

The Emergence of Norms in Generative Relational Being

A Preliminary Discussion

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Abstract

A norm differs from a regularity in that people hold one another to it. Where this holding comes from, and whether it can be justified, are treated by two separate literatures: one models the emergence of norms and is silent on justification, the other argues justification and treats emergence as irrelevant. The naturalist takes the division to favour him, arguing that a complete account of emergence renders justification a residue. Normative philosophy answers by invoking the is-ought gap, and thereby concedes the point it means to deny.

This paper argues the reverse. A sanction cannot be distinguished from an aggression by any description of the sanctioner's behaviour, the difference being a fact about the configuration in which the act stands. Normative vocabulary therefore appears in the explanans of any emergence mechanism, and a correct account of emergence requires normative philosophy in place of eliminating it.

The paper develops a positional account of normative emergence within the Generative Relational Being framework. Composition of relations generates loci occupied by no participant, and bindingness is borne at such a locus and by no relatum. The dyad is accordingly pre-normative. Power is asymmetry, of which interpretive asymmetry is the kind whose monopolization forecloses correction of the others. Generativity is the condition under which valuing occurs and is not itself a value, so the demand to justify it is malformed, and five conditions of normative generation are stated as conditions and not as evaluative criteria. Non-exploitation is derived in place of being imported: a configuration providing no locus at which a participant's excess can register has foreclosed the source of its own further generation, so that the distinction between generation and extraction becomes internal to the mechanism.

As a preliminary discussion paper, its aim is to establish the mechanism and to name what the framework must next supply: a composition rule, an account of scale, and an epistemic criterion by which a configuration might determine from within whether it generates or extracts.

Keywords: normative emergence; relational structure; generative justice; power; historical materialism; scale.

A note on the standing of this paper. The argument has a load-bearing beam, and it should be identified before the reader begins. Everything rests on the claim that what distinguishes generation from extraction, and sanction from aggression, is visible in the structure of a relational configuration, and is imposed upon it from no evaluative standpoint. Should a critic show that these can be told apart only by someone who already holds a view about who deserves what, the criterion is external, the account has licensed nothing, and the normative content of the paper is intuition with formal ornament. We hold the claim defensible. We hold it far from obvious, and Section 4 is where it is defended.

The paper poses a problem of scale it leaves unsolved, names an operation it cannot define, and bites a bullet in Section 19. These are reported, and none is buried. Correspondence, and objection above all, is welcome at huangwanhong@serendip.ngo.

Statement on the use of artificial intelligence.

The arguments of this paper were developed in extended dialogue with artificial intelligence systems (OpenAI's ChatGPT and Anthropic's Claude). The dialogue shaped the substance of the arguments and did not confine itself to matters of drafting or of language. Several of the paper's central claims arose within it, and several were corrected within it, in both directions.

The author is the sole author, and takes full responsibility for every claim made here, for every argument advanced in support of a claim, and for every error that remains.

The disclosure is made in the ordinary interest of transparency, and it carries a further significance that the paper's own commitments require us to state. This paper holds that concepts are determinations of relational configurations, generated at positions, bearing the marks of their generation, and revisable in the historical process that produced them. A theory so committed can hardly treat the provenance of its own concepts as a matter to be passed over. The concepts advanced here were generated in a particular configuration, at a particular moment, by participants of more than one kind. That is a fact about them, and the account offered in these pages predicts that it should be. *We report it, in place of concealing it, because concealment would be the first refutation of what we argue.*

Part I. The Two Questions

1 NECESSITY AND EMERGENCE

The necessity question asks whether normative philosophy is eliminable. The naturalist holds that it is. Once we possess a sufficiently good account of how norms arise, spread, and stabilize, the further question of their justification begins to look like a residue of a superseded vocabulary. Supply the evolutionary game theory and the models of cultural transmission, and normative philosophy becomes a description of what people happen to endorse.

The emergence question asks where norms come from. Here the literature is strong and it is almost entirely descriptive: conditional preferences supported by empirical and normative expectations (Bicchieri, 2006); equilibrium selection in signalling games (Skyrms, 1996); conformist transmission and group selection (Boyd and Richerson, 1985); strong reciprocity and the punishment of defectors (Bowles and Gintis, 2011). None of these accounts is obliged to say anything about justification, and mostly they do not.

The customary philosophical response declares independence. Emergence is genetic, justification is logical, and the gap between them protects normative philosophy from any finding about the former.

The response is too cheap, and it concedes the war to win the battle. It grants that a complete account of emergence would leave normative philosophy without work, and it merely observes that no such account is in hand. This paper holds the concession to be unnecessary and false.

The thesis. A correct account of the emergence of norms *requires* normative philosophy, and eliminates it in no degree. The emergence mechanism admits of no specification in which normative vocabulary is absent from the explanans. The reduction therefore fails from within, and it stands in need of no gap asserted from without.

2 OWNERSHIP AND ITS PRESUPPOSITION

An intermediate position has brought the two literatures nearer, and it does so by asking a question neither had asked: to whom does the norm *belong*?

