

The Sense of Community in Cavell's Conception of Aesthetic and Moral Judgment

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1. Introduction

Cavell's interest in aesthetic objects can be understood to be motivated by an interest in the nature of meaning and value. The idea is that perceptual objects considered as cultural artefacts under-determine the meaning and value attributed to them. The process involved in determining their meaning and value is essentially a creative one. Through his study of film, literature and music, Cavell could be said to indirectly address the axiomatic, or what is sometimes referred to as the bedrock, of our value judgments. In being embedded within larger cultural commitments, such axioms are impenetrable to the traditional analytical approaches in Anglo-American philosophy. Cavell's style of philosophy can be understood to have been pioneered to attempt to understand and clarify aspects of experience which elude traditional analytical methods.¹

Cavell explores the way objects acquire meaning by considering the peculiar conditions of modern art where the audience is often unapprised of the traditions or theories on which the meaning of the work relies. The way such conditions raise the issues of sincerity and fraudulence illustrates an important aspect of our reliance on community traditions where meaning is concerned. Meaning is inadvertently constructed through a form of improvisation predicated on community norms and values. When traditions are weak, improvisation, or what we can refer to after Immanuel Kant as modelling,² is unsupported and hence fails. This demonstrates the

1. In particular, see Cavell, *A Pitch of Philosophy: Autobiographical Exercises* (Cambridge, MA: Harvard University Press, 1994) and "The Avoidance of Love: A Reading of *King Lear*," in *Must We Mean What We Say?* (Cambridge: Cambridge University Press), 267-353.

2. See the role played by models in Kant's theory of genius, in Immanuel Kant, *Critique of the Power of Judgment* (hereon *CJ*), trans. Paul Guyer and Eric Matthews (Cambridge: Cambridge University Press, 2000), AK 5: 308-310.

degree to which the processes on which we rely for understanding objects and setting them within a meaningful system or narrative is rudderless without community traditions. Cavell implicitly refers to what Kant conceived as a common sense (*Sensus Communis*) which operates within a comparative setting and grounds aesthetic reflecting judgment.

Cavell can be understood to argue that modern art is the exception that proves that there is a comparative edge to all kinds of judgment including aesthetic reflecting judgment and this comparative edge implicates a community context. To understand this, we need to understand Kant's influence on Cavell's conception of rationality which emerges through Cavell's implicit adoption of the concept of aesthetic reflecting judgment from Kant's *Critique of the Power of Judgment*. To show how this conception grounds Cavell's theory of meaning and value, section 2 addresses Cavell's response to the anti-intentionalist debate in three essays published in his collection of essays, *Must We Mean What We Say?*³ Cavell effectively redefines the terms of reference of that debate by shifting the emphasis away from personal interpretation to the public nature of the relevant terms, and showing how the conditions of interpretation only become obvious in their absence. In section 3, Cavell's implicit notion of attunement-to-community is shown to be an application of Kant's conception of the common sense as it is developed in the "Deduction of Pure Aesthetic Judgments."⁴ Finally in section 4, I address the problem of bootstrapping that is raised by the possibility of genuine creativity, on which Cavell's conception of the renewal and evolution of our evaluative terms is premised. I argue that Cavell's pragmatist epistemology steers a path out of the problem of bootstrapping by revealing an essential truth about the construction of meaning more generally; that the objective basis of meaning and value is provided by the attunement-to-community of our evaluative terms.

The theory of meaning and value found in Cavell, particularly the role that attunement-to-community arguably plays, can be seen as a demonstration in terms of cultural artefacts of the theory of meaning and value also found in John McDowell.⁵ The stakes of the debate are high for both aesthetics and meta-ethics. In the former,

3. Cavell, "Aesthetic Problems of Modern Philosophy," "A Matter of Meaning It," and "Music Discomposed," in *Must*, 73-96, 213-237, 180-212.

4. Kant, *CJ*, 160-212, AK 5: 279-335.

5. See John McDowell, "Non-Cognitivism and Rule-Following," in *Mind, Value and Reality* (Cambridge, MA: Harvard University Press, 1998), 198-218.

for example, Cavell's theory of meaning and value has implications for what constitutes the realism of aesthetic properties⁶ and in the latter it has implications for understanding moral motivation. The grounding of meaning and value in attune-ment-to-community provides a conception of non-cognitivism and rule following, which is relevant to the debate in meta-ethics between internalism and externalism⁷ or particularism and principled action.⁸ My concern is not to visit these implications here but instead as a first step to such an end, to set out the theory of meaning and value found in Cavell which shows that the conception of objectivity employed in many of these debates amounts to a category mistake, or as McDowell has referred to the concept of objectivity necessary to the natural sciences, "not something to which it is clearly compulsory to succumb in all contexts."⁹ In addition, the enquiry undertaken here contributes to Cavellian Studies more specifically by arguing that Cavell's indebtedness to R. W. Emerson did not involve a naïve notion of Romanticism according to which the artistic genius operates in isolation. This conception is not textually supported in either Emerson or Cavell.¹⁰

