Research Article

Ethics and rule breaking in a vulnerable society: some challenges

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ABSTRACT

Scientific and procedural rationality becomes compatible with subjectivism, increasing the modern ethical void. In this work I will show how that void impact in disruptive behavior. First, I shortly describe the general problem of our moral culture making dialogue one of the most important contemporary moral philosophers, Enmanuel Levinas and the sociologist Zygmunt Bauman, who has made the main critical contribution to the moral culture. Second, I will make some observations in the sphere of art, where it is specially notorious how the crisis of ethics due to the evolution of the culture of individualism affects to the behavior erasing limits -v.g. Proof-Of-Authority-, extending the beliefs that all is possible, that anyone can do anything, everything can happen, and, so that, rules and forecast are perceived more relatives that never. In a third step, I will focus the attention on the multidisciplinary field of Criminology -rule breaking, deviance-, because it is the main place where can be proof the failure of norms which lead society to both, problems for coexistence, and ability to predict insecurity. The formulas invented by social scientist to understand "normal" as well "deviant" behaviour, seems to fail more than ever. That should make us consider two kinds of challenges. How can we reinforce the ethical side of the norms under a cultural environment secularized and liquid, and physically threatened? How can we manage the self-criticism in social sciences so that we not all in the pessimism apparently propitiated by Cancel Culture?

Keywords: ethics; rule breaking; moral culture; epistemology; Levinas; Bauman

1. Introduction

Probably the main question raised by Emmanuel Levinas is the critique of modern subjectivity (Chinnery, 2018). The Lithuanian philosopher "deconstructs the modern path of man's subjectification" Medina (2010:121). Subjectivity is defined in his work from an ethical perspective. This is not a complement to existence but rather the basis of it: "It is in ethics understood as responsibility where the knot of the subjective is formed" (Levinas 1982:101). This implies overcoming the focus on reciprocity in social relations. Bauman observes that the encounter with the face occurs if and only if my relationship with the other is programmatically non-symmetrical (1993:49). In his opinion, the condition of asymmetry proposed by Levinas, grants to the proposal a radical character that differentiates it from other versions of post-Kantian ethical theory. Among them Heidegger's. The union of the self with the other-*mitsein*-is ontological, prior to morality, and therefore does not imply a moral commitment but is associated with an "irreparable" ethical neutrality. And neutrality, morally speaking, can be considered synonymous with indifference. The Polish sociologist thus focuses on the warning by Levinas: if we want to guarantee the moral fact, cannot be reduced to a simple

Being-with, but must be a *Being-For-être pour l´autre*. *Being-for-the-other* is the expression that Levinas uses to define the concept of responsibility. In a later booklet, subtitled *Ethics After Certainty*, Bauman attempts to expose the consequences that the new forms of organization of social relations in late modern society would have for morality. If, according to Bauman, morality means for Levinas-whom he considers the greatest of the ethical philosophers of the 20th century-Being-for, then we are not in luck because such a condition is not easy to achieve within a fragmented social life that tries by all means to avoid problems The maxim that summarizes the behavior of the late modern citizen, "I need space", attacks the moral instance by preventing the moral evaluation of human relationships, thus completing the process of moral neutralization that they had started in modernity the mechanisms of bureaucracy and business (Bauman, 1994: 21).

Starting from this basis, this work aims to reflect on the extent to which the evolution of subjectivity has led to the irresponsibility that seems to define late modern moral culture. The evolution of subjectivity during the last phase of modernity seems to have led us to a paradoxical situation. In the global village, middle class citizens have the perception of living in a vulnerable society (Gil Villa, 2016). Subjectivity and vulnerability are two sides of the same coin, since the Self (*Le Moi*) is, all of it, through and through, vulnerability. (Levinas 1972:93). But this historical circumstance in which vulnerability is combined as an anthropological-philosophical condition on the one hand, and as a social condition, on the other, does not seem to be being used to relaunch Levinas's proposal of ethical responsibility in which heteronomy compensates for enlightened autonomy. Humanity prides itself on having managed to keep at bay the great evils that have stalked it throughout history-hunger, war, disease-thanks to scientific advances. Of course, knowledge cannot be judged solely by its technological results. We must observe, as we will do below, its internal evolution, its recomposition in terms of objective subjectivity. Once subjectivity is subsumed into legal rationality, social identity can be considered complete, self-sufficient, despite its incoherence. This process can be read especially clearly in the identity of social deviants, in such a way that that same label no longer serves as it had done until now. The result sets the stage for the fantasy of self-deification (Harari, 2017). The potential ubiquity that global society grants it, due to the rupture of the coordinates of time and space, will reinforce the delusion of the narcissistic self as a self-referential individual social system that will thus be able to deny its vulnerability.

