Chapter 4   The Living Context of Moral Codes

§ 1. Reader Discretion Advised

We are beginning to enter into a topic where many people exhibit strong affective reactions when it is so much as even discussed. I have been known to exhibit them; I wouldn't faint from the shock if I learned you have too. It is something of an irony that there aren't too many subjects that match this one historically in the record of people becoming violently disagreeable over matters of opinion. The topic is moral judgment. History, as well as widespread and similar personal reactions to the topic, warn us to treat it with careful open-mindedness. If you think you can do this, read on; if not, close the book now before you ruin your digestion. We're going to do something in these pages many people think is impossible. We're going to start treating the topic of "morals" as an objectively valid topic of social-natural science.

To say we're going to do this is pretty much to say, "What *in the world* does 'moral' mean?" To limit the topic to one placed "in the world" is to treat the topic without reference to personal convictions and opinions concerning supernatural objects of faith – which is to say, to treat it without invoking any sort of religious doctrine. There are people who have been taught from childhood up that "morals" and "morality" are exclusively religious topics. This just isn't true but – paying due heed to an old Jesuit maxim, "Give us the boy and the man is ours for life" – for all you good people who cannot help but insist that the discussion must include religious doctrine as part of its rudiments, I'm afraid it's best if you close the book now, too. You have an ontology-centered prejudice that pretty much guarantees that you'll become agitated by the discussion here. Because it is almost certain that some of your moral tenets are almost identical to some of mine, and it is equally almost certain that some of yours are diametrically opposed to some of mine, I have no wish to agitate you and absolutely no desire to convert you. Go, therefore, in peace. Or, if you wish, stay to satisfy your own curiosity but remember that I'm not asking you to and I'm certainly not forcing you to. So if you stay and get upset, don't blame me; blame yourself.

§ 2. The Nominal Contexts of "Moral"

The adjective "moral" gets attached to a great many words that signify matters of importance but, strangely, are largely taken for granted. Moral law, moral right, moral imperative – these and many more ideas are examples of this. Yet it is not in the least uncommon for people to clash over what is morally right, what is morally imperative, etc. It has not been a rarity in history for people to kill other people during these clashes. Prudence, then, seems to advise that we begin by looking at the common dictionary definitions of the adjective "moral." Webster's (1962) lists eight usages of the term:

> **moral**, *a.* [ME. *morale*; L. *moralis*, pertaining to manners or morals, from *mos*, *moris*, manner, *pl. mores*, manners, morals.]
>
> 1. relating to, dealing with, or capable of making the distinction between, right and wrong in conduct.
> 2. relating to, serving to teach, or in accordance with, the principles of right and wrong.
> 3. good or right conduct or character; often, specifically, virtuous in sexual conduct; opposed to *immoral*.
> 4. based on general observation of people, etc. rather than on what is demonstrable; as, *moral* evidence.
> 5. designating support, etc. that involves approval and sympathy without actions; as, *moral* support.
> 6. being virtually such because of its effect on thoughts, attitudes, etc., or because of its general results; as, a *moral* victory.

7. based on strong probability; as, a *moral* certainty.
8. moralizing. [Rare.]

The noun "moral" derives from the adjective:

moral, *n*.

1. the practical lesson inculcated by any story or incident; the significance or meaning, as of a fable.
2. a maxim.
3. [*pl.*] principles and practice in regard to right, wrong, and duty; ethics; general conduct or behavior, especially in sexual matters.
4. a counterpart. [Obs.]
5. a morality play. [Obs.]

It is instructive to compare these English usages to the Latin root, *mos* (*moris*). The *Oxford Latin Dictionary* (1996) gives us seven usages of the word in the Latin language:

mos, moris, *m*.

1. an established practice, custom, or usage.
2. the practices prevailing in a place; custom; inherited custom, tradition; civilized customs.
3. in the customary or traditional way; to be usual or customary.
4. (a) habits (of a community, generation, etc.) in respect of right and wrong; (b) such habits as a subject for study, ethics; (c) virtuous habits.
5. habitual conduct (of an individual or group); character; disposition; ways.
6. to regulate one's conduct in accordance with another's wishes, humor, indulge, or gratify (a person; also a feeling).
7. (a) manner of doing something, fashion, style; (b) in the manner of, like.

The first thing we can note is that none of these definitions or usages makes any explicit reference to religion. The second thing to note is that the principal modern-English language usages of both the adjective and the noun emphasize the notion of "right and wrong" more heavily than is the case of the Latin root. This reflects a split in English between the idea of "moral" and a broader context captured in the English word "mores":

mores, *n. pl.*; sing. **mos**, [L., customs.] folkways that are considered conducive to the welfare of society and so, through general observation, develop the force of law, often becoming part of the legal code.

It is worth noting that both "moral" and "mores" descend from the same Latin word. The terms distinguish between the two principal usages of *mos* by the Romans, although in order to see this clearly we need the definition of the term "folkway":

folkway, *n*. [ME., *folk*, *folc*, people, + way.] a way of thinking, feeling, behaving, etc. common to members of the same social group.

By having these nominal definitions laid before us, a sort of peculiarity can be noted. It is the word "mores" that describes common behaviors people expect of other people with such a stern level of expectation that the folkway "develops the force of law" and becomes associated with the welfare of the society. Yet one rarely hears anyone decry a "decay of mores in the country today." Instead, protestations of this sort are almost invariably stated as "moral decay." The distinction is perhaps a subtle one, but the meaning inherent in the vocabulary is significant. "Decaying mores" denotes that the tension-producing condition stimulating the protest is based on emerging

behaviors that the protestor regards as antithetical to the welfare of the society. To protest a "decaying of morals," on the other hand, is to denounce the behavior as *wrong* behavior because the root notion contained in the idea of "morals" is a notion of "right-and-wrong." It can and, of course, often is argued that that which is detrimental to the welfare of the society is wrong – an argument which thereby subordinates the idea of mores to the idea of morals as a special case. Inasmuch as "mores" (and folkways) denotes customs and habits, this raises the following issues: (1) what is it about a custom or a habit that becomes associated with ideas of right and wrong? (2) by what standard is "right and wrong" to be judged? and (3) who is to do the judging?

This places the ideas of moral behavior and moral codes squarely under some higher idea of right-and-wrong and, of course, the question of "what is right-and-wrong?" is one philosophers have fought over for centuries. However, it is unlikely that right-and-wrong would have ever become the debating point among philosophers it always has been if it were not for the fact that the question has loomed large in the general populace of communities and societies throughout history. Different communities and societies in different ages have dealt with the question in different ways and, as Mill once noted,

> There is a limit to the legitimate interference of collective opinion with individual independence; and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs as protection against political despotism.
>
>   But though this proposition is not likely to be contested in general terms, the practical question, where to place the limit – how to make the fitting adjustment between individual independence and social control – is a subject on which nearly everything remains to be done. All that makes existence valuable to anyone depends on the enforcement of restraints upon the actions of other people. Some rules of conduct, therefore, must be imposed, by law in the first place, and by opinion on many things which are not fit subjects for the operation of law. What these rules should be is the principal question in human affairs; but if we except a few of the most obvious cases, it is one of those which least progress has been made in resolving. No two ages, and scarcely any two countries, have decided it alike; and the decision of one age or country is a wonder to another. Yet the people of any given age and country no more suspect any difficulty in it than if it were a subject on which man-kind had always been agreed. The rules which obtain among themselves appear to them self-evident and self-justifying. This all but universal illusion is one of the examples of the magical influence of custom, which is not only, as the proverb says, a second nature, but is continually mistaken for the first. [Mill (1859), pp. 4-5]

Mill is correct in this historical assessment of how divers communities and societies have dealt with issues falling under the ideas of right-actions and wrong-actions. What some call "the moral issue" has been with us for all of recorded history and there is more than ample reason to think it goes even further back into the mists of prehistory. It is a speculation, but likely not an over-bold one, to suppose it is an issue that co-arose with the first formation of primitive tribes and was already a social issue when the first civilizations came into being.

The very diversity of "resolutions" provided in the record of history shows that the issue is one that *never* has been resolved in the sense of "being settled once and for all." Temporary solutions applicable to very restricted regions and populations have been obtained for awhile, but no permanent solutions have yet appeared. Some see this real lack-of-resolution in a pessimistic light, and it is not unknown in history for these pessimists to label it a sign of some "inherent evil in human nature." Other people of more optimistic outlook reject this presumption and speak instead of "innate good in human nature." And, of course, there are centrists who simply ascribe the appearances of human social nature to some "mixture of good and evil" in human character. All of this places the question, "What *is* 'moral'?" squarely at the center of all inquiry into the Idea

of the Social Contract.

As you perhaps already suspect, in addressing the three questions set out earlier any social-natural science must approach the issues beginning with our social atom – the individual human being. What is still not clear at this point is the question of whether or not it is practically possible for such an individualistic context to produce any objectively-valid *social* answer at all.

§ 3. A First Look at the Character of Moral Judgments

All judgmental opinions about actions, i.e. whether some specific action taken by a human being is held-to-be a "right-action" or a "wrong-action" in the opinion of the judge, stand under some notion of "good-and-evil." Every moral theory that has ever appeared eventually reduces to the question of "what is 'good' and what is 'evil'?" Conclusions of moral theories, and indeed the practical real explanation of "moral" itself, turn on how a particular theory decides on the question of good-and-evil. Although the destination at which we are aiming in the next few chapters is a *Realerklärung* of how to comprehend the idea of a "moral code" with objective validity, it is perhaps already evident to you that any such comprehension is going to have to deal with questions of good-and-evil.

I can easily imagine – indeed, I think it is highly likely – that some people reading these words are already feeling some sort of visceral reaction to them. I suspect these range from feelings on the one end describable as, "Oh, no, here comes some disgusting moralizing," to feelings on the other end describable as, "Who does this guy think he is to tell *me* what the difference is between good and evil? Why, the *nerve* of this guy!" If you happen to be feeling something like the former, relax and keep your lunch down. I'm not going to tell you what morals you ought to hold to or how you ought to behave. That's not up to me to decide for you. If you happen to be feeling something like the latter, chill out and put the pistol back in your holster. I'm perfectly willing to grant that whatever you think is "good" or "evil" *is*, and if you extend to me the same courtesy for awhile we'll end up getting along just fine.

About now, some up-to-this-point calm reader is sitting stiff in his chair and thinking, "Hold on! This guy's about to head off into some kind of moral anarchy!" No, I'm not. Moral anarchy is where humankind is already and has been for thousands of years. Some of your own reactions to the contents of the daily news pretty much point this out to you every day, assuming you bother to find out what the news of the day is. The subject is one for which, to borrow Mill's phrase, "nearly everything remains to be done." I don't like living with this state-of-human-affairs, and I suspect that somewhere down inside you don't like it either. The practical question is: "Can anything be done about it?" Well, let's see if we can find out.

Questions over "good-actions" and "evil-actions" wouldn't come up if individual human beings didn't take individual actions. After all, what is there to be affronted *about* if no one ever does anything? But we do and that's not going to change so long as humankind lives. If the *issues* come up in consequence of actions people take, doesn't it seem reasonable and logical to inquire into *how* people come to take the actions they take? If we understand the *how*, perhaps then we will also be able to understand the *why*.

Yes, I know: you've already thought about the *why* a lot, have formed some ideas about it, and some of these ideas are *convictions*. Isn't it astounding that not everyone shares them with you? How could they not if they are really human beings? Shall we say, like Hitler, that there are *Untermenschen* sprinkled among us, detectable by race or ethnicity or the shape of their heads?

> All the human culture, all the results of art, science and technology that we see before us today, are almost exclusively the creative product of the Aryan. . . [He] alone was the founder of all higher humanity, therefore representing the prototype of all that we

> understand by the word "man." He is the Prometheus of mankind . . . Thus, for the formation of higher cultures the existence of lower human types was one of the most essential preconditions . . . It is certain that the first culture of humanity was based less on the tamed animal than on the use of lower human beings. . . Blood mixture and the resultant drop in the racial level is the sole cause of the dying out of old cultures; for men do not perish as a result of lost wars, but by the loss of that force of resistance which is contained only in the pure blood. All who are not of good race in this world are chaff. [Hitler (1925), pp. 290-296]

Of course we won't. I don't think this and I'm confident you don't either. Of course, we both know there *are* people who do think this way. In the U.S. they're called "white supremacists" or, to cast a broader net and recognize that skin color is not really a factor in this kind of thinking, "racists." Is there something wrong with them, then? Are they degenerates of some kind and, therefore, not really human beings anymore? If we admit this, we are siding with Hitler after all – which we just decided not to do. I'm not one of Nietzsche's *Übermenschen* and I bet you don't really think you are either. If you did, you'd have stopped reading this book a long time ago.

