

What is an Academic Judgement?

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This paper considers the nature of academic judgement. It also suggests that academic judgement is not the special preserve of academics as such and is something with which students can be imbued. It is further suggested that academic judgement is best considered in the context of critical learning which is contrasted with demonstrative learning. The paper then proceeds with an analysis of judgement by considering the ideas of Peter Geach on this particular subject. It then moves to considering judgement in the context of a practice, as set out by Alasdair MacIntyre. Whilst providing insight into the nature of practical judgement, this approach is found wanting nonetheless and attention is next turned to considering judgement within the space of reasons – that is, the approach of John McDowell. The paper then suggests that the idea of the space of reasons can be given greater substance through consideration of two further kinds of judgement – epistemic and reflective.

INTRODUCTION

Academics make academic¹ judgements virtually every working day. But what exactly *is* an academic judgement? As a starting point, one might have recourse to appropriate statutory documents: for example, the 2004 Education Act mentions that student complaints do not count as a ‘qualifying’ complaint if it relates to matters pertaining to an ‘academic judgement’ (HEA, 2004, p. 5, Section 12). The Office of the Independent Adjudicator (OIA) helps to provide a gloss on the term:

Academic judgement is not any judgement made by an academic; it is a judgement that is made about a matter where the opinion of an academic expert is essential. So for example a judgement about marks awarded, degree classification, research methodology, whether feedback is correct or adequate, and the content or outcomes of a course will normally involve academic judgement (OIA, 2018, Section 30.2).

But although it is heartening to see that some deference is paid to academic judgement, little light is thrown on what it actually is. This can, of course, be useful: for example, the University of Cambridge’s complaint procedure

quotes the OIA definition (Cambridge University, 2018), without further elaboration. Providing no-one is prepared to question the nature of academic judgement, who are we to complain? But, at the risk of disturbing sleeping dogs, I propose to enquire more closely as to what constitutes an academic judgement.

Three points are worth making at the outset. The first is that academic judgements should not be construed as the special preserve of those designated as ‘academics’. For students also make academic judgements along the same lines as academics. So it’s not the case, I suggest, that academics make special judgements that students couldn’t possibly carry out themselves. When a judgement is made by an assessor as to whether the evidence cited is strong enough to support a particular argument this judgement is one that has already been made (or should have been made) by the student writing the essay or the research report. Similarly, when a student attempts to employ a range of separate factors in support of an argument (perhaps drawing on different elements of knowledge from a range of modules) then whether this is achieved successfully is something that both student and assessor have to decide. Academic judgement, far from being unique to academics, is something that the latter wish to impart to their students. Consequently, if I am marking a student paper then I am assessing the kinds of epistemic judgements the student is making—whether the claims made are true and whether they are well founded. It’s not the case that the student is doing one thing and I am doing something else—the writer of the paper and the assessor are both making the same kind of judgements. That is, the student needs to be in the habit of assessing their own judgements as to evidence and reasoning in exactly the same way that I, the assessor, am doing. The process is the same: the only difference is that in the one case the outcome is a paper and in the other, the outcome is written comments and a mark of some kind.

The second point is that the object of judgements—that is, the nature of the academic work being judged—may vary considerably, but the forms of judgement remain the same whether it is a first year undergraduate essay that is being scrutinised or a paper in a leading journal. It is true, of course, that an undergraduate essay may be limited in its judgements and most likely will not make use of the full range of judgements—these will be set out shortly. But then the same could be said of a paper submitted to a journal. We can think of judgement in terms of an evaluation, whereby the judgements of others are themselves judged or evaluated. This ‘meta-function’ of academic judgement may add to its mystique but one of the points I wish to make is that this is unnecessary: judgements are not a mysterious thing. On the contrary, I hope to show that there is a commonality of judgement both in respect of who is doing the judging and what is being judged.

The third point is perhaps the most important of all and concerns the kind of learning that is being judged. We can think of the products of learning in roughly two different ways. The first involves the reproduction of a body of material that has been learnt. In this case, we assess the learning against set outcomes. Assessment consists of checking, validating and adjudicating. The scope for independent judgement is minimal because in this case

the learner is merely being asked to demonstrate what they have learnt. Different forms of assessment can be used—for example, multiple choice questions may be a far more efficient method of assessment than an essay or extended piece of writing. I call this demonstrative learning and it often includes within it an element of performativity whereby the learner ‘enacts’ through writing, speech or visual media what they have learnt in response to specific questions. The second product of learning arises when the student is asked to construct their own thoughts, beliefs and arguments on a particular subject. Undoubtedly, this kind of learning will contain material contained within demonstrative learning—that is, material composed of information, basic concepts, standard arguments and recognisable methodologies and procedures. But the second type of learning—which I will refer to as critical learning—goes further than this. For the student is being asked to reflect, to construct argumentation and to set out their own beliefs on the basis of reasons and evidence.

