

‘In an Unbounded Way’: After Kant on Genius

Andrew Benjamin

*Wir suchen überall das Unbedingte,
und finden immer nur Dinge.
Novalis. Blütenstaub.*

0.

Of the many domains of investigation located within a philosophical concern with the aesthetic, the one to be engaged here begins with the subject/object relation.¹ Part of the contention to be developed is that once that relation is given centrality then the strictly aesthetic - understood as the interplay of the affective and the cognitive - encounters its own limit. However, that relation cannot be posited. Nor can there be the assumption that it is static. The relation has an intrinsic dynamism insofar as it identifies the continuity of encounter between subject and object. Both subject and object continue therefore to come into relation. Two questions open this engagement. The first pertains to the particularity of art: Is there a distinction between an object that falls under the rubric of what Kant identifies as ‘fine art’ (*schöne Kunst*) and thus what will become the work of art, and any other possible object? In other words, does the work of art have its own specificity? The second question pertains to the subject. Again, what is at stake are forms of particularity: Does the nature of the subject and thus subjectivity remain constant within all instances of the subject/object relation? Implicit in this second question is the possibility that what would count as experience within the realm of the aesthetic in the movement towards the attribution of centrality to the object cannot be straightforwardly generalized. Encounters would differ accordingly. On one level, it is clear that as Kant develops the three *Critiques* there is repetition, refinement and reinforcement of the general structure of subjectivity. However, if there is a quality that distinguishes the *Critique of the Power of Judgment* from the other two, thereby allowing the first and second *Critiques* a different after life, it can be located in the nature of the object within the encounter with ‘fine art’. To which it should be added that the encounter is different if the object of experience is a mere copy of an already existence art work - and here art work extends from poem to painting - than if it were an object defined by its ‘originality’. The move from copy to original involves a division in how the object is understood and equally entails a division within the structure of the encounter itself. The effect on the subject of works of genius is importantly different.² Their clarification should form an essential element of a systematic engagement with what Kant designates as the ‘aesthetic’ within his overall critical project.

The copy is an object whose presence and reception can be understood as involving a form of immediacy. No longer the immediacy of beauty - i.e. as that which pleases immediately - rather it is the immediacy of the mechanical re-

presentation of what is. However, the object defined by ‘originality’ is not simply different *qua* object, it is also the case that encountering it necessitates ‘the power of judgment’ (*Urteilkraft*).³ It calls on judgment. As a result, part of the argument here is that this conception of judgement becomes a form of mediation. Judgment exceeds pleasure. Moreover, once Kant’s position is developed, it can be seen that the nature of ‘originality’ demands an account of the object that has to start with a radical divide. While there is a significant distinction between the copy (in the realm of the aesthetic) and a more general sense of object delimited by its ‘purpose’, of far greater import, as noted above, is the divide between the copy and the original. If there were a way into a thinking of originality in the realm of the aesthetic that accords with Kant’s larger concerns, then it is not difficult to find an affinity with both the opening description of the Enlightenment located in his famous 1784 essay ‘An answer to the question: What is Enlightenment?’, and the imperative to which it gives rise.

Kant defines the Enlightenment in terms of a form of movement: ‘Enlightenment is the emergence of man from his self-incurred immaturity. (*Aufklärung ist der Ausgang des Menschen aus seiner selbst verschuldeten Unmündigkeit*)’.⁴ (Emphasis added) The movement is the process of becoming original; and thus the reformulation of the Enlightenment as the finding of that voice in which what is spoken is not mere repetition. The division between the original and mechanical repetition, which can be expressed as the impossibility, in the language of the *Critique of the Power of Judgment*, of reducing all objects to ‘mechanical imitation’ (*mechanischen Nachahmung*) is already announced in the force of the demand *Sapere aude!* Originality is an opening. In both instances, it is an ‘emergence’ (*Ausgang*). Part of the argument to be developed is that this emergence contains the possibility of its also being the movement of surpassing or unbinding that is a coming into relation. (Hence the dynamic quality of the subject/object relation.) An outcome that is already there in §49 of the *Critique of the Power of Judgment* in the description of the poet as the one who ‘moves the sensible beyond the limit (*über die Schranken*) of experience’; and then secondly, in the claim that ‘a representation of the imagination (*eine Vorstellung der Einbildungskraft*)’ can on the level of the aesthetic ‘expand the concept itself in an unbounded way (*auf unbegrenzte Art*)’.⁵ Limits and bounds are there (thus always already given) to be overcome. Indeed, it is this overcoming that obviates the hold of a boundary as both pre-given and determinate. It is the emergence - the happening - of bounded openness that enjoins judgement. As such the presence of limits, in the context of the aesthetic, are always after effects. Judgment secures the boundary as the result of the object’s having come into relation.

Precisely because ‘fine art’ emerges without the presence of a rule that is followed, indeed Kant ends §48 with the claim that the best that can be said is that ‘the rule hovered before the eyes of the artist (*die Regel dem Künstler von Augen geschwebt*)’, and thus the rule has a necessarily indeterminate relation to the object, there has to be an account of the result of that productive indeterminate relation, an indetermination named as ‘hovering’. Originality, as will become clear, names the object as an original indetermination.⁶ At the outset, however, the insistence on the possibility of what comes to be identified as ‘original’, and thus in having to concede to the insistent presence of the original - it insists because the original calls on thought - leads Kant to the recognition that