Theories of generative justice hold that value is produced by the activity of those who labour, that justice consists in its returning to them, and that extraction — the movement of value away from the relations that produced it — constitutes a category of injustice, and a deviation from a mechanism in no sense (Eglash, 2016). Applied to ethical value, the norm belongs to those whose practice generated it.

Accounts organized around authorship hold that a norm one can recognize as one's own has a standing that a norm merely complied with does not, and that ethical standing depends on this authorship relation (Mazouz, 2019). That the move is from ownership to *authorship* is a tell worth pausing on: ownership is a relation to a thing, authorship is a relation to a meaning, and meaning is not material.

Both are advances and this paper criticizes neither. Both are nonetheless *distributive* theses about a good whose existence they presuppose. They take the norm as a thing already generated, and ask where it goes, who owns it, whether it has been alienated, whether it can be returned. The prior ques-

tion goes unasked: what kind of thing a norm *is*, such that ownership, extraction, or return should apply to it at all.

That question is this paper's.

Part II. The Form of the Inquiry

3 NO ONTOLOGY IS ASSERTED

The account makes no claim about what exists. It withholds, in particular, the claim that relations are prior to entities, and none of its arguments requires that claim.

It specifies its object structurally, in the discipline of a group specification. Whatever the relata may be, the theory concerns their composition, and the question “what is a person, really?” fails to arise within it. The analogy is precise: group theory neither denies nor affirms that group elements have intrinsic natures. A group is specified up to isomorphism, and the non-arising of the substance question is a feature of structural specification, and it counts as no defect.

Structural specification. The account quantifies over relations and their composition, and over the identity of the relata not at all. Its results are independent of that identity. To the realist who holds persons primary, the account says: very well. To the constructivist who holds that relations constitute persons: very well. To the network theorist with only nodes and edges: very well. The framework applies throughout.

The relational vocabulary was earlier motivated by an appeal to theoretical physics, and the appeal licensed less than was taken from it. It licensed one methodological lesson: that a determinate structure can emerge from composition alone, and that a theory may leave unsaid what its structure is a structure of. It licensed no conclusion whatever about what exists.

4 THE INSUFFICIENCY OF NEUTRALITY

Methodological neutrality is a virtue in a theory that explains and a disqualification in one that judges. The distinction must be respected, on pain of the paper’s normative content being worthless.

The difficulty is exact. Suppose the relational description is chosen for being the most *informative* basis for explaining social phenomena. Then when the account says that extraction is visible in the structure of a configuration, a critic replies: visible in the description you selected for its explanatory convenience, and you have conceded the selection to be optional, so what you have shown is a property of your representation.

The reply admits of no answer on those terms, and a second claim is therefore required, resting on a different justification.

The question of value admits no formulation outside relational structure.

The ground is the failure of the alternatives, and it is emphatically not that structure exhausts reality, which is the ontological claim we have declined. *No alternative standpoint has ever been produced.*

Utilitarianism requires a welfare metric standing over the relations, and cannot say where it stands. Kantianism requires a legislating standpoint, and cannot say who occupies it. Contractarianism requires a pre-relational agent capable of consent, and cannot produce one.

Each fails for the *same* reason, and naming that reason is this paper's contribution. **The relational description is what remains when the standpoints supposed to be available prove unavailable. Informativeness plays no part in its selection.**

What the paper is thereby entitled to claim falls short of a discovery of what goodness is. It claims that we have found the only place in which the question can be asked, that the answer given there is demanding, and that its rivals presuppose a standpoint nobody has produced.

Part III. The Mechanism

5 COMPOSITION GENERATES POSITIONS

Position. A structural locus generated by the composition of relations, occupied by none of the relata that compose it. What is borne at a position — bindingness, authority, value, identity — is borne by no relatum.

The claim is general and it is the paper's economy. Norms, power, identity, and institutions are four consequences of one mechanism, and they constitute four theories only in appearance. This explains a pattern that would otherwise be coincidence: power is no possession, a norm is no property, trust is no attitude, value is no substance. None is a property of a bearer, *each being a property of a position*.

6 THE DYAD IS PRE-NORMATIVE

A configuration of two relata and one relation lacks the resources to distinguish sanction from aggression. It contains *A's* stance toward *B* and *B's* toward *A*, and nothing further. Characterizing the act requires a locus from which the characterization may issue, and the dyad supplies only its two poles, each of which is a party. *Prediction, roughly falsifiable: purely dyadic configurations generate no norms.* They generate habit, dependence, rivalry, and force.

Every institution that produces bindingness contains a third term: the witness, the oath, the tribunal, the symbolic order. This has been observed from several directions — in the triadic structure of the sign (Peirce, 1931), in the taking of the attitude of the other (Mead, 1934), in the keeping of deontic score (Brandom, 1994), and in the legal-anthropological literature on the third party — and its necessity has gone unexplained. The explanation offered here identifies the third term as what composition generates, and holds that in its absence nothing remains from which an act might be characterized.

