

Aesthetic Normativity in Kant's Account: A Regulative Model

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Abstract

The notion of normativity has been key to an actualizing reading of the subjective universality that for Kant characterizes the aesthetic judgment. However, in the scholarly literature little discussion is made, somehow unsurprisingly, of what exactly we should understand by normativity when it comes to Kant's aesthetics. Recent trends show indeed the tendency to take normativity very broadly to the point of nuancing most of its core meaning. Based on how we speak about normativity in aesthetics, we seem indeed to have accepted that every kind of evaluative process is normative. I will argue that the sentimentalist elements of Kant's account call for a revision of its normative interpretations, for a better framing of its subjective universalism, and finally for a reconsideration of aesthetic normativity in favour of regulativity.

Keywords

normativity, regulative, aesthetic judgment, universalism, emotions

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In the current debate, the term normativity is increasingly used to define issues concerning epistemology, moral philosophy, aesthetics. Nevertheless, it is difficult to understand the meaning of such a broad term and it is necessary to define it first. In the light of the current debate on aesthetic normativity, the key role played by emotions, and in particular by the feeling of pleasure within Kant's account can be a real game changer (see Graham 2014). The notion of normativity has been indeed key to an actualizing reading of the subjective universality that for Kant characterizes the aesthetic judgement. The question ensuing from the discussion on normativity in aesthetics can be simplified as follows: how can an emotion, that is to say a subjective state of mind, be expressed in a communicable and universally valid judgement? In this regard it is true that, up to an extent, the notion of aesthetic normativity finds suitable ground in Kant's theory of taste and this has lent Kant's aesthetic judgement a high-rank position within the contemporary debate. Recent trends show indeed the tendency to take normativity very broadly to the point of nuancing most of its core meaning. Based on how we speak about normativity in aesthetics, we seem indeed to have accepted that every kind of evaluative process is normative.

I will notably argue that the sentimentalist elements of Kant's account call for a revision of its normative interpretations, for a better framing of its subjective universalism, and finally for a reconsideration of aesthetic normativity in favour of regulativity. We will see that given this very wide meaning of the notion of normativity many problems arise: 1. Based on Kant's aesthetic judgement no value is attributed to an object, as it is rather a feeling that is expressed; the question is: can a feeling be normative? 2. How is it possible to combine the regulative character, essential to Kant's judgement of taste, with the aesthetic normativity? Is it possible to speak about normativity without rules, norms and standards (normal idea)? 3. Is it yet possible to speak about normativity while entirely renouncing to prescriptions? My paper aims to discuss the normative character of aesthetic emotions in Kant's third Critique by calling upon the notions of regulativity and exemplarity. An argumentation as such not only provides an alternative reading to some of the paragraphs of Kant's aesthetics, that are most discussed in the contemporary debate, but also aims to retrieve the peculiarity of the aesthetic experience as an experience

characterized by spontaneity and communicable to others through a judgement with an essential character of indeterminacy.

Among Kantian scholars, two main opposite positions have been upheld on this topic: the one that ascribes to Kant's theory of aesthetic pleasure an opaque and non-intentional nature, mostly supported by Paul Guyer (Guyer 1979), and the one we can call intentionalist, which states the function of aesthetic pleasure in making us conscious of our faculties activity. This position has been championed mainly by Henry A. Allison (Allison 1998)¹.

It should also be added that in the past ten years, also due to the influence of analytic philosophy on the philosophical scientific debate, much of the issues connected to Kant's notion of aesthetic pleasure have been referred to the notion of aesthetic normativity. Such a reference to normativity seems to grant the possibility to ground the normative validity of aesthetic judgements on Kant's transcendental philosophy, provided the normative nature of Kant's notion of emotion is given for granted. Clearly exemplifying of this assumption, the voice 'Aesthetic Judgement' written by Nick Zangwill for the *Stanford Encyclopedia*, especially in its revisited edition of 2014 and then of 2019 (Zangwill 2019) applies the most recent acquisition in the Kantian contemporary debate to the definition of aesthetic judgement. What stands out here is how the normative character of Kant's aesthetic judgement is taken for granted; the assumption that Kant's aesthetic is normative ensues nonetheless from the idea that pleasure in beauty has an intentional content. However, as already anticipated, this is not an entirely uncontroversial interpretation.