2. The proof of authority in artistic creation

Subjectivism managed to overcome the misgivings that scientific positivism had aroused. He progressively made a place for himself in different areas of social life until he achieved recognition. In the case of science, qualitative scientists seem to have ended up fetishizing their object of study as much as empiricists -ethnicity, gender, age, identity, etc.-demonstrating in each work the capital importance of that topic. Foucaultians, post-structuralists, institutional theorists, discourse analysts, feminists and others generally end up proving what they had proposed from the beginning (Alvesson, Gabriel and Paulsen, 2017:73).

But it is in art where this evolution can be well observed. In the artistic disciplines, abstraction, dreams, automatisms, and the traces of popular culture are incorporated throughout the 20th century as accepted academic and consumer criteria. The character of ideological denunciation with which some avant-garde experiences begin ends up being assimilated by bourgeois culture.

In 2019, Mauricio Cattelan exhibits at Art Basel Miami Beach, The Comedian, a fresh banana stuck to the wall with adhesive tape. The work consisted of three editions, three bananas that cost the artist about 30 cents in a local grocery shop. Two editions sold for $120,000. Apparently, this is an extreme case of overvaluation of subjectivity. However, not everyone can sell his idea, it is necessary to expose it in special circuits that are prohibited for most artists.

The event serves to illustrate the limitations of the criterion of *Proof-Of-Authority system* and therefore the limitations that ethics has to impose itself as criterion of justice in the current functioning system. Paradoxically, this test can be passed by contravening its spirit, or by reducing it to the maximum until it is almost invalidated, therefore prioritizing the opposite criterion, the closing criterion, that of selection, that of exclusivity as social exclusion. Each work should be judged independently according to quality criteria, but these are limited to proving a connection with some famous artistic precedent, as in the case of jurisprudence. Thus, The Comedian refers to Marcel Duchamp's The Fountain, a toilet exhibited at the Exhibition of Independent Artists in New York in 1917. In fact, Cattelan also has a similar work, made of gold, valued at six million.

The ethics of *Proof-of-Authority system* is reduced in a double movement: it is based on referentiality, which in turn admits a degradation based on its vagueness. Its lack of contrast proportionally increases the weight of a-ethical criteria, the reputation of the artist and the locus of exhibition along with advertising. The result is that the incorporation of subjectivism into the social system and its subsystems, such as the artistic or academic, end up undermining its ethical dimension. In the end, credit prevails in every sense of the word: the social system socializes and therefore encourages actors - artists, researchers, writers, influencers - to live off their income. The philosophy of credit is the opposite of that of ethical responsibility: "What I present here is similar to what I have always done, rest assured, it is part of the Same."

The avant-garde artist in postmodernism extends and extremes the ideological effect of subjectivity. If before he questioned high culture, now he questions popular culture. In the first case, the ethical justification came from the hierarchical inversion of the categories that protected asymmetric authority, and therefore inequality as the basis of social injustice. But the mockery of popular culture takes criticism to another terrain, that of recursiveness. Everything can be criticized - and it should be - simple because it exists. Inertia, as the engine of criticism, replaces value. The artist becomes a cynic. *Erga omnes* mockery is a mockery towards the Other. The artist, the writer, the citizen, develop the ability to highlight the caricature features of the Other, they know how to wait, like cunning predators, for the moment in which the ridiculous gesture appears. Simmel alludes to the pleasure of destroying that is typical of human beings: it is easier to criticize the work of others than to talk about their benefits (2017: 22). Such cruelty, as he calls it, is facilitated today by anonymous comments on the networks. The Other as matter of laughter constitutes the opposite pole of "severe seriousness" of goodness defended by Levinas, a perspective that emanates from the order of responsibility (2002:214). The grotesque dimension of existence is painted by the postmodern artist, and by extension, by the bourgeois accustomed to this late phase of modernity, not as a feature of a specific social group, as a "defect" of the role, but as a inherent trait of the human being from which no individual can escape.

The crisis of ethics expresses, in this sense, the crisis of common sense. The economic value of a work of art cannot exceed certain limits related to the basic needs of the community in which it is inserted. "To recognize the Other is to recognize his hunger," observes Levinas, (2002: 90). Likewise, no action, including especially labor action, should be carried out or allowed in practice when it clearly damages the rights of the community, living beings and the planet. But neither national nor transnational states, such as the European one, have managed to define these limits much more than they did 25 years ago, when Levinas died, as if continuing the trend denounced by him regarding the reduction experienced by consciousness. in modernity.

The crisis of subjectivity is an optical effect. In reality, in the pulse between objectivity and subjectivity, the ideology of suspicion, the critical itch, is always present, as judge and party. This is responsible for depressing the one who is winning, in an alternation in which the balance loses its beauty due to the lack of common sense, a lack that closes the door to ethical responsibility.

3. Consequences of the philosophy of suspicion

Levinas observes that "the notion of ideology used by the Marxist critique of bourgeois humanism has received much of its persuasive force from Nietzsche and Freud" (2001a:20). Marx investigated the functioning of capital to denounce it. But the case of Nietzsche and from Freud it is something different.