2. Cavell on Modern Art and Indeterminacy

According to Cavell, the indeterminacy of evaluative terms is only obvious when the traditions from which we draw our terms of reference are weak. He argues that when this is the case, we become aware of the degree to which the meaning of our evaluative terms rely upon knowledge and experience of the relevant community standards. The way he develops this idea exposes the limitations of the preconceptions inherent

6. See, e.g., Cavell's account reveals the naïve realism in the conceptions of aesthetic realism of Berys Gaut, in *Art, Emotion and Ethics* (Oxford: Oxford University Press, 2007) and Nick Zangwill in *The Metaphysics of Beauty* (Ithaca: Cornell University Press, 2001); and a considerable body of writing in aesthetics in the same vein.

7. See, e.g., Bernard Williams, *Moral Luck* (Cambridge: Cambridge University Press, 1981); John McDowell, *Mind, Value and Reality* (Cambridge, MA: Harvard University Press, 1998), 95-111; Julian Markovits, "Why Be an Internalist About Reasons?," in *Oxford Studies in Metaethics*, vol. 6, ed. Russ Shafer-Landau (Oxford: Oxford University Press, 2011), 255-279; Simon Blackburn, "Realism, Quasi, or Queasy?," in *Reality, Representation and Projection*, ed. John Haldane and Crispin Wright (Oxford: Oxford University Press 1993), 365-383; and Peter Railton, "What the Non-Cognitivist Helps Us to See the Naturalist Must Help Us to Explain," in *ibid.*, 279-300.

8. See Jonathan Dancy, *Ethics without Principles* (Oxford: Oxford University Press, 2004), 118-139.

9. McDowell, *Mind, Value and Reality*, 218.

10. This conception is arguably a confection of the Twentieth century art market though I do not argue for this here.

in the standard intentionalist and anti-intentionalist arguments regarding the basis of the objective interpretation of an artwork. According to the intentionalist, the meaning of art depends on the intention of the artist, and depending on the particular theory, this intention can be either explicit, implicit or hypothesized. On the other hand, for the anti-intentionalist broadly conceived, the artwork, whether painting, film, music or novel etc., is largely created in reception. The more standard versions of anti-intentionalism or formalism as it came to be known, limit the basis of an interpretation to perceived qualities of the artwork.¹¹ For the more enlightened anti-intentionalist however, such as T. S. Eliot, the relevant reception involved sharing a tradition with the artist.¹² While Eliot focused on art traditions to explain appropriate interpretation, the New Criticism to which Eliot's views gave rise, further developed his conception of formalism. According to reader-response theory for example, one's interpretation of a work can only be endorsed by a community if members of that community understand one's reasons for responding in just that way and this relies on sharing a tradition, experiences and training.¹³

A Kantian response to this might be that the more communicable one's response to an artwork, the more publicly structured one's response can be said to be. The thought is that to communicate feeling one must have structured that feeling according to shared terms. In line with the Kantian response, Cavell saw that the meaning of an artwork can be understood to be a product of a community rather than a product of an individual or isolated psyche, and that the latter does not describe the artist.¹⁴ This conclusion did not fit with the standard notions of intentionalism, beholden as they were to a spurious interpretation of Romanticism, but nor did this conclusion fit with standard notions of anti-intentionalism. This is because the idea of community attunement (a successor to the New Criticism and hence formalism) might be said not to exclude artistic intention but instead requires a re-conception of

11. See, e.g., W. K. Wimsatt and Monroe C. Beardsley, "The Intentional Fallacy," in *Philosophy of Art and Aesthetics*, ed. Frank A. Tillman and Steven M. Cahn (New York: Harper & Row, 1969), 657-699.

12. T. S. Eliot, "Tradition and the Individual Talent," *Perspecta* 19 (1982): 36-42.

13. An example of the New Criticism is reader-response theory developed by Stanley Fish, *Is There a Text in This Class?: The Authority of Interpretive Communities* (Cambridge, MA: Harvard University Press, 1980). His theory can be considered formalist in Eliot's sense of anti-intentionalism. In Fish's version, tradition is replaced by community norms.

14. For a summary of the various theoretical strands in the debate to which Cavell responds, particularly concerning Wimsatt and Beardsley, "Intentional Fallacy"; see Mary Mothersill, *Beauty Restored* (Oxford: Clarendon Press, 1984), 14-21.

what constitutes the relevant sense of intention. Cavell draws this out by a consideration of modern art.