Three interpretations of aesthetic normativity

The normative essence of Kant's aesthetic judgment is usually evidenced by the universal validity of aesthetic claims and by the sharable and communicable nature of this kind of judgments. What is peculiar to Kant's aesthetic theory is indeed the aspiration to a universal validity of taste, which would allow us to think that in matters of taste and beauty

¹ Guyer and Allison have defended their respective positions in Dialogue: Paul Guyer and Henry Allison on Allison's Kant's Theory of Taste (Kukla 2006).

others 'should' share our judgment. As a result, Kant's account seems to lay the ground to basic normativity in the shape of an aesthetic judgment adequacy principle, ensuring that when I say 'X is beautiful' my judgment is correct, or at least appropriate. In brief, this is also what allows many scholars to think that Kant's aesthetics could easily be interpreted as exemplifying the normativity of the aesthetic judgment. Any claim about correctness in an aesthetic judgment is, however, problematic and non self-evident as, from Kant's point of view in particular, beauty is not an attribute of the object, but rather a feeling of the subject. For this reason, the subjective nature of aesthetic universality and the meaning of the aesthetic 'should' have generated and still raise many interpretive problems. After careful assessment of the elements at stake, we will see that when Kant mentions an element of universality in this context, what he has in mind is something ideal, different from 'normal' universality, and that in the *Critique of the Power of Judgment* a distinctive definition of the aesthetic 'should' (*Sollen*) is provided (§ 19)² which departs in some important respects from regular accounts of normativity.

I have isolated three different interpretations about aesthetic normativity in Kant's account. These three are surely not exhaustive of the debate, but they summarize three different way to read Kant's account. I would call these interpretations as follows: 1. vero-functional normativity, 2. primitive normativity and 3. ideal normativity.

1. I would refer the first position, a vero-functional reading of aesthetic normativity, to the discussion of Kant by Zangwill. While trying to reconcile this kind of statement with the normativity suggested by Kant's reference to what also others 'ought to' judge, Zangwill states that 'a judgment of taste makes a claim to correctness', which implies 'to shift from the problematic "ought" that is involved in a judgment of taste to a problematic "correctness" or "betterness". This may be inevitable. We are dealing with a normative notion, and while some normative notions may be explainable in terms of others, we cannot express normative notions in non-normative terms' (Zangwill 2019)³. In Zangwill's

² 'The judgment of taste ascribes assent to everyone, and whoever declares something to be beautiful wishes that everyone **should** approve of the object in question and similarly declare it to be beautiful. The **should** in aesthetic judgments of taste is thus pronounced only conditionally even given all the data that are required for the judging. One solicits assent from everyone else because one has a ground for it that is common to all; one could even count on this assent if only one were always sure that the case were correctly subsumed under that ground as the rule of approval.' (KU, 5: 237)

³ Other than in the 2014 version, in 2019 Zangwill prefers to use the term 'ought' rather than 'should'.

recasting of normativity, a normative constraint is essential of our judgments of taste, and so we assume that not all judgments of beauty are equally appropriate and we think that there is a right and a wrong answer at which we are aiming. The normativity of judgment derives however from the normativity of feeling. Zangwill indicates two characteristics of aesthetic normativity: 'it is definitive of pleasure in beauty that it licenses judgments that make claim to correctness' and 'it is based on subjective grounds of pleasure or displeasure' (Zangwill 2019).

This interpretation is to say the least problematic, and for more than one reason. First of all, it is implausible to speak about correctness in the absence of a verification criterion. The aesthetic judgment is in fact not an epistemic statement about an object, but an expression of subjective feelings; more plausible would be to speak about appropriateness to a community of judging people. Secondly, even shifting from the problematic aesthetic 'should' to the maybe even more problematic aesthetic 'correctness' we can ascribe to aesthetic judgments a normative nature only if this is meant in a very wide (and vague) manner, without any references to prescriptions.

