scare of relativism that animates most contemporary theories of judgment does not begin to get at—but rather misconstrues—what is at stake in this radical transformation of our ordinary concept of perspective. For one thing, the idea that all perspectives are equal, that none is better than another, does not belong to the original concept of perspective, for which corrigibility by other perspectives is central. Furthermore, the erosion of our ordinary concept of perspective cannot be made good by returning to an objectivist conception of the world. It is objectivism, rather, that leads in large part to an erosion of our ordinary concept of perspective, putting in its place the impossible ideal of a perspective-free knowledge. Most important, in Arendt’s account, this change in the ordinary concept of perspective is brought about not by philosophical theories of reality but by events, not by philosophical debates about objectivity but by genuine changes in the character of the modern world. Her wager is that we can recover the ordinary concept of perspective not through philosophical critique—as useful as this may be—but through the practice of acting and judging politically.
As we shall see in chapters 4 and 8, this radical alteration in our concept of perspective is what we now understand by “perspectivism,” according to which “our so-called ‘knowledge of the world’ is never really of something independent, but consists of nothing more than our possible perspectives themselves and nothing beyond these,” to cite Conant. Consider Arthur Danto’s description of the radical epistemology that he ascribes to Nietzsche:

The doctrine that there are no facts but only interpretations [is] termed Perspectivism. To be sure, we speak of seeing the same thing from different perspectives, and we might allow that there is no way to see the thing save through a perspective and, finally, that there is no one perspective privileged over any other. These would be logical features of the concept of perspective. The only difficulty here is in talking about the “same thing” on which these are distinct perspectives. Certainly we cannot say what it is except from one or another perspective, and we cannot speak about it as it is in itself. . . . We can meaningfully say nothing, then, about whatever it is on which these are perspectives. We cannot speak of a true perspective, but only of a perspective that prevails. Because we cannot appeal to any fact independently of its relation to the perspective it is meant to support, and we can do little more than insist on our perspective, and try, if we can, to impose it on others. Apart from the extraordinary philological acrobatics required to keep speaking of perspective when every connection with the ordinary meaning has been severed, this passage could have been written by Ayer or any of the noncognitivists described earlier—save one crucial difference: now there is no possibility of talking about a shared objective world at all. There is no “absolute conception of the world” that—so noncognitivists claim—preserves the idea of the world as it is in itself. In this way perspectivism can seem to be unflinching in its willingness to draw the sober consequences (i.e., there are only perspectives, there are no facts) of the loss of the “true world” so vividly described by Nietzsche. But this is an illusion. The perspectivist idea that we are debarred from speaking about a true perspective or anything approaching a genuine glimpse of the object is just the flip side of the objectivist view of the world that it claims to reject: both accept the idea that what is objective must be free of any admixture of human subjectivity.

We have seen that Arendt’s celebration of plural perspectives needs to be supplemented by a standard of judgment, critics claim, if she is to avoid the relativism that they associate with perspectivism (and which has also wrongly, as James Conant shows, been ascribed to Ni-
etzsche). Arendt did not seek such a standard, I argued in the first part of this chapter, because she was interested in the prior question of how it is that citizens get objects of judgment into view in the first place. We can now see another reason why judging was not the problem of finding common validity criteria. According to the logic of the ordinary concept of perspective as corrigible by other perspectives (to which Arendt held, even as she recognized its erosion in modernity), the philosophical problem of objectivity understood in the political terms of worldlessness represented a crisis in the variety of perspectives from which to get the world in view, not the absence of a standard according to which existing perspectives on existing objects of judgment could be adjudicated. The situation of mass society is one in which we have not too many but too few perspectives from which to see the world. Accordingly, it is not adjudication but pluralization and the expansion of the common world that should concern us. This expansion of the common world can be achieved only through the expansion of the public space, for it is in that space that genuine differences of perspective can be expressed and judged—that is, corrected by other perspectives. Once again, the articulation of multiple perspectives does not in itself guarantee critical and reflective judgment, but without them, the individual perspective from which I now see the world (i.e., partially) could never be revealed to me as my perspective at all; it will more likely be taken as the whole of what is real.

