Anthropology and sociology of normativities

Joachim Fischer · Heinz-Jürgen Niedenzu

Published online: 17 August 2022
© The Author(s) 2022

1 Humans as normative beings

Human beings are normative creatures by nature. The normativity of the social in the form of morals and legal systems is the core topic of sociology, taking precedence over even the analysis of consciousness and self-consciousness, of language, work and culture. In their “eccentric positionality” (Helmuth Plessner), human beings vitally depend upon the artificial restriction of their behavioural tendencies in relation to each other through norms, or upon the production of possibilities for action in the first place. This gives rise to the secondary problems of classifying life situations under norms, the suppression of opposing behavioural inclinations, the interpretation of norms in new situations, the conflict between individual norms and entire systems of norms, the enforceability of norms, and finally the invention and discovery of new norms.

In this respect, the sociology of morality and the sociology of law are key disciplines of sociology, which that are studied from different theoretical directions. For modern philosophical anthropology, too, the problem of normativity for a world-open, unstable living being has been a prominent theme from the beginning, treated by its sociological protagonists Max Scheler, Helmuth Plessner and Arnold Gehlen, but also by Dieter Claessens (Das Konkrete und das Abstrakte), Heinrich Popitz (Die normative Konstruktion der Gesellschaft) and Günter Dux (Historisch-genetische Theorie der Kultur). The paradigm of philosophical anthropology forms a corrective in sociology with regard to the question of normativity, for it systematically designs bridging concepts between the humanities, cultural sciences and social sciences on
the one hand and the natural sciences, above all biology, on the other, against the cutting off of man’s evolutionary history that is usual in the discipline and in order to understand the situation in which human beings were formed as the original socio-cultural history within natural history. In its openness to various sociological theories of normative orders, the present volume aims specifically at bringing the potential of this differentiated theoretical and research direction into the discussions of the sociology of morality and law. Two aspects assume the foreground: the sociogenesis of normativity and the plurality of normativities in society.

2 Sociogenesis of normativity

The question of how the normative organisational principle of social groups, which is specific to human beings with their cognitive, counterfactual and sanctioned structures of expectation, came about leads directly into the debate on evolutionary theory and its hypothesis of the biological pre-structuring of social regulation. The aim is to link the current state of discussion in the humanities, cultural studies and social sciences on the question of the transition from nature to culture with findings in the life sciences in order to work out the evolutionary mechanisms of the process of emergence, the phylogenetic continuity and the specificity of these novel binding forces of human-social ways of life. Both Günter Dux’s historical-genetic theory of the “connective organisation” of normativity in the open natural situation of humans and Michael Tomasello’s primate/human comparative research on the emergence of a “collective intentionality” are relevant here. But likewise relevant are the emotive approaches of moral anthropologies, which have since Max Scheler’s work assumed the affective grasp of a wide variety of “values” for the genesis of morality in the genesis of values and normativities. In this way, we can gain a more comprehensive understanding of the sociogenesis of normativity that affords new insights for the development of sociological theory and its analysis of human forms of socialisation, while opening up new horizons for the analysis of the socially differentiated societies of modernity.

3 Plurality of normativity

Another systematic clarification provided by philosophical anthropology about the sociology of morality and law pertains to the discovery of the pluralities of normativities, of the “ethical pluralism” present not only amongst different societies but also within a society. Greek antiquity already knew of the simultaneous existence of family ethos and state ethos (Antigone), and latter Henri Bergson (The Two Sources of Morality and Religion) would distinguish between a society-internal “closed” and “open morality”. Helmuth Plessner drew a distinction between two forms of communal morality (ethos of rational morality, ethos of trust) and a form of social ethos (morality of tact and diplomacy) (Limits of Community). Arnold Gehlen (Moral und Hypermoral) also worked with a “pluralistic ethics” and distinguished four forms of ethos in groups and societies: 1) the principle of reciprocity; 2) instinctive regula-
tions, which are to be understood in a behavioural-physiological fashion; 3) family-related ethical behaviour, including derivable extensions reaching to humanitarianism; and 4) the ethos of institutions and the state.