We are often apt to underestimate the second type of learning or to suppose that it collapses into demonstrative learning. This is entirely understandable when, at the end of a long course, one has (say) forty or fifty essays to mark. Nevertheless, we need to try to think of critical learning as a product of independent effort and even as ‘risky’. For the product of such learning, containing as it does, the communication of beliefs and convictions (however hesitantly expressed) is exposed to judgements, which, as I hope to show, go well beyond the more restrictive assessment of demonstrative learning. Indeed, one might express the difference between demonstrative and critical learning by saying that whereas the first is merely assessed, in the second the full range of *judgements* come into play. And however imperfect a product of critical learning might be, the fact that it is an object of judgement reflects the value placed on it as a product of independent thinking on the part of the student. More broadly, this value also reflects an individualised culture of learning in which respect is placed on the independent efforts of students.

I will say more about the importance of critical learning in the conclusion. For the purposes of this paper it should be borne in mind that the kind of judgements I am about to describe are primarily addressed to the products of critical learning.²

My strategy will be as follows. First, I will say a few words about the concept of judgement. I will then discuss the idea of judgement within the concept of a practice. Whilst this move certainly (I will argue) advances our understanding of academic judgement there are still deficiencies. These are made good by placing the idea of judgement in the ‘space of reasons’ in the twofold form of epistemic and reflective judgement.

THE CONCEPT OF JUDGEMENT

Perhaps a good place to start is the analysis of judgement undertaken by Peter Geach in his book *Mental Acts*. Geach emphasises that judgement is indeed a mental act and opens his book with a brief polemic against Gilbert Ryle, emphasising that judging cannot be reduced to dispositional

traits. He then goes on to explore judgement in more detail. There are two parts to his analysis. In the first part, he starts by saying that judging involves the exercise of concepts, i.e. that it is a cognitive activity. The second thing that Geach says is that judging needs to be construed in terms of an *oratio obliqua* framework, i.e. that the judgement is contained in a ‘that’ clause (Geach, 1957, section 4, pp. 8–10). This means that the terms or constituents of a judgement are never propositional as such because they are not straightforward assertions. Rather, judgements are ‘intensional’ in so far as when we report a judgement we are reporting the *thoughts* that someone has had about some events or state of affairs. Geach emphasises this feature of judgements by employing a non-technical notion of ‘Idea’, which he introduces as ‘an exercise of a concept in judgement’ and gives as an example of such a concept—‘sharper than’—as in ‘a knife is sharper than a spoon’ (pp. 52–53). Geach goes on to suggest that a logical operator can be used, Z, so that we could have an analysis as follows: Z(R) a, b: for example, if R = ‘sharper than’ then Z indicates that there is a judgement that a is sharper than b. The operator serves as proxy for the ‘that’ clause in *oratio obliqua* and indicates the judging relation or attribute (e.g. ‘bigger than’ or ‘responsible for’).

In the second part of his proposal, Geach suggests that we can take a judgement as an analogy with *oratio recta*, or reported speech (pp. 98–100). The idea here is that when we report someone’s judgement to the effect that, say, ‘He judged that Britain must be independent of Europe’ this can be construed along the same lines as: ‘He said that “Britain must be independent of Europe”’. The aim of Geach in doing this is to show that the mental contents of an act of judgement can be cast or reworked as reported speech which entails that we do not need to inspect the interiority of the mental state of the judge: it is enough to frame this in terms of customary reported speech.³

What can we take from Geach’s analysis? First of all, it gives us an understanding of the apparent opacity of the concept of judging through Geach’s construal of it as the exercise of concepts that can best be grasped through the *oratio obliqua* framework. We can start to see why earlier philosophers (e.g. Russell) struggled with the concept and why, even today, ‘judging’ still has something of a mystique about it. Judging is not the straightforward assertion of propositions. We can also see how judging, construed as the exercise of mental *concepts* is a cognitive activity that has (as far as academic assessment is concerned) as its object the product of the cognitive activity of another (e.g. a student). Finally, Geach does show how one might write, in formal terms, the outcome of a judgement through specifying the elements and the relations between them.