The emergence of the polarized theories regarding the objective basis of the meaning of artworks, including the intentionalism and anti-intentionalism mentioned above, correspond to the advent of modern art. Cavell in his response to this polarizing of the possible bases of interpretation, draws our attention to the way Modernism gave rise to an anxiety about artistic intention because the sincerity of the artist could no longer be guaranteed. For example, T. S. Eliot's anti-intentionalism entailed that only the structure of traditions within which a work was produced could provide a standard by which to interpret and evaluate it.¹⁵ However, this would prove problematic when relevant traditions were weakened, fragmented or rejected, which was the condition that characterized modern art according to Cavell. Modern art "lays bare the conditions of art" wrote Cavell, reflected in the fact that

we haven't convention or technique or appeal to go on any longer. [...] [Modern art] lays bare the condition of art altogether [...] it shows what kind of stake the stake in modern art is [...]. The task of the modern artist [...] is to find [...] something he can mean.¹⁶

Earlier he had written: "Often one does not know whether interest is elicited and sustained primarily by the object or by what can be said about the object. My suggestion is not that this is bad, but that it is definitive of a modernist situation."¹⁷

Intentionalism fares no better than anti-intentionalism when it supposes that the artist's actual or hypothesized intention is the basis of an objective interpretation. Unless the evaluative terms are shared between artist and audience, descriptions of intentions whether actual or hypothesized require the same conditions as anti-intentionalism in order to be understood and valued. Cavell in effect shows that the focus on intention as conceived by the standard theories was a red herring. This view pervades his discussion and is articulated directly in his contrast between the generality of statements compared to what art expresses. Regarding the latter, Cavell con-

15. Eliot, "Tradition and the Individual Talent."

16. Cavell, "Music," 211-212.

17. *Ibid.*, 207.

trasts the goal-directed nature of moral action with what Kant represents as art's "purposiveness without a purpose," in order to deflate the sense of intention used in the standard theories.¹⁸

Cavell avoids the polemic which developed in Eliot's wake in the form of the New Criticism and eventually in W. K. Wimsatt and Monroe Beardsley's now famous article, "The Intentional Fallacy."¹⁹ The latter eventually led to a plethora of versions of formalism²⁰ which sparked in turn, as many opposing intentionalist doctrines. Cavell's response to this debate implied that both intentionalism and formalism were attempting to solve an anxiety about authorship which was based on a misconception of the artist and of artistic meaning. For Cavell, interpretation was not settled by considering the artist's psyche and intention, nor by a given set of objective properties of the artwork. The relevant basis for interpretation was masked rather than clarified by this way of carving up the possibilities.

Ralph Waldo Emerson was a much cited influence on Cavell. Emerson's conception of genius belies the popular stereotype of Romanticism. Emerson wrote:

Now that which is inevitable in the work has a higher charm than individual talent can ever give, inasmuch as the artist's pen or chisel seems to have been held and guided by a gigantic hand to inscribe a line in the history of the human race.²¹

Emerson located the artist's creative sources within a community which provided the terms by which the artist understood herself and her purposes. Similarly, Cavell resisted the conception of the isolated artist and the dichotomy of intentionalism and formalism to which it arguably gave rise, by identifying the conditions that would preclude interpretation. One such condition was personal isolation: the result of failing to acquire the relevant community norms by which expression of inner states and interpretation were prompted and structured. This condition was met when the inde-

18. Cavell, "Music," 198.

19. Wimsatt and Beardsley, "Intentional Fallacy."

20. In addition to Fish, *Is There a Text in This Class?*, see the author function in Michel Foucault, "What Is an Author?," trans. Donald F. Bouchard and Sherry Simon, in *Language, Counter-Memory, Practice*, ed. Bouchard (Ithaca: Cornell University Press, 1977), 124-127, and the reliance on reception in Roland Barthes, "The Death of the Author," in *Image, Music, Text*, ed. and trans. Stephen Heath (New York: Noonday, 1977), 142-148.

21. Ralph Waldo Emerson, *Essays*, 2 vols. (Boston and New York: Houghton Mifflin, 1883), 329.

terminacy of evaluative terms was not masked, that is, when we found ourselves in the state in which evaluations no longer blurred into fact. In this state, which Cavell treated as an exception to the norm, we experienced the contingency of meaning. Cavell argued that modern art represented just such an exception to the norm. It was the exception (no community norms by which to interpret) that proved the rule (meaning, creative expression and interpretation require a community). In this sense, modern art made isolated entities of us, reliant on personal responses. Under such conditions, we relied upon our “personal relationship [...] [to art] unsponsored by [...] community”.²² Cavell wrote:

we can no longer be sure that any artist is sincere — we haven’t convention or technique or appeal to go on any longer: anyone could fake it. And this means that modern art forces the issue of sincerity, depriving the artist and his audience of every measure except absolute attention to one’s experience and absolute honesty in expressing it.²³

In the face of modern art, we struggled in isolation to make meaning because we did not have a community based set of values and norms with which to make sense.