In debate with consequentialist and deontological ethics that emphasize universal standards and impartiality (Lawrence Kohlberg), Carol Giligan (In a Different Voice) has distinguished between the “male” morality of justice a “female” morality of care (care ethics). On this view, women orient their moral judgments more to the relationship, interaction and responsibility structures of the person participating in a problem situation, while men orient their moral judgements more to abstract rights and duties. Independent of a possible historicization of “genders”, this shows the presence of a “pluralistic ethics” also within the feminist discussion, insofar as it draws an analytical distinction in the sociology of morality between a care ethics and a justice ethics.

4 Origin of this volume

The two editors came together through their interest in philosophical and sociological anthropology: Heinz-Jürgen Niedenzu, a former Freiburg student of the sociologist and anthropologist Günter Dux (one of the latter students of Helmuth Plessner) and Joachim Fischer, a representative of philosophical anthropology in the tradition of Max Scheler, Helmuth Plessner and Arnold Gehlen. Not all of the volume’s contributions are meant to fit strictly within this framework. But the editors expect the clarification of the “sociogenesis of normativity” and “ethical pluralism” to reveal a potential in the sociology of morality and law especially fruitful for the analysis of highly differentiated modern societies.

5 Presentation of the articles

A first starting point for addressing the problem of the sociogenesis of normativity is George Herbert Mead’s phylo- and ontogenetic reconstructions.

In his article “The generalisation, extension and rivalry of social perspectives. Reconstructing and renewing Mead’s theory of normativity”, Frithjof Nungesser critically re-analyses Mead’s explanations of normativity and morality and confronts them with the findings of recent research. He focuses on Mead’s ontogenetic and socio-historical reflections, deliberately omitting phylogenesis, since Mead refrained from explicitly and systematically pursuing the question of the sociogenesis of normativity that arises on the phylogenetic timeline. For Nungesser, the reconstruction of Mead’s phased ontogenetic development, characterised by the terms “play” and “game”, and its adjustment to more recent research such as that of Tomasello, leads to a modification of Mead’s theory: forms of play and developmental phases must be decoupled from each other because role-playing and rule-playing are ontogenetic lines or developmental paths of the human understanding of normativity that proceed in parallel. With regard to Mead’s often underexposed writings on social history, Nungesser draws attention to the ambivalences of social dynamics in modern
societies with integrative and conflictual processes, which Mead saw very well on
the basis of opposing generalised perspectives. Mead, however, puts to the fore an
ontogenetically analogous sequence in the adoption of perspectives in the sense of
a perspective substitution that underestimates the potential simultaneity of perspec-
tives. Nungesser concludes by discussing the problem of the coexistence of different
basic normative perspectives, drawing on Boltanski’s and Thévenot’s theory of jus-
tificatory orders.

In his article “On the sociogenesis of social norms following George Herbert
Mead and Jürgen Habermas”, Franz Ofner sets a somewhat different accent than
Nungesser. Ofner’s aim is to conceptualise the emergence of communication ori-
tented to understanding as a moment in the sociogenesis of cooperative activities.
The starting point for his reflections are Mead’s remarks on the phylogenesis of sig-
nificant symbols and Habermas’s criticism of them and suggested additions. Ofner
finds a gap in Mead’s argumentation with regard to the transition of the subject-
object relationship into an I-Me relationship, and again in Mead’s assumption of the
givenness of the normative order and its internalisation. It remains open how self-
consciousness can be gained from the subject-object experiences acquired through
the use of linguistic utterances. Habermas, on the other hand, sees speech act theory
as the starting point for developing a norm-adequate language structure. Here Ofner
criticises Habermas’s blanking out the phylogenesis of linguistic development and
the analysis of social situations in which norms and speech acts could have been
formed jointly. For Ofner, norms, linguistic structures that allow understanding-
oriented communication, and self-consciousness can only have developed together
phylogenetically out of the development of cooperative activities. With critical ref-
ERENCE to Tomasello, Ofner proposes to place the analytical starting point for the
formation of norms, communication-oriented speech and self-conscious individuals
in the formation of denoting signs with which interacting agents can refer to object
properties within the framework of cooperative action.

