

## Good as Rule Breaking

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My metaphysical hypothesis is that the universe is composed solely of finite beings whose existence is a contingent achievement always at risk. Finite beings whose existence is an *achievement*, because it is a transformation of conditions, of constraints and possibilities, into an actuality --- a new fact eventuating from a heritage of previous facts. Finite beings whose existence is a *contingent* achievement, because the eventuating transformation is conditioned by predecessor facts, not determined by them; adjustments are required in the constraints and possibilities those predecessor facts provide in order for them to be functionally integrated into features of a unified whole, to eventuate in a new actuality. Finite beings whose achievement is *at risk*, because an event endures only by re-creation, by its achievement being replicated in successor events, but no achievement can be fully replicated, and so loss is unavoidable and potentially disastrous.

In a universe so understood, existence is an intrinsic good. Good because actual, a unique product never before nor ever again accomplished; good because fragile, no sooner created than perishing, a precious moment that need not have occurred but has, that ought to remain but cannot. It follows that the more intense the value brought into existence the greater its good, and also the more enduring the value the greater its good. Depth and scope order the value of values; some achievements are better than others.

But therein lies a problem. For in a universe without a Ground able to provide the

power by which the creation of intensely valuable goods can be guaranteed or at least nurtured, and their continuance undergirded or at least defended, the more there is at stake the more at risk. The greater the depth and scope of an achievement, the more complex its making, and hence the more the ways for its unmaking. This clash between creating good and preserving it means that the important goods are tragic, because no matter how great the good, no matter how glittering its glory, it too shall pass away as though in the twinkling of an eye.

You can detect in this sketch of a metaphysical hypothesis the skeletal remains of Whitehead's *Process and Reality*. Except the universe in that book has precisely what saves the accomplishment of good from being a tragic endeavor, for it has a God who is the Ground for both the power of making good and the power to preserve such goods as are actually made. Erase the notion of God, however, erase it for reasons having to do with both coherence and adequacy, and we find ourselves on this day, in this place, in this universe of ours, surrounded by finite beings like ourselves, whose existence without exception is a contingent experience always at risk. Amid such rampant contingency, is there any room for morality, for an ethics that is other than an admonition to hunker down, seize the day, and hope for the best?

Traditional value approaches to ethics in modern Western philosophy locate the good as an intrinsic feature of human subjects: their dignity or their fulfillment. These features are metaphysically grounded in a human's essential nature, as a free rational agent in Kant's sense or as a conscious organism determined in Bentham's sense by biological needs. Ethical rules indicate how we are to conduct ourselves so as to respect that essential freedom or optimize the fulfillment of those genetic needs.

A rational agent's actions are good insofar as they respect the dignity of all other rational agents. The human good is not a contingent possibility but an essential feature of every rational being. The moral task is negative: not to create good but to avoid destroying it by denying another person's absolute worth, by resisting the temptation to make the value of our own material or spiritual desires absolute. The problem of endurance is to preserve the intrinsic good of human dignity by strengthening the power of our free choice to act in accord with what reason shows to be good, to adhere steadfastly to the rule of interest-neutral choices. A habit of rule-steadfastness, the development of moral character, will be the result, which if it were to be how all humans acted all the time would create the ideal community Kant calls a kingdom of ends.

A need-driven agent's actions are good insofar as they bring about results that are experienced pleurably. The good is not what we make but what we receive; the making is instrumental to the good of the enjoying. Having good experiences turns out to require a complex weighing of factors conducive to either pleasure or pain. The information needed to pull off this assessment is experiential, with a person's reasoning ability functioning arithmetically, as a calculating device. The development of a solid database of what is or is not pleasure producing, along with a habit of calculative competence, results in the ability to capitalize on the opportunities available in each moment. Once the factors being weighed include duration and fecundity, the pleasure optimization expands from the moment to the long run, and the calculative habit results in a fulfilling life. The goal is never at issue, for the pursuit of pleasure is essential to being human; the task is to be effective in figuring out how to attain that end. Community comes into focus when we discover that cooperation is often a more

effective means than individual action for achieving fulfillment. But our own needs remain essentially privileged; the cooperation is a vehicle for self-interest not its denial.