Still, though, *couldn't* a person *make himself* some kind of "degenerate" by developing bad habits of acting and thinking? If we adopt *that* hypothesis we're disagreeing with the father of science, who wrote

> nothing that exists by nature can form a habit contrary to its nature. For instance the stone which by nature moves downward cannot be habituated to move upwards, not even if one tries to train it by throwing it up ten thousand times . . . nor can anything else that by nature behaves in one way be trained to behave in another. Neither by nature, then, nor contrary to nature do excellences[1] arise in us; rather we are adapted by nature to receive them [Aristotle, *Nicomachean Ethics*, II. i. 2-4 (1031^{a}20-25)].

To say a person degenerates himself is to say he starts off by being a human being and then turns himself into something else. But to say he can do that is pretty much the same as saying he has the power to act *unnaturally*. Once you say that, you've abandoned all pretense of approaching the question as a scientist.

Well, guess what? Here we are squarely back to metaphysics once again – and any metaphysic is "the way one looks at the world." If you have a strong latent talent for philosophy, and assuming you were paying attention in the earlier chapters, right about now you might be thinking, "Wait a minute now. Wells has claimed the only objectively valid kind of metaphysics is epistemology-centered, and he also said that Aristotle's metaphysics is ontology-centered. What sort of sophism is this, then? He conveniently brings in Aristotle to buttress an argument now?" Your question is valid, but it's not a trick. Why? Because in this sphere of metaphysics, *Aristotle admitted he had no ontology-based way to address questions of ethics and morality* and instead he reluctantly took up an epistemology-centered perspective. He tells us,

> Our discussion will be adequate if it has as much clearness as the subject-matter admits of; for precision is not to be sought alike in all discussions, any more than in all the products of the crafts. . . it is the mark of an educated man to look for precision in each class of things just so far as the nature of the subject admits; it is evidently foolish to accept probable reasoning from a mathematician and to demand from a rhetorician demonstrative proofs. [*ibid*., I. iii. 1-4 (1094^{b}12-25)]

It's fairly clear from his text that Aristotle wasn't too happy about having to effect this change of viewpoint and would have preferred to find a valid and ontology-centered explanation for ethics.

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[1] αρετή, moral excellence or virtue.

Yet nonetheless he realized he had no such viable option in hand. His statement that nothing that exists by nature can form habits contrary to its nature is *epistemological* because he knows that to say otherwise renders his ontological idea of nature internally inconsistent and incomprehensible:

> Of things that exist, some exist by nature, some from other causes. By nature the animals and their parts exist, and the plants and the simple bodies – earth, fire, air, water – for we say that these and the like exist by nature.

> All the things mentioned plainly differ from things which are not constituted by nature. For each of them has within itself a principle of being moved and of being at rest[2] – in respect of place, or of growth and decrease, or by way of alteration – but a bed and a coat and anything else of that sort as designated by name, i.e. insofar as they are products of art, have no innate tendency to change. But insofar as they happen to be composed of stone or of earth or of a mixture of the two, they do have such a tendency and just to that extent, which seems to indicate that nature is a principle or cause of being moved and of being at rest in that to which it belongs primarily in virtue of itself and not accidentally. . .

> Nature, then, is what has been stated. Things have a nature which have a principle of this kind. Each of them is a substance, for it is a subject, and nature is always in a subject. [Aristotle, *Physics*, II. i. (192^{b}8-34)]

Under Critical metaphysics, we cannot look *outside* the individual human being for "good" or "evil" because to do so is as much as to say, with Aristotle, that "nature" is a thing that *does* something to us, namely *causes* us to change and not change – an ontology-centered precept. This is nothing less than to deny that human beings are Self-determining agents of their own changes, which in turn is to render meaningless the Critical principle of *life*. We can, and indeed must, look for "good" and "evil" *in* the individual human being, but in such a way that does not contradict the life principle – which is to say we *cannot* look for it as some "alien nature" that *imposes* itself on the individual. "The devil made me do it" is not a scientifically valid argument.

However, because there are many of us, if we must look inside the *individual* human being for an understanding of "good" and "evil," then what we seek to understand must be understood in a context of something common to *all* people, i.e., something grounded in the Nature of being a human being. Here we encounter a very common fact of experience – namely that different people often disagree over whether something is "good" or "evil." Suppose you own a car and I am a car thief. I steal your car and get away with it. I'm willing to bet that *you* would regard this as an "evil deed," but *I*, on the other hand, regard it as a "good deed" because now I can get the money to pay for an operation to save my daughter's life. But now the police catch me and return your car to you. *You* regard that as a "good thing" but *I* regard it as an "evil thing." "Ah," you say, "but you are a car thief and therefore an evil person – a criminal. You must be punished." But I reply, "Now my sweet, innocent little three-year-old girl will die because *you* called the cops. You've killed her for the sake of your damned car, you *monster*."

See where this is going? Every one of us makes moral judgments and in most cases we each make them independently of how others judge the same situation. In a particular situation there can be some group of us who judge the situation in one way and others of us who judge the same situation in the opposite way. We'll look at some concrete examples taken from a psychological study that illustrate some actual cases in chapter 5. For the moment, my point is that apparently, as the Bard put it,

> There is nothing either good or bad but thinking makes it so. [Shakespeare (1601), II, ii]

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[2] The Greek *kinesis* ("motion") meant change of *any* kind, not merely change of position in space. "Rest" meant absence of change of any kind.

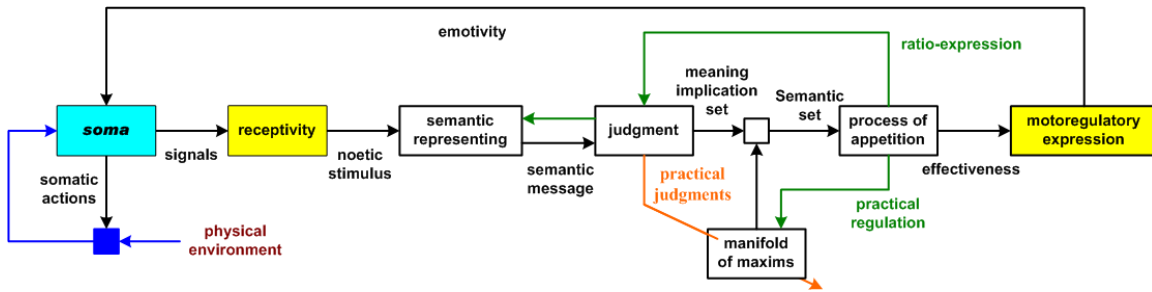**Figure 4.1:** Weaver's model of rationally Self-determined conduct.

§ 4. Weaver's Models

In the context of social situations a person makes judgments of the moral "good" or "evil" of another based on appearances of actions that the other person expresses. Sometimes this judgment assigns the "good" or the "evil" to the acting person himself, and at other times the judgment assigns this to the action he undertakes. For a social-natural understanding of moral judgments we must examine the mental physics of the processes involved. But because judgments nominally so-designated are just one variety of Self-determinations through judgmentation, to examine them is to examine the practical character of acts of Self-determination in general and then to sort through the reasons why one particular judgment is designated "moral" and another is not.

Obviously this is a complicated task, and we will continue to follow Aristotle's *dictum* of, in a manner of speaking, peeling back the onion layer by layer, beginning with what is easier to analyze and progressing from there deeper into the less exoteric levels of analysis. The vehicle for doing so is the mathematical model depicted in figure 4.1, which is called a Weaver's model. It is named for Warren Weaver, one of the early pioneers of the science of information theory, in recognition of a visionary conjecture he published in 1949:

> One has the vague feeling that information and meaning may prove to be something like a pair of canonically conjugate variables in quantum theory, they being subject to some joint restriction that condemns a person to sacrifice the one as he insists on having much of the other. Or perhaps meaning may be shown to be analogous to one of the quantities on which the entropy of a thermodynamic ensemble depends. I feel sure that Eddington[3] . . . would have been thrilled to see, in this theory[4], that entropy not only speaks the language of arithmetic; it also speaks the language of language. [Shannon & Weaver (1949), pg. 28]

Weaver conjectured that there was a deep connection between the new science of information theory and the problems of meanings and understanding. He posited that it might be possible for semantics (the science dealing with the topic of meanings in general) and information theory to somehow be combined. Indeed, in the early days of information theory there was a lot of hope and anticipation that the new theory would prove key to a better understanding of ourselves.

Weaver never did succeed in reducing his conjecture to practice. When one considers the philosophical Dark Age that was the 1950s and 1960s[5], this is not really too surprising. The synthesis he conjectured might be possible had to await the discovery of mental physics [Wells (2011a)]. The mathematical model of figure 4.1 is isomorphic to figure 3.2 in chapter 3, a mere

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[3] Arthur Eddington (1882-1944), British astronomer and physicist.

[4] i.e., information theory.

[5] The decade of the 1950s saw the high summer of logical positivism, a specious pseudo-metaphysic since repudiated by psychology. It was as fruitless and barren as (and a good deal less colorful than) New Age mysticism. The mathematical theory of semantics that developed in the 1920s-30s is an empty form.

mathematical rearrangement using what system theorists call a "similarity transformation." Note the presence of the function called "semantic representing" in this figure. **Critical semantics** is *the Critical Logic of combining cognitions and affective perceptions with expression to produce real meanings*. Hereafter, whenever I use the term "semantics" I mean Critical semantics unless I expressly say otherwise by prefacing the term "semantics" with some specifying adjective.

It is necessary at this point to introduce some technical ideas of Critical semantics in order to explain a Weaver's model. The technical rudiments of the theory are set out in Wells (2011b) with further mathematical exposition in Wells (2011c). It is, as you might guess, a fairly involved mathematical theory in itself. What I am providing here this present treatise is a summarizing of that theory. I refer those who wish to see more detail to the citations just given. What you will find there is the metaphysical connection of the idea of semantics to the mental physics of holistic organized being in the reciprocity of the *homo phaenomenal* and *homo noumenal* aspects of being a human being. Put less esoterically, Critical semantics is the organic doctrine of an organized phenomenon found in all empirical appearances where Critical life is properly said to subsist. A Weaver's model is a mathematical form of depiction of an Organized Being emphasizing the semantics aspect of Self-determination.

We saw in chapter 2 that all meanings are practical, i.e., the meanings of an object amount to what can be done with that object, either mentally or physically, by the Organized Being. This is a theorem of mental physics with which the results of experimental studies accord. The process labeled semantic representing in figure 4.1 corresponds to the synthesis of apprehension & apperception and the synthesis of imagination in the Organized Being structure of figure 3.2. The function is labeled semantic representing to denote that the sensuous perceptions the Organized Being is representing at any given moment in time are transformed and linked, by means of reflective judgment, to possible motoregulatory expressions of actions. In other words, sensuous intuitions *are made signifiers of meanings* by the processes of reflective and determining judgments. This is accomplished mediately through the concept of the intuition and the functions of determining judgment[6] that combine this concept with other concepts in the manifold of concepts and thereby provide it with a context. **Semantic representing** is the synthesis of an intuition that presents a semantic message.

A **message** is the persistent object of a succession of appearances for which the objective *nexus* depends on the comprehension of these appearances all in the same intuition. A **semantic message** is the *parástase* of a message that can be associated with emotivity and ratio-expression by a meaning implication. The action expressions to which perceptions are linked by reflective judgment constitute the **meaning implication set**. A **meaning implication** is a connective in the transcendental Logic of meanings of the following logical form: sensuous *parástase p* implies expression *q* if one meaning *m* of *q* is embedded in the meanings of *p* and if this meaning *m* is transitive[7]. A **meaning** *m* is the assimilation of an intuition (and the affective perception that co-exists with its representation in sensibility) into an action scheme[8]. From this it follows that cognitive intuitions[9] in sensibility are *made to be* formally expedient for a purpose of Reason in the representing of an object of appearance according to the manner in which the *parástase* is congruent with the manifold of practical rules in pure practical Reason.

Every meaning implication in a meaning implication set is expedient for some purpose of Reason, but that does not mean all of them are expedient for the same purpose of Reason.

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[6] These functions are called the categories of understanding [Wells (2009), chap. 5].

[7] An implication is transitive if and only if [(*A* implies *B*) AND (*B* implies *C*)] implies [*A* implies *C*].

[8] A scheme is that which can be repeated and generalized in an act or an action.

[9] By "cognitive intuition" I mean an intuition in which the intuition contains *materia in qua* obtained from concepts. For more detail on this refer to Wells (2009) chapter 5.

Practical purposes of Reason subsist in Reason's empirical manifold of rules. A subset of a meaning implication set associated with a particular submanifold in the manifold of rules is called the **Semantic set** of that submanifold. This set consists of those meaning implications that are specifically regulated and delimited by specific practical maxims in the manifold of rules.