7 A CAUSAL ROUTE, NOT A VIEWPOINT

An objection arises here and would be fatal should it hold. To be *seen as* doing something is already to be characterized; characterization is subsumption under a category; categories are symbolic; the third position therefore requires language, normative structure begins with language, and the account is idealist.

The reply turns on what the third position does at minimum. *It differentiates before it classifies.* The act acquires a second aspect, how it stands from a locus that is neither party, and this aspect obtains prior to the application of any category. Differentiation of that kind requires only that the act have consequences running *through* the third.

The reply is partial. It establishes that a locus can exist and be causally live in the absence of language, and it leaves open whether a locus so occupied supports full bindingness, or only the weaker structure of an act being costly by a route the agent does not control.

The third position is a causal route, not a viewpoint. If *A* relates to *B* and *B* to *C*, then *A*'s act upon *B* has consequences that reach *A* by way of *C*. *The route is the position*. It is a structural fact about the configuration, obtaining whether or not any participant can say so, and it is what composition generates.

Occupancy admits of strata, distinguished by the durability of the characterization each supports.

Stratum	Mode of occupancy	What it supports
Composition	—	The route exists. Structural, pre-symbolic.
Witness	Episodic	Characterization holds while the third is present, and lapses in its absence.
Speech	Persistent	Characterization is deposited: it survives absence, and can be transmitted, recalled, invoked.
Institution, writing	Trans-generational	Characterization survives death.
Reinterpretation	Re-opening	The route is restored where it had been closed to an occupant.

The symbolic order is a witness that need not be present. Language adds *persistence* to a position composition has already produced, and it adds the position not at all. Normative structure originates in causal architecture and is rendered durable by speech, and the account is on that ground a materialism.

A concession, stated and not hidden. The pre-symbolic stratum secures that positions exist and are occupiable in the absence of language. It leaves unsecured that pre-symbolic occupancy produces full bindingness. The *ought*, as distinct from the merely costly, may arrive only with the durable third. Should that be so, the position weakens to this: proto-normative structure is pre-symbolic, and normative structure proper requires the durable third. The account remains a materialism under that weakening, since the durable third is explained where it might have been presupposed.

8 OCCUPANCY CONSTITUTES THE OCCUPANT

The occupant is constituted in the occupying, and exists in no way antecedent to it. *Position and subject come into being in one act*: the inhabiting of the locus and the constitution of the inhabitant are simultaneous. To separate them reinstates the very assumption that the distributive theories of Part I were shown to make, namely a subject who exists first and interprets afterwards.

Two consequences follow immediately.

First, the naturalist reduction fails. Normative expectations resist reduction to behavioural dispositions to sanction, since a sanction described behaviourally is indistinguishable from an aggression.

What makes an act a sanction is a fact about the configuration in which it stands, namely that the configuration's third locus is inhabited. **Sanction and aggression differ neither in force nor in structure. They differ in whether the structure is inhabited.**

The naturalist has a reply and it must be met, since a reader will supply it immediately. *Enlarge the description:* add the third party's behaviour to the model, and the distinction between sanction and aggression becomes a distinction between acts followed by third-party behaviour of one kind and acts followed by third-party behaviour of another. The description remains purely behavioural, and the reduction is saved.

The reply relocates the difficulty and leaves it standing. Whatever the third party does can itself be described as a sanction or as an aggression, and the description of the third's behaviour supplies no more resources for settling the question than the description of the first's. The naturalist may enlarge the description again, and each enlargement reproduces at the new level the question it was introduced to answer. The regress terminates only where something other than behaviour is admitted: the locus is inhabited, and inhabiting is a relation to a structure rather than a further act. *The reduction fails at every level, and it fails for one reason.*

Second, the diagnosis extends. The naturalist seeks bindingness among the properties of the sanctioner and finds none. The distributive theorist takes the norm as a thing that may be owned, extracted, or returned, and thereby treats it as separable from the relations that bear it. *Each locates in a relatum what exists only at a position.*

The two cases differ in an important respect, and the difference should be marked. The naturalist advances a reduction, and the reduction fails. The distributive theorist advances a thesis about circulation, and that thesis is correct within its scope. What the present account supplies is the prior question its correctness presupposes. The necessity of normative philosophy is thereby established *by* the emergence literature, in place of being asserted against it.

9 THE SOURCE OF MOTION

A structure stands still. Composition generates positions and occupancy constitutes subjects, and nothing in either accounts for a configuration ever changing. A theory of *generative* relations that cannot name what drives generation is a taxonomy.

The available drivers fail. Material scarcity explains disruption and leaves generation dark; a configuration under pressure may as easily ossify or collapse, and people generate abundantly under conditions of plenty. Contradiction explains destabilization and leaves generation dark: it accounts for the breaking of an order and for the making of nothing. Preference is exogenous, and it was surrendered along with the assumption of the pre-given subject.

The source of motion is the non-coincidence of subject and position.

A position is generated by composition. A subject is constituted in occupancy. *These are two operations and they fail to coincide.* The subject produced at a position departs from the subject the position specifies, and the residue acts back on the configuration.