In contrast to both these ethical approaches, if values are creations accomplished amid incessantly changing conditions, then there are no essential goods to which the rules can be tethered, no essential conditions which they articulate, no values that allegiance to the rules will protect. Parading as the categorical dictates of a sovereign master, whether it be reason or desire, rules only describe the median of a probability curve that is more likely than not to affirm our dignity or fulfill our needs. They are prudential guidelines that can sometimes be the enemy of good because they miss the unique opportunities to be found in the available resources for value creation on any specific occasion. The best possible good may well depart from or even repudiate the standard view of what is good. The imperatives can never be categorical nor the masters sovereign.

Note that the essences grounding these traditional approaches to ethics are located in the individual. Communities are derivative, emerging as ethically relevant only when we ask what is good for a collection of individuals each of whose individual good we have already acknowledged. Bentham's ethic has more trouble than Kant's making the shift from self to community, but they both manage it. If, however, there are no individual human essences, no unmade and hence no unmakeable features of finite beings, nothing about us that is of everlasting worth, then there is no way to give moral primacy to the individual, and seemingly therefore no way to get to a meaningful sense of the common good. And yet we finite individuals are who it is that make actualities, who bring things into existence and in that finitude sustain whatever endures beyond

the moment, such as and most obviously communities of individuals.

Let me turn us to Susanne Langer for help in resolving this conundrum. We cannot begin with fleeting individuals as the foundation on which to erect robustly durational collectives, she argues, for the ice isn't thick enough to hold that much weight. The whole must be already in the part, the relation of self to group must be symmetric, neither more fundamental. We should understand momentary individuals and enduring communities of such individuals as interdependent makings: each made by the other, each making the other.

To justify this claim, Langer hypothesizes an ontological feature essential to our radically contingent universe, a cosmological constant without which there would be no coming into existence and perishing. Not a metaphysical necessity nor an unmade Ground, but a recurrent feature of the making that is a necessary condition for what is made having the power to give rise to further makings of similarly empowering actualities. All events, says Langer, are in the form of an act: they are all a progression from this to that, an activity arising from conditions and resulting in an existent with consequences.

If all things actual are events of this form, then the conditions from which a new event arises are a matrix of such events: a matrix with an act-form pattern. An influence affecting the matrix affects the event emerging from it, and the event in its emerging affects the matrix. A double transformation takes place: a new event emerges, and the matrix that makes it possible is altered so that it can sustain and not merely make possible what has emerged. Langer calls this process “entrainment.” A contextual matrix of existent events is not merely the source of the conditions for the emergence of

new events, but is in turn conditioned by the new events, shaped by them. The matrix is entrained, made more suitable as a context for what because of its novelty would otherwise find itself in an ill-suited environment. The adaptive power of what comes to be includes the power to adapt the conditions that made it possible so that they make possible its continuance as well, postpone for a time its ceasing to be.

The first two volumes of *Mind* rehearse the story Langer thinks evolutionary biology tells of how simple pre-biological events with an act-form structure developed into multi-celled organisms and later into that form of life we call human being. *Mind* is the emergence among proto-human organisms of self-awareness: not just awareness of the world but awareness of themselves as experiencing that world. The third volume of *Mind* is about this relatively recent development where the matrix of the organism's felt experiences gives rise to concepts about those experiences that are entrained so as to be in harmony with what is felt. Here in early humanity, in *Mind* functioning as a reflective activity that is not yet rational, how we conceive of what we experience derives from how we feel about it, and the mode of that conceiving is imaginative, Exuberantly inventive imaginings explain events by attributing them to agents, as after all would seem obvious if the form of those events is that of an act. And so *Mind* imaginatively populates the universe with agents: agents everywhere in the experienced world, agents seen and unseen, agents naturally and supernaturally powerful, the teaming spirit world of primitive human communities.

