EMANUELE CAMINADA
Universität zu Köln
emanuele.caminada@gmail.com

BARBARA MALVESTITI
Università degli Studi di Milano
barbaramalvestiti@virgilio.it

NORMS, VALUES, SOCIETY: A BRIEF PHENOMENOLOGICAL OVERVIEW

abstract

In our paper we introduce three main areas of social ontology that correspond with the sections structuring the current issue of "Phenomenology and Mind": non-institutional life, institutional life and ethical-political life. We argue three points about these areas, which are represented in the accounts published in this issue: levels of social life and reality; normative levels of life and reality; hierarchical levels of life and reality. Finally, we introduce two interviews, to which the last special section of the issue is devoted. The interviews were conducted by the editors with Martha Craven Nussbaum and by Valentina Bambini, Cristiano Chesi and Andrea Moro with Noam Chomsky.

E. CAMINADA *Universität zu Köln*, B. MALVESTITI *Università degli Studi di Milano*

1.
Our Purposes

The current issue (vol. 3) of "Phenomenology and Mind" deals with social facts. Social facts include many different subjects: persons, groups, norms, values, political systems, economical powers, etc., that are the domain of different theoretical and practical disciplines, such as social and developmental psychologies, empirical sociologies (both quantitative and qualitative), political sciences, legal theories, ethics, economics, etc.

What exactly are phenomenological and ontological approaches to these subjects?

Social facts have historically been the subject of several phenomenological studies: in the early German movement (Max Scheler, Adolph Reinach, Edith Stein, Alexander von Hildebrand, Nicolai Hartmann, Gerda Walther, Theodor Litt, Herbert Spiegelberg, Felix Kaufmann); and its development in Europe (in Spain José Ortega y Gasset; in France Maurice Merleau-Ponty, Jean-Paul Sartre, Emmanuel Levinas, Paul Ricoeur; in Italy Norberto Bobbio, Enzo Paci; in Germany Bernard Waldenfels; in Brasil Antônio Luís Machado Neto); and in the United States (Alfred Schutz, Peter Ludwig Berger, Thomas Luckmann). Phenomenological sociology is now recognized as a school of its own in contemporary social sciences.

On the other hand, ontological approaches to social facts declined in popularity not only in postmodernist culture, but also within phenomenological sociology itself, since one of its most famous pioneers, Schutz, disregarded the ontological research of the early phenomenological movement because of their static essentialism: i.e., the belief in universal and constant structures of social entities independent of the dynamics of the concrete subjectivities of the life-word. Contemporary social and cultural studies presuppose the anti-essentialist refusal of constant features, for example, in the domain of group structures, sex orientation and gender, individual and collective identities, normality and pathologies[1].

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1   Some phenomenologists (like Scheler) spoke about individual essences, such as the essence of a nations or a person, going far beyond the ontological assessment that personhood implies absolute individuality (*haecceitas*). His pretension to have direct access to the metaphysical obscure individualities of Germany, Britain, or Europe cast a cloud over his bright ontology of the individual person, justifying more skeptical approaches in cultural studies and Schutz's mistrust of ontology. Husserl's methodological distinction (finally edited in Hua XL) between ontology and the essence of individuals, however, stressing that eidetic, the ontological study of essences (greek '*eidos*', '*eide*'), deals with classes and not with individuals, as well as his distinction between ontological eidetics and monadological metaphysics could reset long-lasting prejudices about the role of ontologies in cultural and social sciences.

E. CAMINADA *Universität zu Köln*, B. MALVESTITI *Università degli Studi di Milano*

Still, in the last few decades, apart from these influential debates, analytical philosophers began to struggle with the (formal) nature of social facts, looking for their constitutive features, their invariants, and their properties and trying to systematize the results of these meticulous analyses into a particular branch of general metaphysics: social ontology. In doing so they found unexpected echoes among scholars working on and furthering the phenomenological projects, through the pioneering work of the "Seminar for Austro-German-Philosophy" and the reassessment of "realistic phenomenology" (especially Kevin Mulligan and Barry Smith).