Working with the ordinary concept of perspective that is missing in the aforementioned critiques of her work, Arendt argues that (1) anything that can count as a perspective (dokei moi) must afford a view of the object (i.e., is not qua perspective “merely” subjective or illusory); (2) we need to occupy, often through the power of imagination, alternate perspectives if we wish to gain a truer view of the object; (3) we need to compare the different views afforded by different perspectives; and (4) the more views we not only can but do compare, the more objective our perspective will be. It is on the basis of this ordinary concept of perspective that Arendt redescribes Kantian “enlarged thought” as representative thinking:

Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and
joining a majority but of being and thinking in my own identity where actually I am not. The more people’s standpoints I have present in my mind while I am pondering a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for representative thinking and the more valid my final conclusions, my opinion. (It is this capacity for an “enlarged mentality” that enables men to judge; as such, it was discovered by Kant in the first part of his Critique of Judgment, though he did not recognize the political and moral implications of his discovery.) (“TP,” 241)

To explore the democratic world-building potential of representative thinking as it will figure in subsequent chapters and our discussion of judging politically, we will need to free it from the epistemological straitjacket of perspectivism as it is misunderstood (i.e., as entailing the opposition “subjective versus objective”). To say with Nietzsche, “All evaluation is made from a definite perspective,” is to affirm that when I call this painting “beautiful,” this act “unjust,” this war “wrong,” I assert the perspective- or subject-dependence of my (evaluative) judgment without conceding, as the noncognitivists would have it, that aesthetic, moral, and political qualities are not genuine features of the world but merely subjective projections or affective interpretations.118 “It is to appreciate that a property can be subjective (i.e., one whose very conception involves essential reference to how a thing which possesses such a property affects the subject) and objective (i.e., one that applies not only to how things seem, but to how things are),” as Conant summarizes the significance of this ordinary concept of perspective.119

Returning to this ordinary concept of perspective brings with it commitments for a democratic theory of judgment that may not at first be apparent. Representative thinking is not a matter of merely accumulating more and more perspectives from which to see the world, it is learning how to count these other perspectives as revealing something about the world. To approach judging through this ordinary concept of perspective is to acknowledge perspectives other than one’s own, without denying that each perspective has blind spots of its own. As Arendt will say, judging based in representative thinking is not a matter of “counting noses,” as if the democratic problem of judgment were solved through aggregation.

We may well resist revising our view of any given object based on the more expansive perspective afforded by representative thinking. The often tenacious resistance of our beliefs to rational revision based on what Arendt calls “seeing politically” (from other standpoints) is
largely attributable to entrenched relations of power and hierarchy—relations that Arendt’s writings do not always adequately take into account. The “unwillingness to amend immediate judgment in the light of reflection [based on evidence],” as Michael Rosen describes the puzzle that so occupied the thought of David Hume, is a genuine problem that representative thinking alone does not address but any plausible democratic theory of judgment surely must.120

Developing the capacity to judge politically in Arendt’s critical and reflective sense would involve rational revision of our beliefs—though not all or all at once—by seeing them as connected with our unjust social practices, rather than as the consequence of our flawed psychology, as Hume and the noncognitive tradition after him has tended to view irrational belief. Recovering the ordinary concept of perspective will allow us to refigure judging beyond the view of evaluative judgments as merely subjective projections of value onto the world. Though our perspectives can distort, understanding how they distort requires that we first free ourselves from the thought that perspectives always distort, and in just this way. Let us turn now to the classic debate on the objectivity of evaluative judgments in the work of Hume and Kant.
Notes

CHAPTER 1


4. Key works on judgment in democratic theory include F. R. Ankersmit, Aesthetic Politics: Political Philosophy beyond Fact and Value (Stanford, CA: Stanford University Press, 1996); Ronald Beiner, Political Judgment (Chicago: University of Chicago Press, 1983); Albena Azmanova, The Scandal of
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8. William Connolly, *Neuropolitics: Thinking, Culture, Speed* (Minneapolis:


12. Ibid., 12.

13. Ibid., 43.


brink is where I place the attenuated form of the intellectualist account of judging that characterizes contemporary democratic theory. The intellectualist idea was powerfully criticized by Gilbert Ryle, *The Concept of Mind* (Chicago: University of Chicago Press, 2002; hereafter cited as CM). I discuss Ryle in chapter 9.