The process of appetition synthesizes a *parástase* of a Self-determined practical appetite. In effect, an appetite presents an assimilation of perceptions as a Self-determined practical purpose and immediately regulates emotivity (through motoregulatory expression in *psyche*). It can *also* produce Self-regulated accommodations in the Organized Being's manifold of concepts (through ratio-expression by speculative Reason) and in the manifold of rules (by acts of practical judgment). In figure 4.1 this is denoted by the terms **effectiveness** for motoregulatory expression, **ratio-expression** for accommodation of the manifold of concepts, and **practical regulation** (under the categorical imperative) for accommodations made in the manifold of rules.

Finally, the function denoted by *judgment* in figure 4.1 represents the co-determined acts of all three of the Organized Being's processes of judgment in *nous* – practical, determining, and reflective. The first of these acts upon the manifold of rules, the latter two on the synthesis of apprehension and apperception in sensibility. And, of course, reflective judgment produces impetuous *parástase* for motoregulatory expression (which are subsumed in the figure within effectiveness). The manifold of concepts and the manifold of Desires are not explicitly depicted in figure 4.1 but are implicit within the judgment block. Depiction of the manifold of rules is made explicit in the figure because it is with this manifold that our considerations in this chapter are specifically concerned.

My purpose in presenting the above exposition and explanation of figure 4.1 is to "paint the big picture" for you of "what is mentally happening" in an Organized Being during its Self-determinations. It is for this reason that my exposition here is presented at a fairly abstract and "high level" of explanation – to be less kind to myself about it, it is what Richard Feynman might have labeled "a vague explanation." A criticism of it on this account of the type Feynman used to use in criticizing empirical psychology[10] is, however, not-a-fair-criticism in this case because underpinning the abstract portrait painted here is the entire body of mental physics theory, where the detailed fundamental principles are housed. You would be quite right to demand to see the formal arguments that back up what I have presented here, but if I were to present them to you in *this* treatise, the thick foliage of mathematical details would completely obscure the major *practical* understanding you need to understand the social-nature of social contracts – which is, after all, the topic of this treatise. In place of doing a Whitehead-and-Russell-like exercise in abstract mathematics[11], I am instead going to present some empirical examples to you a little later. This, it seems to me, is a better pedagogy and conforms to a maxim, with which I agree, that Maxwell first presented to scholars studying the then-new theory of electromagnetism:

> I have confined myself almost entirely to the mathematical treatment of the subject, but I would recommend the student, after he has learned, experimentally if possible, what are the phenomena to be observed, to read carefully Faraday's *Experimental Researches in Electricity*. He will find there a strictly contemporary historical account of some of the greatest electrical discoveries and investigations, carried on in an order and succession which could hardly have been improved if the result had been known from the first, and expressed in the language of a man who devoted much of his attention to the methods of accurately describing scientific operations and their results. It is of great advantage to the student of any subject to read the original memoirs on that subject, for science is always most completely assimilated when it is in its nascent state [Maxwell (1873), 1. xi].

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[10] cf. Feynman (1965), pp. 157-160.
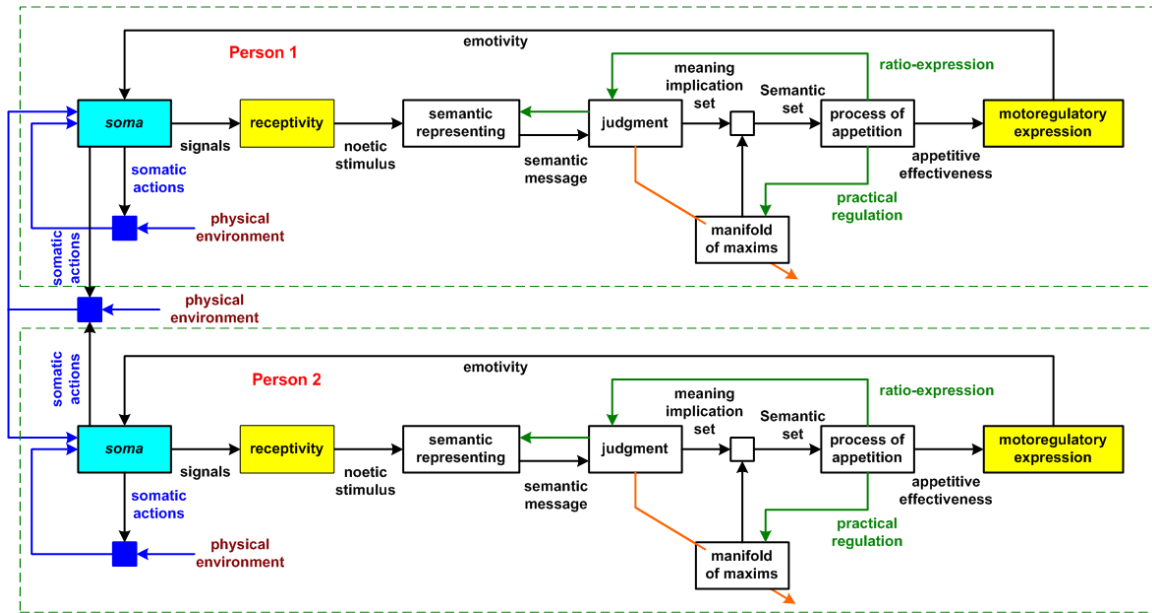[11] i.e. Whitehead & Russell (1910-1913).

Figure 4.2: Weaver's model of two-person interaction.

In this *dictum* Maxwell is as much as saying that upon entry into a science the scholar obtains a better understanding of its topic by first becoming acquainted with the phenomenal teachings of experience rather than by first endeavoring to assimilate the more remote rationalisms of formal theory. Mathematics is a language for saying things precisely, but what good does a facility in the language do for a person who doesn't yet grasp the context of the conversation? Modern science education has evolved into a practice of teaching from the rationalist-latter approach, but I've tried it both ways over the decades and have found the practical superiority of Maxwell's *dictum* to be immense. And, besides, mental physics also says this tactic is the superior one. We all learn *from* the particular *to* the general.

When we compare figure 4.1 with figure 2.3 in chapter 2 (the social-natural environment) and regard the vertices in the latter as each representing a single individual person, the structure of figure 4.1 corresponds to a single vertex in the graph of figure 2.3. I noted in chapter 2 that a vertex in figure 2.3 would be mathematically described by some system of equations but I did not say where these were to come from. I now say that these equations are descriptions of the system presented by the Weaver's model of figure 4.1 and come from the mental physics of the individual's processes of Self-determination. Yes, of course: obtaining this description is easier said than done. Nobody ever said science was a trivial undertaking, but the issue is not different in kind from those faced in any field of science nor more inherently intractable to the systematic methodology of model-order-reduction / scientific-reduction sketched out in chapter 2.

Figure 4.2 above illustrates how Weaver's models are employed in the context of social situations. The figure illustrates the simplest extension, namely to a two-person SNE graph. Note how in this figure the physical environment has a threefold depiction: there is what we can term a local interaction between the person and his physical environment (one for each person); there is also what we can term a *common interaction* depicted by those phenomena of the physical environment which, combined with some of the phenomena of somatic actions by the persons, produces effects co-acting on *all* the persons. That part of the common interaction due to the combination of the individuals' somatic actions gives rise to the arcs (e.g. A_{12} and A_{21}) in figure 2.3. But in addition, the common interaction is also affected by physical environment factors not due to the individuals themselves. In chapter 2, I called the representation of this *global* effect *the*

field equations. Field equations represent the persons' ***common external sensuous circumstance***.

☐ If you don't have much experience with physical-natural science, I wouldn't be surprised if you find the picture I am painting here to be a bit intimidating at this your first meeting with it. The less personal experience you have with physical-natural science, the more sublime all this might *seem* to be. It's okay to feel apprehensive about it if you do not permit apprehensiveness to mount up to a panic. Remember that the Romans figured out how to *engineer* bridges, roads, aqueducts and some *very* impressive monuments and buildings while at the same time living as one of the most *scientifically* ignorant societies history has ever seen. For example:

> It is an established fact that at the age of three a person's height is one half what it will finally reach. It is obvious, however, that the whole human race is becoming shorter day by day and that few men are taller than their fathers. When an earthquake split open a mountain in Crete a body more than 70 feet tall was discovered, which some people thought was that of Orion, others of Otus. According to historical records, the body of Orestes, which had been exhumed on the orders of an oracle, was over 10 feet tall. . . . There are examples of keen eyesight that surpasses one's wildest belief. Cicero states that a copy of Homer's *Iliad*, written on parchment, was kept in a nutshell. He also mentions a man who could see a distance of 135 miles. [Pliny the Elder (*c*. 77 A.D.), VII, 73, 85]

One wonders what by-then-long-dead Cicero might have had to say about the statements Pliny puts in his mouth. Pliny's book, with all its absurdities, was used as an authoritative science textbook in medieval Europe from the 13th until the 16th century. It stands today as a lasting monument to Roman ignorance. The Romans made up for their profound scientific ignorance by their practical determination to succeed. Are *you* more ignorant than a typical Roman? It's hard to see how that could be possible unless you are an ancient Spartan or a chimpanzee.

My point is: *none* of the social sciences are currently constructed as social-natural sciences. If, metaphorically, their *re*construction *into* social-natural sciences involves harvesting some timber and quarrying some stones first . . . well, this is the sort of way in which experience is gained; the Coliseum was not built before the ax, the hammer and the chisel were developed. And chopping down a tree isn't nearly as intimidating a task as building the Coliseum. The *esoterica* of modern physical-natural science and mathematics isn't remotely as esoteric in reality as modern curricula and modern science-and-mathematics pedagogy work to make it appear. The fault, dear Brutus, is not in science or math *per se* but in the humanely-*un*natural way they are taught.

Furthermore, the ax, hammer and chisel for social-natural science already exist. I mentioned them in chapter 2; they go by the name ***embedding field theory*** [Grossberg (1968, 1969, 1971)]. Embedding field theory was originally developed for application in mathematical brain theory – also known as neural network theory. That its reach covers more general problems in knowledge representation and semantics has been more recently shown [Wells (2011c, 2011b)]. It is true that the mathematical expressions developed for embedding fields are presently phenomenological rather than deducible from "$F = ma$ –like first principles" and are likely to remain so for some number of years to come. There are those habituated to dislike and dismiss phenomenological approaches in science. But, as we saw Feynman tell his students in chapter 2, at some level of description *every science, including all the physical-natural sciences, is phenomenological* because "first principles" of empirical science are not derived but, rather, *guessed at*. A good guess with predictive power that covers a wide range of phenomena gets called a scientific discovery. Feynman, a Nobel laureate in physics, said,

> In general we look for a new law by the following process. First we guess it. Then we compute the consequences of the guess to see what would be implied if this law that we guessed is right. Then we compare the result of the computation to nature, with experiment or experience, compare it directly with observation. If it disagrees . . . it is wrong. In that

simple statement is the key to science. . . It is true that one has to check a little to make sure it is wrong, because whoever did the experiment may have reported incorrectly, or there may have been some feature in the experiment that was not noticed, some dirt or something . . . These are obvious remarks, so when I say it disagrees with experiment it is wrong, I mean after the experiment has been checked, the calculations have been checked, and the thing has been rubbed back and forth a few times to make sure that the consequences are logical consequences from the guess, and that in fact it disagrees with a very carefully checked experiment.

This will give you a somewhat wrong impression of science. It suggests that we keep on guessing possibilities and comparing them with experiment, and this is to put experiment into a rather weak position. In fact experimenters have a certain individual character. They like to do experiments even if nobody has guessed yet, and they very often do their experiments in a region in which people know the theorist has not made any guesses. . . In this way experiment can produce unexpected results, and that starts us guessing again. . . .

You can see, of course, that with this method we can attempt to disprove any definite theory. If we have a definite theory, a real guess, from which we can conveniently compute consequences that can be compared with experiment, then in principle we can get rid of any theory. There is always the possibility of proving any definite theory wrong; but notice that we can never prove it right. . . In the future you could compute a wider range of consequences, there could be a wider range of experiments, and you might then discover that the thing is wrong. That is why laws like Newton's laws for the motion of planets last such a long time. . . We are never definitely right, we can only be sure we are wrong. However, it is rather remarkable how we can have some ideas which will last so long. [Feynman (1965), pp. 156-158].