The following three contributions, which conclude the discussion of the socio-
genesis of normativity, are devoted to the question of how the connection between
normativity and emotionality on the one hand, and normativity and rationality on
the other, can be fruitfully elaborated theoretically and methodologically.

Heinz-Jürgen Niedenzu’s article “Normativity and emotionality. An anthropologi-
cal-evolutionary perspective on the sociogenesis of two interrelated modes of human
socialisation” treats the question of how these two interrelated basic components of
social life can be appropriately conceptualised in terms of social theory. In the first
step, Niedenzu outlines the sociological understanding of normativity and emotionali-
ity, contrasting this specific understanding with insights from ethology, evolutionary
biology and psychology. The aim is both to take into account the nature-culture tran-
sition problem and to address the two-culture problem; that is, to treat the relevance
of both natural scientific and social and cultural scientific knowledge for a more
comprehensive understanding of normativity and emotionality. In his elaboration,
Niedenzu is guided by the programme of philosophical anthropology and the episte-
mological strategy of Günther Dux’s historical-genetic theory. In the final step, the
sociogenesis of the proclaimed connection between normativity and emotionality is
examined from a species-historical perspective. Following Dux, Niedenzu assumes
that human beings have a constructive capacity enabling them to cope through culture with their natural indeterminacy or openness to the world. The genesis of the connection between norms and emotions always takes place ontogenetically within an emotionally saturated family setting, whereby the formation of meaning-based normativity that begins here is connected from the outset with the restructuring of the organic basis of affects into emotionality. It is a cultural process that builds on species-historical potentials, but then proceeds according to its own logic.

Social science models have always focussed on the problem of social order and the normativity of the social. In his article “Rationality and normativity”, Michael Schmid assumes that sociological models need a micro-theoretical foundation in order to clarify how social mechanisms are established and made permanent through social action, which then make it possible to coordinate actions. Such an action-theoretical research programme starts with intentional-rational deciding and acting actors and asks under which conditions they commit themselves to rules and consider them legitimate. Here a distinction must be made between institutionalised rule systems and non-institutionalised rules in interaction processes. To explain rules, Schmid examines various game-theoretical models, looking at coordination, cooperation and conflict problems, each of which is situation type having different coordination problems. In his conclusion, Schmid argues for expanding the theory of rational decision-making to take into account the abilities of actors to design consensus-based rules for coping with action situations and to follow them. Further, situation descriptions of game-theoretical models are to be used in order to determine the scope of application of the rules in more detail. Only in this way, according to Schmid, can finding and institutionalising processes be modelled appropriately in terms of method and content, and the question of which processes are relevant to coordination under which circumstances be answered.

Philosophical discussions and explanatory models are rarely taken up in a thorough-going manner in the social sciences. Using the example of Robert Brandom’s pragmatist theory of meaning, Fabian Anicker attempts in his contribution “A glimmer of progress: The sociogenesis of human rationality from Mead to Habermas to Brandom” to show how the latter’s approach can be productively employed for the sociological discussion of the understanding of rationality and normativity in order to bring theory-immanent problems of existing social theoretical approaches in the explanation of personal rationality closer to solution. The starting point of his reconstruction is the strategy pursued by Mead, Habermas and Brandom to explain the emergence of personal and social cognitive capacities (“rationality”), and the associated competence to act, on the basis of linguistically mediated communication practice. In Mead’s phylogenetic and ontogenetic argumentation, Anicker sees the difficulty that it cannot cogently reconstruct the problem of personal autonomy and the genesis of post-conventional moral consciousness. In Habermas, Anicker criticises the use of a formal pragmatics to explicate the transcultural and supratemporally valid structure of language practice, and phylogenetically of a pre-existent grid to be filled in by culture, a model which cannot reflect the historical evolution of language. Brandom, on the other hand, understands semantic competences themselves as demanding actions, interpreting sentences as tools of practices in which they first acquire meaning. Thus in his theory of discursive practice, no rule
consciousness is presupposed. Finally, Anicker discusses the relationship between Mead and Brandom with respect to the connection between nature and culture, and the relationship between Habermas and Brandom with respect to the problems of communication and autonomy.