17. Ronald Beiner, “Hannah Arendt on Judging,” in *LKPP*, 89–156, at 137. “The problem with this exclusion of knowledge from political judgment is that it renders one incapable of speaking of ‘uninformed’ judgment and of distinguishing differential capacities for knowledge so that some persons may be recognized as more qualified, and some as less qualified, to judge” (ibid., 136). This is just the kind of qualification that Arendt, following Kant’s insights on the peculiar nature of aesthetic judging, would have us question. Question, not because all judgments are of equal rank, but because the capacity to judge politically should be learned by and expected from each and every democratic citizen.

18. Ibid., 138. In her later work, what “Arendt seeks from Kant,” writes Beiner, “is no longer a theory of political judgment, for, as she now conceives the matter, there is only one faculty of judgment, unitary and indivisible, which is present in various circumstances—in the verdict of an aesthetic critic, the verdict of a historical observer, the tragic verdict of a storyteller or poet—and the variety of circumstance does not relevantly affect the character of the faculty thus instantiated” (ibid).

19. Ibid.

20. I have discussed certain aspects of the critique of Arendt’s “noncognitivism” in Zerilli, “‘We Feel Our Freedom.’”

21. I borrow this example from Joseph Tinguely, whose excellent dissertation on Kantian aesthetics I discuss in chapter 2. Joseph Tinguely, “Orientation: Kant and the Aesthetic Content of Cognition” (PhD diss., New School for Social Research, 2011), 99. Tinguely uses this example of diplomatic policy to make a similar point about the way to understand two senses of the adjective *aesthetic* in the phrase “aesthetic judgment” in Kant’s work.

22. A survey of Arendt’s entire corpus shows that she speaks of “political judgment” only six times. Thanks to Sarah Johnson for this information. The real issue of course is not how many times she actually mentions political judgment but what the adjective political means: does it signify the object which is being judged, or does it signify the mode by which judgment proceeds?

24. Ibid., 220.


26. In “The Crisis in Culture,” Arendt writes, “The power of judgment rests on a potential agreement with others, and the thinking process which is active in judging something is not, like the thought process of pure reasoning, a dialogue between me and myself, but finds itself always and primarily, even if I am quite alone in making up my mind, in an anticipated communication with others with whom I know I must finally come to some agreement” (220).

27. Ibid., 221.

28. I use the term objects here in a loose sense. What comes into view for us in evaluative judgments is not necessarily an “object” at all. That way of thinking about evaluative judgments (aesthetic, ethical, political) is connected with a metaphysical conception of objectivity that rejects the idea that value judgments, since they do not refer to objects that can count as facts, could be objective. Hence, Hilary Putnam will argue for “objectivity without objects” when it comes to such judgments. Hilary Putnam, Ethics without Ontology (Cambridge, MA: Harvard University Press, 2004), 52–70.

29. Habermas, Legitimation Crisis, 108.


31. Ibid., 41.


34. McDowell, “Aesthetic Value,” 112. Mackie’s error theory of moral judgment shows him to be both a moral cognitivist and a moral realist. He thinks that no moral properties exist, no moral judgment can be true. All positive moral judgments are false. I discuss Mackie’s error theory in chapter 2.

35. Simon Blackburn, Spreading the Word: Groundings in the Philosophy of Language (New York: Oxford University Press, 2004). I discuss the differences between Mackie’s and Blackburn’s respective accounts of emotivism and projectivism in chapter 2.