I remind you that we must regard "experiment" in the proper context, namely as we saw Bernard explain it in chapter 2. The physical-natural sciences tend to enjoy simpler circumstances than do, e.g., economics or education. In most sciences the guesses that have to be employed are rather more elaborate than those typically dealt with by physicists or chemists and it is much more difficult to ensure that no "Feynman's dirt" has corrupted the experiment-experience-observation portion of the science. That is what, for example, the engineering sciences are implicitly recognizing when engineers use such terms as "the state of the *art*" or "the *practice* of engineering." There is a great deal of truth in that fine old aphorism, "Practice makes perfect." It does no harm except to personal hubris to remember that at one time *all* the practices we now call the empirical sciences were known as "the technical arts." You cannot be a significant scientific contributor if you are not also to some degree an artist. Embedding field theory even makes a virtue of the artistic guess – compute consequences – compare-with-experience process by means of its method of minimal anatomies, which I mentioned also in chapter 2. All of this is what Holton sought to capture in his mnemonic diagram, figure 2.5 in chapter 2. ☐

Now let us get back to talking specifically about Weaver's models. In figure 4.2 we should note that there are three fundamental Critical Relations[12] we must consider. The first pertains to Self-determination according to factors of past personal experience that have gone into the person's construction of his manifold of rules. This is called an ***inner Relation*** and is well described by saying it is Relation according to the *personality or personage* of the individual. The second pertains to Self-determination according to present factors, in what I earlier called the *local* environment of the individual, that affect the individual (figure 4.2). This is called an ***external Relation*** and is well described by saying it is Relation according to the *situation of the person*. More specifically, external Relation pertains to what I have been calling "dead matter" or *physical* factors. The third pertains to Self-determination according to factors specifically

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[12] A Relation (capitalized) is the form of *nexus* in knowledge representation and is a technical term in Critical metaphysics proper [Wells (2009), chapter 2].

involving *global* field effects mutually affecting the individual *and* other people. This Relation is called the **transitive**[13] **Relation**. It is well described by saying it is a *reciprocal* Relation involving each person according to what the situations of other persons are [Kant (1788), 5: 66-67].

Which of these three types of *behavioral*-level Relations is pertinent with regard to a specific individual in a particular social situation is determined by the form of *nexus* in that person's manifold of rules. We will see later that the type of Relation involved in a particular social situation is a fundamental determiner of how the individual will act. This brings me to the second aspect of figure 4.2 we must note. In *every* instance, how a person is going to act is determined by his manifold of rules and practical judgments he makes concerning his impetuous Desires.

The process of semantic representing is said to stimulate, through judgment, the application of rules, maxims, or hypothetical imperatives in the manifold of rules. If there is at present nothing in the manifold of rules by which to judge a particular *parástase* of Desire in reflective judgment's manifold of Desires, then the individual is said to act impetuously on sensuous grounds in sensibility. The character of Self-determination in this case is what Kant called the *arbitrium brutum* ("brutish choice") of the person's *Willkürsvermögen* (capacity for Self-determined choosing). On the other hand, if a presentation in the manifold of Desires is vetoed by something in the manifold of rules then the person's Self-determination is not grounded in sensuous sensibility but, rather, in his own previously Self-constructed practical maxims and imperatives. The character of Self-determination in this case is what Kant called the *arbitrium liberum* ("free choice") of the person's *Willkürsvermögen* [Kant (1794-95), 29: 1012-1016]. He called it by this name because the act of determination is not *bound* by sensuous stimuli and impetuous reflective judgment even though both are *partial causes* (factors) in the determination.

To understand the nature of social compacts, we must examine Self-determination and the characteristics of the determinations bound by the legislative structure of the manifold of rules. This we begin to take up in the next section.

 There is a great deal of ontology-centered nonsense that tends to erupt whenever a phrase like "free choice" is introduced. On the one side, we have mystics and spiritualists who wax poetic over occult qualities of "the spirit" or "the soul." Rather ironically, they are joined in a sort of alliance of occultism by fellow-travelers who go by the misleading label of *scientific materialists*. These are people who prefer to banish all ideas of "spirit or soul" (because these are ideas of the supernatural) and instead invoke the occult quality of a god of probability. They do this by speculating that a person's behavior is "stochastic." In other words, they *reify* the idea of a probability by using it in a claim that behavior is *caused* by a probability distribution – apparently without the least recognition that this, too, is a supernatural idea for the very reason that it violates a fundamental *empirical* principle of causality: *in mundo non datur casus* ("chance is not given in the world" of real experience)[14]. Perhaps the reason god-of-probability-theory is not recognized as the religion it is has to do with the fact that historically it has always celebrated mass in the language of pure mathematics rather than in Latin. However that may be, it is still a tower of babble and a probability-*determined* event is still a miracle.

On the other nonsense side we have the Automatists. These people are also materialists but they commit a different ontology-centered fatal blunder. In their case it stems from an ontology-centered prejudice once known as "strict determinism" – a metaphysical speculation that descends

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[13] The word "transitive" is not used here by mental physics in the context of a mathematical transitive relation. Instead it denotes some mutual or reciprocal factor of Relation between two or more objects. When you read "transitive relation" the context is mathematical; when you read "transitive Relation" it is metaphysical and epistemological.

[14] Empirical psychology confirms this. Studies show that the ideas of "chance" and "probability" *develop* as childish yet rational ideas that serve to re-store and improve equilibrium [Piaget & Inhelder (1951)].

from the ancient Stoics. Now, a system theorist will and must say that the Self-determinations of an Organized Being are "state determined." But what does it mean to say something is "state determined"? We have already encountered the epistemologically correct analysis of this in chapter 3 when I discussed the topic of causality and Margenau's analysis of it. Strict determinism stems from an invalid presumption of one-sided causality, namely an ontological notion of physical causality based on *improper* definitions of system state.

Where the Automatists commit their error is in refusing to recognize that the living human being is, epistemologically, *his own determining cause all by himself*. The Automatist does not accept this because he sees in it the introduction of Aristotelian "final cause" and dogmatically rejects teleology in every and all form. But if *I* am not the agent of my own determinations, then we must peer beyond the *I* of transcendental apperception (which, in fact, is the only *certain* knowledge each one of us, individually, really has) to find some "efficient cause" located in some not-me part of nature that determines *me*. This, however, is to say that nature is some *thing* that does something to me and does it in a role that Aristotle used to call "an unmoved prime mover" [Aristotle, *Physics*, VIII. iv-x (254^{b}7-267^{b}25)]. Ontology-centered Aristotle was forced to deduce that this "unmoved primer mover" could not reside in living things as part of their nature[15] (therefore cannot be something "in me"), and once this deduction is reached where else is there for it to be but not-me? This started Aristotelian metaphysics on the road to what is today regarded as Aristotle's peculiar brand of theology, a theory sufficiently vague and confusing that Aristotle scholars are still arguing to this day over what the man was saying.

The Stoics, however, had no difficulty finding a name for this occult thing. They called it "the Fates" and incorporated the idea into the central core of their materialist pseudo-metaphysics: "The Fates guide the man who wishes to be guided; the man who does not wish to be guided they drag along." From this premise came their well-known doctrine of apathy [Marías (1967), pp. 90-94]. Our modern Automatists hold with what is *in its essentials* this same view. Although they are careful to never use the term "the Fates," they are as guilty as the Stoics of violating another fundamental principle of causality, namely, *in mundo non datur fatum* ("fate is not given in the world" of real experience). Pierre Laplace is probably history's most famous scientist-spokesman-apologist for Automatism.

What is the epistemological – which is to say, the Critical – resolution? It is almost disappointingly simple. In an Organized Being *nous* and *soma* are inseparably bound by animating principles of thorough-going reciprocity. The human capacity for pure Reason is the master executive and regulator of all non-autonomic actions, and this regulator is bound by a fundamental law of *nous*, namely, the categorical imperative of pure practical Reason. The Self-determinations that are empirically possible are limited by the capacities of *soma* and these limitations are reciprocally limitations of *nous*. (I still cannot choose to make myself grow younger). In the making of Self-determinations, we must reckon not only with motoregulatory expression in *psyche* but also ratio-expression through speculative Reason. The process of Self-determination is an on-going process of adaptation (equilibrium between assimilation and accommodation) *in an open system* of transformations and capacities. State-determined we are, but it is the state-determination of an open system capable of Self-evolving insofar as noetic capacity serves to *extend* somatic capabilities.

This is not determinism in the Automatist context of determinism but, rather, in Margenau's

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[15] The reason is because if it were "in my nature" to contain in me an unmoved prime mover then I could choose to make myself grow old *and* I could choose to make myself grow young – and the same for every other change I experience in my *Existenz*. I don't deny I'd like to have the option; I miss playing baseball and competing in other varieties of athletics I enjoyed as a boy. But choosing to realize a second boyhood isn't something I have the power to do and so it really isn't up to me. But not *because of* Fate.

objectively valid context of causality that was discussed earlier. In this context, "free choice" means nothing more and nothing less than that Self-determination is bound up in thorough-going *nous*-*soma* **reciprocity** and not with fatalistic somatic determinants by themselves or with any specious unmoved prime mover external to our individual Selves. It is not incorrect to say each of us is "a limited free agent." There are actions we each have a *natural liberty* to undertake and other actions, such as flying by flapping our arms, we are *not at liberty* to do.

Some might object that to posit the categorical imperative in the role of the fundamental law of Self-regulation as I do here is an idea no different in essence from Aristotle's unmoved prime mover. This is not so. For Aristotle the *Existenz* of the prime mover was the *Existenz* of a substantial thing (prime mover as a substance). Mental physics calls an object of this class a *Sache*-thing. An idea of a *Sache*-thing is an *ontological* idea. In Critical epistemology **the** *Sache*-thing is the whole and undivided human being. The mathematical principle of the categorical imperative is not the idea of a substance but, rather, that of the Organized Being's *power* to determine the expression its own accidents of appearance. This is not the idea of an ontological thing but, rather, what mental physics calls an *Unsache*-thing and, more specifically, a **Kraft** [Kant (1783), 29: 769-771, 822-825]. The categorical imperative is *manifested* in empirical experience *as* a law of equilibration. Causality is the notion of a determination of a change by which the change is established according to general rules. The practical categorical imperative is posited *as* the acroamatic fundamental rule, and it is in this context and no other that it is regarded as the primitive fundamental law of causality in a human being. ☐

§ 5. The Idea of Deontological Ethics

Because practical Reason's manifold of rules is Self-constructed from experience, every maxim and hypothetical imperative it contains is contingent. Newly experienced events can and do lead to accommodations of the Organized Being's practical rule structure by acts of practical judgment. Simply put, even a practically hypothetical imperative perched at the top of the manifold of rules is maintained in that exalted position only so long as its invocation does not lead to actual outcomes that produce disturbances of the Organized Being's state of equilibrium or that fail to restore a state of equilibrium. So long as such an imperative *is* maintained, acts of reflective judgment, in presenting the manifold of Desires, that cause its invocation stimulate actions determined by the imperative and its understructure of practical maxims. If you do something that stimulates an affective triggering of one of the practical hypothetical imperatives another person holds in his manifold of rules, you *will* arouse a response from that person – and if you have failed to correctly anticipate what the character of that person's imperative might be, his action can be very different from any action you do either expect or desire.

There is an American colloquialism that captures the flavor of this: "pushing someone's buttons." The phrase usually gets used when something that happens in some social situation is followed by some surprising response by the person whose button is said to have been pushed. It is also often the case that this response is regarded by other people as "inappropriate." The sorts of "button pushing" that tend to get noticed and commented upon are usually ones that "push the button" of a practical hypothetical imperative or one of the higher-placed practical maxims. It is not an uncommon occurrence that even the person "whose button was pushed" is surprised and puzzled *ex post facto* by his own actions that he took "in the heat of the moment."

Note, however, that the latter is something that occurs *after* the fact. Indeed, if the situation is one where the latter appearance is clear to other observers it will most often indicate that the actor is going through a secondary phase of disequilibrium – so-called "cognitive dissonance" – and his later actions put on display an effort he makes to abolish that *secondary* disequilibrium. One often observed class of actions of this sort is called "rationalizing one's deed." There is also a most-

often-observed means of achieving it, exhibited when, for example, the actor announces something like, "It wasn't *my* fault. *He* asked for it." Such a case is indicative of a re-equilibration by means of accommodating the manifold of *concepts* – in which case the rationalizer is acting in a manner that *preserves the standing* of the practical imperative or maxim in the structure of his manifold of *rules*. Bound up as directly as it is to the categorical imperative of pure Reason, the structure of a person's manifold of rules is the individual's *parástase* of Critical **value per se**, and this **practical value structure** is of the highest practical importance to the individual [Wells (2009), chap. 10]. High-positioned practical imperatives and maxims tend to be conserved because the structure of rules they represent has been represented with the practical aim of legislating a *system* of practically-universal *law*. Deontologically, it is not a moral puzzle that usually each party to a dispute regards himself as being "in the right" and the other as being "in the wrong," and not much of a puzzle if neither party will admit any possibility that the other party might be at least a little bit right. This particular character of personality is an exhibition of something we will talk about in chapter 5, namely *lingering moral realism* in the adult.