Generation is driven by **the structural impossibility of a subject being fully what its position makes it**, and it is driven by need, interest, and contradiction in no degree.

This is the theory's internal engine, and it imports no external driver. Positions constitute subjects; subjects exceed positions; the excess acts; composition absorbs it; new positions appear. The loop closes in the absence of any outside, and the account has required exactly that throughout.

It converts a theory of repetition into a theory of history. Pure absence yields circling: the subject returns to the same failure. The second step converts movement into creation, composition absorbing the excess and *producing new positions*, which are new loci from which to want. **Absence ignites; composition generates.**

9.1 *The non-coincidence runs on both sides*

Occupancy constitutes the subject, and the subject nevertheless acts against the position that made it. The source of this capacity requires accounting.

The position is non-coincident with itself. *It departs from what it presents itself as being.* The interpretive locus lacks the answer and lacks completeness, and its completeness is a claim it makes, and a property it has in no degree.

Counter-power begins in the exposure of the order's incompleteness. It begins in no assertion of prior freedom by the subject, there being none to assert.
Domination therefore fears exposure more than disobedience. A disobedient subject can be punished, and the punishment reconfirms the order's authority to characterize. An order shown to lack the answer has lost the locus from which punishment could be characterized as punishment at all.

10 THE PSYCHOANALYTIC LAYER AND ITS WARRANT

One phenomenon in the mechanism escapes the governance, economic, and inferentialist literatures alike, and the account requires it: *the sustaining, by participants, of the very relations that damage them.* Rational choice cannot answer, since preferences are given and self-harming given preferences are simply irrational. Generative justice cannot answer, since it must assume the extracted party experiences extraction as a wrong, and many defend the arrangement that consumes them. Inferentialism cannot answer, since a scorekeeper without investment has no account of attachment.

Psychoanalysis has a worked account of attachment to the position that constitutes one, the destructive position included, and it is cited for that and for nothing else. It serves as no foundation. It stands *downstream*, theorizing the fate of a subject who enters a symbolic order already there, where the present account takes up the generation, by relational configurations, of the positions that become occupiable. The apparatus is used as the best available account of a phenomenon this account's own commitments require it to explain; should a better account appear, it is adopted. *The move is principled.* A theory holding that all normative structure is historically generated and revisable may not exempt its own resources from that condition.

The technical treatment is given in a companion paper. What is required here is the mapping, and it is given in summary.

10.1 *Mapping, in summary*

Source	Counterpart here	Status
The Other	The third position (§5)	Derived. It is posited there; here it is what composition produces.
The imaginary	The dyad	Derived. Same result by an independent route: absent a third locus, rivalry and force follow.
The paternal function	The mechanism instituting the third position	Derived. A mechanism here where the source has a myth.
Alienation	Alienation of interpretation	Derived, and rendered political where the source made it ontological.
Separation	Counter-power; the order's incompleteness (§9.1)	Derived.
<i>Manque</i>	The non-coincidence (§9)	Derived, and broken with. A symptom there; a <i>source</i> here.
Desire	The residue's action on the configuration	Translated, vocabulary refused.
<i>Jouissance</i>	Attachment to the position that damages	Translated, and indispensable: nothing else performs this work.
The Real	—	Refused. It reintroduces an exterior. Its phenomena admit a better explanation as <i>structural exclusion</i> : positions rendered unoccupiable through the monopolization, destruction, or non-formation of the interpretive locus. <i>The unsayable is produced, and it is given in no respect.</i> It must never be mapped onto novelty: the Real names what cannot be composed, and novelty here is what <i>is</i> composed.
Object-cause of desire	—	Dissolved. It is the residue of an operation, hypostatized by a theory with nowhere to put it.
Four discourses	—	Structure derived, algebra refused.

Table 1: Summary mapping. Full treatment in the companion paper.

The refusals are load-bearing. A mapping in which everything mapped would have established nothing. The value of the derivations depends entirely on the existence of what resists translation.

11 THE MATERIAL LAYER

A theory in which everything is a position in a relational structure has no way to say that a starving person is starving. Material need, mortality, and pain obtain whatever any symbolic order makes of them. They occupy no position, and composition generates them not at all.

The material layer is retained as a layer. *This is what keeps the account a materialism, in place of a structuralism carrying political vocabulary*, and it is the check on the entire apparatus.

Part IV. Power

12 POWER IS ASYMMETRY

Power is asymmetry in a relational configuration, and asymmetries come in kinds: material (control of resources), structural (brokerage, position in the network), and interpretive (occupancy of the locus from which acts are characterized). Interpretive asymmetry is one kind among these, and it supplies no definition of power as such.

It differs in one respect, and the difference is the claim.