38. Alfred J. Ayer, *Language, Truth, and Logic*, 2nd edition (New York: Dover, 2012); Charles L. Stevenson, *Ethics and Language* (New Haven, CT: Yale University Press, 1944). In the sixth chapter of his logical positivist tract, Ayer argued for an antirealist “emotivist” theory of ethics, which rejected the idea that ethical expressions fit into one of two categories of genuine (literally meaningful) propositions: analytic propositions (tautologies) and synthetic propositions (empirical). Ayer attacked, on the one hand, the absolutist view of ethics, whose statements of value admit of no empirical test, as well as naturalistic theories of ethics that attempt to translate statements of ethical values into statements of empirical fact in an effort to make ethical utterances into something they are not—namely, statements or judgments that are subject to testing. Moral pronouncements are expressions of emotion that cannot be verified. Likewise Stevenson argues that facts are logically divorced from evaluations, hence the latter are not subject to rational debate, and moral disagreements are in principle interminable. For a critique of the emotivism of Ayer and especially Stevenson, see Stanley Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (New York: Oxford University Press, 1982), chaps. 9–10 (hereafter cited as CR); Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 3rd ed. (London: Gerald Duckworth, 2007). MacIntyre argues that the emotivist theory of ethics is the expression of the final stage in a long development of ethical thinking from the Greeks through to the early twentieth century. It is based on the fact/value distinction and the ought/is distinction. However, the distinction should be seen as historical rather than intrinsic to the nature of morality as such. It is based on the rejection of human nature, interests, and desires as the basis for ethics. Whether this basis can be recovered is an open question.


42. Hilary Putnam observes:

   Ever since Hume, the fact that there are many kinds of value judgment that are not themselves of an ethical (or “moral”) variety tends to get sidelined in philosophical discussions of the relation between (so-called) values and (so-called) facts. This is especially true of the positivists. Carnap generally speaks not of “value judgments” but only of the statements of “regulative ethics” (or sometimes “normative ethics”). Reichenbach, when he turns to the “value” side of the fact/value dichotomy writes of “The Nature of Ethics.” And in Charles Stevenson’s book *Facts and Values* there is not a single reference to any value judgments outside of ethics! It is not that these authors would deny
that, say, aesthetic judgments are cases of value judgments, but, for the most part, their real target is the supposed objectivity or rationality of ethics, and in disposing of this topic, they take themselves to have provided an account that covers all other kinds of value judgment as well.


44. Ibid.
45. Ibid.
46. “When ethical disagreement is not rooted in disagreement in belief, is there any method by which it may be settled? If one means by ‘method’ a rational method, then there is no method. But in any case there is a ‘way,’” writes Stevenson. This includes, in a disagreement between A and B, “build[ing] up, by the contagion of his [A’s] feelings, an influence which will modify B’s temperament. . . . This is often the only way to obtain ethical agreement, if there is any way at all. It is persuasive, not empirical or rational; but that is no reason for neglecting it.” Charles L. Stevenson, “The Emotive Meaning of Ethical Terms,” Mind 46, no. 181 (1937): 14–31, at 29.


48. McDowell, “Non-Cognitivism and Rule-Following,” 201. McDowell’s critique applies as well to the “plausible idea that evaluative classifications are supervenient on non-evaluative classifications.” His point, directed here against R. M. Hare’s remarks on the thesis of universalizability, is that even at the so-called descriptive level, where Hare would locate any justification to an alteration in moral judgment, we would need to grasp that certain things belong together and that this “may essentially require understanding the supervening [evaluative] term” (ibid., 202).

49. Putnam, “Entanglement of Fact and Value,” 28. For Putnam’s detailed account of contemporary responses to thick ethical concepts as counterexamples to the idea that there exists an absolute fact/value dichotomy, see pp. 35–36.

50. Ibid., 34–35. Putnam’s full description is as follows:

The sort of entanglement I have in mind becomes obvious when we study words like “cruel.” The word “cruel” obviously . . . has norma-
tive and, indeed, ethical uses. If one asks me what sort of person my child’s teacher is, and I say, “He is very cruel,” I have both criticized him as a teacher and criticized him as a man. I do not have to add, “He is not a good teacher,” or, “He is not a good man.” . . . Similarly, I cannot simply say, “He is a very cruel person and a good man,” and be understood. Yet “cruel” can also be used purely descriptively, as when a historian writes that a certain monarch was exceptionally cruel, or that the cruelties of the regime provoked a number of rebellions. (Ibid.)