A rationalizing action is also a clue that the person might be legislating a new maxim in his rule structure, one that might well be verbalized as "If he asks for it, give it to him." The *concept* in such a case is merely a cognitive signifier of "he asked for it." The practical *meaning* of such a concept is that when he presents it to himself as an intuition, the intuition is tied indirectly to the rule structure as a stimulus via the manifold of Desires. If a cognized stimulus is sufficient, the actor *will* "see to it that he *does* get it." This type of accommodation in the manifold of rules points out two things. First, the manifold *is* adaptable. As rigid as a person's individual value structure might be, it is still a contingent structure. Second, although it is subject to being accommodated, when the Organized Being makes an accommodation in it he does so in whatever manner he can find that changes the structure the least. It is not overly romantic to say, "Not only is pure practical Reason *impatient*; it is also *stubborn*." In the language of neural network theory, this is called the minimum disturbance principle or MDP.

Theoretically-moral maxims and imperatives in a person's manifold of *concepts* can in one way be said to be more contingent than the rules in the manifold of rules. Making an analogy, the MDP produces a "plastic" manifold of concepts, but it is a "soft plastic" and "yields" before the "harder plastic" of the manifold of rules does. Basically, if a person can restore his state of equilibrium by finding some accommodation of the manifold of concepts that preserves his manifold of rules, that is precisely what he will do. It is only when he cannot find a suitable cognitive accommodation expedient for equilibration that he will then resort to making an accommodation of the higher-placed maxims and imperatives in the manifold of rules. Again, this conservative character of the process of judgmentation is a mere exhibition of the fact that the manifold of rules is constituted as a legislated *system* of laws of behavior. The practical rule structure is a *necessitated* structure – that is, one that is *made necessary* by the person himself and is not a structure for which its *specific* form can be said to be *intrinsically* necessary *a priori*.

This is an important distinction. In an interesting and illuminating series of experiments, Piaget and his collaborators made the following empirical findings concerning the human-Nature of the notion of necessity:

> The principal results of the present research can be summarized in the following three points: (1) Necessity pertains to the compositions carried out by the subject and is not an observable datum inherent in objects; (2) it is not an isolated and definitive state, but the result of a process (necessitation); and (3) it is directly related to the constituting of possibilities that generate differentiations, whereas necessity is related to integration – hence, the two formations are in equilibrium. . . .
>
> In short, necessity does not emanate from objective facts, which are by their nature merely real and of variable generality and therefore subject to necessary laws to a greater

or lesser extent. They only become necessary when integrated within deductive models constructed by the subject. The necessity of *p* can thus not be characterized only as the impossibility of not-*p*, since new possibilities can always emerge, but must be described in Leibniz's manner as the contradiction of not-*p*, and this relative to a specific, limited model.

[A normative principle] at the base of the necessitation process, and one having axiomatic validity, would be: "It is necessary that necessities exist," without specifying what they are. But why do there have to be necessities? It is because without them thinking would constantly contradict itself, if it retained all prior assertions, or would get lost in Heraclitean flux, if it forgot or neglected them. And since thinking is always in development it cannot do otherwise, if it is to avoid these two problems, than to integrate the past within the current state. Such integration, once complete, is the source of necessity.

But this only moves the problem one step back: where, in turn, does this need for integration come from? . . . Unlike similarities . . . which tend to be absolute (as in identity), dissimilarities are never complete: no matter how different two real or conceptual entities are, they still have certain analogies as empirical or cognitive objects. Inasmuch as similarities lead to assimilations and dissimilarities to accommodations, the latter relations are subordinated to the former as accommodations are to assimilations. . . .

Stated more simply, the assimilatory schemes cannot function in isolation. Their constant need to find new inputs must lead to coordinations, which we characterize in terms of their mutual assimilation. These compositions, and not the initial individual constructions, ensure the integrative process.

We thus define as necessary those processes the composition *C* of which cannot be negated without leading to a contradiction. It is obvious, and this confirms the role of assimilation, that only the subject's own actions (or operations) permit this verification of the contradictory nature of not-*C*. . . . In particular, the complete integration of the past within the current state, which is a condition for logico-mathematical necessity, can only be inferential in nature, as opposed to other subject activities such as the modification of habits (a new habit only retains a more or less limited portion of preceding ones).

Being closely allied to integration, necessity thus consists in an auto-organization *causa sui*[16]. It is not an observable datum in the real world. It is a product of systematic compositions that involves a dynamic of necessitating processes rather than being limited to states. [Piaget (1983), vol. 2, pp. 135-137]

The findings here are congruent with the laws of mental physics. The process to which Piaget refers is known in mental physics as the ***motivational dynamic*** [Wells (2009), chap. 10] and it subsists in what is called the *cycle of judgmentation* (see figure 3.2, chapter 3).

Conceptualized theoretically-moral maxims and imperatives are only speculative ideas, and although one might tend to assume that they "mirror" of the contents of the manifold of rules this is generally untrue. They do "reflect something" in the manifold of rules, but the structure they reflect and the concept structure that is said to reflect it in the manifold of concepts are utterly different. The process of pure Reason knows no ontological objects and feels no feelings. The construction of the manifold of rules does not serve cognitions or Desires; *they are made to serve it*. The process of pure Reason is the supreme executive faculty in the phenomenon of mind and it rules *absolutely* over all the non-autonomic actions of the Organized Being. It answers to, and only to, a single fundamental ***mental*** law, the law of equilibration (i.e., the categorical imperative of pure practical Reason). This is *why* the fundamental principle of causality in human Nature is a principle of *teleological* causality[17]. It is also why all social-natural sciences *must* be based on

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[16] "for its own sake"; the Organized Being auto-organizes "for the sake of Self-organizing."

[17] The word "teleological" comes from the Greek word *teleos*, an end, and it means "having to do with the fact or quality of being directed toward a definite end or of having an ultimate purpose, especially as

teleological causality rather than physical causality if they are not to be made *unnatural* rather than natural sciences.

If we say – as I *do* say a little farther down – that the manifold of rules or some submanifold therein constitutes a *de facto* moral code of some kind, there are two aspects of this that are of the most fundamental importance to the metaphysic of the Social Contract. The first is this: Because the construction of the manifold of rules is powered by experience, and because no two people ever acquire exactly the same experience, **each person's practical moral code is unique to the individual**. No two are ever exactly alike. This does not mean the different practical moral codes are *utterly* different. The very fact that people grow up within some sort of community or in the company of some group of other people ensures that the individuals in such a group are exposed to some degree of commonality or similarity of experience. This is sufficient to ensure that among these individuals there will be some significant degree of similarity in their moral codes. This is a fact long noted by sociologists and cultural anthropologists.

The second aspect is this: Because pure Reason is a cognitively dark and affectively cold mental faculty, **no trace of ontology exists in a person's practical moral code**. Such a moral code can only be called **de-ontological** (without ontology). It is true that almost every person's *concept* of his own moral code is heavily laced with ontological ideas and prejudices. It might in fact be true that *every* person's concept of his moral code is theoretically-ontological unless he is assisted by education to understand his own deontological practical Nature. Every child begins life as a naive realist, and this fact all by itself is enough to ensure that his eventual conceptualization of moral ideas and his habits of making cognitive moral judgment will be ontology-centered. We will see this in more detail in chapter 5 when moral realism is discussed.

It is in fact the case that the large majority of people conceptualize their moral ideas predominantly in one of two basic ways (allowing for a degree of cross-mixing). The first class is called *consequentialist ethics* by moral theorists; the second class is called *virtue ethics*. Both classes are ontology-centered. Neither is objectively valid under the principles of mental physics. To say this is to say both consequentialist ethics and virtue ethics are *real misconceptions* of human moral Nature. It is also to say that it is not correct to call someone a "hypocrite" if his actions gainsay his own concepts of moral correctness. Every person, without exception, *always* obeys his own deontological *practical* moral code because to do so is to do nothing more and nothing less than respond according to his own manifold of rules. "Feelings of guilt" arise as nothing else than a cognitive dissonance discovered when one's theoretical *idea* of a moral precept is contrary to one's *actual* practical precept. "Feeling guilty" doesn't *really* imply any actual *practical* "guilt." It merely implies that one does not *in fact* understand one's own practical Self – and if you discover such a lack of Self-understanding, your *lack* of it *is* held-to-be a practical moral fault by cold, dark practical Reason *because* the cognition triggers a loss of equilibrium in your own state-of-being. We will see a few actual examples of this next chapter.

I have a small number of friends who are (or would be if we talked about it) horrified by what I have just written. Not an uncommon affective reaction is one that amounts to saying, "You are saying ethics and morality is nothing but a sham!" No. I'm not saying that at all. I *am* saying that people don't understand what *natural* ethics and morality are. Even people who psychiatrists label as having an extreme antisocial personality disorder – for example, a serial murderer – have and follow a private practical moral code of their own. It just happens to be one that is totally contradictory to the general moral orientation most of the rest of us have built for ourselves because **most of us are practically habituated to behaving within behavior limitations engendered by some sort of social compact** that was part of the social situation we grew up with and a part of the social-environment we experienced.

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attributed to natural processes."

I remind you at this time: I began this chapter with a reader-discretion advisory. Moral realists, please take note of this.

If I may be permitted to use the word for sake of brevity, the "motto" of consequentialist ethics can be, and sometime is, phrased, "The ends justify the means." Consequentialism can trace its Western theory-formalism to the Epicureans of Hellenic Greece. It *reifies* "the good" as being an entity of some kind or in an entity of some kind – namely, "the end" to be achieved. It is for this reason an ontology-centered theory.

The "motto" of virtue ethics can be and sometimes is phrased, "Virtue is its own reward." In virtue ethics no "end" can be good if bad (immoral) means are used to achieve it. Virtue ethics, in its Western forms, is a lineal descendent of the Stoics of Hellenic Greece. It, too, reifies "the good" to be some kind of entity – "virtue" – and, likewise, is therefore ontology-centered.

Both systems demonstrate that they are frail wicker shields for defending oneself against the bronze-tipped spears that occasionally appear during the process of living out one's *Existenz*. Most Christian religious sects, for example, tend to emphasize a system of virtue ethics but, incongruently, back up these lessons using consequentialist arguments. The Fifth Commandment is a particularly good example of this: Honor your father and your mother *that your days may be long in the land which the Lord your God gives you*. Since, according to *Exodus*, this was a land "overflowing with milk and honey," who wouldn't want to see to it that his "days would be long" in such a paradise? Here is a bit of utilitarianism (a brand of consequentialism) inserted into the set of the most fundamental of all Christian theoretically-moral principles of *objective* virtue. Do I call this hypocrisy? No, I certainly do not. Do I think honoring one's father is a virtue? That depends. I honored mine as best I knew how during his lifetime. I hope you have sufficient grounds to do the same in your relationships with yours. On the other hand, if you happened to have had a father who made a habit of sexually molesting you or beating you bloody with a belt – assuming you don't regard either of these as "good" experiences – then I'd say you don't owe him the least respect, esteem, consideration, dignity, reverence or any other sort of honor whatsoever. If you tendered any to him, I probably wouldn't call it virtue; I'd likely call it lack of self respect.

Kant said,

> Moral laws cannot be empirically conditional. The other practical laws are empirically conditional. The moral, which recognizes purely *a priori* the laws of freedom, is a metaphysic of freedom, or of moral custom, just as metaphysics is called a metaphysic of nature because it contains *a priori* the laws of nature as they are recognized *a priori*. General practical philosophy is included here so far as it furnishes a preparation. The metaphysic of moral custom, or *metaphysica pura*[18], is only the first part of the moral; the second part is *philosophia moralis applicata*[19], moral anthropology, to which empirical principles belong. That is as metaphysic and physic are made. The moral cannot be built out of empirical principles, for this makes not absolute but merely conditional necessity. The moral, however, says: You must do it without any condition or exception. General practical philosophy is a propaedeutic. Moral anthropology is moral put to account to men. *Moralia pura*[20] is built upon necessary laws [Kant (1785a), 29: 598-599].

As soon as we enter the territory of Critical moral theory we must be prepared to encounter a blizzard of hair-splitting technical terminology, most of which does not translate very cleanly into English. The quote just given is a gateway into the Critical theory of deontological ethics and there are some subtleties contained in it we have to look at very closely.

