

Prolegomena to a Contemporary Theory of Judgment, or Why Some Art's Cool

by [Ben Davis](#)

15/07/11 1:19 PM EDT



I was out recently and ran into a colleague, who confronted me about [an essay](#) I had written earlier this year on the state of art criticism, in which I griped that art news and opinion had replaced art theory at the center of the contemporary discussion. "The problem I have with that essay," my colleague said, "is that you are trying to tell people what to think, as if there's a right way to approach art."

Without some kind of theory to ground artistic debate, I find, the sense of art's importance recedes and gossip and snark fill the gap. But my colleague argued that it all is, unavoidably, ultimately subjective: "In the end, it's all just 'thumbs up and thumbs down' — that's it."

I chewed this humbling encounter over in my head. And what I realized, when I really thought about it, is that what this argument comes back to is in fact the basic problem of the "Critique of Judgment," the classic treatise on aesthetics by Enlightenment guru Immanuel Kant.

To be meaningful, a critical judgment has to be delivered with the conviction of an objective fact — it's in the nature of art, which we tend to think of as important on a fundamental, existential level, that it elicits such pronouncements. Yet to be an aesthetic judgment, it has

to be subjective, so it cannot be a statement of fact. This is what Kant calls the "antimony of taste."

Is there any way to move past this dilemma? Philosopher Alain Badiou argues that there are four types of "truths," which can intersect each other but follow their own rules: love, politics, science, and art. I've sometimes found it useful to fold this theory back into the judgment of art itself, for Badiou's four truths actually do correspond to four ways of looking at (and liking) art.

You can judge art, for instance, based on love — its sentimental associations for you personally, your relationship to the artist or the artwork. This is a perfectly legitimate reason to like something, and very primal. People love their kids, so they love their kids' art.

You might also like a work of art because you agree with it politically. Again this is totally legitimate, but it's important to say that this is a separate question to whether it is a good work of art. Art that you agree with politically can be bad, and art that is politically despicable can be aesthetically good.

As for science, the least obvious, you might also judge a work to be good because it is technically innovative. In art, this type of judgment comes up particularly with "new media," where questions of whether or not something makes use of up-to-date technology routinely present themselves. But just as the Academy Award for Technical Achievement often goes to movies that are really terrible, technical prowess is a separate question to artistic merit.

All of this is clear. The obvious question, then, is this: Once you disentangle the question of aesthetic judgment from these other ways of approaching art, what else is there? What is the *artistic* way to approach art? In the space of this essay, I am not going to burden myself with laying out a Theory of the Basis of All Aesthetic Experience. I will simply give one example of a type of judgment that fits the bill, which is very important to writing about art: the judgment of originality.

When you burn off all the literary and theoretical foam of much contemporary art writing, you will find that quite often the final verdict — the justification of the "thumbs up, thumbs down" part — distills to an assertion of a work's originality, or lack thereof. For his part, Kant defines artistic genius as "a talent for producing that for which no definite rule can be given." Artistic quality here comes down to the sense that the artwork is not just based on clichéd repetition, but offers a new approach to reality — that it is judged to be creative.

In the chapter on Kant in the "Routledge Companion to Aesthetics," Donald W. Crawford notes that the German philosopher's "doctrine of artistic creativity became the cornerstone of Romanticism," since genius would seem to be that which goes beyond any rational law. My take is that the utility of the definition comes from how it is potentially applicable to a broad range of types of aesthetic experience, not just Romanticism with its ideological aversion to the rational. Kant's formula is potentially much more supple than that, because almost anything can become a "definite rule." In fact, in France, realism in painting positioned itself against Romanticism, which had become an establishment style. The contrast is what gave credence to the sense that realism was an original and dynamic force, that is, its claim to "genius."

This observation brings us back to the question at the beginning: How do you argue about art in a meaningful way that acknowledges the basic diversity of perspectives without having it all become a question of pure opinion (in which case there is not much point in arguing at all)? Obviously questions of artistic quality start from a subjective place. Neither the Abstract Expressionists nor the Minimalists were "wrong" or "right" in some scientific sense. Both positions are valid, starting from their own points of reference.

On the other hand, insofar as a judgment incorporates something like an assertion of originality, you are not just speaking about your own gut reaction, but referencing certain objective characteristics of a work: the types of colors, the materials being used, the kinds of strategies and intellectual claims being made for something. And you are comparing these characteristics to the objective characteristics of other works, and assessing them in relation to one another. You are saying that either the new work of art is like or unlike the other art that is out there, derivative or original, ordinary or exceptional.

The value of such artistic claims to originality changes in relationship to history. At one point, abstraction seems fresh and alive; decades later it seems played out, and people rebel against it as an orthodoxy. The discernment of what is original about a work also relates, quite evidently, to the reference points an individual has in terms of education and experience: to someone who doesn't know [Mark Rothko's](#) painting, two canvasses may look exactly the same; a connoisseur can point out the details that make one more unique than the next.

And so it seems to me that the ultimate horizon, when it comes to arguing about art — at least insofar as it incorporates a judgment of artistic originality — is neither objective facts ("telling people what to think") nor subjective opinion ("it's all just thumbs up or thumbs

down"), because the one is completely wrapped up with the other; your subjective experience is the product of objective context, while your perception of the creativity of a work's objective features is, in turn, bound up with subjective associations. It's in the nature of the game of art that these two factors interpenetrate, to the point where maybe you need a new term to understand what is going on — subjective? It may even be that it is the fact that art inhabits this gray area that makes it interesting and important to argue about in the first place.

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