51. Ibid., 35.
52. The concept of democracy is often expressed in terms of “thin” and “thick” definitions. According to the former, democracy is defined as popular sovereignty or majority rule. But what popularly elected officials do with the popular mandate of their authority leads into a “thicker” conception of democracy that includes notions of rights, of citizen participation, and so on.

53. For an excellent critique of the fact/value distinction from within the political theory literature on Wittgenstein, see Hanna Fenichel Pitkin, *Wittgenstein and Justice: On the Significance of Ludwig Wittgenstein for Social and Political Thought* (Berkeley: University of California Press, 1993), esp. chaps. 8 and 10. Putnam’s pragmatist challenge to the fact/value dichotomy shows that evaluative thought extends to scientific judgments: “Pragmatist philosophers did not refer only to the kind of normative judgments that we call ‘moral’ or ‘ethical’; judgments of ‘coherence,’ ‘plausibility,’ ‘reasonableness,’ ‘simplicity’ and of what Dirac famously called the beauty of a hypothesis, are all normative judgments in Charles Peirce’s sense, judgments of ‘what ought to be’ in the case of reasoning.” Putnam, “Entanglement of Fact and Value,” 31. As we shall see in chapter 2 when we turn to Wittgenstein’s remarks on the theory of natural selection, to say that a scientific hypothesis is coherent in its structure or that it exhibits an admirable simplicity is to give reasons for agreeing with it. “Yet coherence and simplicity and the like are values,” Putnam contends (31). To say that there are epistemic values is not to say that there is no difference between these and, say, ethical values. It is merely to say that values permeate all aspects of judging and that we cannot speak of “value” as if it were one thing (commonly a synonym for “ethics”)—namely, the opposite of “fact.” The problem with the fact/value dichotomy, as Putnam argues, is that it reifies the difference that we, speaking in an ordinary idiom, may well wish to discern in any given judgment into a metaphysical binary that bears no relation to the particular case.

54. I discuss Habermas’s and Rawls’s approaches to values in chapters 4 and 5, respectively.

57. Habermas rejects “noncognitivist approaches [which] seek to reduce the content of moral judgments directly to feelings, dispositions, or decisions of subjects who take certain positions. These versions of ethical subjectivism draw a sharp line between judgments of fact and judgments of value, but they can account for why normative and evaluative sentences behave differently from sentences in the first person only by appealing to an ‘error theory’ [i.e., Mackie].” This approach reduces the self-descriptions of participants to be engaging in normative reason-giving in any moral debate to mistakes, thereby offering a “revisionary” account of the moral language game itself. Trying to explain how a judgment that involves a feeling can still be cognitive, Habermas grants, “feelings have propositional content, which goes hand in hand with the moral evaluation of thematic behavior [and that therefore] we can take them—like perceptions—to be implicit judgments.” Jürgen Habermas, *Truth and Justification*, trans. Barbara Fultner (Cambridge, MA: MIT Press, 2003), 240-41, 242 (hereafter cited as TJ).


63. Ibid.

64. Ibid., 89.

65. Kant continues, “And yet, if we then call the object beautiful, we believe we have a universal voice, and lay claim to the agreement of everyone, whereas any private sensation would decide solely for the observer himself and his liking.” Immanuel Kant, *Critique of Judgment*, trans. Werner S. Pluhar (Indianapolis: Hackett, 1987), §8, pp. 59–60 (hereafter cited as CJ).