what has to be provided is an account of the object's production. The produced holds itself apart from that which is taken to be merely given. There is a division therefore within the economy of the gift. Hence, the presence of the original as itself an instance of the forming and informing of form, is part of another important though fundamentally different economy of giving. Within its effectuation the object is produced. As produced it then becomes the object within the subject/object relation. As a result, an account of production is not just essential, it exerts a determining force both on the act and explanation of the encounter. The contention here is that Kant's account of 'genius' in the *Critique of the Power of Judgment* is central to an understanding of what is at work within both a rethinking of the object as produced, and then also with the consequences of that rethinking for any subsequent account of the encountering of the object. A step has been taken therefore in addressing the first of the opening questions noted at the outset. Once emphasis is given to production as providing the locus of encounter, objects can then have qualities that resist that form of assimilation that would have demanded an abstract generalizable sense of the object. The project here is to show how Kant's account of genius in the *Critique of the Power of Judgment* (and related texts) allows for the development of a conception of the aesthetic object, the mimetic and, in the end, the work of art, that resists the effacing of particularity through too hasty a generalization of the subject/object relation (the latter both in terms of its content as well as the movement of relationality itself). Moreover, accepting that genius is linked to production and thus not to a conception of genius as a personified agent moves the philosophical way from the centrality of both the given and the subject and thus towards the produced.⁷ Such a possibility locates Kant's engagement with genius at the threshold between aesthetics and a philosophy of art. The latter only emerges when centrality is attributed to the objectivity of the object: the object as the locus of presentation. This necessitates a move beyond the cognitive. The centrality of the object demands it. This occurs once the object - understood in terms of the relation between ideational content and material presence - has become the locus of the philosophical. Kant on genius is therefore at that threshold, on the other side of which is Hegel.⁸

1.

Genius in Kant is a theory of production. It is defined not just in relation to mimesis broadly understood, but in terms of the distinction drawn by Kant between *Nachmachung* and *Nachahmung*. The latter - *Nachahmung* - delimits the produced object within the encounter of subject and object. Within that encounter production and informed response are importantly different; the informed response takes on the quality of judgment. Production involves genius, while judgment necessitates taste (where taste is understood in terms of its strict Kantian delimitation). The opening of §48 of the *Critique of the Power of Judgment* is clear in this regard;

For the judging of beautiful objects (*schöne Gegenstände*), as such (*als solcher*), taste is required; but for beautiful art itself, i.e. for producing such objects (*der Hervorbringung solcher Gegenstände*) genius is required.⁹

And here it should be noted that Kant identifies his locus of concern as the object 'as such'. The use of the formulation 'as such' however does not identify the object as merely given but as produced; it is brought forth. (Hence the continual need to recognize that what is at stake more generally is the quality of the appearance. Understanding the nature of appearance has to begin with the position that what appears is not what is given, were the given delimited by immediacy. On the contrary, what appears is what has been produced, and for that precise reason calls on judgment.¹⁰) As genius is a mode of production and not a subject description - indeed it is possible to argue that as a mode of production it produces both the work, what has to be understood as the 'object', as well as the producer, i.e. the genius (were the latter to be personified) - the overriding question pertains to the quality of the production. Indeed, it is possible to note the force of Kant's claim in what can be interpreted as Novalis' attempted counter to it. Novalis in the *Logological Fragments* writes that:

He who cannot make poems will only be able to judge them negatively. True criticism requires the ability to create the product to be criticized oneself. Taste alone judges negatively.¹¹

Now while it is possible to read Kant, especially in aspects of the argumentation of §50, as concurring with elements of this formulation, what is significant however is the way it departs from what has become possible with the emergence of what might be described as the concept of genius. While Novalis is primarily concerned, in the context of this fragment, with the response to the object (to that which appears) it should be clear that he stresses the figure of the genius; the genius as the agent of production. Here, however, genius remains the figure. Genius now has a necessary personification; the one who elsewhere is the 'idol' where the 'idol is the analogy of the human being'.¹² As though as a figure it crossed the divide between subject and object and thus produced and judged. The genius, within Novalis' configuration, becomes as a result the one whose actions could then be accounted for either in terms of intentionality or the will. If this were to hold then what is diminished is the possibility of conceiving of genius as a mode of production. The anthropomorphism of genius, while always possible and indeed in certain instances Kant succumbs to it, occludes that which is intrinsic to the concept of genius.¹³ Starting with Kant what continues to matter therefore is the nature of the object rather than the subject. (As has already been noted the producer - the poet, artist, etc. - as a subject position, is itself produced.) In the *Critique of Pure Reason* objects are given to subjects.¹⁴ That gift brings the defining elements of cognition into play.¹⁵ In regard to genius however rather than the givenness of the object what endues as central is a specific instance of the production of the object. In more general terms, the presence of production as a question cannot be separated from the philosophical problem of appearance; i.e. of the ontology and temporality of what appears and thus of both presentation itself and the enjoined response of judgment.

The opening of §47 of the *Critique of the Power of Judgment* is central to any understanding of appearance: 'Everyone agrees that genius is entirely opposed to the spirit of imitation (*Nachahmungsgesite*)'. What however is the 'spirit of imitation'? Before taking up the issues to which this particular formulation gives rise - issues which in the end, as will be suggested, continue to center on the

question of life - it is essential to note some of the terminological questions at work in the distinction between *Nachmachung* and *Nachahmung*. Clarification is necessary as it is clear that there are difficulties maintaining complete terminological consistency. The problem of consistency however should not stand in the way of the identification of the issues that are involved. In a sense, it might be suggested that part of Kant's project is the attempt to recover the vocabulary best adapted to it. While, as noted above, Kant does claim that genius is 'opposed to the spirit of imitation' (*Nachahmungsgesite*), it is also true that the term *Geist*, linked to a concern with genius, appears in different guises elsewhere. In the *Pillau Lectures*, for example, Kant writes of 'spirit' that it 'is the enlivening of the sensibility (*die Belebung der Sinnlichkeit*) through the Idea'.¹⁶ Within the overall attempt to position genius as a mode of production, *Geist* needs to be taken more generally as that which enlivens. It is the interplay of *Geist* and *Leben* that continues to have greatest significance. *Geist* is not simply an important topic, it names an essential quality of the object and also of human being. Its presence is itself productive since *Geist* names an immaterial presence that enlivens. Taken more generally however it allows for a distinction to be drawn between life as an engagement with the unconditioned and thus a sense of life open to transformation on the one hand, and, on the other, life as the enacted presence of normativity (the latter would obtain despite the content of normativity at any one historical moment).

As a beginning, however, the nature of the separation between *Nachmachung* and *Nachahmung* is the issue. Indeed, Kant's formulation does not involve a simple either/or. As consequence the force of the distinction between these two terms needs to be clarified. *Reflexion 778* provides a different entry into what is at work within the distinction.