At first, Freud revealed the secret code of the unconscious in order to alleviate the suffering of the sick. But later he extended his decoding observations to other areas of everyday life, such as jokes and colloquial expressions (Freud, 2011). Many of the phrases we commonly use in a figurative and humorous sense - such as "I would kill him (or her)"-lost their usual aura of innocence and rebelled as signs of deep instincts. By publishing both types of codes interchangeably, including their relationship, which legitimized the action from a scientific point of view, Freud opened a door that could not be closed. A door that allowed thought to leave the closure of *The Same* in which it had remained locked since the Enlightenment to enter the attractive and mysterious plane of *The Other/Same*. This would constitute, in the end, another vicious circle of a worse nature, since it no longer allows us to imagine a way out. One can continue to talk about salvation, and therefore maintain a connection with Levinas's thought, but no longer as a way out. The topological metaphor stops working.

Nietzsche also decoded Christianity in a spirit of denunciation. But by using it as a prism to analyze the Western vision of life, he went further, devising an ambitious theoretical plan in which everything could be turned upside down, therefore, the world itself. Although he did not live long, he had enough time to give shape to that obsession of general and orgiastic blasting in which he himself perished, as an essential fuse-hence Ernst Jünger called *Powderhead* (1981:404). The aim is not to denounce something at a given moment to improve something, but to denounce everything. You reach a point of derangement in which you no longer denounce in order to live, but rather you live to denounce. In this line of overacting, Freud represents the intermediate link between Marx and Nietzsche. It is the extremism of the latter that allows us to understand the effect that the philosophy of suspicion has had on the subsequent evolution of the social sciences and contemporary thought in general. The contradiction of the extremist gesture is that it exceeds reality by simplifying it, overloading it, saturating it, but not by increasing all its ingredients in a balanced way, but only one of them. "I do not believe," writes Nietzsche in the prologue to *Human, Too Human*, "that anyone has ever suspected the world so deeply or foresees the consequences that every suspicion implies" (1984:588). And he adds that when he did not find what he needed he had to obtain it artificially, either by falsifying it or by inventing it, like the poets.

When sociologists, anthropologists or criminologists decode and publish the codes of tribes - including urban ones-,prisoners, or illegal organizations of all kinds, they also "denounce" them. Although the objectified actors-converted into objects of study-do not read these publications, due to the effect of reflexiveness, knowledge ends up filtering and interfering in daily life. Social science can be disseminated through simplified recipes in popular media, in magazines or in videos. The tagged person senses that their secrets are no longer as safe as they once were. There were always, of course, special social agents who knew their strategies, some curious intellectual, or more or less eccentric expert. The difference is that today they are accessible to everyone and therefore lose much of their strength or function. If the police suspect a young member of a Latin gang because "it goes wide", I said referring to their clothing (Robles, 2017: 223), that will force a code change to be made on the real members of said gang.

The tendency towards maximum transparency in matters of relevant information is considered an axiom of modern democracies. Also in terms of the scientific dissemination of the laws and mechanisms that govern the physical world. And finally, also in the intentions of the actors for the sake of sincerity in the social

relationships they establish. Transparency goes beyond the original political and scientific container and is extrapolated to the private domain. One of the most extreme experiences of this trend can be observed in the so-called Social Credit System implemented in China, where citizens can be classified, both by government authorities and by private companies, on lists and scales with the purpose of being rewarded or based on their civic or saving behavior (Kostska and Antoine, 2018).

The debate on transparency usually focuses, either on the political aspect of corruption, or on the legal aspect of the right to privacy. But one of the deep causes that feed this trend usually goes unnoticed, namely: the indirect effect caused by research carried out in the social and human sciences. The actor is running out of hiding places. The Christian precept of confessing sin through thought, expressed or not, is more fulfilled in the secularized postmodern stage. Confession is not made before the religious authority but before Himself, before the Subject, and is not due to the incentive of guilt but to the itch of sincere communication, a means for self-realization. Sincerity is not valued so much for its purifying effect on the relationship with the Other but for its strengthening effect on the self.

The subject is no longer behind the confessor, but rather ahead of him. It is a partial confession, one of convenience, that can be manipulated, but in his desire to make it ever greater in order to compare himself with others and appear as a hero of sincerity, the subject ends up falling into his own trap, suffering from contradictions. The game of absolute transparency, whose fantasy projects a self-deified, perfect being, runs the risk of destroying refuges. The social actor fears his own thoughts because the confession of some of them has a high social cost, as they are politically incorrect - even though theoretically, in post-history, everything is correct, relatively speaking.

Apparently, transparency sanctifies the subject, but it has a sinister undertone that suffocates, because it is based on the independent idealization of the self, on the fiction of its self-sufficiency. Such idealization generates an excessive, suffocating burden, because everything must be present. Levinas' words fit here: "Nothing can or has been able to happen without presenting itself; nothing has been able to be smuggled without being declared, without manifesting itself" (2001b:92). We can apply it to stigmatized people. Once their secret codes of behavior are made public, they are left with no social escape. The classic game of persecution and resistance between taggers and tagged (cat and mouse) makes less and less sense in late modernity. Stigma is no longer one and perpetual, referring to a characteristic that marks the person's membership in a social group discriminated against as deviant. Anyone can be tagged at any time for various reasons.

