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Kant and Hume on Aesthetic Normativity

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ABSTRACT. In this paper I will highlight how the different approaches to aesthetics of Hume and Kant determine two radically divergent conceptions of aesthetic normativity. The Humean theory is the result of an empirical enquiry, sentimentalist and somewhat skeptical in its exposition, which eventually entrusts to the art critics the authority to outline the rules of taste. The Kantian position, instead, is transcendental, but it is nonetheless sentimentalist and it is grounded on the indeterminacy of the rule of taste. The indeterminacy of the rule makes the application of the Kantian aesthetic normativity to art criticism problematic, but it makes the theory better suited for acknowledging the evolution of taste. On the contrary, the Humean theory, with its emphasis on art criticism, risks to become dogmatic. In the first two sections of this paper I will analyze the two theories, highlighting their differences and their problems. In the last two sections, after defending the Kantian approach, I will try to reconstruct, starting from the § 34 of the third *Critique*, an alternative conception of art criticism consistent with it. This conception, that I will call «criticism as art», should be based on exemplary judgments, i.e., normative judgments that exhibit the rule without stating it conceptually. Finally, I will argue that the exhibition of the rule in the exemplary judgments should be considered similar to that of the artworks, so that the radical distinction between a contemplative aesthetics and a productive one should finally be overcome.

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1. Introduction

The aim of this paper is to show the limits of an empirical aesthetics which tries to corroborate the normativity of taste and to show the implications of the alternative effort to ground transcendently the aesthetic normativity. To this end, I thought to compare the aesthetic theories of Hume and Kant, but not focusing on the historical point of view.² I would rather like to make the two positions interact on some theoretical issues underlying them and to highlight the different conclusions to which they lead.

Although the two theories have points in common, they get to very different conclusions. From Hume we can deduce an aesthetic normativity that entrusts to art criticism the possibility to rule the correctness of taste. Kant's theory, instead, presents a *weak normativity*, which implies the impossibility of bringing evidence to support one's own judgment of taste. In my view, the surprising fact is that, although Kant strives to ground transcendently the universality of taste, he comes to weaker conclusions than Hume.

I will try to show how the weakening of the Kantian aesthetic normativity is a necessary outcome of the attempt to make the standard of taste transcendental, which means actually normative. Therefore, in the first

² For an historical analysis of the relationship between Hume's and Kant's aesthetic theories see Giordanetti (1997). For a brief and helpful summary of the different positions on Hume's influence on Kant's aesthetics see Costelloe (2004, pp. 92-5).

two sections of this paper I will compare the two positions on these issues. Later, taking the Kantian position as the more consistent one, as it is able to account for the ever-changing feature of taste, I will focus on the problem of how art criticism could still be feasible without the possibility to rely on determinate and universally valid principles and rules in order to ground its claims and judgments.

2. Hume's Aesthetic Normativity and the Authority of Art Criticism

As it is now acquired by the critical literature on Hume, the essay *Of the Standard of Taste* focuses on the so called “paradox of taste”, i.e., the problem caused by the opposition of two maxims of common sense (Mothersill, 1977). The first maxim is the one of aesthetic relativism: «*de gustibus non est disputandum*»; the second, instead, holds that at least in some cases, we cannot deny the reality of hierarchies in taste – the so-called *Ogilby-Milton Phenomenon*.

Hume's declared sentimentalism makes the reader expect a defense of the skeptical part of the antinomy. On the contrary, the essay develops in a search for the criteria of correctness of the aesthetic feeling. This is possible because, even though the feeling is not representative – namely, even though it is purely subjective – it is nonetheless a reaction to objective

qualities. Therefore, it is possible to look for the rules that guide this reaction and to express them in «well established principles of art». In Hume's view, these rules are crucial in order to settle cases of aesthetic disagreement.³ As a consequence, the initial skepticism of the essay seems apparently defeated by a normative position that decides, through principles, rules and proofs, for the admissibility of some aesthetic judgments and evaluations.

After that, Hume's analysis shifts on the search for those who can settle the disputes and determine the correctness of an aesthetic reaction; the art critics. The distinctive feature that makes the art critic such a crucial character in Hume's aesthetic theory is not so clear and straightforward. The position of the critic stands somewhat halfway between sentimentalism and intellectualism: i.e., the critic gains the right to express *prescriptive judgments* capable of settling disagreements, solving controversies and directing taste, not because he "knows" the criteria of the beautiful, as they were objective qualities or norms, but because he is endowed with a unique *delicacy of taste*, a subjective talent to feel the beautiful in the works of art.

