Contemporary Philosophy: A New Survey

Guttorm Fløistad
Editor

Ethics or Moral Philosophy

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Ethics or Moral Philosophy

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Chroniques nouvelles

par les soins de
GUTTORM FLØISTAD
Université d'Oslo

Tome 11
Éthique ou Philosophie morale

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Contemporary Philosophy

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edited by
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Volume 11
Ethics or Moral Philosophy

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Preface

The present volume is a continuation of the series Contemporary Philosophy. As with the earlier volumes in the series, the present chronicles purport to give a survey of significant trends in contemporary philosophy.

The need for such surveys has, I believe, increased rather than decreased over the years. The philosophical scene appears, for various reasons, more complex than ever before. The continuing process of specialization in most branches, the increasing contact between philosophers from various cultures, the emergence of new schools of thought, particularly in philosophical logic and in the philosophy of language and ethics, and the increasing attention being paid to the history of philosophy in discussions of contemporary problems are the most important contributing factors. Surveys of the present kind are a valuable source of knowledge of this complexity. The surveys may therefore help to strengthen the Socratic element of modern philosophy, the intercultural dialogue or *Kommunikationsgemeinschaft*.

So far, ten volumes have been published in this series, viz. *Philosophy of Language and Philosophical Logic* (Vol. 1), *Philosophy of Science* (Vol. 2), *Philosophy of Action* (Vol. 3), *Philosophy of Mind* (Vol. 4), *African Philosophy* (Vol. 5), *Medieval Age Philosophy* (Vol. 6/1 and Vol. 6/2), *Asian Philosophy* (Vol. 7), *Philosophy of Latin America* (Vol. 8), *Aesthetics and Philosophy of Art* (Vol. 9) and *Philosophy of Religion* (Vol. 10).

The volumes are, for various reasons, of unequal length. The obvious shortcomings, especially of Vol. 5 on African and Arab Philosophy, are to some extent been compensated for in the volumes on *Aesthetics* (Vol. 9) and *Philosophy of Religion* (Vol. 10).

The present volume on *Ethics or Moral Philosophy*, containing 13 surveys, shows the variety of philosophical approaches to that discipline. In addition to articles dealing with the relation of ethics to politics and to cultural traditions, it also contains four articles on practical problems today, on eco-ethics, on ethics in business management, ethics in architecture and finally ethics in medicine.

The chronicles are as a rule written in English, French and German. In the present volume 11 surveys are written in English and two in French. The bibliographical

references, with some exceptions, follow the pattern introduced in earlier volumes. The bibliographies themselves usually follow at the end of each chronicle arranged in alphabetical order. The bibliographies are selected and arranged by the authors themselves.

I regret that the publication of the present volume has been delayed.

I am grateful to a number of persons who in various ways have assisted in the preparation of this new series. My thanks are first of all due to Mrs. Kari Horn. Without her help the volume would have been further delayed. I am also most grateful to the Secretariat, especially to Ms. Catherine Champniers and Ms. Grace Frank, at the Institut International de Philosophie in Paris. They have done the final proof-reading as well as put up the indices.

My thanks are also due to the Centre National de la Recherche Scientifique (Paris), and to the Conseil International de la Philosophie et des Sciences Humaines (UNESCO), and to the staff at Springer.

University of Oslo, Oslo, Norway Guttorm FLØISTAD
January 2013

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Introduction

Guttorm Fløistad

Ethics or moral philosophy, a major discipline in philosophy, is in a deep crisis. It has withdrawn from its central task, to formulate guidelines or norms for our actions and behavior. Aristotle spoke of *eudaimonia* and *areté*, a fulfillment of our gifts, our given capacities. The crisis arrived late, in the twentieth century, and it applies first of all to Europe and the United States as well as philosophers in Africa and Latin-America who are educated in the West. We are operating in the backyard as it were, analyzing various types of ethics, f. inst. deontological ethics or teleological ethics. Meta-ethic also belongs to this group. It deals with the presupposition and the logic of language of morals (Hare) or when they speak about "what we are going to do". This is part of the ethics. Ethics should guarantee the acknowledgement and respect of everyone, and at the same time strengthen the job expediency.