The Germans have a talent for imitation (*Die Deutschen sind von talent Nachahmer*). This term has a worse reputation than it deserves. Imitation is very different from copying, and these are different from aping. (*Nachahmen ist ganz was anderes als copiren, und dieses was anderes als nachäffen.*) Imitation (*Nachahmen*) is not so different from genius as might have been thought. There is no progress of spirit (*Fortschritt des Geistes*), no invention, without really knowing how to imitate in new set of relations (*in neuer Beziehung nachzuahmen*).¹⁷

Then, after quoting a number of examples, the *Reflexion* continues with the claim that while imitation is the true guide of the genius, it is the imitation 'not of the letter or what is personal' (*nicht den Buchstaben und das Persohnliche,*) rather what is imitated is 'the spirit (*den Geist*) of the genius'.¹⁸ (Hence the predominating question is how, as a presentation or as an image, is the imitation of 'spirit' to be understood?) The imitating of the 'letter' is aping' (*Nachäffen*). Milton imitated but did not copy. (*Milton ahmete die großen Dichte, nach, aber nicht als copie das original*). He does this in order 'to surpass' (*zu übertreffen*) his predecessors; the latter are the objects of his imitation. Works therefore, even works of genius, have what are described in the *Reflexion* as a 'relation' (*Verhältniss*) to that which precedes it. The *Reflexion* ends with a return to the question of life. Aping lacks 'liveliness' (*Lebhaften*). While it lacks life what this means here is that it lacks 'spirit'.

While significant elements of the terminology that appears in §46-§49 of the *Critique of the Power of Judgment* are also at work in the *Reflexion*, it is the presence of relationality within the *Reflexion* that underscores not just the presence of genius as a mode of production but that what is produced has a relation of indetermination to that which precedes it. There is a relation but not one that has a determining effect on form. Moreover, one of the key moments in the *Reflexion* is the distinction it envisages between the differing objects of imitation. Initially the distinction is between the ‘letter’ (*Buchstaben*) and the ‘spirit’. The way into what is at stake within the distinction hinges on the capacity of the ‘letter’ to be copied and thus presented. While there is a clear historical dimension in any answer to the question of the nature of the distinction between ‘letter’ and ‘spirit’, the argument here is that once taken philosophically the answer hinges on the presence of two different senses of produced object. The first is a conception of the object, in terms of a particular modality of presentation (thus of appearance). In this instance, the object, and thus what appears, is defined as the presentation of determined form. Presentation would become re-presentation. There would be therefore a formal determination. Even though the production of any object always has a relation to the history of aesthetic objects and thus the history of the image, the distinction between ‘letter’ and ‘spirit’ and thus between copying and ‘imitation’ (*Nachahmen*) means that the production - the work of genius - will not then become the presentation of an already determined formal presence. The history of the object (now the object as art work) need not have a determining effect on the form of the presentation. What prevails therefore is a relation of indetermination. This opens up the second sense of produced object. In this instance, imitation differs from copying insofar as what appears within the former is not the re-presentation of an already determined presentation. What appears - in and as its appearance - surpasses that presentation. Surpassing occurs in the *Reflexion* in terms of the formulation *Fortschritt des Geiste*. What progresses, indeed the mark of its being progress, is that it does not have a predetermined form. Progress becomes an opening within the process of indetermination; production as the process of ‘indetermining’. Accordingly, progress is the production of what has been addressed by Kant in terms of ‘originality’ and thus as the production of the object as an original indetermination. Original indetermination is a mode of relationality. It is however a relation of indetermination not determination. Indetermination as a process is contemporaneous with what Kant has already described in terms of ‘surpassing’. Consequently, as tracing the formulation of Kant’s conception of genius unfolds, there is a necessity to hold to the process of surpassing. Surpassing occurs within the domain of formed objects and their concomitant judgment. Surpassing is a particular mode of relationality in which what is surpassed is the already determined presentation of a form. It is thus that part of the project here is not just to work out the nature of how the distinctions between copying and ‘imitation’, and then ‘letter’ and ‘spirit’, are to be understood, but to engage with what is named within them. More strategically therefore, what has to be pursued is *Geist*. The presence of *Geist* names the point at which there is a constancy of linkage between a concern with life, surpassing and thus also to processes of unbinding.

To recap: Kant begins to respond to the question of spirit in the context of the *Critique of the Power of Judgment* when he identifies ‘copying’ (*Nachmachung*) with learning. Here spirit is missing. Copying is the reproduction of that which is learnt. Rather than a form of production, it is the mere reproduction of what is. Differences within the ambit of copying - the history of works that repeat the given - means that all that is maintained within them is variety within sameness and an immediacy of production. Neither surpassing nor unbinding obtains. Within the unfolding of the argument thus far as it occurs within §47 it is still not yet clear what the actual status of *Nachahmung* involves. Later in the same section there is a suggested clarification. Kant writes,

Since, then, (the artist’s) natural gift must give the rule to (fine) art, what kind of rule is this? It cannot be couched in a formula and serve as a precept, for then a judgment about the beautiful could be determined according to concepts. Rather, the rule must be abstracted from what the artist has done, i.e., from the product, which others may use to test their own talent, letting it serve them as their model, not to be *copied* (*Nachmachung*) but to be *imitated* (*Nachahmung*),¹⁹

This formulation opens up in a particular direction. It should be noted that when Kant connects the creation of the ‘rule’ as resulting ‘from the product’ what is being staged is the primacy of the object. Moreover, recalled here is the complexity already noted in *Reflexion 778* since what it also instantiates is the possibility that the concept of imitation - thus its content - is no longer determined by a given content (and here the content could take the form of an image) that is reproducible. The distinction between, on the one hand, the copy and then, on the other, the result of mimetic production, is no longer to be thought in terms of the presence of a given content to be repeated and thus to be re-presented. The latter would be repetition as re-presentation in which what was repeated was already determined such that the re-presentation was already determined in advance. *Nachahmung* therefore is not straightforwardly imagistic if what it means to be an image is the presentation of that which is there - thus already given - to be presented. The product of genius continues to complicate the way that appearance is to be understood. In order to take up that complication, and thus to refine what is stake in the distinction between copy and imitation, it is essential to return to one of the elements of the formulation of the conception of genius that can be located slightly earlier in the text, i.e. in §46.