When these imagined agents are given objective reality in act-performances, in rituals that mime in bodily movement the imagined agents and their crucial activities, accounts of the spirits become relatively fixed. Those legitimated by ritual expressions

occurring in communal settings dominate, while the rest, imagined but not ritually objectified, quickly dissipate. The ongoing community encourages an expansion of imaginative thought but as entrained to, as harmonized with, these ritualized realities. The function of the rituals, however, is not only to aid understanding, to teach about the spiritual agents and how to conform one's action to their wishes, but also to achieve practical ends, to entrain the spirits to act on behalf of the community. A ritual act imitates the initial phase of a spirit's possible action in support of the community's needs, as an incentive for the spirit then to complete that action. A rain dance primes the weather pump, encouraging the gods to pick up the beat and carry it on until the rain flows forth.

Thus in the communally organized societies of primitive humans, self-awareness is fundamentally tribal. Mind is the continuous power of the tribe to act effectively for the securing of its common good by knowing how best to propitiate and manipulate the ambient spirit agencies. An individual is an enduring element of that enduring communal whole. Persons change the form of their lives as they move from birth to death, but their identity is continuous; with death, they live on among the ancestors, playing an important role in dealing with the spirits they are now numbered among as well as in advising the living by their presence in dreams. So human beings emerge within a matrix of conscious organisms, and their unique capacity, their power of imaginative creation, is kept in harmony with the matrix by being channeled ritually into ideas and behaviors that adapt the ambient social matrix to the wider natural order, understood as a matrix of spirit power to the demands of which the community must constantly adjust. The common good is not derived from individual good but is instead a functional

element, an effective expression, of the common good.

In Langer’s story, the continuing development of Mind eventuates in persons who begin to think of themselves as unique agencies, rather than as elements in the tribal life stream. They imagine their whole life as a single act-form and therefore as something that should be judged as a whole. Langer celebrates this emergence as a key moment in evolution, what she calls the “moral ascent” achieved by individuated agents whose sense of the importance of their individual power of value-making breaks from “the biological claims of the stock upon each living generation.” These persons see themselves as moral agents whose worth is their own and not merely a function of the community’s worth. Because they make the good of their lives rather than receiving it from the tribe, they think their good a greater value than the common good, such that if the two should come in conflict, the good they make of themselves takes precedence.

The claims of the community cannot be dismissed so cavalierly, however, for the creation of new and novel goods has only ephemeral worth unless the community which has permitted the emergence of agents with the power to fashion such goods can be entrained to support them. This is done by finding a social function for the innovator, celebrating deviance as genius, tolerating the idiosyncrasies of the makers of new kinds of good by insisting that ultimately it is the community not the individual that judges a person’s life to be good or bad, one’s moral worth based on the influence of one’s achievements, on the ways in which an individual’s creations have enhanced the quality of the whole.

Langer calls the tacit assumptions that provide the basis for these social judgments of a person’s moral value the “ethos” of a community. The ethos is the traditional pattern

of acceptable kinds of actions, the normative measure of a person's character, the standard by which one's life is found to warrant praise or condemnation. The entrainment of individual agents to the conditions set by the ethos leads them to a developing sense of responsibility for their actions. The morally right way to live is to live in harmony with the societal norms; deviation from the ethos is disruptive and so even if tolerated, even if needed, is nonetheless morally wrong. Having distinguished the self at the expense of the community, some kind of sacrifice on the deviant's part is required, in order to restore the proper harmony, some surrender of self in recompense, humbly acknowledging one's achievements as a service to others, asking forgiveness for one's prideful arrogance, synchronizing the beat of one's drummer with society's. "Ethnic balance" thus becomes the fundamental aim of morality: maintaining equilibrium between creative individuation and the integrity of the collective continuum. Explicit moral rules to guide current action, rationally articulated ethical theories justifying them, and the cultivation of habits of loyalty to the remembered past --- all serve to develop an individual's sense of having a primary responsibility to the good of the community.

However, the growth of civilization strains the viability of ethnic balancing. The emergence of cities and the improvement in transportation methods lead to a breakdown in the conditions that sustain allegiance to an ethos. Cities pull individuals away from their village roots, natural and political upheavals encourage migrations to alien places that know not the old ethnic ways. The resulting collapse of kinship patterns of authority shifts leadership from elders versed in how things have always been properly done to bold young adventurers inventing on the fly new ways of doing things.