It is however not clear how can the normativity of judgments of taste be inherent in the feelings and how can feelings be more or less veridical. As Zangwill writes, the normative claim of our aesthetic judgments derives from the fact that 'we think that some *responses* are better or more appropriate to their object than others'. In this way, judgments can be more or less appropriate because responses themselves can be more or less appropriate. The example is clearly taken from Hume:

if I get pleasure from drinking Canary-wine and you do not, neither of us will think of the other as being *mistaken*. But if you don't get pleasure from Shakespeare's *Sonnets*, I will think of you as being in error—not just your *judgment*, but your *liking*. I think that I am *right* to have my *response*, and that your *response* is *defective*. (Zangwill 2019)

In Hume's words, only someone with a defective sensibility could think that there is 'an equality of genius' between some inferior composer and J. S. Bach (Hume 1757 [1985: 230]; see Kulenkampff 1990). But Hume's solution rests on common sense and on a

'subjective normativity', based on which if 'I get the idea or sentiment and you don't, in contemplating the same object, either you or I may be "abnormal," but there is no sense in which either of us can be "wrong" or "right," which is to say, "mistaken" or "correct"' (Kivy 2016). What should be emphasized here is that when I demand the agreement of others as to what I can call beautiful, my request is neither a prescription nor a matter of facts⁴. It is an ideal agreement based on which all judging people are meant to speak with an universal voice.

2. The second way to interpret the aesthetic normativity deal with the notion of primitive normativity and I would refer it mainly to Hannah Ginsborg. Ginsborg defines normativity as a necessary condition for knowledge, as the element we need in order to make a claim for an agreement by the others. Ginsborg defines so an interpretive model that she calls 'primitive normative'. This notion of normativity does not necessarily include a reference to the truth and to the rational justification; it is however required by every form of empirical conceptualization. Ginsborg understands the *Critique of the Power of Judgment* as a complement of the logic knowledge defined in the first Critique and she understands thus the aesthetic judgment as a judgment of knowledge in general. Starting from Kant, Ginsborg aims to deal with a theoretical proposal for the contemporary debate in aesthetics (Ginsborg 2015, pp. 4-5)⁵. Her thesis expresses a general idea on our relation with the world and she states that our natural answers, perceptive and imaginative, towards the objects has to include a primitive require of normativity. This is a kind of normativity that could be defined as primitive because it refers to the relationship between the empirical characteristics of the objects and the functions of natural psychological inclination of the subject. The judgment is so for Ginsborg a linguistic answer to this inclination, that establishes a normative relation with the objects and that can be an answer more or less adequate. The primitive normativity allows thus to give account of aesthetic conflicts and to show how the aesthetic experience makes explicit divergences in perception. The claim of adequacy in the aesthetic judgment is however the same

⁴ See what Kant writes in § 7: 'does not count on the agreement of others with his judgement of satisfaction because he has frequently found them to be agreeable with his own, but rather **demands** it from them' (KU, 5: 212-213).

⁵ Ginsborg has been directly confronted with the contemporary debate in other writings (see Ginsborg 2011).

concerning perception, where we understand this claim as not bound with the objectivity of the concept nor with the truth of knowledge (Ginsborg 2015, pp. 195-201).

Ginsborg's proposal to understand the aesthetic normativity as a particular case of a more general primitive normativity has many merits. Nevertheless she does not actually explain the aesthetic normativity: most of all she does not give an explanation of the sharing claim in relation to the dynamic between feeling and judgement. The aesthetic feeling of pleasure seems to be understood, as by Allison, only as an awareness of the perceptive adequacy (Allison 2001, pp. 130). The feeling of pleasure seems thus to have been relegated to a precognitive stage and it does not represent a very alternative to the logic knowledge. It seems so that the subject remains in a certain mental state because she/he recognizes that she/he has to do in this way according to perceptive rules and just for that reason she/he feels pleasure. In doing so every right perception should give place to a feeling of pleasure and the aesthetic experience would not be explained as a peculiar experience, alternative to the cognitive one.

3. In Ginsborg's explanation it is completely excluded any element of ideality, that is rather fundamental in Kant's aesthetics. Ideality is instead the main focus of Chignell's reading of aesthetic normativity in Kant's account. Chignell is convinced, at variance with Guyer, that in his 'subject-based theory, Kant clearly did not intend to give up the idea that judgements of taste are normative' (Chignell 2007, p. 416). Chignell's proposal tries then to solve the problem of aesthetic normativity by showing that the subjective basis of the normativity of the aesthetic judgement is not at variance with the theory of aesthetic ideas (Chignell 2007, p. 419). Chignell's interpretation duly recognizes the ideality of the subjective universality and he convincingly argues as to bring Kant's formalism back to the front matter of the discussion. We should not forget that Kant brings into focus how we experience an object regardless of the content of the object of our experience. Less convincingly Chignell's line of argument takes once more for granted the normativity of aesthetic emotions and does not question how Kant's aesthetic normativity should be understood.