What occurs in §46 is the uncovering of what can best be described as an instability within the produced object. It arises from both the nature and necessity of production. The presence of that instability repositions the object as inextricably bound up with the process of judgment. Moreover, it is an instability that has an effect on how the objectivity of the object - the object’s being as an object - is itself to be understood. This instability must be allowed to emerge. The first element that is important is a reiteration of genius in terms of production. Genius is described as a ‘talent for producing (*hervorzubringen*) that for which no determinate rule (*keine bestimmte Regel*) can be given’.²⁰ It might have been conjectured that what should have been at work was a ‘determinate rule’ that organized and formed production. Indetermination involves the absence or suspension of such a conception of rule. The object is produced within this setting.

(While, of course, producing the setting itself.) What is produced - the object - must have 'originality' (*Originalität*) as its 'primary characteristic'. And yet, if this were all that pertained with any one object, then the product of genius would not only have a single characteristic, i.e. originality, it would also be the case that such quality had a necessary immediacy. It would be this quality that appeared and thus were such a possibility to obtain then appearance would be immediate originality. Recognition would be immediate. Stability, originality and unity would delimit the nature of the object. Such a position is however impossible. An impossibility that arises because of what attends the production of any object within this setting. It is a necessary element. It attends since production is neither intentional rule following, nor the presentation of a copy (as is now clear, for Kant, production is not copying). What attends is the possibility that any one original production could in fact be 'original nonsense' (*originalen Unsinn*).²¹ Resulting from this possibility is therefore a founding instability that marks production from the start. More formally, this means that there is a type of doubling at the origin such that what matters at any one point in time is that the presentation - thus what appears - be rescued from the possibility of being 'nonsense'. This is a state of affairs, i.e. the possibility of nonsense, that can be overcome since while there is the givenness of what appears, what appears is always in excess of mere appearance. In Kant's formulation, what appears and thus the object as produced acquires a form of complexity since the object must be more than itself. Such objects

must at the same time (*zugleich*) be models, i.e. exemplary, hence while not themselves the result of imitation, they must yet serve others in that way, i.e. as a standard or a rule for judging (*Regel der Beurteilung*).²²

Kant, in his evocation of 'original nonsense', identifies the presence of a problem that is there once there is a distinction between copying and mediated original production. Namely, that such a form of production, were it to be understood as resulting in the simply given, does not immediately have the quality of sense. And here it is essential to note that what is at stake within the formulations that attend this position are particular modalities of giving. Genius is a 'gift from nature' (*Naturgabe*). Furthermore, it is genius that 'gives' (*gibt*) the 'rule to art'. Those productions are not 'given' (*geben*) a 'determinate rule'. There is, as has been noted, a hovering indeterminate rule. While there is the continuity of modes of giving, what is given has two inseparable defining elements. It has an originally doubled quality that both necessitates and occasions judgment.

Note the way this position is formulated. Nonsense would be a presentation of that which neither referred nor had meaning, where reference and sense are defined in terms of immediacy. Hence the question of what would *Sinn* mean in such a context? Hence the further question: What is the counter to the possibility that any presentation is no more than 'original nonsense'? The answer to the second question hinges on that which is also given with(in) and as the object. While there is a production, that original gift cannot be reduced to pure appearance. This is, of course, the conception of appearance within empiricism in which the object is taken to be a pure self-referring singularity and thus immediately present. For Kant what appears, the produced object has another quality; a quality that precludes the reduction of what appears to pure

appearance. Kant is clear. That quality is there with the production. It is there ‘at the same time’ (*zugleich*). The object is both its appearance and, at the same time, there is another quality, which is also there, and which holds open the possibility that what appears not be nonsense. Kant’s formulation is clear: works or objects ‘must at the same time (*zugleich*) be models, i.e. exemplary’. The produced object is defined by an original sense of *at-the-same-timeness* that opens the object beyond the possibility of simple and original unity and thus pure immediate appearance. For it to be the production of genius what appears - that which is produced - as has been noted, must be, at the same time, ‘exemplary’ (*exemplarisch*). The term ‘exemplary’ has a specific meaning in this context. More generally, the exemplary can be understood as inextricably bound up with a presentation for which judgment has a contemporaneous and exigent presence. The presentation in being exemplary is, therefore, neither original nonsense nor a mechanical copy.

The object as a production establishes a standard or a rule. Both the rule and the standard are provided by the object itself. While what is at work within this other quality stands in need of clarification, it should be clear that integral to the production’s exemplary status is the necessity that it come into relation. In other words, that it enjoins judgement. Judgment is a relation. Again, Kant’s formulation is precise. The object either acquires *Sinn*, or its status as having *Sinn* comes to be affirmed insofar as it is able to provide a ‘standard or a rule for judging’.²³ Affirmation is judgment. The object of judgement however is not the production as a copy, thus what is there as the object of judgment is neither the content nor the presentation understood as mere presentation (or mere image). Within the latter the presentation - the appearance - would be a mode of re-presentation. Thus, the giving of that which was taken as there to be given. (Allowing, of course, for the representations to be as much successful as unsuccessful). Repetition, in such a context, is a modality of sameness, rather than a relation of indetermination. That latter mode of relationality would obtain were the presentation to be original. The question of what is meant here by a ‘rule for judging’ can only be addressed adequately once it is situated within the context created by ‘aesthetic ideas’. (Moreover, the presence of this type of idea necessitates the reintroduction of *Geist*.)