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[18] "genuine metaphysic" (of moral custom)
[19] "applied moral philosophy"
[20] "genuine ethics." Cicero coined the word *moralis* as a Latin translation for the Greek word *èthikós*.
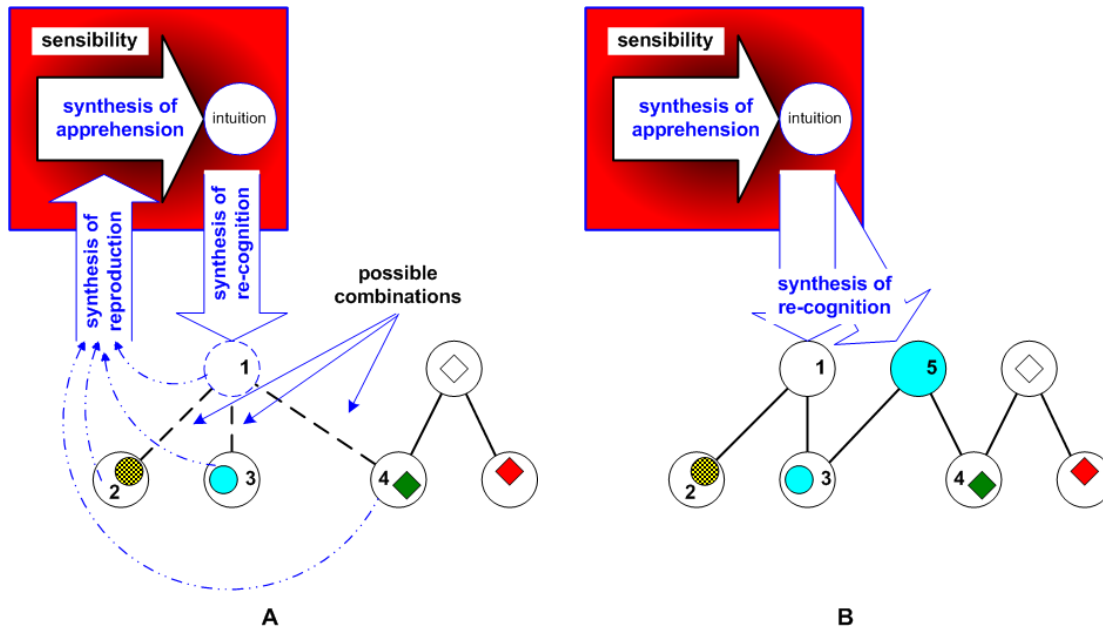
Figure 4.3: The process of recognizing an object. A: The synthesis consists of a repeating cycle of (1) synthesizing an intuition; (2) re-cognizing the intuition as a concept in the manifold of concepts; (3) taking that concept and others available to provide possible contexts back into the synthesis of apprehension through imaginative reproduction; and (4) synthesizing a new intuition. B: This cyclic process is continued until reflective judgment marks the last intuition in the cycle as expedient for the purpose of recognition. At that point, the new concept is firmly anchored in the manifold, connected in a context, and has a meaning. During this synthesis, it is possible for multiple new concepts to be synthesized, e.g. concept 5.

We begin with what is, I regret to tell you, probably the easiest of Kant's technical terms, the idea of what it means "to recognize" something. Kant's word is *erkennen* and its practical meaning is illustrated in figures 4.3 above. When he says a person has the ability "to recognize something *a priori*" he means the person has the synthetic capacity to produce a concept of an object and connect this concept with other concepts that provide a context for the new concept. In this process, the intuition that corresponds to the concept[21] is *made to signify* a meaning. During this synthesis the intuition is "re-cognized" over and over until the process of reflective judgment judges the *intuition* to be expedient for satisfying the demands of the categorical imperative. Then, and only then, is the object said to be recognized.

This brings up an important item in Critical ontology. *Every* object is *real* in *some* contexts, *unreal* in others, and *non-real* in still others. To be "non-real" basically means that the concept of the object is not connected to the context in which it is said to be "non-real." To be "unreal" means that the object contradicts the context and is therefore *excluded* from that context. The ghost of Hamlet's father is real *in the context* of being a character in the play *Hamlet, Prince of Denmark*, but is unreal *in the context* of being an actual spirit that actually haunts people in Denmark. In both of these cases a meaning implication is made and signified by an intuition; in the first the signification is called a *transcendental affirmation*, in the second a *transcendental negation*. An object is non-real if its concept is meaningless in the context, i.e. is unconnected to that context. If, for example, you have never read or heard about *Hamlet, Prince of Denmark* before now, then the ghost of Hamlet's father has been non-real *to you* until now because up to now you have had no context that included that concept. It is a fundamental ontological error to

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[21] Remember that a concept is a rule for the reproduction of an intuition.

think that because an object is real in some particular context that makes it *absolutely* real. No object is absolutely real with the single exception that *you* hold the idea of *yourself* to represent something that is absolutely real *to you*. I grant that you *qua* you-regarded-as-a-thing-in-itself[22] are "almost certainly real" but I stop just the tiniest bit short of holding that you-regarded-as-a-thing-in-itself are *absolutely* real because it is impossible to *absolutely* disprove the hypothesis of solipsism. I'm certain *I'm* real, but only almost-just-as-certain about *you*.

An Object[23] is the unity of an object and its *parástase*, the object being the matter of an Object and the *parástase* being the represented form of its *Existenz*. To understand Kant's deontological theory it is crucial to always know when he is speaking of an Object, when he speaking of an object, and when he is speaking of a *parástase* of an object. Kant's term "the moral" (*die Moral*) is an Object. Its object is called "morality" (*Moralität*). Its *parástase* consists of the complete context of all phenomenal concepts of appearances of moral custom. "Moral custom" is a standard German-English dictionary assignment for *Sittlichkeit*. However, a closer technical rendering into English of *Kant's* idea of *Sittlichkeit* would be **moralize-ability** = expedience of the *parástase* for a moral signification in meaning [Kant (1784-85), 27: 300].

Moralize-ability is not a standard English word. If, however, we made it one[24], then the quote above would go "The moral . . . is a metaphysic of freedom, or of moralize-ability." In this brief statement lies the practical essence of the idea of deontological ethics.

First, "the moral" (*die Moral*) is now not a thing external to an individual human being but is instead an inner property of the phenomenon of being a human being. This stops us from reifying the idea (hence, the idea remains de-ontological). Second, "the moral" is a metaphysic. Now, any metaphysic is "the way one looks at the world." In this context any metaphysic of morality is a *theory* (or, at least, a quasi- or a pseudo- theory). The obvious next question is, "Whose theory?" Answer: **Yours**. You are a moral philosopher, and no one can tell you *with universal objective validity* your moral theory is "wrong." On the other hand, neither can you tell anyone it is "right" and be speaking with universal objective validity. It is only *your* moral theory so far as *you* are concerned. For me "the moral" as a metaphysic is *mine*. You have your way of "looking at the moral world" and I have mine.

Wait! Wait! Wait! cries a chorus of voices at this point. *How can this be true?* Answer: *your* "morality" and *my* "morality" are not the *same* "morality." *Wait! Wait! Wait!* they cry again. *Which one of your two theories (if either of them) is the correct one? If they aren't the same and one of them is correct then doesn't the other one have to be wrong?* Answer: they're *both* correct and they're *both* incorrect. *Oh, man!* cries the chorus as a discontented rumble fills the air, *Speak sensibly, you foggy-headed philosopher!* In the back of the room a voice is heard to grumble, "This is why I hate philosophers and philosophy."

Can't say I blame you. Okay, let's start clearing the fog. Here is where the phrase "metaphysic of freedom" is essential for understanding the idea. This is a technical phrase. Critical **practical freedom** is **the autonomy of appetitive power from being sensuously determined by stimuli**. All meanings are at their roots practical and so a metaphysic of freedom is **a human-natural science of the natural laws of practical human autonomy in acting as his own agent for determining his own actions**. If you and I are each placed in what is otherwise an identical situation, you will sometimes act one way and I will act another way. *We have, both of us, constructed our own individual practical laws governing how we behave, we have done so independently of one another, and we have both done so contingently based on our individual experiences*. I won't

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[22] In Kant's terminology, you as a *Ding an sich selbst*.

[23] Object (capital "O") translates Kant's term *Object* ("*Objekt*" in modern German). The term <u>object</u> (lower case "o") translates Kant's term *Gegenstand*.

[24] and why should we not if by doing so we can obtain clearer technical meanings?

admit that my practical laws are in any way "unnatural" and I bet you won't admit there is anything "unnatural" about yours. A science can be called "a system of understanding." I can work out an understanding of my Self; with rather greater difficulty, I can try to do the same in regard to you but here I have to keep remembering that I can neither read your mind or, really, walk a mile in your shoes. I'm going to have to admit there's going to be some things about you that will be an enduring puzzle to me, and some things about you that I'm going to *mis*understand.

What about Kant's "Moral laws cannot be empirically conditional"? Doesn't this contradict mental physics? It only does if you take "moral laws" *ontologically*. You *must* obey the practical laws of your own manifold of rules because you *made* them necessary. The data of experience are mere aliments used by a process of practical *legislating* and, *epistemologically*, a *conceptualized* moral law is just a byproduct of that process. A moral-law-concept is a concept *structured in a presently unconditioned form*, *viz*. as a theoretically-categorical imperative. But *you can change this law-structure* and you *will* change it if you encounter in experience enough disruptions of your state of equilibrium. In point of fact, a psychologist can observe a child doing this as the child grows up. We'll look at this in a bit of detail in the next chapter.

Uh-oh, here comes the chorus again. *Objectivity!* they cry. *This is all subjective!* No, not *all* of it. In the first place, there is no such thing as subjectivity without objectivity in human-Nature. There is no such thing as objectivity without subjectivity. The phenomenon of mind doesn't work that way. *That* is a theorem of mental physics. The process of reflective judgment is *wholly* subjective and the process of determining judgment is *wholly* objective[25]. Both capacities, working in tandem, are necessary to *make* concepts.

A *real* division between objectivity and subjectivity cannot be made with objective validity. We can, however, make a merely *logical* (mathematical) division. Recall that we have three Relations in Self-determination: (1) according to personality; (2) according to the situation of the person; (3) mutual involving the person according to the situation of other persons. The first two of these are private to a specific individual and so Self-determination in the form of either of these two Relations is **logically subjective**. The third Relation, on the other hand, involves more than one person at a time. Because the Relation is reciprocal, the object of the action is, by logical necessitation, an object common to these persons. Therefore, Self-determination in the form of the third Relation is **logically objective**.

In both the systems of consequentialist and virtue ethics, the concept of morality is taken in some objective context because these theories are ontology-centered. Deontologically, only Self-determinations in the third form of Relation are logically objective and so the *popular* ideas of morality and morals only apply to these. *Deontologically*, however, Self-determinations under all three types of Relation must be considered to be moral determinations *if the Organized Being cognizes a principle of acting on the grounds of some theoretical imperative of necessitation and bases his action upon this concept of moral law*. By making a concept of moral behavior the Organized Being has made his action *theoretically* objective *so far as he regards it*. It matters not in the least *to him* whether or not other people agree with his objective concept of moral law. *He* holds specific actions to be "moral acts" (or not) and so *for him* the concept Self-defines morality.

This lies at the very root of why historically different people and different cultures have never been able to agree upon any one common set of general moral principles. All *ideas* of morality

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[25] And remember: the division between reflective judgment and determining judgment is merely a logical, i.e. a mathematical, division. The requirement of real objective validity for the Organized Being model makes it necessary to regard these two logical capacities to be reciprocally co-determining. Hence, no real subjectivity with a complete absence of objectivity, and no real objectivity with a complete absence of subjectivity. Now include practical judgment and we get *unity of subjectivity-objectivity-practicality*. *That* is the theorem.

are inherently individualistic because all theoretically-moral ideas have their original ground from the individual's *deontological* manifold of practical rules.

Kant appears to have taken entirely too much for granted in the way in which he regarded the topics of morals and morality in general. He footnoted in *Critique of Practical Reason*,

> A reviewer who wanted to say something censuring [*Laying the Foundation of the Metaphysic of Morals*[26]] hit the mark better than he himself may have intended when he said that no new principle of morality is set forth in it but only a *new formula*. But who would want to introduce a new fundamental principle of all moral custom and, as it were, first invent it? just as if, before him, the world had been ignorant of what Duty is or in thorough-going error about it. But whoever is acquainted with what a *formula* means to a mathematician, which determines quite precisely what is to be done to solve a problem and does not let him miss it, will not take a formula that does this with respect to all Duty in general as something that is insignificant and can be dispensed with. [Kant (1788), 5: 8fn]

Considering the Copernican turn his subsequent moral theory made in throwing out consequentialist- and virtue-ethics- based moral theory, it can seem as if Kant was being a bit too loose in saying the world had *not* been ignorant of and in error concerning "what Duty is." I'm pretty sure he meant what he said, and I don't entirely disagree with him, but the statement clashes with the detailed consequences of Kant's "new formula."

Kant appears to have recognized the clash and apparently thought he had successfully resolved it by equating the categorical imperative with "the moral law within me." There's nothing wrong with that so long as we hang on to the qualifier "within *me*" in a very personal way. But the equation becomes ungrounded the moment one takes "the moral law within me" to be a *universal* (and therefore objectively valid) law applicable to all human beings by restating it as "So act that the maxim of your will at the same time always may be regarded as a principle in a giving of universal legislation" [*ibid*. 5:30]. This *is* "a" categorical imperative, but it is only *theoretically categorical*, and this is not at all the same thing as *the practical* categorical imperative of pure Reason. Kant *reified the idea of the categorical imperative* at this step and, by doing so, stepped beyond the horizon of possible experience into a Platonic fogbank. It made it necessary for him to regard the categorical imperative as a feeble "ought to" and *at that point it can no longer be held-to-be a law of human Nature*. Natural laws do not cajole or entreat. You can never win an argument with the law of gravity; you can likewise never win one with the categorical imperative of pure practical Reason. You cannot even try.