Chignell reads the ideality of the intersubjective validity of taste mainly based on the last paragraphs of the *Critique of the Aesthetic Power of Judgement* (§§ 49-59) and his

argumentation aims to demonstrate how these texts are not at variance with the main topic of the entire *Deduction*, that is the subjective universality of taste (Chignell 2007, p. 423).

I agree with him as he underlines the continuity between these paragraphs, however I am also convinced that an alternative path further explains the key features of aesthetic normativity in Kant. What I suggest is to establish a comparison between the fourth moment of the *Analytic of beauty* and the conclusion of the *Critique of the Aesthetic Power of Judgement*. This comparison allows indeed to stress the importance of the regulative use of the feeling of pleasure in aesthetic judging.

The ideal nature of the universality of taste is even more strongly outlined further on in § 17 where Kant includes a discouraging warning for anyone who is looking for the source of aesthetic normativity in his theory of taste:

For every judgement from this source is aesthetic, i.e., its determining ground is the feeling of the subject and not a concept of an object. To seek a principle of taste that would provide the universal criterion of the beautiful through determinate concepts is a fruitless undertaking, because what is sought is impossible and intrinsically self-contradictory. (KU, 5: 231)

Since the 'determining ground'⁶ of judging is the feeling of the subject, the aesthetic judgement deals with the communicability of the emotion, which qualifies as rather peculiar inasmuch as it is neither granted by a concept – as it happens with the normative moral judgement and the good – nor just derived from some kind of empirical regularity – as it happens with the agreeable and the descriptive affirmation of one's own preferences –. What defines here the judgement of taste is neither fully normative nor clearly descriptive. It is rather defined by its exemplarity.

The aesthetic subjective universality is in fact taken as ideal as it is determined by the spontaneity of an emotion that cannot be prescribed to anyone, but that can well be

⁶ The 'determining ground' of judging is different from the transcendental ground, identified with the free play between imagination and understanding.

requested from others. There is no sign or a guarantee of an effective agreement, but there is a possibility. The ideality of the aesthetic emotion sets therefore the universality of the judgement of taste in a possible future. The ideal of beauty is defined in the following terms: as the exhibition of a rational idea, it is an example of judging through taste and it is 'something that we strive to produce in ourselves even if we are not in possession of it' (KU, 5: 232).

While excluding any correctness criterion, the aesthetic normativity in Kant's account leads to the claim that there are no empirical rule, no rational concept and no norm granting the aesthetic judgement's universality, and no normal idea will not be enough to explain the communicability of feelings. One may well wonder whether it still makes sense to talk about normativity when all these elements are excluded from the aesthetic judging. One element persists in this direction though. What remains indeed stable in the exemplarity of the aesthetic ideal is the element of necessity. The ideal of beauty is archetypical and exemplary 'in accordance with which he must judge everything that is an object of taste, or that is an example of judging through taste, even the taste of everyone' (KU, 5: 232). The normativity of the judgement of taste can still be validated, then, through the aesthetic 'should'.

A non prescriptive necessity: the aesthetic 'should'

Before venturing into a discussion of regulativity, it is useful to understand how the normative claim can be crucially combined with the element of ideality. If the normativity of taste can rest only on the 'should' that characterizes aesthetic intersubjective validity, and has no rules nor concepts as guarantee, it will be very useful to understand the kind of necessity here at stake. It is my belief that in this respect the ideality of the aesthetic demand cannot be disregarded.

On the topic of the intersubjective validity, Kant clarifies that the aesthetic necessity is set in the field of possibility:

not a theoretical objective necessity, where it can be cognized *a priori* that everyone **will feel** this satisfaction in the object called beautiful by me, nor a practical necessity, whereby means of concepts of a pure will, serving as rules for freely acting beings [...]. Rather, as a necessity that is thought in an aesthetic judgement, it can only be called **exemplary**, i.e., a necessity of the assent of **all** to a judgement that is regarded as an example of a universal rule that one cannot produce. (KU, 5: 236-237)

Differently from objective theoretic necessity and from practical necessity, aesthetic necessity is peculiar in that it can be called only exemplary. In this sense any rule of taste can be possibly inferred and the necessity of the aesthetic feeling is far from being apodictic: 'Since an aesthetic judgement is not an objective and cognitive judgement, this necessity cannot be derived from determinate concepts, and is therefore not apodictic' (KU, 5: 237). This also entails that in aesthetics the pleasure we feel and the expression of the judgement are not two completely separated moments but two elements of the same experience.