67. Ibid., 93.


69. I discuss these passages in detail in chapter 8.

70. Attacking the objectivism of the rationalist approaches taken to be the main target of Wittgenstein’s philosophical investigations, Anthony Giddens, Roy Bhaskar, Charles Taylor, Pierre Bourdieu, and Jürgen Habermas, among other social theorists, have argued for an agent-centered approach to rules and rule following, which also avoids subjectivism by
putting “tacit knowledge” of rules or practical competence at the heart of judging and acting. Rather than portray subjects as engaging the objective tracks of rules as a kind of mechanical ability to intuit propositional content and meaning prior to the actual action of following a rule, these theorists emphasize the skillful ability of judging and acting subjects to correctly apply rules without necessarily being able to formulate an explicit discursive account of what they are able to do. The ontological idea of tacit knowledge of rules can appear to be a genuine alternative to what Habermas calls “the philosophy of consciousness” shared by both rationalist and empiricist philosophers. It appears to refuse the intellectualist position and to argue for the difference between theoretical (“knowing that”) and practical, or tacit, knowledge (“knowing how”). Tacit knowledge is generally taken to constitute the “fundamental background knowledge [of the life-world] that must tacitly supplement” propositional knowledge, as Habermas puts it. Quoted in Nigel Pleasants, *Wittgenstein and the Idea of a Critical Social Theory: A Critique of Giddens, Habermas and Bhaskar* (New York: Routledge, 1999), 58. Anthony Giddens, *Profiles and Critiques in Social Theory* (London: Macmillan, 1982), 57. For a good critique of the ascription of tacit rule following to Wittgenstein, see Pleasants, *Wittgenstein and Critical Theory*, chap. 4. As we shall see in chapter 7, Habermas will in this way ground democratic ideals of justice, rationality, and autonomy in the rule-governed structure of ordinary language use and the “rule-consciousness” of individuals as competent speakers.

72. Ibid. See also PI, §92.
73. Furthermore, comments Steven Affeldt, “insinuating a rule that we must be following beneath the surface description of our activity invites the idea that we do—must—possess more than these examples and explanations, and it also invites the idea that in learning concepts through the examples and explanations provided by others we must make a leap from what they offer to the rule that they are unable to offer.” Steven Affeldt, “The Normativity of the Natural,” in *Varieties of Skepticism: Essays after Kant, Wittgenstein, and Cavell*, ed. James Conant and Andrea Kern, 311–61 (Boston: Walter de Gruyter, 2014), 335.
75. Even in ball games, which we normally think of as wholly rule-governed, our normative assessment does not always require rules. As Affeldt explains:

It [our play] may be assessed as strategically shortsighted (“He should have tried to bunt the runner to second base”), as sloppy (“She isn’t giving enough attention to her defensive position”), as mean-spirited (“They had the game well in hand and could have/should have played substitutes for the last several minutes. There was no need to humiliate
the opponents”), as selfish (“He is hogging the ball”), etc. (“Normativity of the Natural,” 328–29)

76. Ibid., 340.

77. Pitkin, Wittgenstein and Justice, 3. Carefully attuned as she is to the crucial importance played by context in Wittgenstein’s critique of metaphysical and idealist accounts of meaning, it is hard to make sense of this reading of grammar as a kind of Kantian a priori (ibid., 93). See also Pitkin’s brilliant reading of the debate over justice between Socrates and Thrasy-machus (also in Wittgenstein and Justice, chap. 8). As I argue shortly, this view of grammar appeals to what we think must be the case for there to be meaning at all.

78. Ibid., 120. Just this interpretation is put into question by Pitkin herself, when in the final pages of the book she writes, “If language defines our world, then for that world to retain any kind of stability language must be a system of fixed, exhaustive, systematic rules. . . . That, I think, is the spirit of the Tractatus.” The author of Philosophical Investigations, by contrast, sought “a release from the rigid and frantic commitment to unambiguous order. Instead of retreating to a last island of certainty, Wittgenstein’s later philosophy examines the craving for certainty itself, and concludes that we are, after all, able to live on the sea” (ibid., 336–37).

79. Pitkin, Wittgenstein and Justice, 120.

80. Ibid., 121.

81. Mulhall, Stanley Cavell, 152, 18. For an excellent critique of Mulhall on this point, see Steven Affeldt, “The Ground of Mutuality: Criteria, Judgment, and Intelligibility in Stephen Mulhall and Stanley Cavell,” European Journal of Philosophy 6, no. 1 (1998): 1–31, at S. According to Affeldt, Mulhall’s Stanley Cavell: Philosophy’s Recounting of the Ordinary, though also a deeply appreciative and clarifying reading of Cavell’s Wittgenstein, shares the same tendency I am describing in relation to Pitkin to see language as a grammatical framework of rules that sets limits in a quasi-transcendental way on what can be meaningfully said or done. See also Affeldt, “Normativity of the Natural.” In this context it is worth noting that Pitkin worked with Cavell’s dissertation “The Claim to Rationality,” which was later revised and published as The Claim to Reason. This might explain some of the discrepancies in our interpretations of Cavell.