Interpretive asymmetry is the asymmetry whose monopolization forecloses the correction of all the others. Monopolize the locus from which acts are characterized, and resistance is characterized as deviance, grievance as ingratitude, counter-power as sedition. *The interpretive position is where the other asymmetries are adjudicated.*

13 THE CONVERSION SEQUENCE

- (i) Generation produces material and structural asymmetry *necessarily*.
- (ii) Asymmetry converts into interpretive asymmetry *contingently but reliably*: wealth purchases the press, brokerage purchases the frame.
- (iii) Interpretive monopoly forecloses reinterpretation.
- (iv) Normative generation ends. The configuration persists by *reproduction* rather than by *generation*.

The fourth condition of Part V accordingly targets *the conversion step*, and it thereby states a more precise demand than the generation of counter-power as such.

The locus is generated by composition, and it is therefore artificial, contingent, and *plural in principle*. A configuration may sustain several such loci or one, and **interpretive monopoly is the singularization of the Other**.

An application suggests itself, and its warrant requires care. An algorithmic recommender characterizes acts, addresses subjects, and is monopolizable to a degree no prior occupant has been. Whether it *occupies* the locus in the account's sense turns on a question the account leaves open, occupancy having been defined as constituting the occupant as a subject. What may be claimed without settling that question is weaker and worth stating: the recommender *holds* the locus against other occupants, and the singularization proceeds whether or not anything inhabits what has been closed.

14 DOMINATION AS THE ATTEMPT TO ABOLISH THE NON-COINCIDENCE

Interpretive monopoly prevents contestation, and it does considerably more. **It attempts to make occupancy exact**, to make the subject be what its position specifies and nothing further, and to make the position be what it claims. It attempts the elimination of the residue.

The attempt must fail, the non-coincidence being structural. The residue persists and requires a *name*. **Deviance, madness, sedition, heresy, and crime are the names a frozen order gives the remainder it cannot abolish.**

This gives the fourth condition its justification, and the justification is functional throughout. *The restraint of power demands that a system refrain from attempting to close what admits of no closure, the attempt destroying the source of the system's own generation. It demands fairness in no respect.*

And it gives the third its justification as well, at a different level. Domination attempts to abolish the non-coincidence at the level of the order; *exploitation attempts it at the level of the participant*, treating them as exhausted by their function. The two are one attempt, and both fail, and §18 carries the derivation.

15 THE REGRESS, DISSOLVED

Generation produces power necessarily, so counter-power must be generated; and counter-power is a structure, hence a power, hence stands in need of counter-power. The regress is ancient. The usual exits are closed to the account — constituent power, the people, the basic norm — each positing an outside.

Formal exits are closed to it as well, and this must be said plainly, the temptation being real.

A renormalization fixed point would be the bad case. The best result the technique could deliver is the *convergence* of the regress: a scale-invariant configuration of power and counter-power reproducing itself. A fixed point of power and counter-power is *a frozen domination structure*. Stability falls short of legitimacy, and where the theory's primitive is generation, a fixed point is death. **Dynamical stability fails for the same reason.** A stable attractor is stable whether the order is democratic or despotic. Both routes import stability where legitimacy was wanted.

The dissolution is this. On a substantialist ontology, power is a *possession*; possessions require guardians; guardians have possessions; hence the regress. Power is a structural asymmetry, and it is a possession in no sense. The condition of its legitimacy *occupies no level whatever*. That condition is the continued generativity of the relations that bear it, and the question is asked identically at every level, creating no new level in the asking.

The cost, avowed. No institutional guarantee is on offer. What remains is a condition requiring continual re-achievement, and admitting always of loss. Every reader who wants a constitutional design will feel cheated. We accept this, every theory that has promised a guarantee having lied.

Part V. The Historicity of Norms

16 THE PIVOT

Norms can come to be only historically. From this a conclusion follows that the paper's entire normative content depends upon.

Generativity is the condition under which valuing occurs at all. It is a value the theory endorses in no respect.

It competes with other values for the highest place nowhere, occupying as it does a different logical position: it stands prior to the place.

The demand "justify the value of continued generation" is therefore malformed. It asks for a justification issued from a standpoint that only the generative process makes available. The condition of justification admits of no justification; it admits of exhibition. Compare: one may ask why it is good that there be reasons, and no answer *in reasons* will be forthcoming.

Both available answers to the demand must be refused. That continued generation is *intrinsically* good is bare stipulation, and it reintroduces the transcendent value the account was built to avoid. That it is *instrumentally* good, in producing better norms, presupposes a standard of "better" that would have to arrive from outside history.

17 HISTORICAL MATERIALISM: INHERITANCE AND TWO DEPARTURES

The account inherits from historical materialism three theses: that norms are historically situated, that the conditions of thought are produced in practice, and that no tribunal stands above history. The inheritance is real and it should be acknowledged.

The departures number two, and neither should be softened.

17.1 *Telos*

Historical materialism has a direction, and its destination underwrites the normativity of the movement. This permits the condemnation of an order in the absence of any eternal moral law, the order standing condemned by history's own tendency.

This account has no telos. The process is going nowhere in particular, and its normativity admits of no borrowing from a destination. Everything must arrive from the *conditions of the process*.