Certainly the approach of logical analysis does tell us something about what is involved in the activity of judging. But there remain some problems. First, the analysis could serve duty for any mental activity that can be framed in terms of *oratio obliqua*, including thinking that, knowing that or believing that. Secondly, Geach is perhaps unduly dismissive of the idea that judging can be a dispositional trait. If it is indeed the exercise of concepts as Geach suggests, then why could not this be an activity that is learned and refined in

its exercise? Indeed, if we are able to think of judging more in terms of an exercise, as an activity, then we can see it as a *process* in which one comes to an understanding of a state of affairs. Finally, in conceiving a judgement as a ‘mental act’, as an activity, then surely we need some explication of both the conceptual and practical context in which judging takes place. It is to this that I shall now turn.

JUDGEMENT WITHIN A PRACTICE

Suppose we conceive the context of an academic judgement in terms of a community of practice. It is recognisable through the terms of academic practice which are more or less acknowledged by its practitioners. Alasdair MacIntyre has furnished a sketch of what is meant:

By a practice I mean any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realised in the course of trying to achieve those standards of excellence that are appropriate to, and partly definitive of, that form of activity, with the result that human powers to achieve excellence and human conceptions of the ends and goods involved are systematically extended (MacIntyre, 1981, p. 175).

We can take the ‘internal goods’ of an academic practice to be those of a ‘community of enquiry’ (Hogan, 2011, p. 31) through the activity of learning. Pdraig Hogan helpfully sets out some of the goods arising from a community of enquirers (p. 34): they include a commitment to clarity and depth of understanding; a disciplined originality that recognises one’s own limitations; and an enduring faith in pupils and students, even in ‘unpromising circumstances’. In this context, judgement addresses activities in terms of the kind of goods just elaborated, paying due attention not only to scholarship achievement but also to the level of learning reached by students. We are, then, considering academic practice ‘in its own right’, as Hogan puts it: that is, what is produced by academic practice as a set of self-generated activities.

Clearly, judgement is a crucial feature of this practice: it is an activity that characterises it in its many different forms. It is noteworthy that judgement here does not merely pronounce on diverse achievements, as if the business of judging is an activity entirely separate from learning; rather, judging can be seen as one for the terms of an academic practice: no matter what one’s position one is both judge and judged and in being a part of that practice one accepts that ‘judging’ is an essential activity, irrespective of whether one agrees with a judgement and irrespective of whether the judgement is well-founded or not. Thus a judgement carries with it a certain legitimacy and authority that is not wholly dependent on the status of the judge. That is, the entitlement to judge does not merely come from where the judge belongs in the academic hierarchy; the judgement carries its legitimacy because, in addition, it addresses one of the internal goods of that practice. There are other features that are worth mentioning.

Perhaps the most difficult and perplexing feature of an academic judgement is that it can never be the pure outcome of set-out procedures and rules. Of course, academic practice (like any other practice) contains a battery of ‘technics’—methods, processes and protocols that must be followed with varying degrees of rigidity. And a judgement may well make use of these technics and comment if they are not being used properly. But a judgement is not reducible to rules and so cannot be regarded as rule-based: there is no set of rules such that given certain inputs, the right kind of judgement will emerge as an output. This is because the kind of internal goods that MacIntyre mentions are themselves not fixed in terms of standards; rather they are subject to interpretation and deliberation. For it is partly in the very making of judgements that those goods are realised (for example, the good of academic originality) and consequently those goods cannot pre-determine those judgements that help them to flourish. Nevertheless, the art of practical judgement is something that can be learned through engagement with the terms of an academic practice. This is partly down to achieving mastery over the technics of a practice but also through using and understanding the terms that characterise those internal goods—terms such as originality, clarity of expression or breadth and range of understanding.

Needless to say, there will be some who will be better at judging than others, even if the latter are not novices. This may arise because the former pay greater attention to forms of justification of judgements, forms which themselves have their origin in an understanding of those internal goods of a practice. We expect, that is, that those who best express through their activities, the goods of a practice are also the ones who are better judges. This is because, as noted above, the act of judging helps to identify and characterise those goods.