Furthermore, the exemplarity of taste defines not only its necessity but also the distinctive 'should' implied in aesthetic judging. The aesthetic 'should' is conditioned as it is granted only by the faculties we have in common, it is so a subjective should that does not describe an actual agreement nor it prescribes the approval of others, but it rather places the universality in ideality and possibility. This ideality of the aesthetic 'should' is to be linked to the determining function of emotions. When we experience and judge aesthetically we can only request from others to share our emotions, and the subjective universality of emotions, granted by the common sense, assumes the form of a peculiar should that is more an expectation than a prescription. The unique 'should' Kant is describing here could sound almost as an oxymoron as it is a non-prescribing 'should'. In this sense the judgement of taste 'determines what pleases or displeases only through feeling and not through concepts, but yet with universal validity' (KU, 5: 238).

The determining function of emotions means that aesthetic feelings are non private. In spite of their unavoidable subjective nature, they are sharable and universal communicable. The determining function of emotions does not mean however that feelings

follow rules or prescriptions or can be correct or incorrect. Furthermore, Kant has clear in mind that feeling emotions is not our choice and does not depend on our will. The spontaneity of emotion is here preserved.

In this conception of aesthetic evaluation, it is however clear that a perceptual normativity is not compatible with the specificity of the aesthetic judgement as an expression of feeling within an experience with a finalistic connotation. The feeling is not, in fact, to be considered as an objective attribute, nor can it necessarily be associated with selected qualities of the object. The subjective feeling is rather the pleasure needed to be able to judge aesthetically an object. Therefore, pleasure becomes, in the aesthetic experience, prior to any form of knowledge, to any criterion of truth or correctness, and it constitutes the starting point for judging aesthetics as a conscious expression of our sentimental experience. The aesthetic judgement cannot therefore be understood as a second level judgement of reflection on our cognitive faculties: there is no intellectual understanding of feeling, no reasons are given through the judgement. At the same time, the aesthetic judgement is not simply an activity of sharing one's own pleasure, otherwise there would be no distinction between aesthetic judgement and the mere affirmation of one's own preference.

The aesthetic pleasure, on the other hand, in the absence of an intellectual concept, functions as a unifying principle of experience through subjective projection; the act of judging is so the awareness of feeling as a principle that regulates the aesthetic experience and it consists in evaluating in accordance with this principle, in recognizing experience as unified through the feeling. The normative element is therefore included in the same evaluation act, where the claim made towards others, in form of an aesthetic duty, is not to be understood simply as a request to share our own pleasure. The aesthetic claim is instead a description of the state of judgment, as a public sharing of the connection between pleasure and the representation of the object. It is, therefore, a normativity partly similar to that required by any judgement of experience, which associates an attribute to a representation of the object. The aesthetic normativity finds then its specificity in the fact that the association is related to the feeling of the subject and not to a quality of the object. In short, just as the judgments of experience express the relationships within the experience and imply statements that want to be universally valid, so the aesthetic judgment expresses

as necessary the relationship between pleasure and the object and requires this same connection to others. The aesthetic pleasure experienced in front of the representation of an object is therefore perceived as a fact, albeit *sui generis*, and it is expressed through the judgment. However, it is a description of a fact that is expected to be shared by others.

The specificity of the aesthetic experience consists therefore in its articulation in two closely connected moments, the feeling and the judgement, in which the sentimental moment is the matter of fact of the subject, constitutively non-normative. The judgement that expresses the feeling, giving a description of it, constitutes at the same time an evaluative activity that shows its normativity in the expectation of sharing by the others. The possibility of a passage from the fact of feeling to the evaluation of judgment is made possible by the projection of the subject who orders the experience, that is by the principle of purposiveness as reflection of the subject on the representation of the object. In referring the feeling to the representation of the object, the judgement is not describing the subjective mood, but it is evaluating the object through a finalistic projection of the subject on the world.