This is a loss and it is named as one. What is gained: no philosophy of history is owed, and no claim about where things are heading falls due for defence. What is paid: the account cannot say the future will vindicate us. Honesty at the price of consolation.

17.2 *The symbolic*

The absence of a theory of subject formation in classical historical materialism followed from the architecture, and it was an oversight in no degree. Consciousness *determined by* social being is a refusal to grant the symbolic its own causal weight. Every thinker who filled the gap had to break something: relative autonomy and overdetermination detonated the base–superstructure model (Althusser, 1971); hegemony became a site of struggle where it had been a reflection of class position (Gramsci, 1971); the class subject was surrendered (Butler, 1997).

The claim that the descendants filled the gap, and that no conflict accordingly obtains, is a *diplo-matic evasion*, and a good reader will see through it.

The honest formulation: *this account shares with historical materialism the historical situatedness of norms, and departs from it in giving the symbolic a constitutive role where historical materialism gave it a derivative one — a departure the post-Marxist tradition also made, and made for the same reason.*

17.3 *The dialectic that does not sublata*

The structure of Part IV is dialectical and should be recognized as such: the generative process produces, from within itself and *by its own success*, the condition of its own arrest. This is close in form to the contradiction between productive forces and the relations of production, in which the relations that enabled development become the fetters upon it, and the fetter is produced *by* the development.

The dialectic has a sublation, and this account, having refused the telos, can have none. The contradiction recurs where it might have resolved. Power is generated, counter-power is generated, and the configuration goes on, toward nothing in particular. The negation of the negation repeats where it might have sublated.

Open, and left open. Whether a dialectic without sublation remains a dialectic, or is an oscillation flattered by the name, goes unsettled here. The question is more dangerous than the problem of scale, deciding as it does whether the inheritance claimed above is genuine or merely rhetorical.

18 THE CONDITIONS OF NORMATIVE GENERATION

Generation falls short of sufficiency. Criminal organizations persist; empires generate roads, literature, law, and cities. A theory identifying the good with the generative would be refuted by its first counterexample.

Five conditions are therefore stated. Their status must be got right, and getting it right is the paper's most important repair.

These are conditions of normative generation. They are values in no respect.

To violate them is to have *stopped generating norms*, to have exited the process within which anything is right or wrong. Immorality has no part in it. The claim is functional throughout.

The account contradicts itself absent this repair, applying a tribunal above history in Part V after denying in Part IV that any exists. The conditions are a specification of what it takes for history to be norm-generating at all, and they constitute a tribunal in no sense.

18.1 *Layer one: the condition of historical unfolding*

1. Generativity. The relation does not foreclose the participants' capacity to go on generating.

Longevity is beside the point. A five-century tyranny is lasting and acquires no legitimacy thereby. What must persist is the *capacity to generate*, and no particular norm need do so. Absent that capacity, normative structure has no unfolding in history at all, and the remaining conditions have nothing to apply to.

18.2 *Layer two: the conditions of direction*

2. Co-reproduction. The relation is reproduced through joint participation, and by the decision of one party in no degree.

3. Non-exploitation. The relation does not depend on the instrumentalization or the sacrifice of any participant.

4. Restraint and non-entrenchment of power. The generation of value carries power, and a generative configuration generates at the same time the counter-power that restrains power and prevents its entrenchment.

5. Subject preservation. The relation does not purchase unity by effacing the other as a subject. *Coincidence is not the aim. The preservation of difference and of the subject is what makes continued generation possible.*

18.3 *The functional standing of each condition*

Each condition must be shown to be a condition of normative generation, on pain of the register collapsing and the tribunal returning. The showings are given, and the third is given at greatest length, being the one on which the account's relation to the literature on extraction turns.

(2) *Co-reproduction.* A relation reproduced by the decision of one party is reproduced from a monopolized interpretive position. What it produces are rules held in place by the party that decides, and they lapse when that party's grip lapses. Nothing holds itself, and nothing is generated.

(4) *Restraint and non-entrenchment.* Entrenchment is the completion of the conversion sequence of Part IV. An entrenched power has foreclosed reinterpretation, and a configuration in which reinterpretation is foreclosed persists by reproduction and generates nothing further.

(5) *Subject preservation*. A configuration that effaces the other as a subject has destroyed the relata at which the residue arises. *Effacing the other as a subject is making occupancy exact*, and the preservation of difference is the preservation of the non-coincidence, which §9 identified as the source of generation. The fifth condition and the source of motion are one claim, stated at different levels.

(3) *Non-exploitation*. The derivation requires care, and a natural formulation of it fails.

The natural formulation runs: a participant is instrumentalized when they are *treated* as exhausted by their function, and to treat a participant so is to make their occupancy exact. This will not do. Instrumentalization so described is a stance the exploiter takes, and exactness of occupancy is a condition of the configuration, and the one entails the other in no way. A proprietor may regard workers as mere labour while the configuration nonetheless leaves their positions inexactly occupiable, whereupon they organize, contest, and generate a union. The regard did nothing.