So far we have been thinking of an academic activity as a ‘practice within its own right’ and the place of judgement within such a practice, so conceived. Suppose we now go on to construe a practice in terms of a language game: ‘I shall call the whole, consisting of language and the actions into which it is woven, the “language game”’ (Wittgenstein, 1958, para 7). This is the familiar idea that participants learn how to judge by learning how to use the different expressions within a practice, along the lines of a language game: ‘Here the term “language game” is meant to bring into prominence the fact that speaking a language is part of an activity, or of a form of life’ (para 23).

Two comments are in order here. The first concerns the way in which a practice may be configured and shaped through its exposure to power relations that may well originate outside the practice (or language game) but which then intrude themselves within that practice. This will have an impact on the kind of language used, which Lyotard observed in his *PostModern Condition*. In that book, Lyotard notes that a language game carries with it its own legitimation in terms of its rules: it constitutes a social reality and its function is to reproduce that reality (Lyotard, 1979, p. 10). We can take Lyotard’s analysis one stage further by noting that a language game may be subject to degrees of openness or closure. A practice may be said to be more ‘open’ when it is relatively free from external constraints, so that

practitioners are able to participate in that practice ‘in its own right’: the practice changes and evolves as a result of free interaction between agents. But a practice becomes more closed when constraints on that practice modify the conception of its internal goods. This will be reflected in the language that is deemed pertinent within the practice. Suppose, for example, that under external pressure to demonstrate the value of learning an academic practice becomes more strongly orientated towards demonstrative rather than critical learning, since the former is much easier to measure. Were this to happen, one would expect that judgement would be subject much more to rules and procedures designed to ensure that correct academic standards are observed and enforced. For example, there could be rules governing assessment in which the scope for judgement is reduced. Judgements would be expected to be fully transparent through their accordance with set criteria whereby the scope for independent judgement (i.e. judgement which does not conform to assessment criteria), whether by student or academic, is correspondingly restricted. This feature of ‘closedness’ is one that is familiar to anyone who works within a practice and most certainly to anyone who works within an academic practice.

The second comment concerns a more general point about a practice, including a practice ‘in its own right’. We can think of a practice as a set of related activities sharing a common language, assumptions and goals. Within this practice, actions may be construed as legitimate or otherwise. There is an apprenticeship that all newcomers must undergo, whether this is formally recognised or not. There is a language that must be learned, and experienced practitioners can be identified through the ease and confidence in which that language is used. These are the kind of features that have been explored by Lave and Wenger (1991), especially the way in which communities of practice favour some activities rather than others. It is not difficult to see how judgements become legitimised and how ‘experts’ are able to deploy judgements that carry the requisite degree of legitimacy. The problem, however, concerns how judgements are justified. Within a community of practice as standardly conceived, this is easily solved: judgements are deemed ‘sound’ or ‘cogent’ or ‘well-founded’ to the extent that they reflect and re-enforce the norms of a practice that establish legitimacy. These considerations do not only apply to non-academic communities of practice: academic communities can be characterised in a not dissimilar way:

The investigations we undertake, the cognitive opportunities open to us, the methods we are permitted to employ and the evaluations that our efforts and results are subject to, are all constituted by a cognitive game whose rules and criteria the epistemic community generates and enforces (Elgin, 1996, p. 72).

Thus the norms—and those ‘internal goods’ that MacIntyre refers to—are not sufficient to establish criteria of justification of judgements except in terms of those internal goods themselves. This implies that justifications of judgements merely cite the criteria that motivated the judgement in

the first place—a case of an argument running on empty. This need not matter so much where judgements are of a *practical* nature—for example, the awarding of marks in which comparisons between marks may set a benchmark in aiding final assessments. But this kind of approach breaks down when an epistemic judgement is called for that attempts to evaluate the truth of a statement, the validity of an explanation or the relevance of a question. Here we require access to reasons and evidence that lie *beyond* a social practice, a space where reasons justify on their own account, independent of the former's internal goods.

JUDGEMENT WITHIN THE SPACE OF REASONS

The idea of a space of reasons has been brought into prominence by John McDowell who was concerned to identify a space for human spontaneity of thought and judgement without making it wholly autonomous, external to the world.⁴ As McDowell puts it:

The space of reasons is the space within which thought moves, and its topography is that of the rational interconnections between conceptual contents; we might easily speak of the space of concepts (McDowell, 1998, p. 408).

At the same time, the space of reasons is not merely *sui generis*:

If moves in the space of reasons are not allowed to start from facts, riskily accepted as such on the basis of such direct modes of cognitive contact with them . . . then it becomes unintelligible how our picture can be a picture of a space whose positions are connected by relations reason can exploit (p. 409).