The nature of indeterminacy in meaning was also explored by Cavell through the re-phraseability problem in aesthetics.²⁴ The re-phraseability problem refers to whether content conveyed in artistic form can be exhaustively captured in description, without leaving anything out. This relates to the debate surrounding whether our literal or determinate concepts capture all there is to experience. One would expect Cavell’s implicit pragmatist leanings to lead him to hold a view compatible in many respects to McDowell’s theory of meaning, according to which experience involves determinate concepts all the way out, so to speak (experience actualized and realized).²⁵ Cavell however rescued this position from precluding the indeterminacy of evaluative terms²⁶ by suggesting that the way terms acquire meaning is always indeterminate whether they are evaluative or descriptive terms. That is, while percep-

22. Cavell, “Matter,” 229.

23. Cavell, “Music,” 211-212.

24. Cavell, “Aesthetic Problems.”

25. John McDowell, *Mind and World* (Cambridge, MA: Harvard University Press, 1996).

26. See Jay M. Bernstein, “Re-Enchanting Nature,” in *Reading McDowell: On Mind and World*, ed. Nicholas H. Smith (New York: Routledge, 2002), 217-245, on what McDowell’s account precludes.

tions may be expressions of our concepts, concepts are in a constant state of evolving, and hence our terms are indeterminate to the extent that they are susceptible to cultural transformation. This reading of Cavell is reinforced where Cavell discusses the revision of meaning that occurs in the light of new cultural discoveries.

In the essay “Music Discomposed,”²⁷ Cavell discussed how new painting styles, movements or genres changed the way we perceived or construed earlier art to the extent that he wondered whether one should think of this change as manifested as new meaning or new object.²⁸ Considering how art acquires meaning, Cavell drew our attention to the way each new discovery in art changed the terms of reference for earlier art and consequently, what we noticed and found significant in all art. In other words, our construal of an artwork, and consequently its meaning and significance, changes by what comes after it. The same might be said concerning each new cultural development. Cultural norms alter the way we carve up and attribute meaning to experience. However, without the relevant generative forms (and concepts) at our disposal, as in the case when traditions are weak or fragmented, we must consciously construct meaning. We no longer have clear norms against which to judge intentions, and as such, according to Cavell, we become aware of trying to find the basis for distinguishing between sincerity and fraudulence. In this process, we feel the insecurity of cultural isolation.

The idea that Cavell teased out was that when tradition and convention are well established and endorsed, we might hardly notice that our value judgments have different conditions to matters of fact. That is, when traditions are well established and relevant to the case in hand, we do not notice the degree to which our responses and interpretations are steeped in cultural norms internalized by way of our community based exchanges. According to Cavell, in the normal course of events, within an established and entrenched tradition, we make sense of cultural artefacts and activities by inadvertently improvising. That is, we draw upon generative forms or heuristics provided by our community’s conventions and norms through which we experience what seems like recognition of an object’s meaning. A rather flat footed example might be a calendar-type landscape painting. We might

27. Cavell, “Music,” 184.

28. Arthur Danto also adopted this idea (also found in Adorno) of the canon reshuffle after each development (discovery) in visual art. See Danto, *Beyond the Brillo Box: The Visual Arts in Post-historical Perspective* (New York: Farrar, Straus, Giroux, 1992), 233-248.

simply respond in a stereotypical way, such as finding mild appreciation in the calm serenity of the scene, regardless of whether the historical context of its making and references within the painting are conducive to this or a more demanding response. Once a painting of landscape triggers entrenched schemas (improvisations, as Cavell might say), we take ourselves to be responding to the objective standard represented by the object.

In improvisation, an artist and her audience engage heuristics or models they have inadvertently inherited from cultural exchanges. Such heuristics or models evolve through exercising one's "recollection, tradition, training, and experience" in a purposive way according to Cavell.²⁹ When they are established, entrenched and pervasive throughout our culture, we do not notice them as anything less than objective standards. Particular heuristics or models are comprehended as coherent unities among those who can access the same or commensurate "recollection, tradition, training, and experience."³⁰

Cavell argued that "improvisation" or the generative nature of communicative forms, were undermined when conventions were weak as they were where modern art was concerned. In this context, instead of implicitly recognizing the meaning of the artwork, we had to consciously construct a configuration which could be perceived as compatible with a rational intention.³¹ In some cases, this might take the form of consciously searching for what the artist could have meant and in turn, what they would be justified in meaning. However, in these conditions, relying on some form of intentionalism proves as inadequate as attempting to rely on traditions. According to Cavell, we could not confidently put ourselves into the artist's shoes or

29. Cavell, "Music," 195.

30. Ibid. See Philip Pettit, "The Possibility of Aesthetic Realism," in *Pleasure, Preference and Value*, ed. Eva Schaper (Cambridge: Cambridge University Press, 1983), 17-38. I do not defend the role of perceived intention in the structure of perception and cognition here but there is an abundant sample of recent philosophical and empirical work on perception and cognition which support this view. See, e.g., G. Ganis, W. L. Thompson, and S. M. Kosslyn "Brain Areas Underlying Visual Mental Imagery and Visual Perception: An fMRI Study," *Cognitive Brain Research* 20 (2004): 226-241; Rick Grush, "The Emulation Theory of Representation: Motor Control, Imagery, and Perception," *Behavioral and Brain Sciences* 27 (2004): 377-442; Peter Langland-Hassan, "A Puzzle about Visualization," *Phenomenology and the Cognitive Sciences* 10 (2011): 145-173; Mohan Matthen, *Seeing, Doing, Knowing: A Philosophical Theory of Sense Perception* (Oxford: Oxford University Press, 2005); Susanna Siegel, *The Contents of Visual Experience* (Oxford: Oxford University Press, 2011); and Casey O'Callaghan, *Sounds: A Philosophical Theory* (Oxford: Oxford University Press, 2007)). See also Jennifer A. McMahon, "The Aesthetics of Perception: Form as a Sign of Intention," *Essays in Philosophy* 13:2 (2012): 404-422, <http://dx.doi.org/10.7710/1526-0569.1428>.