The condition must therefore be structural throughout.

Exploitation is the condition of a configuration that provides no locus at which a participant's excess can register.

The stance of any party is beside the point. What matters is whether the residue has anywhere to arrive. Where it has nowhere, the participant's excess over their function goes unregistered, and their occupancy is exact in the only sense the account recognizes.

This is making occupancy exact at the level of the participant, and domination is the same attempt at the level of the order. The two are one attempt at two levels. Both fail, the non-coincidence being ineliminable, and in the second case the residue returns under names the configuration supplies: *laziness, insubordination, ingratitude, theft*.

The functional consequence, owing nothing to any moral premise. A configuration providing no locus for a participant's residue has denied that residue its effect. The residue is what acts back, and a configuration that has foreclosed its acting has foreclosed the source of its own further generation. Such a configuration persists by consuming what it would have needed in order to generate, and that is extraction.

The account nowhere holds that using people is wrong, possessing no standpoint from which to say so. It holds that a configuration providing no locus for the excess of its participants has stopped generating, and it says this from within.

The formulation is checkable, and its checkability is the point. Where the participants of an apparently extractive arrangement organize and contest, a locus for the residue exists, and the arrangement is to that extent already less exploitative than it appears. Where they cannot, the configuration has closed. *Exploitation admits of degrees, and the degree is the availability of the locus*.

18.4 *The relation to the literature on extraction*

The third condition is the central thesis of generative justice (Egash, 2016), and the account restores it as a condition and derives it as a consequence. The relation between the two should be stated exactly.

Generative justice identified the condition, and the present account supplies a derivation of it. Extraction is named there as an injustice, and the naming is correct.

What the mechanism adds is an account of *what extraction removes*, and thereby of the sense in which an extractive configuration is self-undermining. *Extraction removes the locus at which the residue would have registered.* The distinction between generation and extraction thereby becomes internal to the mechanism, requiring no antecedent view about who deserves what.

The two accounts are complementary and stand in no competition. Generative justice asks where value goes and answers correctly. The present account asks what a norm is, such that value could go anywhere at all, and its answer entails the other's condition. *We take the condition from that literature and return a derivation of it.*

This closes the standing objection to any theory taking generation as its primitive. Empires generate; criminal organizations persist; the cancer grows.

The diagnosis of the empire must be stated with a precision the slogan lacks. It is insufficient to observe that empires instrumentalize, since an empire might instrumentalize at one site and generate at another, and the two would then be merely concurrent. The claim is stronger and it is structural: *the imperial configuration provides no locus at which the excess of the colonized can register*, and its generation is funded by relations so configured. Roads, literature, and law are produced, and the capacity by which the colonized would have gone on generating is consumed in producing them. That is extraction, and the diagnosis follows from the structure of the configuration, and from no evaluative standpoint outside it.

The claim is falsifiable in the way such claims can be. Where an imperial configuration does provide such a locus — where the colonized contest, and the contestation registers, and the order is altered by it — the account must say the configuration is to that extent generative. We accept the consequence. It is what distinguishes a structural criterion from a moral verdict.

18.5 Revisability, and its place

The account earlier stated a condition of openness to revision, and it is absent from the five above. It is absent because it is contained in the first: *a capacity to go on generating which cannot revise what it has generated is no capacity to generate.* New relations must be able to enter, and the interpretive position must remain re-occupiable, and both follow from the first condition without standing beside it.

Register discipline. Should any condition slide into sounding like a value, the contradiction with which §18 opened returns.

Non-exploitation and subject preservation stand most at risk, reading as they do like moral claims, the one about use and the other about dignity. Their defence must remain functional throughout, and it is given in the preceding subsection: **each is an instance of the attempt to make occupancy exact, and each fails for the reason the attempt always fails.**

18.6 The counterexamples, and the manner of their failure

Case	Where it fails, and the functional character of the failure
Criminal organization	Provides no locus at which a member's dissent may register, dissent being answered by force. Fails (3). What it generates are <i>rules</i> held in place by coercion, and they lapse when the coercion lapses. Nothing here holds itself. <i>Failure of (2) alone would not suffice for this diagnosis</i> : a hierarchy also reproduces by the decision of one party, and hierarchies generate norms. The coercion is what distinguishes the case.
Colonial legal order	Effaces the colonized as subjects and instrumentalizes them as a source. Fails (3) and (5). The relata at which the residue would arise have been destroyed.
Frozen state	Power entrenched, counter-power ungenerated, reinterpretation foreclosed. Fails (4). It reproduces norms and generates none.
Empire	Generates abundantly, and generates <i>by</i> instrumentalizing. Fails (3). It funds its persistence by consuming the generative capacity of the relations beneath it, which is extraction.
Lynch mob	Distributed interpretation, and it fails (4) and (5) together. Generation from below acquires no warrant of goodness , and this must be said: distributed interpretation produces mobs efficiently.

Each counterexample fails a condition, and fails it *as a condition of normative generation*. No moral preference is imported from outside, and the two-layer structure exists to secure exactly this.