It is important, I suggest, that the space of reasons is not co-opted into another form of practice: it is an epistemological space, not a social one. Otherwise, the same problems that we found with a practice as set out by MacIntyre get replicated all over again. This has been discussed by David Bakhurst when, in his advocacy of McDowell's position, he calls on us to resist the notion, proposed by Robert Brandom, that such a space has a social articulation in the form of a language game governed by norms implicit in the game's structure (Bakhurst, 2011, pp. 105–109). Brandom's position is seductive but also, I suggest, misunderstands the force of the idea of a 'space of reasons'. He starts out by declaring that:

The space of reasons is a normative space. It is articulated by proprieties that govern practices of citing one standing as committing or entitling one to another—that is, as a reason for another (Brandom, 1995, p. 898).

This idea is further developed as follows:

Knowledge is intelligible as a standing in the space of reasons, because and insofar as it is intelligible as a status one can be taken to achieve in the game of giving and asking for reasons. But it is essentially a social

status, because it incorporates and depends on the social difference of perspective between attributing a commitment (to another) and undertaking a commitment (oneself). If one individualizes the space of reasons, forgetting that it is a shared space within which we adopt attitudes towards each other—and so does not think about standings in the space of reasons as socially articulated, as potentially including the social difference of perspective between attributing and undertaking commitments, that is, between your standing and mine—then one will not be able to understand knowledge as a standing in the space of reasons (Brandom, 1995, p. 904).

This argument makes any claim to knowledge dependent on one's normative standing within the space of reasons. The claims of those with the greater social reputation will correspondingly carry more weight. There will be struggles to be heard: the prospects of novices will be dependent on the benign inclinations of old hands. Claims to knowledge will be subservient to, and dependent on, social status. Yet the whole point of the space of reasons is to find a domain where normative considerations no longer have any weight. That is why, within that space, the question of who makes a claim is subordinate to what is being claimed. It is a space in which reasons are evaluated on their own terms, in which egos are cast aside and where the only social skill that counts is that of self-effacement. It took considerable efforts by our (illustrious) predecessors (especially, but not only, Descartes, Spinoza, Kant) to establish this space, and it should not be given up so easily. It will be countered that all human pursuits are normative and therefore are irreducibly social. This is precisely what I wish to contest. The space of reasons offers a *liberation* from the tyranny of social practices.

Even if the space of reasons is construed as a process of giving and asking for reasons, this only works if we construe reasons not merely as mental contents but as designating actual or possible states of affairs (Bakhurst, 2011, p. 114). Thus rather than seeing the space of reasons as a practice that has been socially constructed, 'we should think of the space of reasons as a *real* presence in the world' (p. 109, my emphasis). Reasons, most certainly can be constructed and formulated, revised and abandoned—herein lies the spontaneity that McDowell identified as one of the space of reason's key characteristics. But they have a 'real presence' if they designate states of affairs. To this extent, identifying reasons for why (say) phenomena or events are causally connected is not so much a question of constructing reasons but of searching for and finding those reasons. This is not to say that reasons, once found, are permanent: but when they are revised or abandoned this is not principally because of changing social fashions but because better reasons are found in their place. They have to answer not merely to other reasons (for to do so would merely end up in the domain of social practices where one set of reasons is wearily exchanged for another set) but to how the world comes into view *within the space of reasons*. It should be remarked, in passing, that to move from a social practice (even an academic one) into the space of reasons is akin to moving from a zone of comfort into another zone full of risks and pitfalls. It requires motivations quite different

from those that motivate actions in social practices, including that of an academic practice.

The workings of the space of reasons will become clearer if we now consider two different forms of judgement, epistemic and reflective. An epistemic judgement is essentially orientated towards truth claims. A typical epistemic judgement will make a claim and, in addition, be able to state the conditions under which that claim is true. This amounts to more than searching for evidence or reasons to back a claim: an epistemic judgement, through specifying the conditions under which a claim is true, points towards states of affairs that either hold or could hold. Thus the reasons for a claim directly relate to conditions (state of affairs) that must hold for the truth claim to be valid. In this way, epistemic judgements help to establish a space of reasons that is not moored adrift from the world but is constrained by the world in the right kind of way: not through the inhibition of giving reasons but in establishing reasons that are orientated towards the world.