³ Hume argues that it is possible to defeat a bad critic in a discussion on art by showing him the correlation between abstract principles commonly accepted and concrete examples and by subsuming the case at hand to the same principles. This is clearly a deductive kind of argument typical of a dispute: «when we show [the bad critic] an avowed principle of art; when we illustrate this principle by examples, whose operation, from his own particular taste, he acknowledges to be conformable to the principle; when we prove that the same principle may be applied to the present case, where he did not perceive or feel its influence: he must conclude, upon the whole, that the fault lies in himself» (Hume, 1998, p. 142).

Starting from such a superiority of the sentimental faculty, the art critic is more reliable in his reactions to objects and, for this very reason, he is also justified in searching for the *objective sources* of the aesthetic feeling. As a consequence, he legitimately has the authority to outline the «rules of art». Therefore, thanks to a sentimental superiority, the critic can legitimately delineate the standard of taste.

But how is it possible to outline conceptually the rules of art starting only from a feeling? We could hypothesize an empirical and inductive method grounded on the generalization and on the abstraction of the formal features of the objects that arouse the feeling of pleasure in the critics. Afterwards, it could be possible to sum up the collected information in the propositional form of precepts or rules ready to be used in an aesthetic discussion.

However, in this way it would be impossible to justify the prescriptivism of the judgments of art criticism, because these rules would originate only from the constancy of the features in the works of art judged beautiful in the past. They would have no genuine authority on the evaluations of new works of art, that in principle could always surprise the critic, arousing a completely different feeling of pleasure. This means that, given the ever-changing and constantly developing feature of taste, it is impossible to foresee the validity of an avowed principle of art for the yet to be judged works of art of the future. These rules would set *standards of*

normality (Feloj, 2018, p.33), instead of being *principles of normativity* and, as a consequence, the less the object of evaluation is predictable in its form and content, the more fallible these rules of art would be, with the unfortunate, but rather common, outcome for art criticism of slowing down with its judgments the artistic evolution rather than identifying beauty correctly.

It is Hume's sentimentalism itself that makes such a position unacceptable. As a matter of fact, Hume was fully aware of the incompatibility of his sentimentalism with the dogmatic conservatism of some art criticism. He argues that if a work of art that is judged badly on the basis of some "rule of art" aroused aesthetic pleasure, we should not condemn the pleasure as wrong, but the rules of criticism, that consequently should be reviewed at the light of this pleasure (Hume 1998, p. 138). All the more reason, the problem arises again: given the priority of the aesthetic feeling, how could aesthetic judgments actually be normative?

A solution of the *impasse* could be to consider the feeling not simply as a passive reaction to an artwork, but as an intentional reaction, based on rational criteria that guide the apprehension of the object (Carroll, 1984, pp. 181-4). We could interpret the role of *good sense* in Hume's essay in this way. As a matter of fact, by providing universally valid rational criteria, the good sense could be essential to give authority to the feeling of the critics.

Even in this case, Hume's position would have to face a lot of

difficulties. In order not to endorse a dogmatic position, it would be necessary to legitimize the universality of these criteria. However, if they were given a priori, Hume's theory would be too similar to those of the rationalists, while, if the criteria were drawn from the feeling, the theory would run into a vicious circle. Moreover, as Kivy pointed out, in order to determine the criteria of good sense there is the need to focus on a previous consensus, but the search for the conditions of such a consensus is nonetheless problematic, because it could start an infinite regress (Kivy, 1967, p. 64).

I believe that many of these problems stem from the empirical conception of the aesthetic feeling in Hume. On the contrary, in order to ground the universality of taste, there is the need to search for a transcendental aesthetic common sense, and this is precisely the topic of the Kantian inquiry. Kant calls this transcendental common sense «*Gemeinsinn*» or «*sensus communis aestheticus*» and he understands it as an ideal, indeterminate and sentimental norm (Kant, 1790, AA : V, pp. 239-40) grounded on the free play of the cognitive faculties, a proportion of imagination and understanding a priori shareable by all the subjects. This difference in the level of the analysis between Hume and Kant is fundamental because it determines both: the difference in the aesthetic normativity of the two theories and the difference in the ideas of art criticism that we can draw from them.

