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Zone Morality  
David Weissman

The diversity of its interests sometimes gives philosophy the air of a cosmos: many topics seem mutually remote. Hume's principle—separable if distinguishable—entails, for example, that metaphysics and morals are mutually indifferent. This essay contests that assumption. It argues that principal options in moral theory are prefigured by the metaphysical theses they embody.

1.

Two perspectives dominate our moral thinking: one emphasizes individuals and their virtues; the other subordinates individuals to the societal whole by way of moral edicts (the Biblical Commandments, Kant's categorical imperative) or by way of totalizing plans designed to promote universal well-being (Plato's *Republic*, Marx's classless society).

This traditional division ignores a third alternative: there are many social spaces (families, businesses, religious communities) organized to achieve an aim. Each space is a zone; each is distinguished by the tissue of duties and permissions—the zone morality—that binds its role-playing members. Ethical theorists ignore zone moralities because metaphysicians have typically given little or no attention to organizations or associations intermediate between individuals and the whole.<sup>1</sup> This empirical mistake blinds us to the disparate moralities inherent in human social systems. Sitting in a crowded restaurant, I listen to my companions while ignoring

other conversations. Friends want my attention; people at a nearby table would be annoyed or worse if I responded to their intimacies.

Philosophy's neglect of zone moralities has its counterpart in secular history. The *Loi Chapelier*, decreed in Paris on June 14, 1791 by the Committee of Public Safety, affirmed that there are no organizations, hence no interests, between the sovereign and its citizens. The law was abrogated in 1864 and 1884, but my concern is its content and implications, not its application. The *Loi* is significant metaphysically because the two agents acknowledged—individual persons and the state—exemplify contending metaphysical theses: one argues that individuals are the only reality; the other affirms that individuals are deformed when abstracted from the whole. The *Loi* was cruelly oppositional: the *Terror* was evidence that each side struggles to subordinate the other.

## 2.

There is more to this history: the *Loi* was affirmed in response to a threatened butchers' strike. The Committee of Public Safety, fearing disruption, established its authority by banning every subordinate organization. This motive obscured the array of systems intermediate between individuals and the whole: families, friendships, businesses, neighborhoods, governments, schools and churches are the organizing ballast of social life; they stabilize a society while determining its aims and values.

Systems are created and sustained by the causal reciprocities of their members: each responds to tasks and demands in ways appropriate to his or her role. These reciprocities are constitutive: they ground a system's moral code by establishing each member's responsibilities and expectations. They

are also regulative: members welcome some of a partner's actions but reject or censure others.

Expectations differ generically as organizations differ from associations. Organizations are systems distinguished by the complementary roles of their members. Pitcher and catcher, buyer and seller: each acquires duties and permissions appropriate to his or her role; each sustains the relationship by acting accordingly. The roles of an association's members are identical: each enforces the loyalty of others by mirroring their responses. Partisans at a rally, fans at a game intensify one another's feelings as they cheer for their candidate or team. Systems of both kinds are dynamic: each adjusts to strains that are internal (members are delinquent or out of touch with one another) or external because provoked by adverse circumstances (insufficient resources) or competing systems.

There are myriad systems and more or less subtly different moralities appropriate to each: no friendship or team has reciprocities exactly like those of every other. Behaviors they prescribe are learned intuitively (meaning: unreflectively); each of a system's members knows his or her role and behaviors that would impede the system by interfering with its other roles. People often move fluently among their systems, roles, and codes; they respond appropriately to the distinctive orientations of successive systems while hardly aware of the transitions. Other times—when going from home to work or peace to war—transitions are harsh

Many systems are mutually independent; others are reciprocally related (as families fund schools that educate their members). Systems overlap when a family member is also an employee, friend, teammate and congregant. Systems relate hierarchically when a higher-order system is constituted of its lower-order members (also systems) while fixing limits to

their behavior: Manhattan and Staten Island are constituents of New York City, a lower-order system in New York State and the United States.