To ascend in the increasingly rarefied atmosphere of transparency we must release the ballast, bags that contain the hard soil of freedom. We combat uncertainty based on the relative certainties offered by the deciphered codes. Social life is judicialized. Relationships are protected with contracts, even if the risk is minimal. As complexity increases, blind trust is replaced by one that is subject to constant supervision (Luhman, 1996: 55). Rather than facing a risk society (Beck, 2006), it seems that we are facing a society of insecurity, subjectively vulnerable. This means that, never before like now, when we have more control over things, we are more aware of living in an uncertain world. We have fewer failures, there are and will be fewer crises, but more serious ones, because the rarer an event is, the less we know about its probabilities (Taleb, 2008:314). The unexpected crises that have hit the world in the first half of the 21st century, being so profound and occurring so frequently, have further increased this feeling of vulnerability.

Until modernity entered its later phase, those labeled were forced to constantly reformulate the code. The modifications had to be minimal, relative and sporadic. The limit was set by common sense. After a certain point, the energy expended on modification does not compensate for the pleasure extracted from the playful

experience. It is true that criminological research shows that the majority of delinquents, if we look at one of the lower links in the chain of norm breaking, have never acted with much planning (Felson, 1998:23). But it is also true that they do not fail to make a minimum rational balance between the expected rewards and harms based on their own breakthrough experiences and those of close people, with positive or negative balances in these differential reinforcements (Akers and Jensen, 2009). Therefore, it can be said that they act under certain rational parameters. In general, and this is the important thing, they did not have to worry about changing the learned cues of the deviant subculture - according to social learning theory. Illegal trade in the border territories has occupied the same intricate paths for centuries. The suspicion that, behind the wig, someone could hide a bald spot, stopped there. But once the utilitarian threshold has been crossed, the labeling -*The Mouse*- considers breaking with rational action and standing down. There comes a -historical- moment in which the only way to mislead the cat is to surprise oneself with an unexpected movement, to place oneself with an unimagined action on the edge of the great whirlpool of chance and let oneself go.

4. The labeling game

This change in strategy could be behind the question addressed by Levinas about the disruption of trust in the functioning of science due to the unintended devastating effect of ideology. The *deviant* is the self that still believes it is possible to get out of the Self by breaking rules. It is the ideal of the prisoner, it represents the hope of breaking the closure. Feeling a prisoner, a hostage, is the condition for giving oneself to the Other and founding the ethical relationship. The game of cat and mouse allows us to imagine the rupture of the dialectic with a winner who does not subsume the defeated, who does not assimilate or synthesize him. The breakdown of the game of rule breaking ends that possibility, closes and seals the environment, isolating it from the environment. With this, consciousness becomes a complex system capable of self-reproduction. In it, the positive and negative poles that activate the representations fulfill that role in a relative, buffered way. In other words, such signs are only simulacra, they lose the radicality that gave them their original meaning. They are companions who share the benefits of the game. They end up seeing each other as one, as *The Same*. Otherness and its mystery, represented in the Other, disappear. To break the cordon sanitaire, the rupturist self has to be willing to carry out a suicidal action, that is, an unforeseen, irrational, unmotivated action; It must cross the barrier of relative uncertainty, of the domesticated discomfort in which it lives, and enter the stratosphere of true risk, a non-place where the other, the unpredictable, lives.

This answer is not the majority. Traditional responses continue to work alongside them or at the same time, but devoid of meaning, like rituals moved by inertia and promoted by actors somewhat distressed by the suspicion that they represent a farce. Today in the postmodern world, there are prisons of all kinds, from medieval ergastulas to versions of the Houses of Correction, up to telematic and post-panoptic, immobilizing, aseptic prisons (Bauman, 2017). In this last, the other is reduced to representations of the past and utopia is part of the dream.

It is the new response, however, that must be taken as an indicator of a structural and relevant change in cultural evolution. First, society has become more complex. In an institution like the prison, in the 18th century there was less ethnic variety, less exchanges between the prison system and its environment. The code was consequently more stable. Secondly, we must think about the dissemination of the codes. These have traditionally grown in an esoteric environment, in an atmosphere of secrecy. The religious sects and derivatives of Freemasonry that we find today, generally linked to cultural and educational institutions, can be considered atavistic remains of their ancestors, living museum pieces that fulfill more of an implicit recreational function than a true function of change. Spurred by a more combative spirit. Its main obstacle lies in the transparency imposed by the political regime. Nowadays, all code can or should be published. The code and its counter code

are published. Nietzsche's Antichrist, for example, claims to be a counter code to the Gospels (1990). But the diffusion of opposing models generates feedback effects. When H. Becker (2013) or E. Goffman (2013) observe, analyze and publish the behavioral formulas that so-called social deviants use to hide their stigma, this makes them more vulnerable, although that was evidently not the objective of the research. Even if the intention of social scientists has been to defend some of these groups due to the discrimination they suffer, the opposite, unwanted effect seems inevitable.