31. Cavell, "Music," 190. 206.

automatically find the relevant heuristic and this raised in our mind the possibility of insincerity and fraudulence. This demonstrated the extent to which we were normally reliant on community norms to establish the meaning of objects and events. In order to flesh out this idea further, and consider how it requires a different notion of creativity and intention than is found in standard accounts of intention and form, I turn now to arguably the precursor to Cavell's conception, represented by the notion of *Sensus Communis* in Kant's mature aesthetic theory.

3. Attunement-to-community in Kant's *Critique of the Power of Judgment*

Aesthetic reflecting judgment in Kant's aesthetic theory involves finding a concept for aspects of experience which elude determinate categorization relative to our current conceptual stock. Kant writes of aesthetic reflecting judgment "taste should also be regarded as a faculty for judging everything by means of which one can communicate even his feeling to everyone else."³² Judgment for Kant involves comparing our judgment with our notion of reason in general or, one could say, what we would consider others would judge under the same conditions. As such, when exercising aesthetic reflecting judgment, we adopt the terms of reference of our community for the purposes of communication, and this in turn structures our response according to community standards. The motivation is our natural sociability according to Kant, that is, our need to communicate our perceptions which finds its voice through a process Kant conceives in terms of aesthetic reflecting judgment.

The idea of indeterminacy plays an important role in Kant's aesthetic theory where it refers to the basis of a particular kind of judgment. A judgment is indeterminate when there is no explicit set of criteria or rules from which the judgment can be deduced or according to which the use of a term can be judged competent. There are no actual rules but we act as though there were, and this drives a search for consensus. Aesthetic reflecting judgment makes an *a priori* claim on everyone's assent according to Kant, in just this sense. It refers to a continual search for common terms of reference when forming and communicating our perceptions. In this sense, an aes-

32. Kant, *CJ*, 176, AK 5: 297.

thetic reflecting judgment involves a concept and is rule based even though the concept is indeterminate and the rule cannot be stated.³³

Kant grounds the postulated universality in what he calls *Sensus Communis*. Kant writes that aesthetic reflecting judgment is a kind of *Sensus Communis* where the latter is “a power to judge that in reflecting takes account [...] of everyone else’s way of presenting [...] to compare our own judgment with human reason in general.”³⁴ One way to understand this is that aesthetic reflecting judgments are always made with an idea in mind of what one thinks others would judge. At the very minimum one might suppose, in virtue of the common terms employed, judgments are comparative in nature. As such, judgments always indirectly make reference to the endorsement of (some conception of) community or common sense. Consider that according to Kant, an aspect of experience that is brought under a concept is transformed into communicable form. This applies no less to the object of aesthetic reflecting judgment. The peculiarity in the aesthetic case, however, is that the form, referred to as aesthetic form (or by Kant as exhibiting purposiveness but without a determinate purpose) is indeterminate. The indeterminacy is made compatible with communicability through the constraints of discourse, or as Kant writes, the *Sensus Communis*, where we compare our own judgment with what we would consider human reason in general. In other words, the competent use of the relevant terms develops in unison with an ongoing attunement to the ever changing norms of a community. The relation between the competent use of terms and the norms of a community is symbiotic.

The relevant constraints on the terms of reference which ground the possibility of *a priori* universality of indeterminate concepts, can be understood in the singular as attunement-to-community. This is not a condition isolated to the artworld. The indeterminacy of aesthetic reflecting judgment can be understood to draw out key principles of rationality in the respect that evaluative terms acquire meaning through the practices of a community of language users. This draws upon a theory about the nature of perception according to which perceptual objects are not simply given. Instead, the interests of a community, developed under adaptive pressures, and subjected to justifications required of communicative exchanges, direct our attention to aspects of the

33. See Kant’s antinomy of aesthetic judgment in *CJ AK* 5: 338-341.

34. *Ibid.*, 160, *AK* 5: 293.

world. From this process emerge our concepts and in turn, what we consider perceptual objects.³⁵ One can assume that the principles underlying the structure of language which drive the giving and asking for reasons (the default communicative exchange), reflect principles which underpin physical nature, given language has evolved under adaptive pressures according to the same physical laws.³⁶ In this case, the giving and asking for reasons when conducted in a systematic and openly critical way (in theory what we might call inductive reasoning within a community context), is the procedure whose outcomes lead toward rather than away from how things are in themselves, so to speak. The indeterminacy of terms is required in order to explain the possibility of development, creativity and invention, in other words, cultural renewal. The drive of each generation to reconstruct or revise meaning in newly evolving social contexts, speaks to human agency. Aesthetic reflecting judgment demonstrates this process. This concept of aesthetic reflecting judgment is a Kantian legacy in Cavell's understanding of meaning by which he can be understood in today's terms as an internal realist.³⁷