3. Kant's Aesthetic Normativity and the Indeterminacy of the Rule

I will now present the Kantian proposal with the aim to understand what kind of aesthetic normativity could derive from a transcendentalization of the problem of the standard of taste. First of all, it must be emphasized that the transcendental approach of the inquiry leads Kant to never express himself programmatically on the empirical phenomenon of taste. Kant clearly states in the *Preface* of the *Critique of Judgment* that whatever may be said about taste, it will continue its course, as has happened so far (*ivi*, p. 170). This means that Kant does not propose a disciplinary aesthetics (Garroni 1992) – the much-discussed Kantian formalism – because of the impossibility to predict the evolution of taste.

The Kantian rule of taste, precisely because it is transcendental – namely, precisely because it pursues the aim of setting the conditions for the possibility of taste, with its unpredictable twists and turns –, is and must remain indeterminate. Or better, *the indeterminacy of the rule is the very transcendental foundation of the evolution of taste through history*. Therefore, the Kantian aesthetic normativity, although *a priori*, remains subjective and sentimental, and for this very reason it is immune to dogmatic solutions, because it is a weak normativity which does not hinder

the possibility of being legitimately interpreted in various ways in different historical periods.

These are the pros of the Kantian transcendentalization of the aesthetic normativity. Yet, there is an important con that could undermine the Kantian theory. Although Kant is confident in the success of his inquiry, his theory cannot completely dispel the skeptical risk. Kant maintains that the only criterion for understanding whether the feeling on which one's judgment is based is actually the aesthetic common sense is the disinterestedness. But the criterion of disinterestedness is only a *negative criterion*, that is, it can only help to distinguish the cases in which we don't deal with an aesthetic feeling, but it can't be useful to identify our pleasure as a genuine aesthetic feeling. For this reason, the Kantian judgment of taste is constitutively a victim of uncertainty (Kant 1790; AA : V, p. 237).

Thus, the question we must raise now is: does the Kantian transcendentalization of aesthetics, with its skeptical outcomes, fail to ground the normativity of aesthetic judgments? Or, instead, could such a position lead to a revision of what we usually mean – and what Hume means – with «aesthetic discourse»?

Since, thanks to the analysis of the aesthetic feeling in terms of the proportionate relationship of the cognitive faculties, Kant succeeds in grounding transcendently the normativity of taste, I don't believe that the uncertainty of some of his results could lead to the failure of his theory as a

whole. Especially if this uncertainty is crucial to save the theory from the dramatic problems that undermine the Humean position. Despite its uncertainty, in the *Dialectic* of the third *Critique*, Kant acknowledges the possibility to discuss on taste (*ivi*, p. 338). However, it is necessary to understand the notion of «aesthetic discourse», because if with «discussion» we mean an «argument», a «quarrel» – Kant writes «*streiten*» – the Kantian position would seem to me at least ineffective, if not incongruous.

Indeed, in the Kantian perspective, the context of art criticism and of the debates on taste, with their argumentative tools, remains irremediably distant from grasping the transcendental rule of taste that, due to its indeterminacy, cannot be set forth conceptually. Moreover, the uncertainty of the aesthetic normativity radically delegitimizes the critic's claims to “demonstrate beauty”. Consequently, the normativity that Hume acknowledges to the judgment of the critics is considerably weakened, in that it is bound to the indeterminacy of the aesthetic common sense. The critic can, as we will see soon, in a certain way *testify* – express – the common sense in his judgments, but he can't surely be able to determine it and to outline the rules of taste.

Starting from this, we need to reinterpret the second part of the Kantian antinomy because, without universally valid rational criteria, rather than an openness to debate, the aesthetic discussion should be understood as an openness to the *communication of beauty*. In saying so, I don't mean to

underestimate the importance of the contrast of judgments, opinions and appreciations in aesthetics; I would rather like to point out that, once the possibility to articulate the aesthetic disagreement in a discourse is admitted, the effort to develop this discourse on the Humean model of art criticism could only be unsuccessful. Instead, it is necessary to find a specifically aesthetic way of communicating a «rule that cannot be stated».

4. The «Criticism as Art»

Taking inspiration from the third *Critique*, it can be developed a conception of art criticism appropriate to a weak aesthetic normativity. I will call this conception the «criticism as art» [*Kritik als Kunst*] conception, but I premise that it can only be reconstructed through a free interpretation of the Kantian text. Anyway, I believe that a conception of «criticism as art» respects, if not the letter, the spirit of the *Critique of Judgment*.