The world dematerializes when the poles lose their telluric force. Bauman's metaphor can be stretched here. A liquid society (2022) represents a conductive social environment. Does not need grounding. All its elements, upon becoming liquid, merge into an undifferentiated soup. Until a few years ago, in criminology manuals, the so-called radical or critical criminology occupied one more chapter (Downes and Rock, 1998). It was a minority current that criticized the State and the academy for criminalizing those who were not socialized in bourgeois culture, identifying stereotypical profiles of criminals or people who deviated from the rules of decorum. Today, we read in Oxford manuals a self-criticism of interest for our reflection not only because it is a reflection of the extension of the philosophy of suspicion (inspired by Foucault) but because criminology was the science in which the relationship is most clearly expressed. dramatic with the Other and otherness. Self-criticism is in turn an example of criticism, so much so that, in debates, those who propose the abandonment of the discipline encounter the objection that they only focus on the reasons for abandonment but do not propose anything in return ((Hillyard and Tombs, 2017: 297). Zemiology, the approach to social harm, would be the alternative to an anthropocentric, ethnocentric and androcentric criminology (Case, 2021:592). The victims would no longer be only human beings but also animals and things. On the other hand, the damage to be considered is not only that caused by an intentional action but also by an omission or accident.

What does this opening mean for an ethical reflection on subjectivity? The culture of the average citizen in the information age makes aware of two things. On the one hand, freedom of action has decreased in a direct proportion to the number of rules in force in all areas of life. On the other, acts, both individual and collective, have unintended consequences that can make feel guilty to the actor. This double knowledge leads to a feeling of frustration and helplessness in the face of the idea of restorative justice that is contemplated, for the first time in history, and in the face of this new, impossible structural framework. How to elucidate, for example, the share of responsibility of a cigarette, a polluting car or non-recycled plastic? Or that of a State or a company?

Unlike a past where the equation seemed clear, although the terms of the definition were biased, the person now concentrates in her identity the two sides of two previously separated worlds: he feels both a victim and an aggressor. Something that complements each other in the dimension of judgment: it is not labeling or labeling, but both things at the same time, which necessarily has consequences for the ethics of responsibility. If in the past the suspected Other was part of a clearly defined external social group, now he is universalized, including oneself. This fact is experienced ambivalently. On the one hand, it is painful. This explains both, the defensive reaction of creating the image of being invulnerable - practicing risky sports, for example -, such as the increase in mental health problems derived from the lack of a solid identity. But, on the other hand, it feeds the delusion of grandeur typical of egomania: the vision of a finally complete self that encompasses everything, good and evil. Well understood that this ambiguity is determined by freedom and is, therefore, in Levinas' ideation, outside the original passivity of the Good. The subject and its subjective perspective can thus definitively get rid of Otherness. It is a narcissistic totality whose closure seems to lead to the tragic end of the script of the Greco-Latin myth to death as self-exclusion, after going through the exclusion of the Other, through the rejection of the love that others show us. Ironically, Narcissus achieves Levinas' proposed goal of being both host and hostage of the Other, but only when the Other has been phagocytosed.

Immanence, as a supposed feature of the Western philosophical system, surpasses itself by being historically incarnated in the self-reproduction of systems. Self-referentiality is the unity that presents for itself, that is, "independently of the mode of observation of others", a process or system (Luhmann, 1997:89). This concept represents an important step in the evolution of scientific thought because it separates reflection "from its classic place in human consciousness or the subject" by transferring it to fields of objects (Lhumann, 1997: 88).

The idea precedes social organization. Well into the 21st century, the coupling of both systems can be seen more clearly. The armor of the citizen of the vulnerable society is superimposed on the armor of consciousness with which the pure, absolute and impassive self is protected, a self "preserved from all inadvertent or clandestine commerce with the object" (Levinas, 1987:167). Exorcism of the uncertainty caused by social insecurity or the appearance of things, a reaction of those who live under the permanent anguish of suspicion. Citizen subject or self that clings to the present like a burning nail, a parenthesis that is not a nuclear fission of the past and the future, an explosion impossible to bear given the state of neurosis from which it is based. Present that presents itself as a lord who forces the past and the future to present themselves, lending vassalage, in a reduction operation that turns them into spoils, nullifying their strength, their essence, like a depleted and domesticated jungle in which freedom is no longer possible. miracle of the Other.