Kant's interest in aesthetic reflecting judgment revolved around the need to account for creativity, human agency, or as he might say, spontaneity. He reasoned that the mind must provide a rule based judgment whose rule cannot be identified or exhaustively articulated in terms of determinate concepts because otherwise the way new ideas can be generated seemingly from outside established and entrenched norms would not be accounted for. Without some room in his system of mind for creativity, critical assertions about human agency would be merely dogmatic. Kant's reference to indeterminate concepts was a reference to rule governed communicative forms which conveyed meaning not exhausted by literal terms. Cavell's motivation for attempting to understand aesthetic reflecting judgment was compatible with that of Kant. Cavell wrote:

A work of art does not express some particular intention (as statements do), nor achieve particular goals (the way technological skill and moral action do),

35. See the internal realism of Hilary Putnam, "Sense, Nonsense, and the Senses: An Inquiry Into the Powers of the Human Mind," *The Journal of Philosophy* 91:9 (1994): 445-517.

36. The structure of language drives a giving and asking for reasons, in Wilfrid Sellars, *Empiricism and the Philosophy of Mind* (Cambridge, MA: Harvard University Press, 1997), Robert Brandom, *Between Saying and Doing* (Oxford: Oxford University Press, 2008), and Jürgen Habermas, "From Kant to Hegel: On Robert Brandom's Pragmatic Philosophy of Language," *European Journal of Philosophy* 8:3 (2000): 322-355.

37. See Putnam, "Sense, Nonsense, and the Senses" for a demonstration of internal realism.

but, one may say, celebrates the fact that men can intend their lives at all (if you like, that they are free to choose), and that their actions are coherent and effective at all in the scene of indifferent nature and determined society. This is what I understand Kant to have seen when he said of works of art that they embody “purposiveness without purpose”.³⁸

Cavell here endorsed a form of intentionalism that was not found in the polarized debates on intentionalism versus formalism. Instead, his notion of the relevant sense of intention was closer to Kant’s notion of purposiveness. In the polarized debates, Kant’s account which included this notion of “purposiveness” was classed as formalism as opposed to intentionalism, which in the light of more nuanced discussions such as Cavell’s, is revealed to be a misrepresentation of Kant’s mature aesthetic theory.³⁹ Kant’s sense of purposiveness is better understood in Cavellian terms as the freedom to choose.

In the “Deduction of Pure Aesthetic Judgments” Kant grounded aesthetic reflecting judgment in comparative, inter-subjective and communal aspects of exchange.⁴⁰ Aesthetic reflecting judgment was subjective in that it involved personal endorsement but the comparative dimension was the sense in which it was inter-subjective. Kant treated aesthetic reflecting judgment as exemplary of judgment in general in the sense that one only took oneself to be exercising aesthetic reflecting judgment when judging from a perspective that was both subjective and communicable, rather than private or personal. Kant wrote: “We could even define taste as the ability to judge something that makes our feeling in a given presentation *universally communicable* without mediation by a concept”.⁴¹ “Without mediation by a concept” referred to the way we communicated feeling or what we could call epistemically charged perception. In contrast to determinate concepts which were conveyed through literal language, the communication of an aesthetic reflecting judgment involved showing someone how to conceive, construe or perceive an object and as such, one was attempting to communicate one’s experience of the object. As such, the

38. Cavell, “Music,” 198.

39. See Jennifer A. McMahon, *Art and Ethics in a Material World: Kant's Pragmatist Legacy* (New York: Routledge, 2014) for an analysis of Kant’s formalism.

40. Kant, *CJ AK 5*: 279-334.

41. *Ibid.*, 162, *AK 5*: 295.

judgment was not personal nor private but public (or as in Kant's nomenclature, *a priori* universal).

Kant revealed in what sense one's critique of art involved looking for the universal voice. He discussed the role of the critic. He wrote that critics should reason through examples to "correct and broaden our judgments of taste" bearing in mind that it was only through example that they could do this as it would be impossible to do so by way of proofs.⁴² Kant also discussed the education of the artist as a matter of internalizing models and heuristics rather than learning explicit principles. The point seemed to be that the rational foundations of aesthetic reflecting judgment were to be found in the epistemic basis of the perceptual object. For Kant, the perception of an object was not an irreducible aspect of experience but involved a construal. We learnt to construe an object in a particular way. This construal involved an evaluative element and in turn, the way an object would strike us varied according to our construal of it. In other words, the basis of the perceptual object was not a given but the result of the way we described, configured, or conceived of the experience to which the object in its particular context gave rise. This conception would depend on what we took the point of our exchange with the object to be and it would involve an evaluation of the object's relevance relative to our interests or ideological orientation. The particular way interests and ideological orientations were manifested, would be dependent on the norms of our community. In the case of aesthetic reflecting judgment, the perceptual object or our construal of a particular aspect of experience would be, in effect, under construction.