In the last three years, the Research Center in Phenomenology and Sciences of the Person has invited several scholars working in this field to discuss their current research. The discussions were held in the lecture halls of the San Raffaele University (Milan), and on the virtual platform of this research laboratory (www.phenomenologylab.eu). The main goal of the lab is to give voice to an authentic phenomenological spirit in both its analytic (in the sense of conceptual clarity and of the attention for formal logic and ontology) and synthetic (in the sense of openness to the best of the philosophical traditions, including the contemporary intellectual debates and the material or regional ontologies). The best contributions on social ontology that preceded and followed the Spring School 2011, and the International Conference Making the Social World, devoted to John R. Searle's *Making the Social World. The Structure of Human Civilization* (2010), are collected in this issue of the journal under the title "Norms, Values, Society: Phenomenological and Ontological Approaches".

We speak about phenomenological *and* ontological approaches both in the disjunctive and conjunctive sense, because this issue testifies to ontological approaches within phenomenological and other different philosophical frameworks (e.g. Plural Subject Theory, Speech Act Theory, Constitutive Rules Theory, Theory of Justice) and because, the contemporary dialogue between phenomenology and social ontology occurs mainly on genuine ontological levels, although phenomenological approaches to social facts do not only consist in phenomenological ontology.

Phenomenological approaches to social facts can in fact be divided into three main areas (Nam-Im-Lee 2006): first, empirical phenomenological sociology, concerned with the qualitative description of social facts in the first and second person perspectives (e.g. Berger's Sociology of Religion or Harold Garfinkel's ethnomethodology); second, ontological phenomenological

sociology as a kind of regional ontology dealing with the essential structures of social realities (Reinach, Stein, Walther, Hartmann, Spiegelberg, Kaufmann, Bobbio); and third, "transcendental" or constitutive phenomenological sociology, which finally aims to clarify the condition of the possibility of social reality and its structures[2].

The main "axiom" of all these branches of phenomenological sociology is that social facts are products of intentionalities, said by Husserl to be constituted in lived experience, and by Searle to be mind-dependent. This general assumption is nowadays widely shared in the contemporary ontological debate (although not in wider cultural and social studies), with particular attention to the constitutive role of collective intentionality and its different modes.

The working hypothesis of our Lab was that the individual person is the last bearer of properties in the ontological region of the social. She is individuated in her intentional positions and attitudes (both theoretical, axiological and practical) toward her social environment, which is necessary, but not a sufficient condition for her concrete personal development. On one hand, she relies on her natural, biological and psychological faculties, which, together with her material and social environment, give her the possibility to develop her individual personality in early childhood socialization. On the other hand, the mature and autonomous flourishing of her being-person requires the free capability to emerge from the level of her social environment through the execution of spontaneous and rational acts, both shaping her individuality as well as offering her personal contribution to social and institutional life. Personhood, therefore, is at the same time rooted in and transcending sociality. Moreover, the individual person, as the last bearer in the region of social ontology, does not coincide with her natural and psychological support, although she is founded on it. As highlighted by Norberto Bobbio (1948), a human being is definable by three traits, which coincide with its progressive levels of individuation: human being as natural being or biological *individual*, human being as social being or *socius*, human being as personal

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2   Nam In-Lee (2006) claims, that we don't have any phenomenological attempts of transcendental sociology. Maybe Schutz and his heirs Berger and Luckmann (Berger and Luckmann 1966, Schutz and Luckmann 1975/1984) could be considered as transcendental sociologists, although they didn't. Yet since they looked for invariant but dynamic structures of the life-world, and Husserl considered the description of these the phenomenological way to transcendental philosophy, as the research on the condition for the possibility for something (in our case, social facts), we can consider them in these frame. Thereby Berger and Luckmann's metaphysical sympathies for constructionism could be revisited within Husserl's approach to the realism and constructivism debate.

being or *person*. Curiously, positive law has historically recognized (although not everywhere) the correlative rights in the opposite order: firstly, civil and political rights; then social and economic rights; and finally, contemporary ecological rights as well as biological or psychological or even cultural self-determination rights , as Jeanne Hersch stressed (1990).