During the stage of globalization, the social system, once it achieves interconnection, reconcentrates, closes, and self-reproduces. Expansion gives way to reduction. The expression global village makes sense: the global is not an exterior but an interior. The social system can begin to purge itself, in search of its functional improvement. To do this, it uses the engine of procedural rationality, trusting less in the human element and more in the algorithm. New synthetic formulas appear between the two poles that were once considered enemies. On the horizon looms the dystopia of a society without people, dehumanized. Contemporary thought, Levinas observes, moves in a being without human traces, comparable to the dehumanized vision of the planet Earth seen from the moon in the eyes of the first astronauts. Then we witness the paradoxical climax of the function: in the infinity of the cosmos, the pedestrian of space, the human being "finds himself trapped, unable to set foot outside" (Levinas, 2001b: 24).

In the atmosphere of our social context, the ethical challenge becomes more pressing. The subject's need to leave her world becomes more imperative. The inability of politics to achieve utopia becomes more evident. Thinking about the otherness through the Other as a source of transcendence, not as an object of knowledge, is emerging on the horizon as the only sensible alternative to progress and egoism. Social vulnerability must be used to think about human vulnerability and transform destructive selfishness into conservative altruism for the planet. The Other must interrupt the time of the Ego and, as Mèlich observes, decenter it from its individualism and its egocentrism, its logocentrism and its narcissism (1998:185).

5. Impact of epistemological evolution on the shall not kill and the kidnapping

The relationship between ideology and subjectivity proposed by Levinas is better understood if we take into account the relationship between the changes suffered by moral culture and those suffered by culture in general.

The concept of ideology refers to a set of beliefs, opinions, perceptions and attitudes that inform practice and that constitute a coherent set of ideas and actions, which does not imply the absence of tensions or complex functioning that makes a special analysis essential. to be revealed. That was the intention of Marxism to

dismantle bourgeois ideology in different currents and at different times. Max Weber's approach seems especially interesting at this point, given Levinas's interest in the topics of morality and religion.

In Weberian sociology, the church refers to a hierocratic institute or association, therefore specialized in the administration of spiritual goods of salvation that it aspires to carry out in a monopolistic manner. Thanks to it, the State maintains social order (Weber, 2002:153). Through it, it exerts psychic coercion on citizens, instilling a specific ideology, a vision of the world and practices fundamentally organized around a moral code. The moral norm marks an obligation in conduct of an internal order, compared to the legal norm, of an external nature. A moral norm may or may not be guaranteed by a legal norm that redoubles its obligatory nature and superimposes formal sanctions on the non-formal sanction. It is based on the belief in certain values that make behavior considered socially acceptable, just as there are things considered beautiful according to aesthetic standards. This means that they cannot be generalized, being morality something relative, a cultural matter dependent on the time and space in which we find ourselves (Weber, 2002: 29).

Levinas refers to Althusser, known for his exposition on the Ideological Apparatus of the State (2001b:102). The school, specifically, is one of those apparatuses of ideological domination that reproduces social relations of exploitation. The school is a very important device because it succeeds the church when it loses its calling with secularization. The institutionalization of compulsory education coincides with the decline of the church as an institutional power. In meritocratic societies, theoretically social positions are no longer inherited, although they are in practice, as demonstrated by the updating of the social analysis of the function of social reproduction exercised by the school today. They are inherited indirectly, through investment in cultural means that are later profitable in academic success (Bourdieu and Passeron, 2008). The work of deconstructing ideology, however, loses strength in the last period of the modern era, when the work of school indoctrination in the cultural arbitrary of the bourgeois class weakens, fundamentally due to the competition that the teacher finds in the media. and ICT, something that actually informs his crisis as an authority figure. This phenomenon can be generalized, beyond the educational subsystem. In an increasingly complex and volatile society - with a greater representation of the factor of chance - the presumption of conspiracy, underlying ideological deconstruction, is increasingly illogical, although, paradoxically, it is more probable, given the difficulty of orienting oneself. in the information jungle.

Structuralism caused the appearance of interpretive, subjectivist currents, which claimed the prominence of social actors in the construction of social life. But the opposite position in the theoretical dilemma between structure and action did not mean that micro-sociological approaches renounced the deconstructivist ideological spirit, in the sense that Levinas observed. Although the actors did not consciously obey the structural mechanisms, they conceived and shared strategies and meanings of action that made social analysis necessary for their decoding. Finally, many researchers embraced an eclectic stance, trying to combine macro and micro analyses.

At this point, the social sciences faced a paradox. For the social actor to achieve autonomy and freedom, for him to have control of his behavior, he had to act as an anthropologist, ethnomethodologist, psychoanalyst or social psychologist. Of course, for that you would need to invest time that you don't have. And even if it did, it would ruin the spontaneity of action, which is, apart from the knowledge of options and their implications, the other side of freedom. However, this is not the main obstacle that the fantasy of subjectivist approaches encounters. At that moment in history faith in reason still works. But at the end of the last century there was a transition in which we moved towards the conclusion that behavioral models were no longer rational. María Zambrano, in one of her conferences at the House of Spain in Mexico, during her exile, observed that from Parmenides to Hegel everyone had been a rationalist, with a "base rationalism", based on an absolute reason that had subjected the poetic thought. But today, she stated in 1939, that world is collapsing,

with the following generations having to endure that collapse (a part of which we try to analyze here) (Zambrano, 1939).