Is it possible for any particular human being to adopt Kant's re-stated theoretical categorical imperative as his own tenet? Of course it is. Is every human being driven by natural law to do so? Of course not. There is quite a parade of sociopaths whose presence among us has demonstrated that fact. Yet even the sociopath obeys what *he regards* as a universalizing theoretical tenet. Consider the following excerpt from a psychiatric summary made after the arrest of a 23-year-old sociopath the report identified as "Krista":

> Like most antisocials, Krista appears to lack a conscience. Her statement "No one ever felt guilty for what they did to me" is probably partly true and partly manipulative, intended to evoke pity, give insight into her past, and justify her absence of remorse all at the same time. She sneers at religious faith, and instead puts forward her own moral principle: "Do unto others before they do unto you." With no obvious pro-social impulses and no internal moral restraints on action, Krista is free to do whatever she wants, whenever she wants. The only barrier is society itself, and the only constraints she respects are those that society can enforce through its police presence and the threats of punishment,

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[26] Kant (1785b)

or those that others can enforce through their own threats of harm or revenge.

> Her lack of conscience creates and amplifies a variety of other antisocial characteristics. Krista is chronically deceitful. Her use of aliases "keeps anyone from tracking your shit back to you," a calculated means of pursuing illegal activities while avoiding detection, either by the law or anyone else. There's no way of knowing for what crimes she might actually be responsible. She also has no conscience where her own safety or that of others is involved, as indicated by her admission of needle sharing, followed by the frankly stupid statement that she is not afraid of HIV. Finally, Krista shows no inclination to involve herself in the mainstream society, as evidenced by her consistent inability to stay employed. For her, illegal activities provide much more money and immediate reward. The concept of a satisfying life is probably quite beyond her. [Millon & Davis (2000), pg. 105]

Krista was, of course, diagnosed as an antisocial personality disorder case. She exhibits *eight* out of the ten criteria for diagnosing antisocial personality disorder listed in *DSM-IV* [American Psychiatric Association (1994)]. Her social situations can be described as being based completely on the first two Relations in Self-determination listed above. Every possible socially-positive aspect of the third Relation appears to be utterly absent in her social intercourse with others. To put it bluntly, she doesn't give a damn about you *and she expects you to not give a damn about her*. This is what is universal in the *reciprocal* Relation of her personal tenets. She is one of those people who police officers sometimes sum up by saying, "He's only sorry he was caught."

Her personal moral code is utterly antithetical to the ones the great majority of the rest of us build. But the point is: *she regards it as universally applicable*. She does not entertain the least doubt that you, if she gave you the chance, would do the sorts of things to her that she will not hesitate to do to you if you give her the chance. The third Relation of Self-determination in Krista's case appears to be entirely composed of socially-negative state-of-nature maxims.

Krista has made herself what the great majority of us call a "criminal" but not what we usually call a "monster." We tend to save that label for people like Giles de Rais:

> [The] said Giles de Rais, the accused, voluntarily and publicly, before everyone, confessed that, because of his passion and sensual delight, he took and had others take so many children that he could not determine with certitude the number whom he'd killed and caused to be killed, with whom he committed the vice and sin of sodomy; and he said and confessed that . . . on which children sometimes he and sometimes some of his accomplices . . . inflicted various types and manners of torment; sometimes they severed the head from the body with dirks, daggers, and knives; sometimes they struck them violently on the head with a cudgel or other blunt instruments, sometimes they suspended them with cords from a peg or small hook in his room and strangled them; and when they were languishing, he committed the sodomitic vice on them in the aforesaid manner. With children dead . . . he had their bodies cruelly opened up and delighted at the sight of their internal organs; and very often, when the said children were dying, he sat on their bellies and delighted in watching them die thus, and . . . he laughed at them [Bataille (2004), pg. 196].

We do not know how many children de Rais kidnapped, tortured, raped then murdered between 1432 and 1440 AD, but the evidence strongly suggests it was in excess of a hundred and probably was much higher than this. The majority of his known victims were boys between the ages of 7 and 17 years. He is one of the most infamous, and one of the strangest, people in history. He can justly be called a monster according to the standards of any present-day society, but he cannot be called a madman because he was not in the least psychotic. No voices drove him save his own.

Kant was not such a Pollyanna that he did not know people like this existed. This was, almost without doubt, a factor leading him to characterize his "moral law within me" as an "ought to." Kant held, erroneously as it turns out according to modern neuropsychology, that everyone "has a

conscience" and that people who act like Krista or de Rais are people who have chosen to and made a habit of ignoring "the tribunal of their own conscience." Scientifically, this is nonsense. *Nothing that exists by nature can form habits contrary to its nature*, as Aristotle correctly said. Undo Kant's ontology-centered error (reifying the categorical imperative) and this specious error in his ethics theory is removed, leaving in its place an objectively valid *de*ontological theory.

§ 6. Morality and Weaver's Model

We can use Weaver's model to resolve the problem of Kant's error. Today, like in Kant's day, one of the principal things organized religions undertake to do is to try to teach moral lessons to its members. I have next to no doubt that Kant was a deeply religious man, and almost as little doubt that his famous and very public disputes with the churches of his day stemmed from Kant's conviction that the churches were teaching the wrong lessons [Durant (1967), pp. 531-551; Wood (1996), pp. xi-xxiv]. To the end of his life, Kant never gave up trying to find a way to bring God and religious theology within the treatable range of metaphysics. I think it is very clear from his writings and lectures on moral philosophy that this colored his views on the topic – although this point is quite debatable and far from settled – and that this might well have been the source of his ontological error in ethics theory. Kant was one of those individuals who was both scientist and romanticist.

This treatise is about science, and in it we are not even going to try to subsume religion under science or vice versa. That simply cannot be done. The fundamental topic of any valid science is nature, the world of human experience; the fundamental topic of religion is concerned with ideas about the supernatural. The natural and the supernatural simply cannot be unified, although people's *ideas* about the latter can be studied scientifically. However, I do not undertake to do that here. Instead I use Weaver's model to show how to move from Kant's semi-religious doctrine of deontological ethics to an objectively valid science of deontological ethics. Later we will see that this is necessary in order to obtain a proper metaphysic of social contracts and compacts.

Let us begin by looking at how Kant saw ethics and moral theory in general. He tells us,

> The moral has rules of Duty as objects. These are never theoretical, containing all those conditions under which something is, but always solely practical, indicating only those conditions under which something ought to be done – i.e., those laws of reason which contain the sufficient grounds of determination to act and would be appropriate to bring about so long as reason has sufficient power to effect the latter.

> Distinction by practical rules comes to: that some are natural laws and others are moral. The former never indicate that something ought to happen but only show what the conditions are under which something happens. Moral laws by comparison always have to do with will and its freedom, and essentially are those laws of reason so drawn that if they alone had sway and they alone contained the ground of actuality of the act, a divergence from these laws would never occur. [Kant (1793-94), 27: 485]

It doesn't stand out in flashing red lights, but both the truth and the error in Kant's doctrine subsist in these two paragraphs. The latter is much more subtle than the former.

"The moral has rules of Duty as objects." This statement is true but in what proper context? To ask this is to ask what "rules of Duty" means. Here it is crucially important to understand that "rules of Duty" *never does and never can pertain* to the manifold of rules in pure practical Reason. **Pure practical Reason knows no Duties**. When Kant says "rules of Duty are never theoretical," what he means is that they never pertain to ontological objects of experience as such. "Rules of Duty" *are always theoretical in the context that they are depicted as ideas in the manifold of concepts*. Kant fails to sufficiently distinguish between a *parástase* of understanding

and a *parástase* in the manifold of rules. Behind, and at the ground of, every *concept* of a Duty there is, to be sure, a practical maxim structure of some sort in the manifold of rules, but the concept is never a copy of *practical* Reason's maxim. It is instead a reflection of the effect of *speculative* Reason's employment of the Organized Being's process of determining judgment and results from acts of ratio-expression and cycles of judgmentation.

There is a fine technical distinction Kant neglected to make sufficiently clear in his "Duty" terminology. This distinction is one that we will be spending a lot of time with later on in this treatise, but in brief mental physics points out that there are two non-equivalent contexts in which the word "duty" gets used. We will be distinguishing these contexts by using the terms "Duty" (capital "D") and "duty" (lower case "d") to designate them. A **Duty** is a necessitated and objectively practical act in accordance with an idea of an objective moral law that excludes all personal feelings of inclination from serving as the ground of the action. We will call the idea of an objective moral law a *rule of Duty*. We can safely employ the word "rule" here because we know that the practical manifold of rules contains no Duties. Most of the time when Kant uses the term *Pflicht* ("Duty") he uses it in this context of Duty.

A **rule of Duty** is a concept in the manifold of concepts having a matter-of-duty as its matter of composition in representation and a *formula of obligation*, corresponding to a Duty, as its form of *nexus*[27]. A **duty** is the matter of composition of a rule of Duty *insofar* as the *parástase* of this matter has for its object the matter in an intuition that has been connected (by teleological reflective judgment) to the expression of an action. A duty represents *what* is signified for acting, the formula of an obligation *how* this is signified[28].

Yes, I know: it sounds like this is going to get complicated. I won't promise there aren't any rough spots in the road ahead, but after we've finished peeling back the layers of Aristotle's onion the whole business won't be that hard to understand. I do promise you that we'll peel the onion without any sermonizing from me about what *you* ought to do or not do.

For right here and right now, the first important thing for you to focus on is to understand that the *notion* of "Duty-in-general" is represented in *concepts*, that these concepts are contained in the manifold of concepts and not the manifold of rules, and that what is special about these concepts is that while they – like all concepts – are placed in relationships to emotivity (i.e., to actions) by reflective judgment, their objects are nonetheless entirely supersensible and always have the character of a "because of," i.e., "I do this *because of* that." This "that" is always a *noumenon* at, and even sometimes beyond, the horizon of possible experience. *Objectively valid* Duty-concepts keep their objects *at* this horizon and *never* beyond it. The second important thing for you to focus on is to understand that Duty-concepts are never copies of the manifold of rules, that acts for realizing them ("making the act a physical action") do not carry the commanding "force" of the manifold of rules, and that anything that is conceptually necessitated (made necessary) is only "contingently-necessary" (as Piaget put it) and therefore will be "un-necessitated" by practical Reason's *veto power* whenever it comes into conflict with the practical categorical imperative of pure practical Reason. Again, the categorical imperative is not a "moral law," but it *is* the ground for the possibility of "moral laws" to which the Organized Being holds himself. It is *in this context* that it is permissible to describe the manifold of rules as a Self-constituted moral code.

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[27] This terminology is the technical terminology of Critical representation. See Wells (2009) chapter 2.

[28] As you might have already guessed, we will be spending a great deal of time later understanding what is meant by "obligation." It isn't all that vital to go into these details right here. By way of preview, Kant does draw a technical distinction between a *Verbindlichkeit* ("Obligation") and an *Obligation* ("obligation"). We will see what this is and what it means later. The distinction between Duty and duty follows from the distinction between *Verbindlichkeit* and *Obligation*.
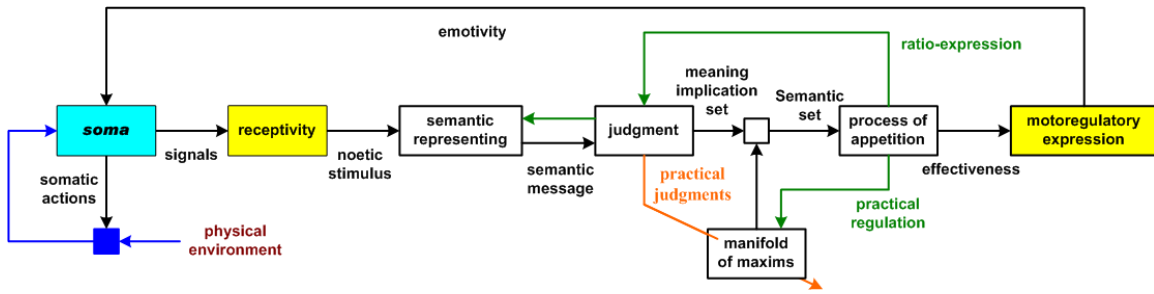
Figure 4.4: Repeat of figure 4.1, the Weaver's model for one person.