Further, individual persons are not the only objects of the ontological region of the social, which is inhabited also by organizations consisting of a plurality of persons (such as clubs, states, churches, universities...), immaterial objects (such as promises, marriages, juridical persons, titles, ...), and social subjects (such as documents, money, monuments and meeting halls for clubs, parliaments and governments, churches and universities), whose material founders cannot explain their irreducible social meaning, although the constitution of social objects is limited by materiality (Roversi 2012, Terravecchia 2012). Hartmann (1933) defined these three domains as the domain of the person or subjective mind (*Person bzw. subjektiver Geist*); the domain of the common mind or objective mind (*Gemeingeist bzw. objektiver Geist*); and the domain of the cultural objects or objectified mind (*Kulturwerke bzw. objektivierter Geist*).

2. Three Topics

Three main topics emerge from the accounts presented here. They correspond to three main areas of social reality:

1. Non-institutional life
2. Institutional life
3. Ethical-political life

Therefore, the issue is structured in three sections corresponding to these areas. We will argue for three points about the aforementioned areas, which are supposed to be shared by the accounts presented in this issue:

(i) They are levels of social life and reality
(ii) They are normative levels of life and reality
(iii) They are hierarchical levels of life and reality

Let us present the main features of each point.

2.1 Social Life *vs.* Natural Life

The contemporary ontological debate presupposes a sharp distinction between natural and social facts. Phenomenological ontologies recognized in nature and "social mind" (*Gemeingeist*) two cardinal domain of reality. The

general ontological and metaphysical question about the relation between these two domains transcends the special ontological topic of the present issue. Some scholars, like Searle, embrace naturalism for both domains, others see in naturalism an approach that is consistent only with the domain of nature. Phenomenology is more sympathetic to the relativization of the universal claim of naturalism. Husserl explored nature and mind as different forms of reality given to corresponding attitudes, the naturalistic and the personalistic (Hua IV). Finally, he viewed both attitudes as rooted in the concrete (and social) life-world. Thus, his ontology sees a direct foundation between natural and social life, while the objects of natural sciences (such as atoms, waves, energies, neurons, dna-informations, etc.) have to be clarified in the scientific process that led from every-day experience to the conceivability of these objects (Hua VI).

Without taking a position on these different approaches, we stress the following shared conviction of both transcendental phenomenology, as well as phenomenological and contemporary ontologies: that non-institutional life, institutional life, and ethical-political life are levels of *social* life. Social life is characterized by two cardinal features, which distinguishes it from both natural life, and from non-social intentional life:

> 1. In contrast to natural life, social life needs *the intentionality of individuals* in order to exist. It is mind-dependent.
> 2. In contrast to non-social intentional life, social life needs, in order to exist, the intentionality *of a plurality at least of two individuals*[3]. It is plural-minds-dependent.

The question of whether social ontology should admit intentional but not social forms of life is to be left open[4].

2.2 Social Life as a *Normative* Level of Life

Non-institutional life, institutional life, ethical-political life are not only different areas of social life, they are also *normative* levels of life. What we mean is that *social reality as such is a normative dimension of life*.

In particular, we make two claims:

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3   As Francesca De Vecchi says, social entities do not depend on solitary intentionality; they involve "heterotropic intentionality" (De Vecchi 2012, pp. 17-18).
4   Gilbert claims for such a position, Williams addresses in the present issue his criticism to her opinion.

1. Social reality has its own eidetic laws, which differ from the causal laws of nature and the motivational structures of mere individual minds (if they exist).
2. Social reality is characterized by different types of normativity, which vary depending on the level of social life we meet[5].

2.3 *Hierarchical* Levels of Social Life

Non-institutional life, institutional life, and ethical-political life are not only levels of *social* life, nor are they only *normative* levels of life. They are also *hierarchical* levels of life: non-institutional life, institutional life, and ethical-political life are levels of social life in ascending order of complexity. This implies that social-ontology has also to answer the formal-ontological question about the type of relation among its components. In the contemporary debate, different solutions have been proposed to formalize the inner hierarchy of social reality (e.g. Supervenience Theory, Constitution Theory, Emergentism). We distinguish at least three hierarchical domains of social life: non-institutional, institutional life and ethical-political life.