Every person's roles, rights, and duties vary in the respect that some systems—families, friendships, work, school, and religious communities—are core while others (regularly exchanging greetings with someone otherwise unknown) are incidental or ephemeral. Some people give equal priority to several core systems (work, friends, a club); others have a principal commitment (to a family, job, or church). People of the first sort are more likely to be moral relativists: meaning only that they quickly adapt to the disparate moral codes of their several core systems. People committed to a principal system are more likely to regard the character of its reciprocities and aims as norms for other systems: being a Tory, I wouldn't have a Liberal spouse or friends.

Social life is morally conservative because members typically dedicate themselves to preserving core systems. This response is partly an expression of loyalty, partly concern to defend one's self-perception. For social identity is a function of one's core systems: they determine how I and others perceive who I am and what I am responsible for doing. One may argue in the spirit of Descartes and Sartre that who and what I am is prior to every affiliation. But this is a philosophic conceit. Identity, including self-perception, is the layered acquisition of roles in core systems, some inherited, many that are chosen.

### 3.

Zones and zone moralities ramify in two ways:

*i.* Networks form when systems ally. A network's systems (shops, their suppliers and clients) share no members, or it exploits the overlap resulting

when members are shared by two or more of its constituent systems (policemen or politicians belonging to influential businesses, families or churches).

*ii.* Pluralistic societies and market economies create zones—domains—where diverse systems accommodate or compete within frameworks that sanction diversity (in religious practice, dress, or cuisine) or regulate competition (anti-trust legislation, traffic laws).

Networks and domains may have moral codes different from those of their constituent systems: loyalties that bind members within each of a network's systems may be lax or restrained if, for example, the systems are mutually suspicious (the European Union, for example). The result is an irregular topography of moral practices and commitments.

#### 4.

The causal reciprocities creating systems are expressions of natural normativity. *Is* implies *must*, *should*, or *ought*: privates salute lieutenants, parents care for their children.<sup>2</sup> More than uniformities or ideals, *must*, *should*, and *ought* are critical to a system's mechanics: they require that its reciprocities be stable within certain limits lest the system dissolve or implode. Negative feedback is the early warning signal that a system risks dissolution because of miscommunication or nonfeasance: friends are mutually careless until one or both realize that their friendship won't endure unless they alter behaviors that exceed the bounds of sustainable reciprocity.

*Must*, *should*, and *ought* imply duties that are complementary to a role's freedoms or permission: one is entitled to do some things, but expected or required to do others. The contingency of moral codes—alternatives are possible, contradictions aren't generated by negating them—

resembles that of natural laws. There are alternate possible worlds where the solar system does not form or is not sustainable; it would disassemble if the particular character of gravitation in our world were not immanent in the relationship of sun and planets. There, too, normativity is physical, not only formal. The logical *must* is one of normativity's expressions; physical laws and moral codes are two others.

This idea of normativity seem perverse to a tradition that defers to Hume:

I am surpriz'd to find, that instead of the usual copulations of proposition *is*, and *is not*, I meet with no proposition that is not connected with an *ought*, or an *ought not*....For as this *ought*, or *ought not*, expresses some new relation or affirmation, 'tis necessary that it shou'd be observ'd and explain'd; and at the same time that a reason should be given, for what seems altogether inconceivable, how this new relation can be a deduction from others, which are entirely different from it.<sup>3</sup>

This is commentary on the relation of ideas—*is* and *ought*—expressed in propositions. It is these ideas that are said to be separable because distinguishable, Hume's analytic principle, his hammer and saw. Yet he never proves or even argues that nature, including human practice is an appropriate domain for the application of this conceptual tool. He begs that question by affirming that nature extends no farther than forceful and vivacious impressions. Impressions and the ideas that copy them are allegedly atomic<sup>4</sup>. But nature isn't fractured in the style of Humean impressions and ideas: material states of affairs include systems bound and stabilized by causal reciprocities. *Ought*—duty, for example—is a function of an *is*—one's system and role.