A fragment of the script from a television series can serve as an example to illustrate the idea. Is about *Mindhunter*, created by Joe Penhall in 2017 and awarded in 2019 by the writers' union (WGA). It is set in the seventies, therefore, within the mentioned time, and deals with the resolution of crimes pursued by the FBI. In one of the scenes from the first episode, an investigator's conference is observed as part of the agents' training. The protagonist talks to him on the way out:

-It's as if we no longer know what drives one person to kill another.

-In the past, if you had a victim with fifty stab wounds, you would look for the ex-partner or the jilted lover. Now, he could easily be a pissed-off postman.

-Crime has changed

-Is it just a response to so much instability?

-The world barely makes sense, so it is logical that crime doesn't make sense either.

The example here is pertinent whenever the moral fact is summarized in the call to the Other: *Thou shalt not kill*. A call, that is, something that goes beyond mere prohibition and that can take "a thousand forms", including indifference (Levinas, 2008: 22). Now, the tendency towards the disappearance of mobile phones, in the field of what is currently called *Human security*, has implications for the ethical proposal, because it supposes the absence of the rational causal brake that delimited the spectrum of the most inhumane crime, the homicide. In fact, it makes meaningless the distinction between the categories of homicide and murder. It is necessary, in turn, to broaden the interpretation, not only comparing the ethical and criminological perspectives, but rather the terms kill, death and dying. Killing can only be apprehended by the philosophy of law from the perspective of the culture of death. In ours, as is known, death tends to be ignored precisely as part of the resistance to admitting the vulnerability of the human being, Levinas' touchstone. If social substance becomes liquid, death also dematerializes as care for the dying and the dead diminishes while becoming virtualized, as in online funerals (Walter et al., 2011).

If the Other is elusive, irreducible, uncontrollable, if it escapes the totalizing desire of any homogenizing instance, institution or social norm; If he expresses his infinity in his face, it is because the possibility of death is present in his gaze. The Other summons with his face from the inescapable presentiment of death and the vulnerability that it implies. If the irrefutable responsibility towards the Other is expressed in his face, it is because in the face to face one can sense the hypothetical and potential extreme situation in which I could give my life for him. Heidegger's *Being-for-death* is thus reformulated into a *Being-for-beyond-my-death* (Guillot, 2002:38). This dying for the Other makes it impossible in its radicalism to kill the Other, even in cases of cannibalism or kidnapping due to an obsession, where an attempt is made to recompose the self by assimilating the Other, therefore remaining in the dimension of power. So, it is an ahistorical and a-anthropological formula that can hardly catch on in a late modern culture characterized by a denialism that affects, in the first place, death.

The denial of death proves the forgetfulness of the Other. The denied awareness of vulnerability is actually a process that is experienced collectively, as a social identity, in a contradictory way. As a process that is only relatively conscious for the actors, we can say that it develops under the mantle of subjectivity as a result of the complexity. The complex global society recognizes the importance of subjective identity processes - hence the psychologization of culture - while erasing the limits of traditional concepts. The categories are blurred. Everything is a matter of degrees, from democracy to death, so that the truths contained in these terms lose

consistency, they become the stuff of daydreams. The repercussion of this phenomenon for human relations, for ethics, seems evident. The Other becomes a substance as unreal as his virtual presence. His disappearance is a matter of disconnection. It has never been so easy to ignore the moral call.

In a previous scene of the above-mentioned work of fiction, the protagonist had in turn given his own talk on the protocols of action in case of kidnapping, with Levinasian echoes. The agent, in these cases, must be a mediator, which means that he must, above all, listen and put himself in the other's shoes. That's how it would have been until now. This action allowed understanding and the possibility of restoring coexistence on ethical bases. For Levinas, the obsession with vulnerability necessarily results in putting oneself in the place of the Other not only with the imagination, but also by enduring it, taking charge (1972:93). In his *Captivity Notebooks* he clarifies that to do this one must experience his abandonment (2013:97). The crisis of criminology, to the extent that it occurs, can be interpreted *Latu sensu* as a metaphor for the change in our moral culture due to social change. Just as the limiting concept of motive stops working in homicide, the concept of Stockholm Syndrome stops working in kidnapping, as the actors are denied the possibility of putting themselves in the place of the Other. The indeterminacy of reality, expressed in the inability of social science to manage categorical limits that serve to guide behavior, ends up making communication impossible.

kidnappers would now operate under three novel conditions. First, choose a hostage at random. Second, he does it at any moment, that is, not especially motivated by any event. And third, with an unpredictable outcome of the dramatic situation that will depend both on the skills of the mediator and on chance. That is, the outcome is detached from the situation that caused it, it loses contact with the cause. The ending does not depend so much on the conditions requested by the kidnapper being met as on the emotional drift that forms an independent universe, a loop with an uncertain exit. This supposes a double rupture of logic and a double crisis of the perspective of knowledge of science and enlightened reason. Not only can we not know the reason why the kidnapper acts, but the immanent logic of the kidnapping that makes the resolution of the problem depend on the conditions of the negotiation does not work either. Negotiation as a science within a theoretical perspective of communication, inherited from the Enlightenment, fails.