Non-institutional life is the basic level of social life. It is the domain of social life precedent or besides its institutional normation. The first section of this issue is devoted to the topic of non-institutional life.

Institutional life is the level of social life that is characterized by the phenomenon of norm *stricto sensu*: it is the social life in the typical institutional forms. The second section of this issue is devoted to the topic of institutional life.

Ethical-political life is the level of social life that implies the translation of values and duties in political and juridical systems. It represents, in some sense, the apex of the phenomenon of normativity. It is concerned with the level of both social and institutional life regarded in their ontological, deontic and axiological components. Meta-ethical and political topics are discussed in the third section.

3.1 First Topic: Non-Institutional Life

The first section presents contributions exploring the social world besides its institutional types, focusing on early imitation (Zhok), the embodied constitution of normality (Spina), the relations between individual persons and personal groups (Ssonko, Williams), and the nature of cultural objects (Salice).

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5   See Zaibert&Smith (2007).

Zhok attempts in *A Phenomenological Discussion on Early Imitation* to apply Husserl's phenomenological approach to early imitation, makes an interesting comparison with empirical researches in developmental psychology (especially by Meltzoff), and questions their theoretical premises concerning the nature of the mind. Finally, he sketches a phenomenological theory about embodied access to feelings and expressions, stressing the relevance of rhythmic structures of experience for the attunement of interpersonal fields that enable the first steps of socialization.

Spina's paper *Norm and Normatility. Starting from Merleau-Ponty* shows the conceptual tension and ambiguity of Merleau-Ponty's description of normality and norm by analysing his phenomenology of perception and facing the task of abnormality.

Kisolo-Ssonko and Williams both work against the background of Gilbert's Plural Subjects Theory[6]. Kisolo-Ssonko deals with the social-ontological relevance of love. Following Westlund's account, he claims in *Love, Plural Subjects and Normative Constraints* that lovers become a plural subject. But if Westlund refuses Gilbert's theory of a direct normative constraint claiming that love liaisons are much more flexible, Kisolo-Ssonko argues against this rejection, still claiming for a revision in Gilbert's account, and suggests the distinction of various levels of possible identification of the lovers with the plural subject they form.

In *Against Individualism in Plural Subject Theory* Williams tests the plausibility of Gilbert's assumption that non-social individuals can autonomously form a plural subject by applying Sperber and Wilson's Relevance Theory. He shows that communication already presupposes some forms of communality among the players. Therefore, he concludes that Plural Subject Theory needs the notion of an already socialized individual as its primary methodological unity, rather than the atomic individual. This conclusion implies that Gilbert's Plural Subject Theory can be maintained as a sub-regional description of social-ontological group phenomena, but that we need a more comprehensive theory in order to describe socialization itself, since only socialized persons can join in the form of plural subjects.

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6   Also in phenomenology we find descriptions of superindividual subjects or plural subjects: Scheler's term *Gesamtperson* (Scheler 1913; 1916), Stein's *überindividuelle Persönlichkeit* (1922), and Husserl's *Personalität höher Ordnung* (Hua XIV).

Salice draws in *Social Ontology and Immanent Realism* the distinction between social and cultural facts, claiming that, while the former are culturally universal, the latter are individuated in singular cultures. Salice suggests that cultural objects, being context-dependent, have to be seen as being "immanent objects" of collective beliefs of the members of the contextual culture. Thus, his contribution, after a historical confrontation with Brentano's position, gives insight into his current work on a theory of cultural entities in the framework of what he calls a "pseudo-Brentanian immanent realism". Paying particular attention to Searle's theory of social construction, he tries to show its limits regarding this particular form of cultural objects, and to sketch a way to explain these phenomena.

3.2 Second Topic: Institutional Life

The second topic, "Institutional Life", is concerned with the level of social life characterized by the phenomenon of norms or rules *stricto sensu.*

Although the distinction between the institutional level of social life and the non-institutional level of social life is not always adequately pointed out in the literature, we consider it very important.