Firemen ought to extinguish fires; life guards ought to save people drowning. Either can be disciplined for declining to act as their roles require. Hume would object that the idea of having a job (an *is*) doesn't entail the idea of how what a job-holder should behave (an *ought*). But systems and their roles are states of affairs, not ideas. *Oughts* are entailed (materially) just because of an *is*: one's system and role. Hume would likely respond that I mistake elision for unity: employees make utilitarian bargains: duties acknowledged for money received. Yet workers often identify with their tasks: firemen risk their lives, while off-duty, to extinguish fires they could ignore. Consider, too, the many systems, roles, and duties that that are unremunerated: give no support and your friendships lapse. One may allege that friendship, too, is utilitarian: give help with the expectation of receiving it. But this is not the motive in many friendships. The *is* in them includes a commitment, an unqualified *ought* and *would*.

## 5.

Zone morality complicates the simpler stories informed by alternatives that dominate moral discourse. Theories promoting egoism, virtues, sensibility, will, or sentiment express the ontological persuasion that moral agents are fully formed, free standing existents: minds, citizens, or souls. Holistic ontologies (of universal sympathy, God, or spacetime) affirm that reality is corporate and unitary. Holism's political or moral applications—Plato's *Republic*, Marx's society of contending classes—shadow its ontology: they consume individuals, replacing them with relationally defined roles. Systems theory is more concrete, empirical, and pragmatic than these extremes. It emphasizes modularity and the circumstances where systems are formed and stabilized. It affirms that character is the essential adjunct to

systems. Each person is shaped by the core systems in which he or she participates, though some degree of freedom and judgment is essential to role-players: autonomy is conspicuous when members prioritize their duties, affirm inherited systems (families), or help to create new ones. It is apparent, too, when members turn critically upon their circumstances and selves: do I approve my system's aims and methods?

Ethics loses focus when theorists can't agree about its proper emphasis: is it duty, virtue, principles, moral character, or the effects of interpersonal behavior? Zone morality integrates all these factors: systems can't be assembled or productive if members having stable moral character aren't duty-bound by their roles; systems are morally approved or indicted because of ways they affect their members, other people and systems. Circumstances or perspective may draw attention to one or another of these considerations but all are engaged when a system's reciprocities bind its members in a corporate task that all approve.

## 6.

We sometimes appraise conduct by acknowledging a person's roles—good worker, leader, or parent—but there are no words for many systems, so appraisals are often generic and pragmatic: we emphasize virtues—“reliable,” “competent” or “effective”—or we use moral talk that abstracts from the particularities of roles and actions, saying for example that one is “caring” or “responsible.”

A simple analogy clarifies the status of these adjectives by construing them as principles or rules. So, veracity is expressed by the rule, tell the truth; responsibility by the rule, do your duty. These principles resemble grammatical rules in two respects: *i.* grammar proscribes solecisms;



principles of virtue proscribe immoral behavior: *ii*. principles of neither sort imply the content of sentences or situations to which they apply. Saying that there are no grammatical errors in either of two books, discerning virtue in either of two actions tells us nothing about the content of either: a legal brief isn't a poem; a friendship isn't a business. Principles of virtue resemble grammar and logic: all are regulative; none is constitutive.

Compare moral content: it is specific, constitutive, and concrete because generated by the roles and reciprocities that organize, stabilize, and direct particular systems. What are a system's aims: are they worthy because of effects that would accrue to other people and systems, the environment, and the system's members? What are its mechanics: the organization, actions, and reciprocities of its members? Does a system achieve its aims because of their coordination, skill, and cooperation? One may ignore these details, remarking that systems do or do not satisfy generic values—"generous," "reckless"—but this, like a weather report ("snow and high winds"), is one remove from circumstances where morality is a function and measure of a system's efficacy and aims.