The engagement with what Kant designates as ‘aesthetic ideas’ occurs in §49. The engagement arises in the context of the identification of certain works as having what has already been identified as ‘spirit’ (*Geist*). What is meant by ‘spirit’ in this section of the text is defined in relation to a quality of the ‘soul’ (*Seele*); though it is a definition that maintains the already noted link between *Geist* and life. Spirit is the ‘lively principle in the mind’ (*das belebende Prinzip in Gemüte*). As a result of the nature of its presentation, as the presentation of life as activity - its end, life’s end - is maintaining ‘mental powers’ (*Gemüteskräfte*). This is the continuity of life - though it is life as worldliness and thus life as already having twisted free of its identification, let alone conflation, with the biological. Life is present here in terms of ‘spirit’ and thus as ‘mental powers’ which are to be maintained as such. Maintained, that is, without a determined end. Such a set of concerns, that is the movement of the mental power as having no end other than their own continuity, (this of, of course, a version of ‘purposiveness without a

purpose') is associated with the presentation of 'aesthetic ideas'. That presentation is defined in the following way:

that representation of the imagination (*Vorstellung der Einbildungskraft*) that occasions much thinking without it being possible for any determine thought (*ein bestimmter Gedanke*), i.e. concept to be adequate to it, which, consequently, no language fully (*völlig*) attains or can make intelligible.²⁴

Thought occurs. Thought has a relation to a concept without being determined by it. There is therefore a particular sense of relationality. What needs to be noted is the way in which what is at work here is a complex network of relations. The nature and quality of these relations are named in advance. They are relations that have an operative quality and thus their own economy. These qualities are signaled by the reiteration of forms of power. The relationship between *Gemüteskräfte* and *Einbildungskraft* involves a dynamic and thus a form of continuity that is self-defined. What continues is the work of the 'mental powers'. They have a necessarily dynamic quality. Built into the term *Einbildungskraft* is a sense of activity. *Einbildungskraft* is the power of presentation. The imagination is productive. These powers effect. There is a combination of powers (*Kräfte*) and in being combined they can be described as the continuity of their own activity. Thinking continues without a telos other than that of thinking itself. Thinking has its end therefore in the continuity of its own activity. This position identifies thinking not as a cognitive ability but as an activity that is commensurate with life itself to the extent that the activity of thought is able to break open its conflation with utility and instrumentality. Hence one of Hannah Arendt's most Kantian claims need not even name him.

Thinking accompanies life and is itself the de-materialized quintessence of being alive; and since life is a process, its quintessence can only lie in the actual thinking process and not in any solid results or specific thoughts.²⁵

This is an instance of what might be described as the more generalizable power, not of the aesthetic as a limited domain, but of thought itself.

2.

To continue opening up the aesthetic, and thus in continuing to move it beyond its delimited concerns, what has to be pursued next is the way there is a play of limits in §49. Judgment introduces the work of limits. As a beginning, it worth recalling the description of Milton that emerged in *Reflexion 778*. That Milton wrote; that Milton wrote in an identifiable poetic form; that Milton wrote in a language whose comprehensibility was already there, establishes the relation between those works, his actual poems, and the history of which they form a part, namely the history of poetic form. As already been noted for Kant Milton did not copy. On the contrary, he 'imitated'. What can be discerned from his writings, for Kant, is that this occurs in order 'to surpass' (*zu übertreffen*) other writers. He imitated not consciously or intentionally, he imitated them simply because he wrote poetry as did they. This is imitation as a form of repetition without

determinant content. Milton imitated in a way that the imitation in question broke with any type of formal determination. The terminology of surpassing is integral to the description of genius; again, it is genius as a mode of production and not the description of a subject position (except as itself a produced after-effect). In the context of §49 it is essential for Kant to introduce the imagination in a way that accords with the structure of genius. As has been noted, it is the imagination which makes from nature what he describes as ‘another nature’. The imagination therefore is not bound by nature as the given. The imagination is a process of transformation. This is its ‘power’. This transformation occurs with principles but without being determined by them. There is an important opening that occurs here. In Kant’s formulation ‘we feel our freedom from the law of association’ (*wir unsere Freiheit vom Gesetze der Assoziation ...fühlen.*) There is therefore a step, one that is attended by ‘feeling’ that ‘surpasses nature (*was die Nature übertrifft*)’. Affect endures. Here there is the reiteration of what can be understood as the logic of surpassing. Milton, for Kant, writes ‘to surpass’; the imagination therefore works to ‘surpass nature’. The question to be addressed is how boundaries and limits are operative in the formulation of this section of the *Critique of the Power of Judgment* and thus how concentration on the presence of limits furthers an understanding of genius as a mode of production.

For Kant in the formulation of the argumentation of §49 ‘representations’ (*Vorstellungen*) of the imagination are called ‘ideas’. Remembering that the imagination works in this context ‘in its freedom from all guidance by rules (*in Ihrer Freiheit von aller Anleitung der Regeln*). There are two reasons Kant provides for the use of the term ‘idea’. In the first instance, there is a ‘striving’ towards the beyond; namely what he describes as the passage towards ‘something beyond the bounds of experience’ (*etwas über die Erfahrungsgrenze*). This first point is important as it indicates in a more precise way how the aesthetic can be delimited by processes of unbinding. There is the attempt to secure that which would take on the quality of an idea of reason precisely because it could be understood as a ‘concept of reason’. The second is that there can be no concept adequate to it. Thus, it is the poet that continues to position, in Kant’s terms, the ‘sensible beyond the limits of experience’ (*über die Schranken der Erfahrung*). This is a specific outcome. It amounts to moving presentation beyond ‘anything of which there is an example in nature’. The repetition of nature’s content no longer delimits or limits presentation. Here a new and important element of the overall argumentation is introduced. The imagination is described as that which ‘emulates (*nacheifert*) the precedent of reason in attaining to the maximum’. It is essential to pursue what is at stake in the activity of emulation since emulation names the mode of relationality appropriate to the concentration occurring here on production rather than on intentional agency.

What is emulated is what might be described as a dynamic structure of thought. Emulation therefore is not defined by determined content. Content is not what is emulated. As a result, the question to be addressed concerns the nature of the relation between emulation and presentation. Central to any answer is the recognition that emulation as a mode of related production needs to be understood in terms of the presentation of an original indetermination. What is emulated is a productive structure of thought that while having a specific outcome, that outcome is always to be determined. Hence any outcome is what

has already been described here as an indetermination. Emulation therefore has neither a predetermined image, nor an already given formal determination. Again, emulation is a configuration of thought allowing for a presentation, rather than that which can be identified with the content of an already determined image. As a result, it opens the way towards an understanding of how genius breaks with a structure of imitation understood in terms of the interplay of repetition and sameness. Integral to the process is the undoing of limits and bounds in the first instance and then, in the second, the creation of openings. The movement towards this form of creation is presented in the next paragraph of §49. The reiteration of the language of the ‘unbounded’ is central to its occurrence.