In § 34, after claiming against Hume that the art critics share the same fate of the cooks, Kant writes that the critics should not expose the foundation of aesthetic judgments, but they should discuss in the examples [*in Beispielen aus einander setzen*] the mutual subjective purposiveness of the faculties (*ivi*, p. 286). Therefore, art critics should not judge an object by referring to well established principles of art, but they should “discuss” beauty *in concreto*, in and through the examples of art, interpreting the

subjective purposiveness of the cognitive faculties's proportion occasioned by the object evaluated. This proportion consists in a singular and optimal, though indeterminate, relationship of reciprocity between the imagination and the understanding, i.e., between the formal features and the semantical marks of the object.

In the same paragraph Kant writes that: «[the critique] is the art or science of *bringing back to rules* the reciprocal relationship of the understanding and the imagination to each other in the given representation (without relation to an antecedent sensation or concept) (*my italics*)» (*Ibidem*, ENG, p. 166). If criticism is understood as science, we would deal with the Kantian critical philosophy, but if we understood the critique as art, we would be dealing with a peculiar kind of art criticism, that, unlike the Humean one, would aim at *showing the rule in the very medium of its manifestation*, without referring to concepts that determine the objective qualities of the representation.

But what is meant by «criticism as art»? How could such criticism bring back to rules the free play of the faculties without relying on objective rules? In the § 34 there are three points that we can follow in order to reconstruct a conception of «criticism as art» consistent with the Kantian aesthetic theory.

1) The first point concerns the *exemplary value* of this criticism. In the § 18 Kant opposes the exemplary necessity to the apodictic one and defines

the first as «a necessity of the assent of *all* to a judgment that is regarded as an example of a universal rule that one cannot produce» (*ivi*, p. 237, ENG, p. 121). The exemplariness of an aesthetic judgment consists in the fact that it expresses the rule of art in a peculiar way, we could say *by embodying it*; therefore, without alluding conceptually or propositionally to a general principle or to an abstract rule that demonstrates the necessity of consensus.

The Kantian conception of the pure aesthetic judgment as a peculiar judgment can help us understand how a judgment could embody a rule without adducing it. Pure aesthetic judgments are an *expression* of the object's beauty, as they are a *predication of an aesthetic feeling* which, in turn, is the subjective consciousness of the relationship between the imagination and the understanding aroused by the shape of the object, and this specific relationship, which is conceptually indeterminate, is the rule of taste. Precisely because the aesthetic judgment expresses the rule of taste in a minimal way, without predicating it objectively or determining it through concepts, it could rightly be considered an exemplar of this rule. The aesthetic judgment *displays* the rule, instead of adducing it.

Nevertheless, we must ask ourselves how this rule could be communicated. A pure judgment of taste, being simply a predication of a feeling, cannot autonomously give voice to an aesthetic discourse. To get to this point we must take an extra step.

2) This brings us to the second point. Kant argues that the task of

«criticism as art» is to «discuss the subjective purposiveness in the example». As I already noted, the term «to discuss» risks to be deceptive, because a discussion rooted on an authentic disagreement that cannot be reconciled through argumentative proofs or by appealing to good reasons could only result in irreconcilable oppositions. Such a discussion would be for its very constitution something different from a genuine communication, because it would be rhapsodic, unconnected and diverted.

Therefore, the task of «criticism as art» should be first of all to *exhibit* the subjective purposiveness of an example of art, to shape the rule, to make it evident, in order to make it effectively shareable. It would be impossible to discuss the subjective purposiveness of an object if we were deprived of the capacity to express it in a discursive form, yet this linguistic expression is completely different from a conceptual determination of the rule, it is rather an authentic production of it. Beauty is never explicit in the form of the object, it comes out always through the active participation of the subject, that reflects freely on the object apprehended, feeling the aesthetic norm in himself, and that strives to find out the suitable expression for the feeling of his reflection. This expression could take the form of a judgment of taste, by means of which one can try to gather the consensus of the aesthetic community, but it is only through a previous effort to show the rule in one's own judgment that we can think of an aesthetic discourse effective in putting in communication conflicting appreciations and perspectives and

in actualizing the normativity of taste.

3) But how can this rule be shown? For this problem we need to address to a third point that pertains to the term «criticism as art» itself, because from the point of view of the exhibition of the rule the reference to art is particularly meaningful. In the *Critique of Judgment* fine arts exemplify the standard of taste even better than judgments because they don't embody the rule only as a feeling, but they shape it, they actually express it. It is therefore essential to take up the theory of artistic production and to integrate it with the theory of aesthetic judgment in order to understand how could a transcendental theory like the Kantian one still legitimize an aesthetic and normative discourse on the beautiful. The idea that can be drawn from it is that of a «criticism as art» that does not hesitate, in seeking to forge a discourse appropriate to the rule of taste, to approach itself to art by working on its own style and expressive form, in the same way as we can think of the artist who, showing the standard of taste through his creations, approaches himself to criticism, offering an exemplary insight of what art ought to be.