Aesthetic reflecting judgment revealed the extent to which norms and conventions played a role in what we considered worthy of attention and in turn the meaning we attributed to objects. The perceptions involved engaged our personal dimension yet when put to the task of judging, were compared with what we would imagine others would perceive in the same object. Kant wrote that the way we responded to an aesthetic disagreement revealed that we treated aesthetic judgment "as if it were an objective judgment".⁴³ It was in this sense that Kant referred to aesthetic reflecting judgment as universal. For Cavell, the significance of modern art is that it provides the conditions for alerting us to the indeterminacy of our terms of reference. Instead of affirmation of our cognitive and moral orientations through the confirmation of

42. Kant, *CJ*, 149, AK 5: 286.

43. *Ibid.*, 145, Ak 5: 281.

objective standards, modern art reveals the dependence of our cognitive and moral standards on common terms of reference. Without such commonality, we worry whether we are being duped.

4. Bootstrapping and indeterminacy

While indeterminacy leaves open the possibility of revision and renewal, it might seem to secure this at the expense of the possibility of communication given the indeterminacy required of our terms for genuine innovation. That is, without determinate conventions and norms to shape communicative forms, innovation might be reduced to creative nonsense. The only alternative to this would seem to demand a “metaphysical re-gestalt” at the “subliminal level.”⁴⁴ As exemplified in modern art, you might say that modernist art engages us all in a form of bootstrapping: a process where the concepts we possess let us down and we invent or simply recognize new ones. However, if all experience is constituted by concepts (a typical pragmatist view), then one might ask, from what base can we notice anything outside of such concepts.

Cavell might be understood to address the question of bootstrapping when he refers to knowing “by feeling” or “in feeling.”⁴⁵ He wrote:

“Knowing by feeling” [...] is not a case of providing the basis for a claim to know. But one could say that feeling functions as a touchstone: the mark left on the stone is out of the sight of others, but the result is one of knowledge [...] it is directed to an object, the object has been tested, the result is one of conviction. This seems to me to suggest why one is anxious to communicate the experience of such objects.⁴⁶

The object has been tested in the sense that it is in the public arena, set there to elicit the responses the audience member takes herself to be having. However, the com-

44. Nancy Sherman, *Making a Necessity of Virtue: Aristotle and Kant on the Virtues* (Cambridge: Cambridge University Press, 1997), 114. I borrow this phrase from Sherman when she addresses the problem of bootstrapping which she argues is involved in Kant’s notion of moral motivation.

45. Cavell, “Music,” 192.

46. *Ibid.*

parative dimension of aesthetic reflecting judgment where our attitudes and feelings toward an object are compared with a conception of the attitudes and feelings others would take toward the same object is relevant here. Aesthetic reflecting judgment is the process of calibration of value between members of a group or community; its outcome is never fixed although there are degrees of certainty relative to established systems or relative to one's "recollection, tradition, training, and experience."⁴⁷

Cavell reasoned that without strong conventional forms of valuing in place, community sponsorship is diminished and we are more vulnerable to the isolation of our own personal preferences. However, the more we are reliant on personal preferences, the less substantive is our aesthetic reflecting judgment. It might be worth drawing some comparisons between Cavell's moral and aesthetic theories at this point. According to Cavell, the human or moral life involves an ongoing archaeological investigation into one's own assumptions and bases of reasoning.⁴⁸ This can only take place within social contexts and discourses because it is only in such a context that one's thoughts or actions can be found wanting. Consider that if we remained isolated in our moral introspection, we would remain in a personal, idiosyncratic and increasingly irrational state regarding our moral status. In order to live life as human beings requires testing our perspectives and attitudes against the perspectives and attitudes of other members of our community.

As we have seen, Kant drew our attention to the social basis of judgment in the *Critique of the Power of Judgment*. He grounded our capacity to judge in what he called the *Sensus Communis*. Here is the fuller context of the earlier quote:

We must [here] take *sensus communis* to mean the idea of a sense shared [by all of us], i.e., a power to judge that in reflecting takes account (a priori), in our thought, of everyone else's way of presenting [something], in order *as it were* to compare our own judgment with human reason in general and thus escape the illusion that arises from the ease of mistaking subjective and private conditions for objective ones, an illusion that would have a prejudicial influence on the judgment. Now we do this as follows: we compare our judgment not so

47. Cavell, "Music," 195.

48. See, e.g., Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (Oxford: Oxford University Press, 1979), 322-326, where he compares the aims and objectives of games compared to moral judgment.

much with the actual as rather with the merely possible judgments of others, and [thus] put ourselves in the position of everyone else.⁴⁹