Now if we add to a concept a representation of the imagination that belongs to its presentation, but which by itself stimulates so much thinking that it can never be grasped in a determinate concept, hence which aesthetically enlarges the concept itself in an unbounded way (*auf unbegrenzte Art*), then in this case the imagination is creative, and sets the faculty of intellectual ideas (reason) into motion, that is, at the instigation of a representation it gives more to think about than can be grasped and made distinct in it (although it does, to be sure, belong to the concept of the object).²⁶

Part of what is at stake in the identification of the ‘unbounded’ is that the imagination is not limited by its relation to the determined to the extent that it is constrained to repeat it. Indeed, the opposite is the case. In Rudolf Makkreel’s formulation even though ‘it remains tied to the sensible realm itself’, it is nonetheless not a re-presentation of an already determined form of the sensible.²⁷ It is not bounded to it. Thus, it is the state of being unbounded that de-limits the activity of the imagination. There is, therefore, an opening. The limit is only ever there as an after effect, even if its condition of possibility attends every creative act. It emerges when, in Kant’s terms, ‘judgment ... adapts the imagination to the understanding’.²⁸ This adaptation is the introduction of a limit. It is, of course, a limit that at every moment genius and the imagination, through further acts of production, can work to undo.

However, it is important to pursue the development of this position in the context of §49. Now, in order to clarify the way in which presentation and the breakdown of the determining hold of limits and boundaries occur, Kant takes up what he describes as the ‘aesthetic attributes’ of an object. What is important here is that these are the attributes of an object whose concept ‘as an idea of reason cannot be adequately presented’. The example used to identify what is at stake in this set up is ‘Jupiter’s eagle’. The eagle is an attribute, though it does not have the already determined status of a logical attribute. Logical attributes, for Kant, represent what is there with concepts. They both limit and delimit. There is a limit imposed within the subject/object relation. As a result, there is an essential closure. The ‘aesthetic’ attribute has a different field of activity. The subject/object relation within it is fundamentally different. The imagination is caused to ‘spread itself over a multitude of related representations (*verwandten Vorstellungen*)’. The limit of connection and then the concept’s capacity to express is reached. The limits imposed by relations of predication are undone and,

with the emergence of the ‘aesthetic idea’, there are effects. The mind is affected. This effected/affected state is described by Kant as that which works,

to enliven the mind by opening up for it the prospect of an immeasurable field of related representations (*un das Gemüt zu beleben, indem sie ihm die Aussicht in ein unabsehliches Feld verwandter Vorstellungen eröffnet*).²⁹

The life of the mind therefore occurs within ‘an unmeasurable field’ (*ein unabsehliches Feld*). Works of ‘beautiful art’ are ‘enlivened’ (*belebt*) by the presence in them of ‘spirit’. Such works ‘give’ (*geben*) the imagination the prompt to think. Again, what is occurring here is the reiteration of a modality of giving. Giving is not however a causal relation. All the gift can do is create the conditions for thought. Hence what endues, and thus that which predominates, are relations of indetermination.

In order to reinforce the argumentation that he is developing Kant adduces a further example. This time it takes the form of his own German prose translation of a poem by Friedreich II (*der Große König*). The poem was originally written in French. While not argued for directly in the text the claim here is that the elements of the poem that interest Kant concern life. The cited extract from the poem begins by announcing a departure ‘from life’ (*dem Leben*). (That life has a form of centrality in this context is reinforced by the fact that in the French original the poem’s protagonist is departing from ‘*l’Univers*. It is Kant therefore who names ‘life’ directly.) The departure is articulated in terms set by the image of the sun. Even as it sets the sun’s radiance continues to spread. It shines forth. Its ‘final moments’ are for the ‘well-being of the world’ (*das Wohl der Welt*). Of the poem Kant writes that its ‘enlivens’ (*belebt*) as a result of the work of the imagination which stages a set of relations with both sensation and ‘indirectly related representations’ (*Nebenvorstellungen*) ‘for which no expression can be found’. (By the latter Kant means no determined singular expression.) The poem works therefore beyond the limit. It allows for what Kant identifies as ‘the consciousness of virtue (*das Bewußtsein der Tugend*)’ such that a subject then comes to occupy, on the level of thought, the position of the virtuous person. This provides a set of feelings which are ‘sublime’ and ‘calm’ and then more emphatically as those which can engender what he describes as ‘a boundless prospect into a happy future’ (*eine grenzenlose Aussicht in eine frohe Zukunft*). The emergence of the ‘boundless’, precisely because what is at work are aesthetic connections and not logical ones, is itself marked by a form of necessary contingency. Original indetermination is, of course, equally thus characterized. (Here is another instance of a structural affinity between the Kantian ‘aesthetic’ and the moral.) To return to Kant’s concern with life. The poem ‘enlivens’ (*belebt*) what is described as ‘the idea of reason of a cosmopolitan disposition’ - namely Friedreich II’s. Here there is an enlivening that occurs ‘even at the end of life’ (*noch am Ende des Lebens*). There are therefore two senses of life. What then of their relation? Answering this question will take on the guise of a conclusion.