According to us, the distinction between the institutional level of social life and the non-institutional level of social life is illuminated by the fundamental distinction between *nomic regularity* and *anomic regularity,* pointed out by Amedeo G. Conte (2004, 2011)[7]. Anomic regularity is the regularity of actions which are performed regularly, but without a rule – anomic regularity is a regularity without rules – nomic regularity is the regularity of the actions which are performed regularly with a rule – nomic regularity is a *rule*-related regularity.

While the non-institutional level of social life is characterized by anomic regularity, the institutional level of social life is characterized by nomic regularity. Typical examples of anomic regularity are iterative imitation acts such as what happens in early imitation; cooperative actions characterized by collective intentionality but not by status functions assignment (e.g. in tribal hunting or in a tribe's use of a boundary wall, Searle 1995); uses and customs. These last ones have social normative powers, but they are not explicitly governed by rules: some families use to have a particular dinner on

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7   Conte highlights three forms of nomic regularity – *nomonomic regularity; nomophoric regularity; nomotropic regularity* – and he distinguishes them from *anomic* or *nomological* regularity. Nomonomic regularity is the regularity of actions which are performed for the *sake of a rule*. Nomophoric regularity is the regularity of the actions which are performed *according to a rule*. Nomotropic regularity is the regularity of the actions which are performed as *a function of a rule*.

a particular day, partners use to devote themselves particular moments of the day. Uses and customs have their own anomic normativity, since they involve implicit commitments, which can be expressed in the form "we are used to A" or "A is normal"z. Therefore it is important to distinguish in the domain of normativity between normality (anomic) and norms (nomic). If not normal behaviors happen, it could be that a rule is imposed: regularities become rules. For example if kids do not help to clean after dinner (given the case they did it normally in ideal "innocent" times), parents could institutionalize the use (maybe through sanctions or *premia*).

On the opposite side, typical examples of nomic regularities are the habit of a community to pray *for the sake of a rule*; the habit of a person to remove the cap entering the church because of the fear of social blame or the habit of a person to observe traffic rules because of the fear of police sanctions (to perform action *according to a rule*)[8]; the habit of the cheat to cheat as *a function of a rule* – a rule of a game – to which he does not conform his behavior, *etc.*[9].

The fact that non-institutional level of social life is characterized by anomic regularity does not therefore imply the absence of normativity. As much as they share normativity, both non-institutional levels of social life and institutional levels of life have *deontic powers*: they both imply duties, claims, and commitments. But while non-institutional duties are motivated by values and commitments, institutional ones are primarily ruled by norms.

According to Searle's seminal insights, institutional life is characterized by constitutive rules and status functions, while non-institutional social life is not. Let us clarify this distinction. The institutional level of social life contemplates both constitutive rules and status function. Constitutive rules are those rules which create the possibility of the entity they rules (Searle 1969). For example, the rules of chess or rules which regulate Parliamentary

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8   Distinction between nomonomic regularity and nomophoric regularity is instantiated by Kantian distinction between morality and legality: while nomonomic regularity is the regularity of actions which are performed for the "goodness" of the rule itself (*for the sake of a rule*), nomophoric regularity is the regularity of the actions which are performed not necessarily for the goodness of the rule (*according to a rule*). As highlighted by Amedeo G. Conte, while "for the sake of a rule" translates the Kantian "*um des Gesetzes Willen*", reformulated by Conte as "*um einer Regel Willen*", "*according to a rule*" translates the Kantian "*gemäss dem Gesetze*", reformulated by Conte as "*gemäss einer Regel*".

9   While non-institutional level of social life is a case of anomic regularity – it would be cases of anomic regularity that are not examples of social life, such as the habit of a person to wash the teeth before sleeping – institutional level of social life exhausts the cases that are characterized by nomic regularity.

acts are those rules without which the game of chess or Parliamentary acts would not exist. They differ from regulative rules, which simply rule behaviors pre-existing to them, such as the rule that prohibits smoking. According to Searle, social entities are essentially status functions, i.e. entities created by constitutive rules or, according to some revisions of his theory, by Status Function Declarations (Searle 2010).