Thus epistemic judgements are *truth-orientated*, in the sense of being propositional—they purport to say ‘how the world is’. Second, they are universal in the sense that in making such a judgement I am claiming that, in principle, everyone will reach the same conclusion as myself. Others may disagree but the idea is that, in principle, these disagreements are adjudicable.⁵ What we then do is assess the *adequacy* of the judgement made: whether an appropriate range of evidence was considered, whether perspectives were considered that challenge the saliency of the propositional claim as well as the overall role and significance of the propositional claim in the context of the piece of work or research. At this point we may refer back to the *process* within which the judgement was made—e.g. the research methodology that was undertaken and which enabled the propositional claim to be made. Epistemic judgements are rarely made in isolation and will often arise through a process that also has to be considered as to its adequacy.

The idea of an epistemic judgement as outlined here goes further than the notion of ‘reflective equilibrium’ suggested by Catherine Elgin. She proposes that in judging we reflect on a variety of considerations in such a way that these are combined into a set of statements that seem reasonable:

The components of a system in reflective equilibrium must be reasonable in the light of one another, and the system as a whole reasonable in the light of our initially tenable commitments (Elgin, 1996, p. 107).

As a description of a process in forming judgement this seems reasonable enough, but it is unclear from her account what it is that makes a set of reasonable statements that cohere with one another actually true (or as true as one might be able to reach in the light of the subject matter). That is why some acknowledgement of the *conditions* under which a judgement might be true is so important. For example, a historian might come to the judgement that, all things considered, the Austrian Empire bore the prime responsibility for causing the outbreak of war in August 1914. As part of the justification there would certainly need to be a specification

of the conditions that makes this claim to be the case—e.g. conditions relating to the perceptions and claims made by the relevant historical actors. But in order to clinch this particular judgement, attention could be given counterfactual considerations—e.g. if Russia bore the prime responsibility then the conditions that would have needed to obtain for this to be true did not in fact obtain. The historian needs to convince us not only that her account is reasonable but that it couldn't have happened any other way. An epistemic judgement worth its salt needs this kind of toughness.

I turn now to the idea of a 'reflective judgement'. This is taken directly from Kant. In his *Critique of Judgement* Kant states: 'if the particular is given, for which the universal is to be found, then the power of judgement is merely reflecting' (Kant, 2000, p. 67). This means that we try and make sense of something 'in terms of the sort of unity in order to make possible a system of experience' (pp. 67–68). Essentially, this implies that we think of a piece of data, a theory, a concept, in functional or relational terms: for example, Kant thinks that when we reflect on natural phenomena we need to situate nature in a purposive or teleological framework. This helps to give additional meaning to phenomena, through specifying their role or function within a purposive perspective. More generally, we can think of reflective judgements as contextual: we look for links and relationships in order to make sense of the object of study, to bring some sense of order and unity to bear. Steinberger (2018, pp. 47–50) shows how reflective judgements provide an interpretative context in which different knowledge claims can be related and thus better understood.

Reflective judgements can be highly creative when links are made between phenomena that weren't thought of before. Quite a lot of Foucault's work was of this type—for example, the way in which he related different kinds of behaviours into the notion of a *subject* of power: in seeing that behaviours in schools, prisons, hospitals and the like were produced and reproduced he was able to fashion a new concept—the 'disciplinary'—which gives us real insight into how the 'subject' is produced.⁶ Another example could be found in the writings of Nietzsche: in his case we can actually see the 'reflective' at work, as when he follows a train of thought in a few pages (for example in the *Genealogy of Morals* in which the single concept of *resentiment* is used to interpret behaviours of guilt and victimhood).

I have already mentioned that McDowell, borrowing from Kant, envisages the space of reasons as being a realm in which spontaneity—freedom—operates.⁷ One point is worth making in this respect. Epistemic judgements do not leave too much room for freedom—for although one can give reasons and hypotheses with as much force as one's creativity allows, in the end they must be able to state the conditions under which they are true, and this provides a powerful constraint. It is a very necessary constraint too and provides a telling contrast when the space of reasons is construed as a social practice, where the danger is that any reason could pass muster providing one's persuasive powers are sufficiently strong. The real area for freedom within the space of reasons therefore lies in reflective judgements: for one is free to drape events with a mantle of meaning as one wishes. Here, the saliency of the meaning carries its own force within it. But even

here, the enthusiasms of reflective judgements need to be kept in bounds by the stern, austere pronouncements of epistemic judgements. But the two kinds of judgement, working together, give the space of reasons a vitality and truthfulness that would be lacking if they were to work independently. They help to give the space of reasons that 'real presence' as a space for thinking and reflecting together.