In §50 ‘fine art’ is given a description that reintroduces, albeit through a form of association, the question of life. Kant writes that:

Now insofar as art shows genius it does indeed deserve to be called *inspired* (*geistreich*), but it deserves to be called *fine art* only insofar as it shows taste.³⁰

The second part of this formulation is the opening to the centrality of criticism within Romanticism insofar as its claim is that 'fine art' is 'fine art' to the extent that it becomes an object of judgment, which is to say that it is criticisable.³¹ However, here what matters is the first part. A work of genius is described as *geistreich*; thus, as inspired (i.e. full of *Geist*). *Geist* returns. An inspired work is already the locus of inspiration. Thus, it is already that which allows for a separation - albeit a separation *in medias rei* - of formal presence, that which is the simple presentation of determined content, from that which informs. The latter - the process of informing - is an immaterial force. Any one object is, of course, their interrelated co-presence; holding 'at the same time'. The presence of both therefore allows for a redescription of the object such that matter becomes the locus of that immaterial force. The denial of the presence of this force, which here would be the denial of the possibility of the 'inspired' work, would have as one of its most direct consequence the reduction of the material to the empirical. While in a more restricted historical context what is at work here is a modality of the distinction between the spirit and the letter, and it is exactly that distinction that also generates a specific hermeneutical project, of particular significance within the context of a philosophical engagement with Kant on 'genius', is the way that *Geist*, and thus inspired work, can be understood as charging the given, the everyday, what could have been mere presentation, with that possibility that opens life to the possibility of 'a boundless prospect'.

The opening up of life, an opening which surpasses any measure and thus any limit - note that here limits and boundaries need to be understood as the mark of an ineliminable finitude - turns the setting in question towards the 'immeasurable' (and thus by extension towards the infinite and the unconditioned). That turning - its contingent necessity - is also there within the realm of the ethical. Providing both the possibility for judgement, and in striving to attain an infinite that insists and locates the dutiful act within the striving itself.³² Indeed, Kant's refusal in the *Critique of Practical Reason* to identify the insistence of the unconditioned with the conception of the 'highest good' or the 'good life' as they appear in the history of philosophy, indicates that the locus of the ethical, as with the force of the aesthetic, involves a relation between the conditioned and the unconditioned understood as a distinction on the level of quality not quantity. The 'mind' for Kant is enlivened by and within this sense of turning. Enlivening here can be understood as a prospect for life that inheres in the given but emerges in the move towards the immeasurable. It is this movement that both enlivens and in which the subjectivity discovers its finitude. (A discovery that is (in) the gift of the infinite.) That movement is the affirmation of *Geist*; that movement is what is always there in the work of genius. This is why such works allow for and encourage emulation. The life that is delimited by death, the sense of life that is structured by the opposition life/death, is the conception of life that is both undone and surpassed by the life of the protagonist of Friedrich II's poem. That life has effects that resist measure, in the strict sense of having been positioned within a turning towards the 'immeasurable'. Hence, enlivening is the

quality that constitutes life 'beyond nature', even though that life is marked by an almost inevitable precarity.

To return finally to the opening questions. Both of them addressed forms of possible generalizability. In the first instance, it was the object and in the second it was the subject. Taken as a whole, the question of generalizability can in part be accounted for in terms of the Romantic response to Kant in which the imagination became the defining faculty. For Novalis logic was concerned 'simply with the dead body of the philosophy of mind', 'metaphysics' on the other hand is described as 'the pure dynamics of thinking' and thus the 'soul of the philosophy of mind'. Novalis aspired to the possible integration of those elements.³³ That integration would have occurred in what more generally would have to be understood as the now extended presence of the Kantian conception of the imagination. This is extension finds expression in Novalis' *Fichte Studies* thus: 'Genius belongs to Philosophizing'.³⁴ What is clear in addition is that the question of the subject has extension precisely because once the practical is emphasised what is then essential is that the subject's own self-understanding can then be said to occur to the extent that finitude is delimited by what can be described in Kantian terms as the recognition of a supersensible vocation. It is of course a vocation that orientates. This links the moral and the aesthetic insofar as that recognition which taken place in both domains - thus causing the question of their precise difference to obtain a genuine sense of acuity - is, as has been noted, that conception of finitude in which finite being is itself delimited by the infinite. It is this infinite that continues to be named differently. It is as much the 'unconditioned' as it is the 'immeasurable'; it also there at the moment at which *Geist* works to undo limits and borders since *Geist* does not just enliven, it enlivens by introducing into finite life, redefining it thereby, that which turns it towards the infinite. A turning which is the project of thinking itself.

¹ This paper form part of larger project funded by Australian Reach Council (ARC DP160103644) entitled. *Place, Commonality and the Human. Towards a New Philosophical Anthropology.*

² In his excellent paper on §49 of the *Critique of the Power of Judgment* Samul A. Stoner underscores the important of the response to presentation of the object. He approaches this under the heading ‘spectatorship’. His important point is that what is at stake is that the presentation of such an object brings the receiver’s productive imagination into play. While Stoner’s arguments are different they can also be read as advancing a position that seeks to emphasise the productive nature of genius - what is argued here as genius as a theory of production - rather than the identification of genius with human agency, See his On the Primacy of the Spectator in Kant’s Account of Genius. *The Review of Metaphysics*. Volume: 70. 2016. (pages 87-116)

³ I. Kant *Critique of the Power of Judgment* (Translated by Paul Guyer and Eric Matthews). Cambridge University Press. Cambridge. 2001. See §50. (Henceforth CPJ plus page number.)

⁴ I. Kant. An answer to the question: What is Enlightenment? In I. Kant. *Practical Philosophy*. (Translated by Mary. J. Gregor) Cambridge University Press. Cambridge. 1999. Page 17.

⁵ CPJ Page 192.

⁶ The presence of the indeterminate relation is essential part of what is at work here. A determinate relation is one in which the presence of A has causal effect both on the existence of B and the form and content of B. Within a relation of indetermination there is still a relation between A and B however the relation is necessarily contingent. The presence of A entails the possibility of B and that the form taken by B while explicable in terms of its relation to A has neither the form nor the content of A as a necessary condition of its being B.

⁷ Insisting on the primacy of production positions this interpretation against those in which the genius becomes an anthropomorphic figure. Even if that figure is the mark of a certain instability see in regard to this latter possibility: Orrin Nan Chung Wang. Kant’s Strange Light: Romanticism, Periodicity, and the Catachresis of Genius. *Diacritics*, 2000, Vol.30 (4), pp.15-37. For an illuminating discussion of the distinction though one which keeps on insisting that for Kant genius is an actual intending figure see also Pauline Kleingeld. Romantic Cosmopolitanism: Novalis’s “Christianity or Europe”. *Journal of the History of Philosophy*, 2008, Vol.46(2), pp. 269-284.