Now, the existence of *institutional* facts, such as "the President of United States", the "owner of a property in Berkeley", "the 20 Euro note" depends on constitutive rules and Status Function Declarations. On the contrary, the existence of social facts, such as love, friendship, solidarity phenomena and so on, seems not to depend on constitutive rules and Status Function Declarations. It sounds very strange to argue for the existence of rules in absence of which love, friendship, solidarity phenomena and so on, do not exist. These phenomena seem to be more spontaneous than institutional ones. Similarly, it seems difficult to consider such phenomena as Status Functions: lovers or friends are supposed to be for each other something different from mere Status Function.

The distinction between *constitutive rules* and *regulative rules* gave rise to a great deal of research on the topics of constitutive rules, such as, in Italy, those of Gaetano Carcaterra and those of Amedeo G. Conte's School[10], which distinguished between *eidetic constitutive rules* and *anankastic constitutive rules* (Conte 2007). While eidetic-constitutive rules *are* a necessary condition for their object, anankastic-constitutive rules *impose* a necessary condition for their object. Eidetic-constitutive rules *create* the *type* of their object, such as the type of the game "chess" and its praxems (example of rule: "one cannot castle when the king is under the check"); anankastic-constitutive rules *determine* the *tokens* of pre-existing types, such as the tokens of the type "wills" (example of rule: "wills ought to be signed by the Testator" (Conte 2001, 73).

While eidetic-constitutive rules are context-independent, anankastic-constitutive rules are context-dependent. Eidetic-constitutive are typical of games, anankastic-constitutive rules are typical of juridical systems.

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10   The distinction between *regulative rules* and *constitutive rules* (Searle 1969) have an important precursor in the Polish philosopher Czesław Znamierowski's distinction between "coercive norms" (*normy koercytywne*) and "constructive norms" (*normy konstrukcyjne*). See Znamierowski (1924).

E. CAMINADA *Universität zu Köln*, B. MALVESTITI *Università degli Studi di Milano*

Nevertheless, there is a level of human juridical systems at which context-independent rules are expected to be recognized. It is the level of common values. At this level neither constitutive rules nor regulative rules are enough to define human juridical system: an inquiry into values is open.

The second section of this issue, "Institutional Life", regards the question of *what essentially characterizes institutional entities.* Differently from the previous section, which primarily involves research on modalities of the constitution of non-institutional life, the present section does not correspondently involve research on modalities of the constitution of institutional life. Contributions of this section welcome institutional reality as already constituted and focus on *what essentially characterizes it.*

We would like to mention each contribution, which points out very relevant aspects about institutional reality, as well as about the phenomenon of constitutive rules. Some of them are also critical of the classical paradigm of constitutive rules and of Searle's institutional reality account.

Lorenzo Passerini's *Institutional Ontology as an Ontology of Type* formulates the hypothesis that the ontology of institutional phenomena is primarily an *ontology of types*, while the ontology of natural phenomena is primarily an *ontology of tokens.* In detail, the author shows four essential characteristics of institutional phenomena.

Wojciech Żełaniec's *On the Constitutive Force of Regulative Rules* argues for the constitutive force of *regulative* rules, although he maintains that they remain a *genus* of their own. The author points out four main reasons in virtue of which regulative rules have a constitutive import; one of these is that regulative rules define new forms of behavior, the behavior compliant with them. The behavior is not new in itself, but it is new depending on what the motives are: abstaining from smoking since we have no wish to smoke is not "doing the same thing" whether we acts out of respect for the law.

Guglielmo Feis and Umberto Sconfienza's paper *Challenging the Constitutive Rules Inviolability Dogma* tries to challenge the dogma of the inviolability of constitutive rules. The authors develop an interesting *parametrical* approach to *constitutive rules*, according to which it is possible to violate a constitutive rule. Finally, they also introduce two different ways of exiting a game.

Emanuele Bottazzi and Roberta Ferrario's paper *Appearance Counting as*

Reality? Some Considerations on Stability and Unpredictability in Social Institutions argues for a revision of Searle concept of objectivity. According to their view objectivity has a crucial role in institutional systems as a requirement, but objectivity is not a necessary condition for them to be institutional systems.