CONCLUSION

If I am right then there are three basic forms of academic judgement and very often these three forms operate together—practical, epistemic and reflective. As I have already stressed, the judgements we use as academics and teachers are precisely those that we want our students to develop. Given this complexity, we can see straight away that attempts to categorise and tabulate all of these forms run the risk of casting critical learning in terms of demonstrative learning. If assessment criteria are constructed in such a way as to simplify this complexity then it is not only academic judgement that is undermined but also the whole point of critical learning. Of course, attempts at categorisation may be of some use in a heuristic fashion. Within a particular discipline or sub-discipline it may be helpful to be reminded of how the forms of judgement may operate. But in the end, the best way of explaining the reasons for making a particular academic judgement is to show, within the relevant context, how the judging actually works. In this way, the hope is that students will begin to make these judgements for themselves, with appropriate support from their teachers.

I have argued that the idea of an academic judgement can be usefully explored through consideration of a practice. This is particularly the case for academic assessment of student work and research, where I have suggested that academic judgement is seen as a form of practical judgement, governed and steered, essentially, by the internal goods of academic practice. But because academic activity has also within it the search for knowledge and understanding, consideration of academic judgement within a practice—even of the rich, generous kind set out by MacIntyre and Hogan—has its limits. I have therefore sought to supplement this analysis through a consideration of the idea of the space of reasons in which epistemic and reflective judgements do their work. Introducing students to the space of reasons is the most challenging and difficult task of all, but one way of doing this is to show how the forms of judgement are deployed within that space and encouraging students to experiment for themselves without fear of failure.

I remarked at the beginning of this paper that we may be sometimes prone to underestimate the importance of critical learning—especially when a teacher has been given a short time to mark and moderate a large volume of assignments. In these circumstances, a desire that assessment be simplified is wholly understandable. But it seems to me that critical learning must lie at the heart of education, especially university education. Critical learning, underpinned by academic judgement lies at the core of the educational endeavour and in this sense can be seen as a continuation of the tradition

of a liberal education. The pressure to see education mainly or solely in terms of demonstrative learning is immense. Many politicians, including ministers for education, are unable to conceive of education in any other way. Teachers at all levels of education are told—and many believe this too—that the only kind of learning there can be is demonstrative. Students themselves are also often of this view and one of the chief tasks of university educators is to shift the perspective of students from demonstrative learning towards critical learning. The best way of doing this is not to give pep-talks on ‘criticality’ but to show students in lectures, seminars and assessment how academic judgement actually works.

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NOTES

1. The author would like to thank the anonymous reviewers whose comments were most helpful in developing the thinking behind this paper.
2. The concept of critical learning could just as easily be thought of as reflective learning were it not for the fact that the latter is most readily associated with reflections on the self as learner which is not quite what I have in mind. Gerard Lum in his article ‘Two Concepts of Assessment’ has proposed a similar distinction to that proposed in this paper, namely prescriptive assessment (characterised by ‘judgements of identity’ which seek to determine whether manifestations of learning accord with prescribed criteria) and expansive assessment which takes the form of ‘judgements of significance’ which assess the salience of arguments and evidence in the light of the expertise of the assessor without the aid of prespecified assessment criteria. See Lum (2012, pp. 597–599). Whereas Lum focuses on methods of assessment my focus is specifically on the concept of judgement in learning.
3. Geach’s analysis is usefully summarised by Kenny, 1963, pp. 203–211. Geach fashions his analysis through a critique of Bertrand Russell’s ‘multiple relation theory’ of judgement. His basic issue with Russell is that the latter did not identify sufficiently clearly the implications of the intentionality of judgement and assumed that the constituents of a judgement could be seen as the ‘knitting together into one complex whole the subject and objects’ (Russell, 1912, p. 199). This failed to differentiate the mental *act* of judging in terms of *oratio obliqua* (i.e. judging that . . .) from the relations between the various elements that are the object of the judgement. This is why Geach thought he needed his operator, Z. But it is far from clear that Russell was as naïve as Geach suggested and the former made various attempts to improve his analysis, partly as a result of suggestions by Wittgenstein. In the end through, Russell abandoned the whole project shortly before the outbreak of World War I. In his lectures on Logical Atomism (1919), Russell briefly addresses the question of judgement once more but does no more than highlight the problems (Russell, 1956, pp. 224–227). Unfortunately, the story of this fascinating development in the early stages of analytical philosophy takes us too far from the subject of this paper. It was initially explored by Pears, 1967, and more recently many scholars have also taken up the issues involved: e.g. Stevens, 2005, amongst others.
4. The rationale behind McDowell’s concept was initially set out in his *Mind and World* (1994), especially pages 1–10.
5. Here I borrow from Peter Steinberger’s analysis (Steinberger, 2018, p. 38). Steinberger uses the term ‘determinate’ judgement, borrowed from Kant (see his 2000, pp. 67–68). But I prefer the broader term ‘epistemic’ judgement, preferring to confine the term ‘determinate’ to the judgements used in expressing the understanding as set out in Kant’s *Critique of Reason*. The difference, roughly, is that ‘determinate’ judgements are, in the Kantian framework, required for *any* experience to be intelligible whereas epistemic judgements are orientated towards propositions and explanations. We can think of determinate judgements as basic level, first order judgements and epistemic judgements as operating at a more discursive second order level. One difficulty in reading McDowell on the space of reasons is that he switches from one order to another, sometimes without warning. Of course,