Jürgen Habermas may help us understand this point. Habermas construes all evaluative choices as only intelligible and rationally justified insofar as they are placed within particular social contexts and discourses. Our actions and commitments impact upon others and if we are to create the conditions of our own sociability, communication requires we expose our assumptions, commitments and convictions to the critique or scrutiny of others. As Habermas points out, consensus or “coming to a rationally motivated mutual understanding” is built into the very structure of language.⁵⁰ By drawing upon Kant’s conception of the conditions of aesthetic reflecting judgment as exemplary of judgment in general, and seeing this thought more fully realized through Habermas’ conditions of communication (which is conceived to some extent in opposition to coercion), we begin to see that the artist’s communication is not complete until a discussion takes place within a social context regarding its meaning and significance. The outlines of Kant’s aesthetic theory, particularly Kant’s deduction of pure aesthetic judgments involving a common sense, is arguably furthered in Habermas’ conception of discourse. For Habermas, the principles of discourse — consensus and accuracy relative to a conception of the objective state of the world — are universal irrespective of disagreements between rival cultures. There need not be actual agreement between judgments for the structure of those judgments to be universal.

In the light of Habermas’ principles of discourse, we realize more fully an aspect of Kant’s conception of aesthetic reflecting judgment. We do not make an aesthetic reflecting judgment unless we take ourselves to be judging from a universal standpoint, regardless of actual axiomatic differences which would thwart such agreement in practice. This drives us to attempt to communicate our feelings and in doing so, inadvertently creates the conditions for calibrating our thoughts and feelings with those of our peers.⁵¹ It might be said that the indeterminacy of judgment is

49. Kant, *CJ*, 160, AK 5: 293-294.

50. Habermas (1985) p.96.

51. Habermas, “Extract from Questions and Counterquestions,” in *The Continental Aesthetics Reader*, ed. Clive Cazeaux (New York: Routledge, 2000), 280; McMahon, “Aesthetic Autonomy and Praxis: Art and Language in Adorno and Habermas,” *International Journal of Philosophical Studies* 19:2 (2011): 155-175, for a further discussion of the significance of Habermas’ Discourse Ethics for understanding Kant’s concept of aesthetic judgment.

necessary for the continual renewal and advance of understanding. In turn, the possibility of communication is grounded in rationality broadly conceived: rationality as constituted by grounding the competent use of shared terms on common aspects of “recollection, tradition, training, and experience.”

Cavell operates with just such a broad notion of rationality. Furthermore, like Kant, Cavell holds that aesthetic or moral disagreement does not necessarily suggest that some aspect of the process of deliberation and comparison is irrational.⁵² It is that we take ourselves to be speaking on behalf of others that characterises the way disagreements are conducted. We do not put aesthetic or moral disagreements down to individual preference but expect to discover within discussion and debate the right or apt response or action. This expectation leads us to ask for and give reasons, the process by which the attunement-to-common values and terms of reference is possible.

We could consider a number of commentators on Kant who argue that he implicitly thought of aesthetic and moral autonomy in terms of the freedom that grounded the public as opposed to the private use of reason.⁵³ The private use of reason is slave to self-interest, appetite and dogma, all of which preclude agency. The more we bring the stuff of such inclinations under community endorsed concepts, the more we are able to exercise agency (public reason) in the actions and choices which are then possible. Cavell constructs his understanding of judgment within this tradition. In Cavell we find an implicit concept of community which grounds judgment in a way that reverses the popular romantic privileging of the individual psyche over and above the norms of a society. On the contrary, the community is the primary unit in understanding the grounds of each individual’s moral and aesthetic judgment.

5. Conclusion: A Matter of Meaning It.

By way of his attention to sincerity, fraudulence and improvisation, Cavell addresses the relation between what it is possible for us to mean, and our means of communi-

52. Stanley Bates’s “Stanley Cavell and Ethics,” in *Stanley Cavell*, ed. Richard Eldridge (Cambridge: Cambridge University Press, 2003), 15-47, discusses Cavell’s notion of “rational disagreement” along these lines (25).

53. See Onora O’Neill, “Kant’s Conception of Public Reason,” in *Kant and the Concept of Community*, ed. Charlton Payne and Lucas Thorpe (New York: University of Rochester Press, 2011), 138-149, where she analyses public and private reason in Kant.

cating it. Cavell suggests that the structure of this relation is revealed when traditions are weak and as such, modernist art shines a light on this relation.

As meanings shift and terms lose their potency, we develop new terms or add disjuncts to existing conceptions. This shifting is a subtle and never ending process. It progresses through improvisation most of the time until at certain junctures we become uncomfortably conscious of the constructive nature of meaning. The take home point is that in Cavell's thinking, an implicit conception of community grounds rationality and communicability. This conception involves critique and endorsement among a group using shared terms. Cavell effectively demonstrates that creativity and spontaneity in our thinking are possible because of the indeterminacy of terms. Furthermore, the possibility of communicating our perceptions (synonymous with calibrating thought and feeling) ensures the conditions for establishing shared terms of reference. As such, a predisposition to community implicitly grounds the notion of rationality which emerges in Cavell's thought and provides the objective ground of aesthetic reflecting and moral judgment.