Finally, Gaetano Albergo's *Does Ontogenesis of Social Ontology Start with Pretence?* considers the case of pretend play. The author claims that, like the other games, pretend play depends on status function assignment and constitutive rules. Nevertheless, in order to consider the new scenario as a possible world and to abandon the *natural* necessity implicit both in the stipulation and in successive possible implications, we should admit that rules of pretend-inference have a robustly objective status.

The third topic, "ethical-political life", concerns the level of translation of values and rules in political and juridical systems. It represents the apex of the phenomenon of normativity. In what sense?

3.3 Third topic: Ethical-Political Life

Following Husserl's masterful universal-ontological project values and norms are integral parts of both formal and material ontologies. Formal logic and ontology are therefore to be integrated by formal ethic and formal deontics (see Hua XXX, Mulligan 2004). Material ontologies should be further integrated by corresponding material ethics (Scheler, Hartmann) and by the desideratum of scientific policies or (*Praktik*, see Hua XXX). Regarding the region of social ontology research a lot is still to be done on the systematization of its peculiar substrates, relations, wholes and parts and on their respective axiological and deontic characters.

Values are not a specific object of social ontology. Other regional ontologies show values: unorganic material and natural life, for example, can carry own values. Every realm of reality can be a bearer of values. Concerning the nature of values, phenomenology stands within metaethics for a realistic, objectivistic and cognitivistic position. There are plausible phenomenological reasons to argue for an enlargement of the rationality sphere to emotional life, which provides the possibility of an ethics of values, integrating the Kantian formal rational view of ethics (see Scheler 1913-1916, Hartmann 1925). Although values, as such, are not specific to social ontology, to this region correspond specific regional values, such as sincerity, fidelity, fairness, human dignity, etc. and their corresponding normative features, such as duties, commitments, claims. Furthermore, specific values emerge at the level of institutional life: institutional life

coincides with the social life step in which the constitution of norms or rules – obligations, duties, rights, permissions, prohibitions, authorizations, licenses, *etc.*, is given. Norms are, in opposition to values, specific social ontological objects. The constitution of norms could be given without any relation to an order of values, like the rules of a game: norms are ideally independent from values, as Hume teaches. Otherwise, peculiar duties correspond to every value, since the nature of values founds affordances in the form of "to-be-ought", and therefore motivates and justifies actions. If norms are independent from values, duties are not.

Nevertheless, there is a level of social reality in which the inquiry into the truth of norms, their relation to duties stands out: it is the level of life together, i.e. the ethical-political level, which demands the translation of values and claims into norms. It is the level of life in which the fundamental principles of our Constitutions, the political debates about the reasons for both regulative and constitutive rules are involved. If we are willing to consider values not as what enjoys critical immunity, but as what is liable to discussion and review, we can rely on a possible inquiry into the truth of norms[11]. In this sense, another big task is open for social ontology: not only the study of relation between values and duties, but also the study of relation between values and norms. Two main research areas for social ontology stand out: "axiology", which contemplates the study of values and their grounds – "what make good things good" – (Spiegelberg 1947); and "praktology", which contemplates not only duties and claims, but also rights (Spiegelberg 1933). In this view, rights are conceived as the institutionalized recognition of claims, which are then motivated by values (Spiegelberg 1939).

The contributions of this section have the merit to reconstruct the classical paradigm of rationalism, in ethics and politics, and to criticize or integrate it, providing interesting directions of research, worth of developments.

Massimo Reichlin's *The Neosentimentalist Argument against Moral Rationalism: Some Critical Observations* deals with the clarification of neosentimentalist approaches to metaethics, according to which our moral judgments are the expression of our sentiments and affective reactions, without any intentional and cognitive character. After having illustrated a sophisticated formulation of the neosentimentalism, which make it possible to overcome weaknesses of

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11   The opposite point of view is argued by Max Weber, who claims that ethical-normative beliefs have the status of ultimate value axioms (*letzte Wertaxiome*), which enjoy critical immunity and so they are not liable to discussion. See Weber (1917) and see Fittipaldi (2003, 263).

a naive formulation of neosentimentalism, the author still suggests that such a formulation weakens neosentimentalism attacks against moral rationalism. Then the author outlines a personal proposal which tries to integrate rationalistic and sentimentalist approaches, leading to a cognitivistic approach to ethics.