John Dewey and Joseph Fletcher might have liked the analogy from disengaged predictions to disengaged appraisals. They agreed that moral judgments should closely track actions and intentions; judgment shouldn't reduce to the a priori determination that rules are satisfied irrespective of actions, aims, and circumstances. Fletcher's *Situation Ethics*<sup>5</sup> is an abomination to this formalist style of moral judgment because regard for content and context precludes facile legislation or *a priori* judgment. Was he mistaken? Kant abstracted from every situation when averring that lying is always wrong. Like Fletcher and Dewey, we respond by citing zones where lying defends an innocent stranger. We don't say that lying is always a good

thing or that some systems and activities (traffic and contracts, for example) aren't better served for having rules.

### 7.

The patchwork of moral zones and codes requires discipline if we are to avert conflict. Situations of two kinds are problematic: *i*. People often engage one another beyond the range of well-defined zones, hence without the regulative force of constraining roles or reciprocities. Compare cities where pedestrian and vehicular traffic is chaotic to those where contact and conflict are minimized because lanes of opposed traffic move right or left. One resembles the state of nature, the other satisfies a prescriptive rule: separate vehicles to maximize safety and facilitate movement. One may describe this effect in either of two ways: regulated traffic is itself a system, or people abstracted from their myriad systems are regulated by a principle—a traffic law—that all affirm. *ii*. Deference to a universally agreed rule isn't sufficient to avert conflict when a system's members mistakenly apply its rules when encountering people engaged in the business of other systems: a game isn't a war. People who make this mistake are controlled by a proscriptive rule that threatens punishment to systems and their agents when their actions damage other systems or their members. Rules of this sort are implied by Mill's no-harm principle: one is free to behave as one likes (according to Mill) or in ways one's system requires (according to zone morality) up to the point of harming other people or their benign systems.

There is also this other way of averting conflict.. It requires a character trait common to individuals and well-regulated systems: experience commends inhibition. We learn that behaviors appropriate to one

system (including truth and generosity) aren't always appropriate to others without qualification. Judgment and inhibition are essential complements to the diversity of zone moralities: we don't assume that other people play our games or acknowledge the prerogatives of our roles. Acknowledging that they too have aims, we make way.

We achieve the greatest good for the greatest number when people affirm zones they inherit (families, for example) or choose (friendships), and when out-of-zone conflicts are reduced by global directives and personal inhibition. Traffic laws are global inhibitors; they facilitate many people as they move—without harm—among their core systems. But there are occasions when no rule or conventional solution solves a moral quandary: we use our best judgment knowing that contrary judgments are not unreasonable. Morality survives because character, law, and our subtle grasp of myriad zones makes many judgments cogent and quick.

## 8.

The discipline of zones and codes is the stabilizing ballast of social life. People move among their several or many systems, knowing what to do and how to do it. There is, however, a contrary effect, one occurring when the moral codes of particular systems, networks, or domains are generalized beyond their native contexts: we abstract from the particularity of one or another familiar system to the generality alleging that its principal aim or value is or ought to be a rule of action or criterion for appraising people, systems, or actions at large. Directives or criteria are usually unproblematic within their native zones, but they confuse decision and debate when construed as uncontested though competing moral principles. The National

Rifle Association's president believes that the moral codes of war and defense are applicable in zones of every sort: battle-fields and schools.

Moral codes from several zones, networks, or domains become paradigmatic when they enter public discourse as directives to action or criteria applicable in many or all situations: families and hospitals emphasize care; friendship promotes loyalty; schools teach discipline and skill; businesses want cooperation and initiative; markets teach competition; churches value piety; safety is a priority wherever individuals or systems are vulnerable; aggression and violence are appropriate to war. Abstracting from these value generating sites creates an inventory of what seem to be generally applicable virtues though each is shallow because sublimed from the specificity of circumstances where it is critical to reciprocities that bind particular systems, networks, or domains. One thinks of Plato's birdcage: which generalization to invoke if all seem cogent, though most are incidental to the aims and mechanics of the system or domain at issue? The diversity of these abstractions is confusing: we save lives in hospitals but take lives in war. Grabbing the wrong bird is consequential: neither care nor aggression is the appropriate response to every situation.