In these circumstances, the hostage loses its merchandise value. Utilitarianism does not serve as a scheme of action. Anyone is likely to become a hostage to the Other, ironically making Levinas's ethical proposal possible - "The other invokes the self as an irreplaceable hostage" (2002: 41).

6. Conclusions and discussion

The starting point of this article is the moral philosophy approach of Levinas, his critical thesis against the role of the subject in modernity. Paraphrasing Bauman, *Ethics after certainty* has a sense of crisis. It describes social situations where social actors do not feel themselves attach to moral prescriptions. Or they use some of them but not in a coherent way.

Once connected the philosophical and the sociopsychological perspectives, I looked for the effects in the field of Criminology, a multidisciplinary discipline that can be regarded here, *latu sensu*, as rule breaking. This field is the best place where can be proof the failure of norms which lead society to both, problems for coexistence, and ability to predict insecurity. We have analysed two extreme kinds of norms from their moral basis. First, in the sphere of art, where there are traditions, like vanguards, that can be seen laboratories of rule breaking. There would be *good* and *bad* artists as well there are *good* and *bad* citizens. In art, the cultural relativism seems clear under the realm of subjectivism. The subjective perspective ends up erasing the traditional compass used by social actors to orientate in the social world. That logic was based in ethical norms, like *Proof-Of-Authority Sistyem.*

Since culture has been defined like the predominant sphere in postmodernity, this phenomenon will be easily extended in the rest of social system. The attack to the figure of authority in art can be extrapolated to other instances (father, boss, police).

It is understanding the break of small norms how we can be explaining the break of the big ones. Only ending with invisible, symbolic and quotidian violence we will defeat the spectacular one (Bourdieu, 2011: 88). Without its ethical support, rules are more fragile and easier to break. All of them, although frequency will be higher in the small ones, due to its lower social cost. Social roles are norms. In the 90s, Touraine talked about the crisis of the *homo sociologicus*. The actors define themselves less by the social roles than by personal and changing interests. More about, they most important feature in his fluently identity would be the subjectivity, one which can defend them from a society increasingly organized (Touraine, 1993). Bauman speaks of *liquid* modernity (2000). That tendency puts at risk the possibility of predicting social behaviour taking account solid patterns of sociocultural consumption, like in the habitus theory of Bourdieu (2010). Now, if I know what you use to eat, I cannot deduce in the same way as in the recent past what kind of sport o music you do like. That means that one of the most sophisticated sociopsychological *maps* -or *compass*- does not work as much as before at the beginning of modernity.

In the background we have a paradoxical social situation. When humanity has gotten the most control of the environment, people think and feel that their live is less under control than ever. If the trajectory of the average individual is less predictable than ever, that affects to rule breaking. We can think about the last formula or version of Social Learning Theory of Crime and Deviance. The probability of committing a crime depend of a set of factors -law´s definitions, imitations of deviant models, anticipated balance of reinforcement- (Akers and Jensen, 2009). In a secularized society where the majority do not follow the same moral prescriptions and where rule breaking does not have a component of guilty, many of the heroes or popular characters to imitate break rules -even candidates for presidents-. If a former presiden can be candidate despite of indictments, then the association between authority and support rules, disappear. Popular culture reflects that in advertising claim (*It´s good to be bad*).

Homicide is the most violent crime, thus, the biggest challenge to our humanity (ability to be compassionate considering our vulnerability) symbolized in the Levinas´s axiom taken from Bible: *You shall not murder.* Paradoxically, despite the rates in western countries are the lowest in contemporary history, criminologists are in trouble to explain the causes of this and other crimes in late modernity.

If the predictive formulas of "normal" and "deviant" behaviour work worse than in the past, for same academics that could be a reason to talk about certain crisis of the criminology. But there is another reason coming from epistemology. Radical criminologist used to question who´s the law. Now, even mainstream criminology (say, authors of Oxford Handbooks or Textbooks of Criminology), go futher in self-criticism. Criminology had been thought from an ethnocentric and androcentric perspective, so it would not be valid. So it should be rethought and rewritten.

Actually, this cannot be regarded as specific crisis of identity of one discipline -criminology. The epistemological doubts have started in the recent pass in neighbors' fields, especially in anthropology (see Geertz,1988). Is the social science coming to a new stage under the sense of guilty? The idealization of science in modernity, supported by neoliberalism in last decades, have made humanity less humanitarian with animals, planet, and the humans?

To what extent should be distrust our findings? What are the consequences of Cancel Culture for behavioral sciences? And what are the unintended consequences of this phenomenon for a peaceful coexistence? How can we teach new generations to put themselves in the other´s place?

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