The same teleological system then invests the aesthetic duty and the claim of an agreement by the others. The expectation of an aesthetic agreement, or more precisely the legitimacy of this expectation, is guaranteed by the same finalistic projection that constitutes the necessity to consider others capable of achieving the same connection between pleasure and the representation of the object through the judgement. The purposiveness, which connects pleasure to representation in a projective form, is, in fact, a subjective condition for the possibility of aesthetic experience, a condition that is thought to be shared by all subjects, not only by virtue of the common cultural belonging, but by reason of the same projective capacity of their own feelings.

The difficulties of a 'should' grounded on emotions are openly admitted also by Kant in the controversial § 22. Here Kant makes clear that the aesthetic 'should', as 'I ascribe exemplary validity' to my judgement of taste, depends on a common sense that 'is a merely ideal norm' (KU, 5: 239), says Kant. What is added here is the qualifying remark presenting the judgement of taste as an 'indeterminate norm' (*unbestimmte Norm*). Kant himself seems to admit the difficulty of his aesthetic 'should' by asking whether the

common sense has to be taken 'as a constitutive principle of the possibility of experience' or 'whether a yet higher principle of reason only makes it into a regulative principle for us first to produce a common sense in ourselves for higher ends' (KU, 5: 240). Kant seems to prefer the latter solution, which leads to other complex questions: the judgement of taste, 'with its expectation of a universal assent', becomes 'in fact only a demand of reason to produce such a unanimity in the manner of sensing' (KU, 5: 240). And this has important consequences on the definition of the aesthetic 'should', as it has to be understood only as a possibility: 'the objective necessity of the confluence of the feeling of everyone with that of each, signifies only the possibility of coming to agreement about this, and the judgement of taste only provides an example of the application of this principle' (KU, 5: 240).

A subjective requirement: from normativity to regulativity

Interesting results can so ensue from implementing in contemporary terms the more indeterminate notion of regulativity, possibly as a peculiar kind of normativity, that preserves the ideality, the exemplarity, the indeterminacy and, at the end, the emotional nature of aesthetics.

It is possible to argue then that Kant sets his notion of aesthetic universality in the tracks of the same theory of the regulative use of reason presented in the first Critique, where the expectation of a universal approval is meant as a demand of reason and the aesthetic 'should' signifies only the possibility of coming to an agreement⁷. In the *Introduction* of the third Critique Kant gives us some elements to support this idea. He writes in fact that the combination of the feeling of pleasure with purposiveness is a need of our understanding to find an order in nature (KU, 5: 186). The feeling of pleasure is therefore a presupposition for the reflective power of judgement (KU, 5: 188).

The aesthetic feeling is combined then to the representation of the form of the object with a particular kind of necessity, as it derives from the agreement between the cognitive faculties that we have in common with others.

⁷ When, in the cognitive field and therefore different from the aesthetic one, Kant defines the regulative use of reason, he affirms that the idea of unity constitutes 'a logical principle, in order, where the understanding alone does not attain to rules, to help it through ideas, simultaneously creating unanimity among its various rules under one principle (the systematic)' (KrV, A648 | B676).

What is strange and anomalous is only this: that it is not an empirical concept but rather a feeling of pleasure (consequently not a concept at all) which, through the judgement of taste, is nevertheless to be expected of everyone and connected with its representation, just as if it were a predicate associated with the cognition of the object. (KU, 5: 190-191)

The subjective universality of the judgement of taste can thus sound 'strange and anomalous', but what is to keep in mind is that it is 'a feeling of pleasure (consequently not a concept at all) which, through the judgement of taste, is nevertheless to be expected of everyone and connected with its representation, just as if it were a predicate associated with the cognition of the object' (KU, 5: 191). This expectation 'in spite of its intrinsic contingency, is always possible' (KU, 5: 191) in virtue of the humanity intrinsic in every subject.

Furthermore, in the *Methodology of Taste* Kant sums up the relation between the ideality and the universal validity of taste also clarifying the role of norms. In the aesthetic experience there are no 'universal rules' and no prescriptions; on the contrary 'there must be regard for a certain ideal that art must have before its eyes, even though in practice it is never fully attained' (KU, 5: 355).