We laud virtue in all circumstances where some are affected by another's actions, but here, too, abstraction—virtue out of context—is shallow. Veracity and cooperation are favored because they promote reciprocities that make systems effective. Yet qualities considered virtuous in most contexts aren't universalized without limit. Cooperation is usually esteemed, though telling truth to power—whistle blowing—is desirable because disruptive.

## 9.

Morality can't be restricted to the mechanics—the reciprocities of systems—because systems have aims and effects. Aims are more or less worthy; pursuing them affects people within and beyond a system for better or worse. We sometimes appraise aims and effects (beyond a system and within it) by invoking one of the moral values generalized from core systems (families or businesses, for example), but we're careful with judgments of this sort: we may affirm that every practice should be caring and securing because families or friendships have these effects; we don't allege that the hostility valued in war is commendable everywhere.

Moral practice and judgment would seem more secure if there were all-in-one solutions: principles that adjudicate all moral conflicts while appraising the aims and effects of persons, systems, and networks. There are several of these grand ethical principles, including the Golden Rule, Kant's categorical imperative, and Mill's distribution principle (the greatest good for the greatest number). Each prescribes a necessary least condition for moral practice or an aim that would maximize moral value. There are, however, reasons for caution: these principles are recommendations (policies), not *a priori* truths; all distort moral life by abstracting from its grit and particularity. Does any supply a rubric for distributing benefits or for appraising aims and effects while solving conflicts?

Consider: *i.* Mill's distribution principle (the greatest good for the greatest number) rightly emphasizes the well-being that all pursue. Yet, the principle over-reaches because of implying the possibility of a Leibnizian solution: the unqualified harmony of persons and systems satisfied by uncompromised goods. That result isn't achievable in situations of scarcity and crowding: some agents win when others lose; the greatest good for the

greatest number may require heavy costs to a minority. *ii.* The Golden Rule—do unto others as you would have them do unto you—is recognition that vulnerability is universal and a précis of virtues such as truth-telling and reliability. Systems don't survive if cooperation and coordination are sabotaged. Hence the rule: defend reciprocity, let a system's partners act as their roles require; let systems honor their duties to the others of a network or domain. I want that advantage, let others have it, too. This formulation exposes the principle's weakness: the Golden Rule has no leverage when its first condition isn't satisfied: people and systems must decide what they want for themselves before offering it to others. Would I help others to die were they to ask it? Would I want that help for myself? Or is this principle a canny strategy for begging elementary questions: what am I, what should I want, can I be or have what I want if others are not equally considered or endowed? The Golden Rule may be construed cynically as the prudential maxim that one should do for others whatever he wants or needs (however trivially or impulsively) from them? *iii.* The categorical imperative is an earlier formulation of Mill's no-harm principle. The imperative is troubled in several ways. One is prominent but incidental here; two others are relevant: *a.* Kant's imperative may have been intended as a curative response to German history: no German principality of Kant's time could will a war with others if a war willed by each would destroy all. Accordingly, the rule warns us not to take actions having adverse and foreseeable effects. Yet applying the imperative entails immobility because many consequences are unforeseeable given the complexities of remotely colliding causal chains: should we annul every initiative to avert unforeseeable self-annihilating conflicts? *b.* The categorical imperative is morally powerful because it inhibits self-subverting choices. Yet inhibition

is only half the relevant response to uncertainty: don't do what no one should do when circumstances require decision and action, not only inhibition. *c.* Kant's imperative supplies no direction to agents having to choose between or among contrary maxims that satisfy the imperative: each could be applied without negating itself, though its effects may be pernicious on other grounds. Always compete is good if it promotes useful innovation, bad if it provokes animosity; don't compete, always care is bad if it promotes indolence, good if it guarantees comfort and security. How should we choose among these alternate strategies? Kant's rule offers no guidance.