18.7 Self-application

The conditions are what can currently be stated about normative generation. Should they prove wrong, the same historical process that revises everything else will revise them. This is the only position consistent with the account's own content. It is stated once and set aside.

The concepts of this paper enjoy no exemption from what it claims. They are determinations of a relational configuration, generated at a position, and they will be revised as the configuration changes. That several traditions have arrived at the same structure under different names follows from the account offered here, and it is a coincidence to be marvelled at in no respect. *This paper occupies one more position. It occupies the vantage from which all such names are seen as one nowhere, and it offers an account of what makes the translation among them possible.*

19 THE UNIT OF NORMATIVE EVALUATION

Traditional normative philosophy evaluates actions, individuals, or outcomes. The account here evaluates *relations and their generative capacity*, and the question accordingly becomes: which relations merit

maintenance, promotion, transformation, or termination, and on what grounds.

This is the turn stated in its most compressed form, and the originality of the account, should it have any, lies here.

Part VI. Limits

20 THE SINGLE GAP

The mechanism gap, the formalism gap, and the problem of scale constitute one problem wearing three masks. **There is no composition rule.**

We know what composition must *do*: generate positions, and fail to close on them. A rule producing perfectly occupiable positions would produce a dead structure, the fixed point, the frozen order. *The generative rule is one whose closure is imperfect*, from which **the exclusion of the group** follows, groups closing exactly. The exclusion is narrower than we should like, eliminating one candidate and leaving standing several others whose composition is partial, or whose associativity holds only up to coherent isomorphism. It is a formal property of the target, and formal properties are searchable.

We cannot write the rule.

Consequences, stated so that nothing unearned is claimed.

No formalism without it. Absent a composition rule, formal vocabulary is all that remains to be formalized.

No account of scale without it. The renormalization group acts on a theory possessing a specified composition and a specified scale, and this account possesses neither. The difficulty lies deeper than a technique awaiting application. **The object on which it would act has yet to be constructed.**

21 THE PROBLEM OF SCALE

The problem falls out of the mechanism, and it is imported from nowhere. Both available answers fail for a stated reason.

Aggregation — macro norms composed of micro norms — reinstates the separability that Part III denied.

Autonomy — each scale possessing its own norms, independent of the others — leaves cross-scale conflict unexplained, and cross-scale conflict is empirically the main thing that happens.

Both fail because the coarse structure is a different structure with different relata, generated by composing different relations, and it is the fine structure averaged in no respect. The right question therefore concerns **what survives composition**, and it concerns the aggregation of micro norms not at all. The direction we would take, offered as a direction and not a result, holds that *scale is compositional depth*, and it is *resolution in no sense*, and that the candidate invariant is the non-closure itself: no position is exactly occupied, at any depth.

Were that right, the invariant across scales would be the very thing that prevents any scale from settling. *The invariant would be the source of change.* We do not know whether it is right, and its investigation must wait upon the composition rule.

22 THE RESIDUES, NAMED

The epistemic residue. A configuration may lack the resources to tell *from inside* whether it generates or extracts. The extractive system experiences itself as generative. The problem is epistemological, and it is unsolved.

The bullet. Should a genuinely open, co-generative, non-erasing, counter-power-generating configuration produce a norm we abhorred, our abhorrence would have *no higher court*. The account accepts this. What it keeps is that the conditions are demanding enough to exclude nearly every historical monstrosity we care about, and that this follows from their content: *the conditions are conditions of generation, and domination is the arresting of generation*.

Metastability, in place of equilibrium. An order that settles is dead. What is wanted is stability *because* revisable: an order persisting by absorption of reinterpretation, and by resistance to it in no degree. *Stability purchased by closure is the failure mode*.

23 THE STANDING OF THIS PAPER

The argument rests on a claim that could be false, and the claim should stand at the end as it stood at the beginning. *The generative and the extractive must be distinguishable in the structure of a configuration, by someone holding no antecedent view about who deserves what*. Should they prove otherwise, the criterion is external, the account has licensed nothing, and its normative content is intuition with formal ornament. Section 4 is where this is defended, and a reader who wishes to destroy the paper should begin there.

Four things are claimed. That the naturalist reduction fails from within, a sanction described behaviourally being indistinguishable from an aggression, and that this failure shares one cause with the failure of the distributive theories: each locates in a relatum what exists only at a position. That generativity is the condition of valuing, and a value in no respect, so that the demand to justify it is malformed. That the conditions of normative generation are conditions and never criteria, so that the account may hold them while erecting none of the tribunal above history it has denied. And that non-exploitation admits of derivation from the mechanism: instrumentalization makes occupancy exact, the residue is denied, and an exploitative configuration consumes the capacity by which it would go on generating. *Generation and extraction are thereby distinguished from within*.

Three things go unclaimed. The composition rule. The problem of scale. And the standing of a dialectic without sublation.

Norms have no being apart from their historical generation. The conditions under which that generation continues are the whole of what can be said, and they are demanding enough to condemn most of what has been built.

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