Now, the mental physics of Duty-concepts is naturally-governed by the transcendental Logic of Critical semantics. Critical semantics is the Critical doctrine of meanings and all meanings are at their root practical (pertain to actions). But concepts pertain to actions only mediately and never immediately. It is in understanding this where Weaver's models become pertinent. Figure 4.4 repeats the earlier Weaver's model figure for one person. The manifold of concepts is hidden within the block marked "judgment" in this figure. Imagination and the synthesis of apprehension & apperception (the processes that produce intuitions) are placed in the block marked "semantic representing." To see how the construction of concepts is governed by appetition and Reason, it is helpful to compare figure 4.4 with figure 4.5 below.

The thinking and conceptualization loops depicted in figure 4.5 determine the representations of apprehension and imagination. That this representing is *semantic* representing is because the *parástases* in apprehension are linked to the expression of actions by teleological reflective judgment. An intuition is merely a *parástase* of apprehension that has been singled out and marked by reflective judgment as logically expedient for use in determining judgment.
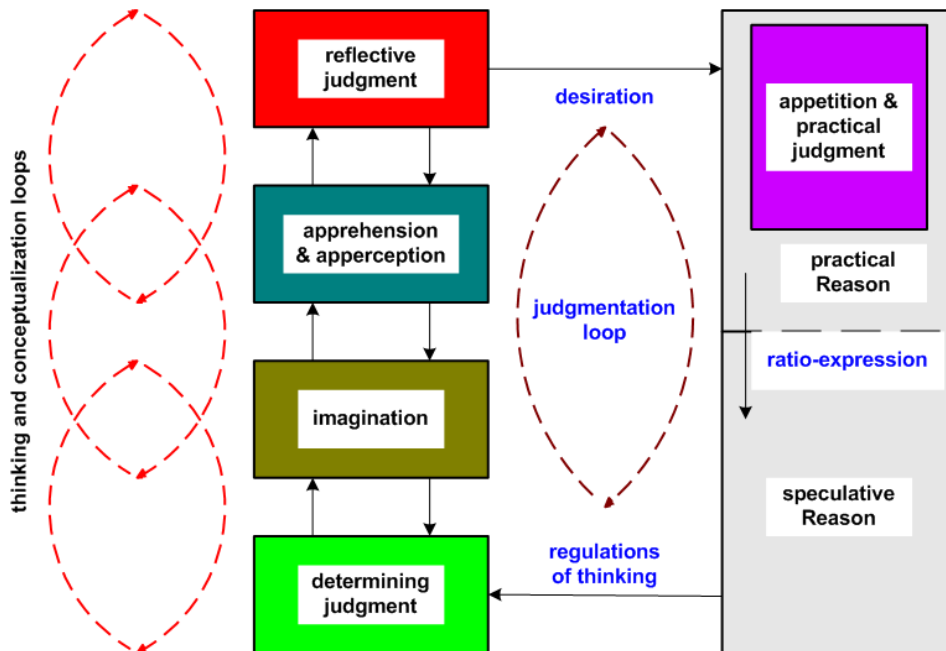

Figure 4.5: The organization of thinking and judgmentation in the Organized Being. The manifold of rules is contained in the block marked "appetition and practical judgment." The manifold of concepts is contained in the block marked "determining judgment." The manifold of Desires is contained in the block marked "reflective judgment." Intuitions are contained in the block marked "apprehension & apperception."

This logical expedience for determining judgment is judged by *reflective* judgment when the free play of imagination and understanding (figure 4.3) has harmonized the representations of determining judgment and the synthesis of apprehension. *Harmonization* means making diverse representations compatible and homogenous with each other so that they can be combined in a composition, and an act of harmonization produces *coherence in connection* in sensible representation. *Coherence* is the form of complete congruence among all Objects in the *nexus* of judgments under the principle of thorough-going determination of the Organized Being. Now, strictly, the Organized Being is not conscious of a state of coherence; rather, he is conscious of violations of this form in the act of thinking[29]. This consciousness is presented as a *tension* in affective perception (under the principle for formal expedience) and it is judged by reflective judgment [Wells (2009), chapter 7]. An intuition can be regarded as an impression by aesthetical reflective judgment reflecting a relaxation of tension. The marking of a *parástase* of apprehension *as* an intuition is the act of empirical apperception. Triggering of the synthesis of re-cognition in imagination transforms an intuition into a concept.

The process of determining judgment plays an active role in this overall process. It structures the concepts that are re-presented into the synthesis of apprehension by the process of reproductive imagination. Notice that the three thinking and conceptualization loops in figure 4.5 overlap. This pictorial illustration denotes a three-way *interaction* between sensibility and imagination, reflective judgment, and determining judgment. It is this process of interaction that the phrase "free play of imagination and understanding" denotes.

The *affective* outcomes of this free play are represented in the manifold of Desires, and part of this representation is presented to practical Reason as the *meaning implication set* figure 4.4 depicts. However, before any of the impetuous presentations of reflective judgment are actualized in emotivity (through motoregulatory expression in *psyche*) they must be approved (strictly speaking, not-disapproved) by the synthesis of appetition and practical judgment. Those meaning implications that are congruent with the manifold of rules make up the part of the Semantic set that are effected through motoregulatory expression. But, in addition, those meaning implications that violate the universal legislation that is the manifold of rules are expressed by *ratio-expression* in speculative Reason to *reorient the employment of determining judgment* in the free play of imagination and understanding. Pure Reason exerts a negative control over emotivity, a positive regulation over the acts of determining judgment. Furthermore, practical Reason exerts direct control over adaptation of the manifold of rules through its free play between practical judgment and the process of appetition.

All of this applies to all acts of noetic representation in general. What is it, then, that is so peculiar about those concepts we denote by the term "Duty-concept"? First, all such concepts have non-ontological signification assigned to their corresponding intuitions. This is to say that the concepts are judged (in determining judgment) under the Relation of causality & dependency. The concept may – and often does – have another concept in its context substantively judged, and this concept provides the idea of the Object of the action signified by the reproduced intuition. But, strictly speaking, the "Duty" term in Duty-concept has immediate reference only to the *action* signified by the intuition and expressed through emotivity.

Second, whether or not this possible expression is regarded as signifying Duty depends entirely on the way in which its coherence with the manifold of rules is determined in the free play of appetition and practical judgment. What is key in this determination is the notion of necessity in judging the action-expressed in terms of whether or not it is mandated by or under a hypothetical imperative in the manifold of *rules*. There are in general three classes of *theoretical* imperatives in the manifold of *concepts*. Kant called these: (1) imperatives of skill; (2)

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[29] Thinking is cognition through concepts.

imperatives of prudence; and (3) imperatives of morality [Kant (1793-94), 27: 486-488].

Imperatives of skill are logically problematical. They are related to some *objective* purpose but the determination of how this purpose can be satisfied is such that there are multiple actions that could possibly accomplish it. An imperative of skill is in this sense a technical "how-it-can-be-done" form of imperative. An imperative of prudence, on the other hand, is pragmatical and immediately references objective purposes *tied to* the Organized Being's personal judicial state of happiness or unhappiness. Strictly speaking, an imperative of skill does this too, but *indirectly* in the sense that happiness (or unhappiness) is effected by means of the action in actualizing the object of the action. An imperative of prudence, on the other hand, is one that makes happiness (or unhappiness) the *immediate* object of the act of determination[30]. The immediate purpose is *affective* satisfaction. In an imperative of skill, satisfaction is a mediate rather than immediate purpose and the *immediate* purpose is objective (actualizing the object of the action). Kant put it thusly:

> All imperatives, then, are either (I) conditioned, and these are
>
> > a. problematical, i.e., imperatives of skill;
> > b. pragmatical, i.e., imperatives of prudence;
>
> (II) unconditioned or categorical, i.e. imperatives of moral custom and Duty. Categorical imperatives differ essentially from the problematical and pragmatical in that the determining ground of the act lies solely in the law of moral freedom, whereas in the others it is the combined purposes that bring the act to actuality and thus are conditions of the act.
>
> Problematical imperatives distinguish themselves in turn from the pragmatical in that the purposes in the former are possible and optional, whereas in the latter they are definite. [Kant (1793-94), 27: 486]

Again, I emphasize that we are talking about *theoretical* imperatives here, and these are ideas in the manifold of concepts.

It is a bit romantic – although not for that reason false – to describe this in the following way. If you say "I work to live" the actions so-involved are those lying under imperatives of skill. If, on the other hand, you were to say "I live to work," what you are expressing is something like saying, "I get so much pleasure and satisfaction from my work that my work is itself the condition of my happiness." If you say this then you are giving a tongue to pragmatic imperatives of prudence. The majority of actions undertaken by people are based on mental acts grounded in combinations of these two classes of theoretical imperatives.

With theoretically categorical imperatives, the idea of the imperative has been structured into the manifold of concepts with a notion of necessity in the Modality of its determinant judgment. This means that the Organized Being holds the corresponding act *to be binding*. That this binding is really necessitated rather than being, in some Platonic way, necessary makes no difference to Self-determination other than that, if and when experience gainsays the idea, the idea can be *changed* through ratio-expression. It can, for example, be "demoted" to a theoretically

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[30] Kant, in point of fact, over-generalized this by saying that pragmatic imperatives have *only* "the general happiness of mankind as their object" [*ibid*., 27:487]. This is only true if by "the general happiness of mankind" one means to say nothing more than that the object ("general happiness") is one that all human beings elect to have their actions serve. To imbue the statement with unrestrained universal altruism is to say something profoundly absurd because we each know from experience how seldom our own pragmatic actions have anything whatsoever to do with whether or not they serve "the happiness of all mankind." If Kant meant what he said literally, then we have a glimpse of Kant-the-romantic and we can hear Rousseau speaking through Kant's lips. My opinion is that when Kant said this he was doing no more than presenting a noble *example*. Otherwise, if he really meant it literally, he was *uncharacteristically* spouting nonsense.

hypothetical imperative by being made conditional upon some new higher idea.

When re-presented into the synthesis of sensibility, such ideas "feel like" they are necessitated by something greater and more powerful than merely individual preference or convenience. They seem to carry a "flavor" of something sublime about them. Philosophers in classical and medieval times dignified this invisible "something" with a grand name: the *summum bonum* or "highest good." Recognize, however, that these sorts of judgments are *wholly* non-objective acts of the process of *aesthetical* reflective judgment. Ontology-centered theories of ethics teleport this affective phenomenon into a Platonic world where the *summum bonum* is *personified*, usually either as God or as "nature herself." In doing so, they leave important pieces of it behind. Furthermore, consequentialists and virtue ethicists leave *different* important pieces behind. Consequently they cannot bring these two different kinds of speculative theories into common agreement. Some things it is moral to a consequentialist to do are immoral or amoral to a virtue ethicist, and, likewise, some things it is moral to a virtue ethicist to do are immoral or amoral to a consequentialist.

In such oppositions of conviction, who is "right" and who is "wrong"? The *deontological* answer is: they are *both* right **and** they are *both* wrong because there are *two incongruent contexts* involved. Their disagreements are semantical differences in the *Critical* connotation of semantics – and therefore cannot be dismissed as "mere" matters of semantics. Does this mean there can be no objectively valid ground for the idea of "ethics"? No, it does not mean that. It only means there are no *ontological* contexts of objective validity for ethics. But to understand this, we must depart from the rarified atmosphere of rational disputations and take a good, close look at the *experience* of making moral judgments. This is what we will do in the next chapter.

A great deal has been introduced and discussed in this chapter. It seems wise then to summarize the main ideas: (1) the moral (*die Moral*) is the Object having *Moralität* for its object and moralize-ability for its *parástase*; (2) *Moralität* is a system of practical laws standing under practical hypothetical imperatives that a human being constructs in his manifold of rules; (3) the human being's conceptualization of this system has rules of Duty for its objects; (4) moralize-ability (*Sittlichkeit*) is expedience of a *parástase* of the complete context of all a human being's phenomenal concepts of appearances, and this expedience is expedience for a moral signification in meaning, i.e., a meaning implication conditioned by a theoretically-categorical imperative in the manifold of concepts; (5) a theoretically-categorical imperative is a currently highest, and therefore unconditioned, concept in the manifold of concepts having for its object a tenet of acting. Morality is the idea represented in the manifold of concepts having a concept-system of moral laws as its object.

Conceptualization of theoretical tenets and maxims is grounded in the orientation and regulation of determining judgment by ratio-expression. Because all acts of ratio-expression are grounded in the practical manifold of rules, it is the human being's self-constructed manifold of rules that grounds the idea of a moral code.

Finally, all acts of Self-determination stand in forms of Relation according to: (1) the person (as personality); (2) the situation of the person with respect to the not-Self; or (3) reciprocity between the person and the situation of other persons. What we will see later is that the first two forms of Relation ground concepts of *Duties to oneself*. The third grounds civil association and the human phenomenon of *making social compacts*.

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