determinate judgements (or more generally, first order judgements) are crucial in establishing the viability of the space of reasons (as McDowell well recognises); but a discussion of this topic is well outside the scope of this paper.

6. Some of the criticisms of Foucault stemmed from mistaking what are essentially reflective judgements for epistemic judgements, especially from, for example, history specialists.
7. This is discussed by Bakhurst, 2011, Ch. 4, pp. 74–98.

REFERENCES

- Bakhurst, D. (2011) *The Formation of Reason* (Oxford, Wiley-Blackwell).
- Brandom, R. (1995) Knowledge and Social Articulation in the Space of Reasons. *Philosophy and Phenomenological Research*, LV.4, pp. 895–908.
- Cambridge University (2018) *Student Complaints* (Cambridge University website). Available online at: <https://www.studentcomplaints.admin.cam.ac.uk/general-points-about-procedures/academic-judgement>
- Elgin, C. (1996) *Considered Judgement* (Princeton, NJ, Princeton University Press).
- Geach, P. (1957) *Mental Acts* (London, Routledge & Kegan Paul).
- Higher Education Act (2004) Available online at: http://www.legislation.gov.uk/ukpga/2004/8/pdfs/ukpga_20040008_en.pdf. Last accessed: 8 April 2020.
- Hogan, P. (2011) The Ethical Orientations of Education as a Practice in its Own Right. *Ethics and Education*, 6.1, pp. 27–40.
- Kant, I. (1933) *Critique of Pure Reason*, trans. N. Kemp-Smith (London, Macmillan).
- Kant, I. (2000) *Critique of the Power of Judgement*, trans. P. Guyer and E. Matthews (Cambridge, Cambridge University Press).
- Kenny, A. (1963) *Action, Emotion and Will* (London, Routledge & Kegan Paul).
- Lave, J. and Wenger, E. (1991) *Situated Learning: Legitimate Peripheral Participation* (Cambridge, Cambridge University Press).
- Lum, G. (2012) Two Concepts of Assessment, *Journal of Philosophy of Education*, 46.4, pp. 589–602.
- Lyotard, J-F. (1979) *Postmodern Condition: A Report on Knowledge* (Manchester, Manchester University Press).
- MacIntyre, A. (1981) *After Virtue* (London, Duckworth).
- McDowell, J. (1994) *Mind and World* (Cambridge, MA, Harvard University Press).
- McDowell, J. (1998) *Meaning, Knowledge and Reality* (Cambridge, MA, Harvard University Press).
- OIA (2018) *Guidance Note on the OIA Rules* (Office of the Independent Adjudicator for Higher Education). Available online at: <http://www.oiahe.org.uk/rules-and-the-complaints-process/guidance-note-on-the-oias-rules.aspx#para30>
- Pears, D.F. (1967) *Bertrand Russell and the British Tradition in Philosophy* (London, Collins, The Fontana Library).
- Russell, B. (1912) *Problems of Philosophy* (London, Home University Library, Williams and Norgate).
- Russell, B. (1956) *Logic and Knowledge*. R.C. Marsh (ed.) (London, Unwin Hyman).
- Steinberger, P. J. (2018) *Political Judgement* (Cambridge, Polity Press).
- Stevens, G. (2005) *The Russellian Origins of Analytical Philosophy* (London, Routledge).
- Wittgenstein, L. (1958) *Philosophical Investigations* (Oxford, Basil Blackwell).