Any concept and any norm prescribed to the subject would thereby nullify the freedom of imagination, that is the essence of the aesthetic experience. The notion of subjective universality as mere possibility should instead preserve the indeterminacy that defines aesthetics. In this regard Kant writes:

the propaedeutic for all beautiful art, so far as it is aimed at the highest degree of its perfection, seems to lie not in precepts, but in the culture of the mental powers through those prior forms of knowledge that are called *humaniora*, presumably because *humanity* means on the one hand the universal *feeling of participation* and on the other hand the capacity for being able to *communicate* one's inmost self universally, which properties taken together constitute the sociability. (KU, 5: 355)

In conclusion, in § 60 Kant seems to understand the 'indeterminate norm' that ideally guides our aesthetic feeling as the promotion of humanity, that – in transcendental terms – consists in the vivification of the cognitive faculties we share with others. This complex meaning of the notion of norm in the aesthetic experience allows us to reassess the value of normativity in Kant's aesthetic theory. More precisely, the ideality of taste, despite its being mentioned by Chignell in order to strengthen the normative nature of Kant's aesthetic judgement, is what calls for a revision of the normativity claim; the ideality of taste shows, in fact, to what extent aesthetic normativity is a mere subjective need of our reason. Whereas in morality I can have the prescription of the moral law but I can also decide to have a morally bad behaviour, in aesthetics I feel pleasure and I express a judgement of taste without any prescription and without the mediation of any concept. If we take thus into consideration the ideality, the exemplarity and the indeterminacy of the aesthetic judgement, we can define the subjective universality and necessity of taste as a peculiar form of regulative normativity.

To define aesthetic normativity as a regulative normativity means, first of all, to recognize the peculiarity of aesthetic experience in expectation and possibility, starting from the evaluative element that constitutes the judgement of taste and differentiates it from the judgement of perception. The term 'regulative' allows to overcome a rigid dichotomy between the descriptive and the evaluative character of the judgement and it allows to think of an agreement between the judges without resorting to a criterion of truth. The aesthetic agreement is, therefore, an ideal agreement that acts as a rule over the aesthetic experience and invests our judging ensuring it the possibility of sharing. The aesthetic agreement acts on the judgement as a regulative idea not only by virtue of the sharing of the same cultural context, but also on a deeper level which, if one does not want to resort to the transcendental explanation of the sharing of humanity, can be explained, in Hume's terms, as sharing of the same capacity of the aesthetic feeling.

The regulative idea, although not constitutive, is – subjectively – universally and necessarily valid (McLaughlin 2014, pp. 554-572): the idea of the aesthetic agreement, which can be understood as the unity of representations guaranteed by the principle of purposiveness, i.e. as the projection of a subjective need, is not a simple recommendation

on how to proceed in the aesthetic experience, but is a norm generated within the same structure of judgement (McLaughlin 2014, pp. 561-563). The idea, which acts as a rule in judgement, is therefore 'inevitably necessary' (KrV, A 465 | B 473)⁸, and only if the connection between pleasure and representation of the object is thought as necessary and universal, it can be expressed in a judgement answering to the aesthetic should. The 'indeterminate norm' of the aesthetic judgement is therefore to be read according to a regulative meaning. The aesthetic feeling requires the indeterminacy of the norm and avoids a conceptual explanation; the aesthetic agreement, formulated as a claim, makes the aesthetic judgement normative and acts as a regulative ideal in our evaluation. Aesthetic normativity therefore emerges in its specificity, which requires a revision of the very concept of normativity: being different both from perceptive normativity and from moral normativity, aesthetic normativity moves between the claim of sharing, in common with empirical judgements, and the claim of a should, in common with moral prescriptions. The 'should' contained in the aesthetic judgement is not prescriptive, it takes the form of waiting, and it is not guaranteed by any criterion of truth, but it reveals itself as the possibility of sharing feelings on the basis of an understanding of the other as part of human society itself.

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⁸ 'In the *Critique of Pure Reason*, the idea is taken to ensure the systematic unity of knowledge [...]. The idea cannot have objective reality, despite being assumed a priori as necessary. The necessary features of regulative ideas of reason rely mainly on the impossibility of a chaotic presentation of the phenomenal world. Reason cannot infer the unity of rules from the contingent structure of nature, and, on the other hand, without the law of reason there would be no consistent use of the understanding, since no sufficient criteria would be available to guarantee empirical truth. In this regard, the rational idea of the unity of nature is objectively valid and necessary. A logic necessity is at stake guaranteeing the correct functioning of the understanding and establishing a condition of possibility – then the a priori ground – of the judgement of knowledge'. (Feloj 2015, p. 90)

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