⁸ In have tried to develop a sustained argument for this position in the opening chapters of my *Art’s Philosophical Work*. Rowman and Littlefield. London. 2015.

⁹ CPJ Page 189

¹⁰ Hence the felicitous formulation by Michael Chaouli that genius ‘brings forth new ways of bringing forth’. In *Thinking with Kant’s Critique of Judgment*. Harvard University Press. Cambridge. 2017. Page 156. Indeed, Chaouli’s insistence on production mirrors the approach taken here. The emphasis here is different

insofar as genius becomes the moment at which the art object marks the threshold condition between aesthetics and a philosophy of art.

¹¹ The *Logological Fragments* are to be found in Novalis. *Philosophical Writings*. (Translated by Margaret Mahony Stoljar). SUNY Press. Albany. 1997. Page 55. Here of course Novalis advancing the same claim about the ‘negative’ that is made by Schlegel in the *Athenaeum Fragments* (No. 3); ‘Kant introduced the concept of the negative into philosophy. Wouldn’t be worthwhile trying now to introduce the concept of the positive into philosophy as well?’ (See Friedrich Schlegel. *Philosophical Fragments*. (Translated by Peter Firchow). University of Minnesota Press. Minneapolis. 1991. Page 18. While for Kant the genius’ work involves ‘the transformation of nature into another nature’ in Dalia Nassar’s formulation, for Novalis ‘the genius seeks to transform the natural world into a spiritual reality’. Moreover, she is clear that for Novalis genius is ‘something that one must strive to achieve or realize.’ Genius is linked to a form of intentionality. See Dalia Nassar. *The Romantic Absolute. Being and Knowledge in Early German Romantic Philosophy, 1795-1804*. The University of Chicago Press. Chicago. 2014. Page 51.

¹² Novalis. *Notes for a Romantic Encyclopaedia*. (Translated and Edited by David W. Wood). State University of New York Press. 2007. Page 65.

¹³ This occurs most obviously when Kant identifies genius with proper names, e.g. Milton and then negatively with others, e.g. Newton. This leads to the extraordinary project of trying to redeem figures as geniuses in what is then taken to be Kant’s sense of the term. In regard to Newton see Bryan Hall. Kant on Newton, Genus and Scientific Discovery. *Intellectual History Review*. 2014. Pages 1-13.

¹⁴ See, for example, *Critique of Pure Reason* A19:B33.

¹⁵ It is of course in terms of giving and thus what has been described as the logic of the gift that there is a link between this aspect of Kant’s work and the engagement with that logic in the writings of Jacques Derrida. For an important overview of the connections and affinities between Derrida and Kant on this point see: Michael Haworth Genius Is What Happens: Derrida and Kant on Genius, Rule-Following and the Event. *British Journal of Aesthetics*, 2014, Vol. 54(3), pp.323-337

¹⁶ While it is pursued in a different way Lara Ostaric also draws attention to the connection between life and spirit in these lectures. See her Works of Genius as Sensible Exhibitions of the Idea of the Highest Good. *Kant-Studien*, 2010, Vol.101(1), pages 32-33. The reference to the lectures themselves here is to: *Akademie Edition*. 25.2. 782.

¹⁷ *Akademie Edition* 15.1 340-1.

¹⁸ *Akademie Edition* 15.1 340-1.

¹⁹ CPJ Page 188 (Translation modified).

²⁰ CPJ Page 186.

²¹ CPJ Page 186.

²² CPJ Page 186-7.

²³ There is an interesting affinity with Plato at this point. Precisely because the production of the art work is neither intentional nor rule following the interpreter needs to be skilled. I have developed this connection in my: *Furor Divinus: Creativity in Plato’s Ion*. *ODRADEK. Studies in Philosophy of Literature, Aesthetics and New Media Theories*. Volume 1. No. 2 2015

²⁴ CPJ Page 192.

²⁵ Hannah Arendt. *The Life of Mind*. Page 191.

²⁶ CPJ Page 193.

²⁷ Rudolf. A Makkreel. *Imagination and Interpretation in Kant*. University of Chicago Press. Chicago. 1990. Page 120.

²⁸ CPJ Page 194.

²⁹ CPJ Page 193 (Translation modified).

³⁰ CPJ Page 197.

³¹ This is also the opening to Walter Benjamin for whom what is fundamental to the artwork is what he will call ‘criticizability’. This is explored in his *Der Begriff der Kunstkritik in der deutschen Romantik*. Walter Benjamin. *Gesammelte Schriften*. Band 1.I.S 1. 79. To this end see, in addition, Rolophe Gasché. *The Sober Absolute. On Benjamin and the Early Romantics*. In *Walter Benjamin and Romanticism*. Edited by Andrew Benjamin and Beatrice Hanssen. Continuum. London. 1999. I have taken up the complex relation between form and ‘criticizability’ in my *The Politics of Informed Form. Plato and Walter Benjamin* (Forthcoming in *The Politics of Form in Greek Culture*. Edited by Phiroze Vasunia. Cambridge University Press. 2020.)

³² I. Kant *Critique of Practical Reason*. In I. Kant. *Practical Philosophy*. (Translated by Mary. J. Gregor) Cambridge University Press. Cambridge. 1999. Page 241.

³³ The most detailed account of Novalis’ conception of the Absolute and the one that makes the greatest claims of its actuality can be located in the work of Manfred Frank. His most sustained account is in his *Unendliche Annäherung*. Suhrkamp. Frankfurt am Main. 1997. For recent survey of the issues involved and which includes a discussion of Frank see: see Gabriel Trop. *Novalis and the Absolute of Attraction. Seminar: A journal of Germanic Studies*. Volume 50. Number 3. 2014. Pages 276-294. See in addition Dalia Nassar. *Op cit.* Pages. 22-29.

³⁴ Novalis. *Fichte Studies*. (Translated Jane Kneller). Cambridge University Press. Cambridge. Page 87.