82. Affeldt, “Normativity of the Natural,” 320.


84. Affeldt, “Normativity of the Natural,” 337.

85. Ibid., 337. What haunts the demand for a standard of correctness is skepticism. As Affeldt explains:
Challenging the idea that there are things that function as explanations or justifications apart from specific confusions and the like must be a central target of Wittgenstein’s. For the idea that there just are things that function as explanations is the twin of the idea that there just are questions about what we do and say, that there just are things that need to be explained or justified—that there just are “gap[s] in the foundations” (PI §87). But if we allow that it will seem, and rightly, “that secure understanding is only possible if we first doubt everything that can be doubted, and then remove all these doubts” (PI §87). And here we are pushed toward a full-blown standard of correctness—something that must remove all possible misunderstandings and cover all possible cases of a word’s applications. (Affeldt, “Normativity of the Natural,” 337)

86. For Affeldt’s criticism of Mulhall on this point, see Affeldt, “Normativity of the Natural,” 350–52.
89. Ibid.
And here too, on the importance of form of life to understanding Wittgenstein’s Copernican revolution, both Pitkin’s and Mulhall’s writings are beautifully attuned. To my mind, as I aim to show in chapter 8, the demand that something must guarantee normativity leads to a conception of form of life as ethnographically static, rather than as dynamic and potentially world-opening.
92. Ibid., 347.
93. See also Affeldt, “Ground of Mutuality,” 16–17.
94. Quoted in ibid., 17.
96. See ibid., 354–55.
97. For a good discussion of this problem in language generally, see ibid., 355–56.
98. Hannah Arendt, The Life of the Mind, vol. 1, Thinking (New York: Harcourt Brace, 1978), 22, 23, 22 (hereafter cited as LMT). This edition presents both volumes of The Life of the Mind in a single book but preserves the original pagination of each volume, thus the differentiation: LMT for Thinking and LMW for Willing. Arendt adds, “Seeming—the it-seems-to-me, dokei moi—is the mode, perhaps the only possible one, in which an appearing world is acknowledged and perceived” (LMT, 21).
99. Ibid. Arendt cites here Maurice Merleau-Ponty’s work on perception.
100. For a powerful critique of political theory’s continued dependence on philosophy as an authorizing metadiscourse, see the work of John G. Gunnell, esp. The Orders of Discourse: Philosophy, Social Science, and Politics
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102. For the distinction between theories and events as the origin of Cartesian doubt, see HC, 254, and chap. 5, esp. 259.

103. The new modern god of Science, Arendt argues, which has in any case deposed philosophy as the master discourse, cannot restore our confidence in the truth-revealing capacity of the senses, for it is precisely the task of science to call such confidence into question. Within its own realm, of course, such scientific questioning is justified. But when the scientific attitude overtakes all aspects of human existence, when the entire idea of truth and objectivity is claimed by science and its method, then the loss of common sense can only result in extreme subjectivism and the flight into an abstract ideal of the external standpoint that “Droysen rightly denounced as ‘eunuchic objectivity’” (“CH,” 49).


105. She continues, “Impartiality, and with it all true historiography, came into the world when Homer decided to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector no less than the greatness of Achilles” (“CH,” 51). On Homeric impartiality, see also “IP,” 166–67. For a reading of Arendt’s conception of judgment as based on Homeric impartiality, see Lisa Disch, “More Truth than Fact: Storytelling as Critical Understanding in the Writings of Hannah Arendt,” Political Theory 21, no. 4 (November 1993): 665–94.