The first three contributions that are devoted to the subject of the plurality of normativity treat central theses and arguments which have been developed in philosophical anthropology.

Lothar Samson’s reconstruction entitled “Instrumental and ethical actions. The foundations of Arnold Gehlen’s pluralistic ethics” is based on the development of Gehlen’s work and traces in both historical and systematic detail the unfolding of his ultimately pluralistic understanding of ethics from its beginnings to his last monograph, Moral und Hypermoral. Basically, Gehlen focuses on the question of a sound, ethically founded attitude and its institutional and moral validity, in which the attitude is to be understood from the anthropologically conditioned situation of the “nature of man” in the sense of an empirical theory of human behaviour. While at first moral systems of closed societies served as his points of orientation, he gradually turned to the question of a universalistic ethics appropriate to the modern world. Samson goes into detail on Gehlen’s elaboration of pluralist ethics. Initially, Gehlen distinguished according to scope between an ethics of near relations, an ethics of middle relations and a universalistic ethics of distance. The further amplification of pluralist ethics was then decisively fostered by work on institutional ethics, in which Gehlen understood the institutional ethos as an independent moral instance. Against the background of social development, he then steadily replaced the harmony model of ethics with a conflict model. Finally, in his late work, Gehlen described the various moral instances or social regulations in both anthropological-biological and historical-sociological terms, in contrast to his earlier “either/or” treatment of them.

The article “Ethics and tragedy in light of the latest parallelism of ‘hypermorality’ and brutalisation” by Karl-Siegbert Rehberg also deals with the ethical dimension in philosophical anthropology. The focus is on a reappraisal of Gehlen’s last monograph, Moral und Hypermoral (1969). First, Rehberg traces Gehlen’s general argumentation on ethical obligations and demands, and especially his distinction of four forms of ethos as independent sources of ethical obligations. These forms of a pluralistic ethics are in a tense and conflictual relationship to each other. Decisive for Rehberg’s reappraisal is then their historical contextualisation and, further, application to the current political-social situation. Gehlen, out of a political-historical-critical positioning and against the background of the political situation of the 1970s and the student movement in general, detected at the time a “moral hypertrophy” and specifically an erosion of the ethos of institutions and the state, which from the point of view of his theory of order represents a tragedy for society. Rehberg ultimately uses the concept of hypermorality as a metaphor for the analysis of recent society with its moral sensitisation and simultaneous moralising hysteria. For him, indicators of this are tendencies towards depoliticisation, such as the often complacent moralisation and various radicalisms that as may be found, for example, in the (un)social media and hate postings or among Identitarians.

The classic figures Scheler, Plessner, Cassirer and Gehlen form the starting point for Joachim Fischer’s contribution “Human rights. An analysis from the perspec-
tive of philosophical anthropology”. After a brief introductory presentation of the history of the emergence of human rights and their codification, the author turns in the second part to the question of the possibility of systematising the obvious heterogeneity of human rights. In accordance with the basic programme of philosophical anthropology, he distinguishes analytically between hominitas, the natural-historical side of man’s special position, and humanitas, the human way of shaping life to cope with this special position. Out of the eccentric positionality of human being emerge worlds (inner world, outer world, co-world, symbolic world) for which orientation values have to be discovered and invented. This leads to a plurality of values that cannot be traced back to one another, and to antinomies and conflicts between normativities. In the concluding section, which brings the first two parts together, Fischer reconstructs human rights from the perspective of philosophical anthropology. He sees the humanitas of human rights as a response to the potentialities of hominitas, revealing themselves on the one hand as openness to vulnerability and on the other hand as openness to expression and representation, as is shown in several examples. The antinomic structure of human rights in turn emerges from the plurality of absolute values revealed by philosophical anthropology. Human rights can be systematised against the background of the conditio humana and the worlds generated by eccentric positionality. Finally, all eccentrically artificially generated normative structures require an institutional safeguarding of their validity.

The two contributions that conclude the volume deal first with the topic of human dignity, which is closely related to human rights, and then with the Enlightenment question of the foundations of the faculty of judgement, a faculty inherent in human beings.