The single ethos of the communal ambient dissolves, for there is no way to sustain a

coherent background of values, of moral rules and cultural practices, under these fluid conditions. The single ethos is replaced by "islands" of interrelated ethoi, the process no longer a matter of reestablishing a normative equilibrium but of concocting alliances based on constantly shifting allocations of importance and role among the normative measures of the various ethnic islands. Langer calls this an "open ambient," an open rather than closed moral system, one that places heightened value on the imaginative creation of innovative act-forms, that encourages agents able to fashion novel standpoints capable of breaking through the clashing closed systems enough to allow the reconciliation of their conflicting values without needing to integrate them into a coherent whole.

To be effective moral agents able to create sustainable goods amid the press of unpredictable shifts in relevant conditions requires imaginative originality. Closed systems and the rules that define them need to be opened to the realities they necessarily exclude or neglect or distort if we are to survive in a world for which yesterday's rules are always becoming dangerously uncouth. But this is no longer the creator as merely deviant but as deviating in a manner that contributes to the adaptive success of the community. It is rule breaking for the good of the rule makers, rule breaking as a habit of critical reflection and action, of shrewd hypothesizing and boldly reasoned innovation.

I think this is the point Whitehead is after when in *Modes of Thought* he says that morality consists in the "perfection of importance" in each moment: "Whether we destroy, or whether we preserve, our action is moral so far as it depends on that concrete instance in the world's history." In the universe of ceaseless makings and

unmakings, we have to destroy enduring communal values in the form they have been transmitted to us if those values are to endure, although to endure not as they were but in a variant form. And we often have to destroy newly created values, dampening their roaring flame lest its novelty cut us off from the enduring matrix, from the glowing coals of past success that make new values possible. Insisting on the status quo is unacceptable but so is sweeping it away. If we are wise we will seek a middle way, a blend of just enough innovation to avoid the loss of value resulting from imprudent resistance, just enough resolute embrace of inherited achievement to be able to resist foolish innovation. How to achieve this golden mean is an art that has no rules we can rely on but is far from an arbitrary act. What Whitehead is saying, I think, is that our aim as moral agents should be neither at destroying nor at preserving, but at the perfection of achievable sustainable values within the constraints and opportunities available to us in this concrete moment in our world's history.

So to tie things together. I agree with Langer that it is important for us to try as best we can to maintain ethnic balance but to do so in a way appropriate to these times in which there is no longer a single ethos but a plurality of ethoi, their interdependence maintainable only by means of shifting interpretations. An open ambient is a system of values obviously not coherent and not even consistent, a unity always in the making but never completed, an endeavor that works as long as it never achieves its integrative ideal. Working within the fluidity of an open ambient sharply increases the importance of fresh interpretations, and hence of skill in imagining and developing them. The endurance of a community does not require achieving and constantly reachieving equilibrium. It requires purposeful disequilibrium, a habit of persistent rule breaking, that

forces the need for new rules, for fresh approaches to balancing competing moral claims, for fashioning fresh value systems with their fresh claims into a meaningful and pragmatically effective open ambient.

I also agree with Whitehead's ways of explicating these points. Perhaps they are best summarized in the interplay of what in *The Function of Reason* he calls speculative and practical reason, an interplay which yo-yos back and forth, like yin and yang, between the extremes of disruptive deconstruction and well-ordered stability. Whitehead advocates overcoming this endless back and forth by what he calls the "Greek Discovery": the realization that speculative reason can be harnessed, that imagination can be disciplined, molded into a method of innovation most effectively found in scientific method. Our moral challenge is to aim resolutely at achieving maximal value for this moment, but that value needs to include fruitfulness beyond the moment. The Greek Discovery is a habit of thinking and acting outside the established ways --- in order that the established order can adapt to changing conditions.

With the help of Whitehead and Langer, I have been arguing that the highest loyalty to past achievement is not to replicate it but to put it to use, to transform it into resources for varietal achievement, for a tweak or a reform or a renovation that effectively adapts past good to present circumstance and likely future good. We need to embrace an ethic that emphasizes creative imagination over rules, inventive reconciliation of differences over dichotomizing exclusions, adequacy over consistency. Such an ethical approach recommends itself on the metaphysical grounds that the process it describes is what reality is also like: one marked by the recurrent emergence, endurance, transformation, and perishing of various good.