Christian Blum's *Determining the Common Good: a (Re-)Constructive Critique of the Proceduralist Paradigm* reconstructs the classical proceduralistic paradigm in politics and provides a revision of the paradigm. Arguing that traditional proceduralism cannot explain the citizens' possibility to be in error about the common good, the author proposes to integrate democratic procedural criteria with specific substantive and objective standards of adequacy that should be determined by experts.

Finally, Roberta Sala's *Reasonable Values and the Value of Reasonableness. Reflections on John Rawls' Political Liberalism* criticizes Rawls' proceduralistic account of reasonableness, since it assigns to the "reasonable" only a place in the political debate, while the "unreasonable" are expected to become reasonable or to be paid control. The author maintains that, in order to realistically deal with pluralism, political liberalism should open public debate to those persons who are not "reasonable" – they offer reasons that are neither public nor shared by other reasonable citizens – but who do not represent a danger for the just society.

Given the above phenomenological account on the rationality of norms, since they are understood as liable to be related or not related to truth (related or not related to true or false statements about values), it seems to us that Rawls' Theory of Reasonability risks cutting the source of the rationality of the norms, their possible relation to truth. Doing this, his position could be liable to become in practice tyrannical in the exclusion of non-reasonable opinions (according to which criteria?) and in theory relativistic, denying to the plurality of public opinions the dignity of their pretension to be true. Otherwise, his move could be understood as the request to public actors to switch from the modality of certainty in the pretention of truth, to the modality of plausibility, from rationality to reasonability, in order to avoid fundamentalisms in public debates. Sala pleads for paying attention also to the opinions that refuse this pragmatic attitude, motivated by liberal values to not exclude, but to include non-liberal opinions in the public debate.

4
Interviews

Finally, we are very happy to present in the last, special section of the current issue two interviews that were conducted by the editors with

4.1 Martha Nussbaum on Political Emotions

Martha Craven Nussbaum and by Valentina Bambini, Cristiano Chesi and Andrea Moro with Noam Chomsky.

In her interview, Nussbaum gives us some insight into her current research project, that will be published as "Political Emotions: Why Love Matters for Justice" by Harvard University Press in 2013. Moving to her liberal account, she stresses the role of emotions and liberal arts in the educations of the citizens of a decent liberal society. Rationality and reasonability are not enough in her account, since every person has to learn to master her passions and to educate her sensitivity in order to have cognitive access to social values. This project is linked with the general Nussbaum's attempt to discern human capabilities in order to formulate the fundamental constitutional principles, that are always liable to be reviewed and improved. Here the role of emotions and liberal arts stands out: they refine human sensitivity and allow us to have cognitive access to renewable interests and claims, playing a role in their recognition through rights, in the limits of what is ought by each to everyone. The interview was held in Cologne, at the time of her Albertus Magnus Lectures 2012 (June 19th-21st). For this opportunity, we would like to thank the *a.r.t.e.s. Graduate School for the Humanities Cologne* (http://artes.phil-fak.uni-koeln.de/), which is an international partner of our Research Centre PERSONA.

4.2 Noam Chomsky on the Biological Foundation of Language

In his seminar conversation Chomsky starts from the mathematical properties of language and discusses theoretical and epistemological consequences of the research on the biological foundation of language. He also poses new questions that such rational inquiry opens up and that can possibly get an answer in a future. The seminar was held in Pavia, on occasion of Chomsky's visit to the Institute of Advanced Study (IUSS) on September 15th, 2012, and was based on questions proposed by graduate and undergraduate students and reorganized by the staff of the IUSS Center for Neurolinguistics and Theoretical Syntax (NeTS). We thank for this the NeTS and the IUSS (http://www.nets.iusspavia.it/), and we welcome them as scientific partner of our Research Centre PERSONA.

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