Patrick Wöhrle’s article “Between interactional effort and legal protection—mapping out the coordinates of a sociological concept of dignity” aims at countering the concept of (human) dignity dominated by philosophy, jurisprudence and theology with a genuinely sociological concept and to compare it with established concepts, especially in jurisprudence, in terms of its explanatory power and connectivity. Based on a functional theoretical orientation, he is sociologically concerned with the search for the latent functions of “dignity”, with its provision of regulatory services and structural effects. For the socio-theoretical specification of the problem context and the description of dignity-sensitive interactions and situations, Wöhrle’s draws on Plessner’s reflections about the public sphere, Goffman’s on the problem of expression in interactions, and Luhmann’s sharpening of the role and differentiation theory of the connection between social structure and dramatic form. Wöhrle then examines the question of the functional equivalence of ideas of honour and dignity with reference to Simmel, Durkheim and Luhmann. It becomes apparent that, in contrast to the ideas of honour of particular groups, the normative claim to dignity is more difficult to realise in a society that is more open to mobility. In the latter, dignity is tied to the individual performance of role-playing and thus stands in opposition to the rather static connection between sense of honour and group preservation. Finally, Wöhrle discusses the extent to which the sociological concept of dignity, which emphasises the public sphere, division of labour, role diversity and interactions, can be made fruitful for the philosophical, ethical, theological and jurisprudential norma-
tive understandings of (human) dignity in the form of an intensified interdisciplinary discourse.

Classically, the problem of human judgement and reason is primarily treated by philosophy. In his contribution “On inventing the faculty of judgment. A genealogical sketch”, Christian Dries attempts to contrast this with a genuinely sociological view by tracing the epistemic and social-structural conditions of the genesis and social spread of the faculty of judgement. Human judgement is thus not anthropologised and universalised, but instead broached as a product of social relations (“how is judgement possible”) and as a resource in social practices (“what is it needed for”). As a starting point, the author chooses the European modern era and the epoch of the Enlightenment, when modernity and modern subjectivity were spelled out in science and bourgeois discussion circles (“sociability society”). Following Norbert Elias’s The Court Society, Dries reconstructs how a more elaborate faculty of judgement already became an important survival and power resource for self-positioning in the courtly constellations and then gradually found its way into the incipient bourgeoisie as a resource of social differentiation with subjectivising effects. With the establishment of the capitalist mode of production, the insight that there was a connection between class position and intellectual ability became more and more widespread. The author concludes that subjectivity and the faculty of judgement, or the idea and expectation of a subject capable of judgement, must be regarded as a historically bound product, and can therefore be explained only genealogically on the basis of concrete social constellations.

6 Concluding remarks

The special volume Anthropologie und Soziologie der Normativitäten (The anthropology and sociology of normativities) of the Austrian Journal of Sociology (ÖZS) presented here is based on a conference held at the University of Innsbruck from 19 to 21 September 2019. It was a cooperative event of the working group Philosophical Anthropology and Sociology in the section Sociology of Culture of the German Sociological Association (DGS), the section Sociological Theory of the Austrian Sociological Association (ÖGS), the Institute of Sociology of the University of Innsbruck and the Social Theory Research Centre of the University of Innsbruck. In addition to the speakers at the Innsbruck conference, other relevant authors were invited to submit contributions for this volume. In accordance with the rules of the ÖZS, all submitted manuscripts were subjected to a double anonymous review process. Franz Ofner, the ÖZS editor-in-chief and conference participant, gave us considerable support in the editorial review and correction of the accepted contributions, and we would like to take this opportunity to express again our gratitude to him.

May 2022
Joachim Fischer (Dresden) and Heinz-Jürgen Niedenzu (Innsbruck)

Funding Open Access funding enabled and organized by Projekt DEAL.
Open Access This article is licensed under a Creative Commons Attribution 4.0 International License, which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons licence, and indicate if changes were made. The images or other third party material in this article are included in the article’s Creative Commons licence, unless indicated otherwise in a credit line to the material. If material is not included in the article’s Creative Commons licence and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder. To view a copy of this licence, visit http://creativecommons.org/licenses/by/4.0/.