5. The Exemplarity and the Transmission of the Rule

Finally, I would like to quickly recall another important point in order to understand how the aesthetic normativity could be diachronically developed

thanks to its exemplary exhibitions and to the models of art. This is a complex topic, that cannot be dealt exhaustively here, but it is important at least to mention it, as it allows us to focus on a peculiar congruence of the theories of Hume and Kant. Moreover, it could be an enlightening integration of our conception of «criticism as art», in that, as we already saw, Kant maintains that not only the artworks, but also the judgments of taste are exemplar. As a consequence, the exemplarity could be considered the focal point of the Kantian aesthetic normativity, in which the contemplative and the expressive side of the aesthetic experience converge and from which it is possible to better understand how the aesthetic normativity develops in time.

Both in Kant and in Hume, the artworks that have received a constant and joint appreciation throughout the ages have a significant importance. The reason is that these works show exemplarily the rule of taste. Despite the expected and well known differences between the two, the models of art are a starting point for educating oneself to taste and for learning how to grasp the rules emotionally for both the philosophers.

The difference is that Hume focuses on the education of the critic, while Kant focuses on that of the artist, and this carries to relevant repercussions on the articulation of the aesthetic normativity in the two theories. If for Hume such works of art are models from which the critic can draw evaluative criteria in order to make hierarchical comparisons, for Kant

the exemplarity of these works is expressed in a completely different way, because it does not highlight only the moment of evaluation in the judgment, but it is focused mainly on the productive side of aesthetics.

As a matter of fact, Kant argues that the exemplary products of taste should never be copied or imitated, but they should be followed [*nachfolgen*] (*ivi*, p. 318). It is the act of following the examples that sets the difference between the aesthetic normativity and the intellectual one, because, if we had a rule fully displayed in a precept, or perfectly exhibited by an artwork, we would be forced by the rule itself to approximate it, producing material copies and flawed imitations. The degree of correctness of the aesthetic productions and judgments would be measured in terms of similarity with the model or in terms of conformity with the rule.

On the contrary, in the Kantian aesthetic normativity we cannot apply these criteria of similarity to measure the value of an artwork, because the products of art never display the rule completely in itself, they present it like a *trace* (Ferraris, 1995) that calls on the receiver's free play to be detected and produced. As a consequence, the aesthetic normativity is dynamic, it is contingent upon the evolution of taste itself and it is ultimately constituted by the acts of following the rules grasped freely and productively by the subjects of a community in the examples of the past.

According to Kant, the models of taste represent the rule, but always indirectly, always in such a way that the observer is led to take part actively

in the production of the rule, rather than considering it already given in the objective constitution of the artwork, like a «rule of composition». Kant writes that «following the model» means: «to create from the same sources from which the latter created, and to learn from one's predecessor only the manner of conducting oneself in so doing» (*ivi*, p. 283, ENG, p. 164). The source of taste remains always subjective, even though it is of a transcendental subjectivity, while the artwork represents the only way to present it, but it does not represent the rule *in presence*, it represents only the unavoidable way of leading towards it. The exhibition of the rule, therefore, does not exhaust it, and as a consequence it can never be anything other than an *indirect presentation*, a *trace*.

It is precisely this *constitutive "presence/absence"* of the rule in the artworks that determines the difference between following [*nachfolgen*] and imitating [*nachahmen*] and between Kant's weak normativity and Hume's stronger one. Only by following the rule embodied in a model of art, and not by imitating or abstracting it, we can transmit the rule to posterity (*ivi*, p. 310). Being transmitted from one artistic form to another, from one aesthetic judgment to another, the rule is presented without being exposed. This transmission of the rule through the relationship with the exemplarity of an aesthetic exhibition should not be confined to the artistic productions, but should also be considered a specific mark of «criticism as art», a conception of art criticism fully aware of its creative power.

So, it is in the very act of following the eternal models of the great works of art that the standard of taste shows itself and becomes communicable without being conceptually stated in the form of precepts or principles of art. It is only through this continuous and multiform evolution of taste and of the artistic forms that the aesthetic normativity can be articulated freely, managing to avoid dogmatisms or pure relativism. Finally, it is only through a transcendental account of the indeterminacy of the rule of taste that it is possible to acknowledge the free and open-ended quality of the beautiful.

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