Deprived of a secure basis for moral decision or appraisal because a situation is complex or because no *a priori* principle purges social life of conflict or inequity when everywhere applied, we make fumbling, pragmatic decisions. Moral reflection joins considerations of two sorts: it deciphers whatever is morally problematic (if only conspicuously) in the situation at hand while considering applicable pro- and prescriptive laws and plausible rules of thumb (maximize well-being, the Golden Rule). Solutions are apparent, even formulaic, if a task is plain and simple. But there are many problems for which there are no morally unequivocal solutions. We tolerate ambiguity when complexity and off-setting moral values preclude the satisfaction of all interests (war and abortion, for example).

## 10.

Zone morality complicates politics in ways foreseen by Arthur Bentley in his *Process of Government*:<sup>6</sup> there is, he argued, no public, only an array of systems, hence interests, contending for the space, resources, and rules appropriate to their aims. The Committee of Public Safety rightly perceived

that authority diffused through a web of intermediate systems would enfeeble its ability to control revolutionary France. Thomas Jefferson promoted the contrary effect in the name of democracy and because he feared the excessive power of centralized governments. But his federalism, each zone self-absorbed but responsive to the idea of a common good, is remote from the contentious politics of our time.

Is there a good for all? Could we form a Public able to achieve it? Dewey located the good for all in the playing field where every person is free to form or find systems and roles appropriate to his or her nature, tastes, and aims. The field he imagined is a space of virtual opportunities: organize to achieve an aim, then work to create a niche of your own. The ideal playing field would have space for all benign systems and procedures that distribute resources while enhancing safety by reducing friction and strife. Forsaking angelism (the enlightened citizenry that legislates for the common good while living in an infinitely bountiful world), the Public is largely still-born because of contentious systems, networks and domains. It barely rouses itself to acknowledge and condone the gritty politics of systems competing for scarce resources, safety, and favorable regulation. People dominated by the interests of their systems and selves settle for procedures that guarantee the right and safety of each benign system seeking means—space, personnel, and materiel—appropriate to its aims.

Why should dominant systems concede space or safety to others unable to seize them? Because of the wisdom in Rousseau's general will. Taking a long view, it wills the good for all, those currently ascendant and those past their time or wanting a chance to thrive. Practical politics would have two aims: manage a competition for the power to legislate while educating competitors that an open playing field, and mutual tolerance are



necessary conditions for the formation and enduring stability of any system. This is the justice of Thrasymachus and Hobbes (the power and right of the strong) civilized by procedural democracy.

Monopolists disdain a process that leaves competitors standing; they prefer power to politics. Yet powerful systems learn that negotiation is the better strategy when competitors preclude domination. This is Bentley's idea of democracy: a conversation among systems that tolerate one another when none can eliminate every other. Bentley construed politics in the style of Adam Smith: the struggle to govern resembles a market where systems of roughly equal force innovate and compete while vying for trade. Politics is the negotiation of systems competing for resources and advantage within a procedural framework that obliges each to compromise with competitors of similar size or vigor. Is there a good about which all can agree? Perhaps just one: live and let live. Can mutually inimical systems co-exist? The genius of American democracy is its recognition that they do and should.

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1. David Weissman, *A Social Ontology* (New Haven: Yale University Press, 2000), pp. 245-249.

2. David Weissman, *The Cage: Must, Should, and Ought from Is* (Albany, N.Y.: State University of New York Press, 2006), pp. 105-125.

3. David Hume, *A Treatise of Human Nature*, ed. L.A. Selby-Bigge (Oxford: Oxford University Press, 1978), p. 469.

4. *Ibid.*, p. 1

5. Joseph Fletcher, *Situation Ethics: The New Morality* (Philadelphia: Westminster Press, 1966).

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6. Arthur Fisher Bentley, *The Process of Government: a Study of Social Pressures* (Chicago: University of Chicago Press, 1910).