106. Readings of Arendt that emphasize the importance of a refigured conception of objectivity to her political thought include Liisi Keedus, The Crisis of German Historicism: The Early Political Thought of Hannah Arendt and Leo Strauss (Cambridge: Cambridge University Press, 2015); Richard J. Bernstein, Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis (Philadelphia: University of Pennsylvania Press, 1983). Notwithstanding his awareness of Arendt’s unique project, Bernstein sides with Habermas in arguing that Arendt fails to provide criteria according to which judgments with objective validity could be reached.

107. Arendt’s idea of a common world built on plural perspectives departs from the idea of commonality as the normative ground of a shared democracy.
For an excellent critique of this idea, see Michaele L. Ferguson, *Sharing Democracy* (New York: Oxford University Press, 2012).

108. On the narrow or conventional view of objectivity, perspectival modes of thought, because they are infused with subjectivity, have an intrinsic tendency to interfere with our access to reality. And though Arendt insists on plural perspectives as the very condition of judging, she also argues that there is a certain mode of subjectivity that cuts us off from the world. This is the form of the subject enclosed within his or her mind and certain only of the capacity for radical doubt, as described by Descartes. It is the subjectivism that attends the “world-alienation” that Arendt called “the hallmark of the modern age” (*HC*, 254). Such alienation marks our sense of a boundary separating us from the world and that is rooted in “the conviction that objective truth is not given to man but that he can know only what he makes himself” (*HC*, 293). What a person can know are the conceptual categories of his or her own mind; he or she cannot know whether and how these are connected to how things stand in the world.

109. As Putnam likewise argues, “reality does not have an existence and character wholly independent of human practices, beliefs, and evidence for the simple reason that human practices beliefs and evidence are a very large part of the reality we talk about, and reality would be quite different were they different.” Hilary Putnam, “Pragmatism and Nonscientific Knowledge,” in *Hilary Putnam: Pragmatism and Realism*, ed. James Conant and Urszula M. Żeglen (New York: Routledge, 2002), 14–24, at 18.

110. Arendt writes:

> The destruction of the common world . . . is usually preceded by the destruction of the many aspects in which it presents itself to human plurality. This can happen under conditions of radical isolation, where nobody can any longer agree with anybody else, as is usually the case in tyrannies. But it may also happen under conditions of mass society or mass hysteria, where we see all people suddenly behave as though they were members of one family, each multiplying and prolonging the perspective of his neighbor. In both instances, men have become entirely private, that is, they have been deprived of seeing and hearing others, of being seen and being heard by them. They are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular if the same experience is multiplied innumerable times. (*HC*, 58)


113. Ibid., 33.
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114. Quoted in ibid., 35.
115. On this point see ibid., 34.
117. For a summary of this ordinary understanding of perspective that I am ascribing to Arendt, see Conant, “Perspectivism, I,” 15.
118. Quoted in Conant, “Perspectivism, II,” 45n57.
119. Ibid., 45.

CHAPTER 2

1. Cf, §8, pp. 59–60/101. I have drawn (in some cases) on the Pluhar edition of Kant’s Critique of Judgment (see chap. 1, n. 65) and (in most cases) on the Paul Guyer and Eric Matthews translation. Immanuel Kant, Critique of the Power of Judgment (2000; repr., New York: Cambridge University Press, 2006). Page numbers refer, respectively, to these two translations.
2. Kant writes:

   This problem can also be represented thus: How is a judgment possible which, merely from one’s own feeling of pleasure in an object, independent of its concept, judges this pleasure as attached to the representation of the same object in every other subject, a priori, i.e., without having to wait for the assent of others? (CJ, §36, p. 153/168–69)

3. For a sympathetic and astute reading of Arendt’s turn to Kant and the value of aesthetic judgment for democratic politics, see Tracy B. Strong, Politics without Vision: Thinking without a Bannister in the Twentieth Century (Chicago: University of Chicago Press, 2012).
4. The phrase is from Mary Mothir, Beauty Restored (Oxford: Oxford University Press, 1984), 187. I mentioned this problem in the preface and discuss it further in this chapter.
6. For a similar account of the relative nature of taste and the need for tolerance, see David Hume, “The Sceptic,” in Essays, 159–80, at 163.