Difficulties with normative sentences in analytical philosophy are obvious – except where they (f. inst. B. Russell) speak about their own method: "It is good". This may be part of our background for some critical remarks of the analytical method by analytical philosophers themselves. In the series *Philosophical Problems Today*, Vol. 2, *Language, Meaning, Interpretation* the Australian professor John A. Passmore has pointed to some of the critical remarks: Even the well-known philosopher Hilary Putnam wrote in 1993 an article entitled "Renewing Philosophy". Earlier the logician Hao Wang wrote an article "Beyond Analytic Philosophy" in which he criticizes sharply the analytical philosophy. The same applies to Simon Blackburn. As a summing up of his critical remarks in "Can Philosophy exist" he speaks of this philosophy and "its end-of-the-millennium Sisyphean conclusion". Perhaps are we condemned to enact a perpetual tragedy? Philosophical reflection must be practiced, therefore it can be practiced. But except in the small, not successfully, at least, not if there is a point to the process

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outside itself. As Passmore remarks: "Blackburn's final remarks are no doubt accentuated by the failure of analytical philosophy to make any contact with the general culture of our time" (Passmore, *ibid.*: 18). To phrase it differently: Analytical philosophy has no words of wisdom to offer the general public. This is, as Passmore remarks, the result of intense professionalism. This is an institutional definition. However, it disguises the weakest point in institutional definition, the fact that anywhere the analytical philosophy exists, it is erected as an intellectual Berlin wall (Passmore, *ibid.*: 18) – for other philosophers and for the general culture.

We must certainly acquire some new knowledge of what we are doing. However, when it comes to the basic normative question of "How I should live" and "What guidelines for actions should I follow?" these philosophers have nothing to say.

1 The Value Commission

The same applies to courses in Ethics at the universities. Various types of meta-ethics are dominating the lectures. Afterwards, the students have no advice to offer a public audience. The same applies to the so-called value commission, erected by the Prime Minister in Norway in the 1990s (Bondevik). I was asked to write the basic documents for the meetings. To raise the commitment to values in the entire Norwegian population, I thought, is itself a normative project. I started therefore with friendship and the family, central institutions of any society. In other writings I focused on the role of leadership in various branches and pointed to their responsibility to create a safe and inspiring working environment. The task is to enhance the commitment of each worker to each other, and thereby also to enforce their goal-directed activities. "The leader is a friend of the employees." This is the message of the most important entrepreneur in Norway, Sam Eyde, the founder of the world-wide known Norsk Hydro and great power plants.

The first action taken by the Value Commission (about 18 members and their council of nearly 40 members) was to cancel the documents. They were much too normative for the members of the commission, most of them professors and scientists. There are strong reasons to believe that the truth values of the natural science have influenced Humaniora and prevented norms and normative questions to be posed. The members of the Value Commission wrote a report after dozens of meetings, spread to most committee members asking them to start a discussion – hardly with any result.

Value Commissions should be appointed in many countries and regions of the world if we are to follow several descriptions of the state of the world by some of the contributions to the present volume. Especially Jean-Godefroy Bidima is direct in his description. He even begins his article by clearing up the word *Ethics* (*Nettoyer le mot* "*Éthique*"). Raising the commitment in a population requires norms in every member and institution of the society. We have still a long way to go – despite the

fact that all great religions and humanistic societies entertain one and the same value, usually called The Golden Rule: "You should only do to others what you want them do to you". This topic is thoroughly dealt with in the contribution by Ruben Apressyan. Also in Islam you find the rule stated in the book *Woman in Sharia*: "Man and Woman are equal to Allah".

The fate of the Value Commission is remarkable. If I may mention it, I have given numerous lectures in and outside the university, including schools, administration and business companies, and also abroad, and have always been normative. I have told how they should behave towards each other, and help creating an inspiring working place. The working place becomes so stimulating that you long to go there every day. This is the story of a man that in former days had fastened stamps on letters. He was asked by his friends, how he could stand such a boring job. The answer was simply, I think it is OK, because we have such a wonderful friendship on the job. It is of course important to have a nice and stimulating working environment in order to be an effective worker. On the other hand, one should not have it that fun at work that, as the first Norwegian computer company experienced, the company forget the market's demand for innovation.

2 Ethics and Politics

The needs for "cleaning up" the word *Ethics* are many. Ethical training is usually a personal and individual affair. Jean-Godefroy Bidima opens his article by pointing to the regime of finances in the present world, the crushing of the individuals by the all-embracing technology, the removal of entire populations (as in Africa), the desperate cry of the poor, the murder of entire groups of people and the dissolution of the social network all over. In addition, Bidima points to a number of social shortcomings, all of which put a serious challenge to ethics: distribution of wealth. The United States are one of the worst countries in need of a total redistribution. In a TV program in the beginning of December 2012 we are told that around 20 Americans have built up fortunes worth thousands of billions of dollars. The economic theory lying behind, so it was mentioned, comes from the writings of Ayn Rand. Her social and economic theory is not the only one that cripples individuals' social responsibility in a population. The slogan "be yourself" can also have the same effect of preventing you from taking part of the community.

We are persons of many capacities. The basic notion in Ethics is *care*, referring to the definition given by Berenice Fischer and himself: […] *le care soit considéré comme une activité générique, qui comprend tout ce nous faisons pour maintenir, perpétuer et réparer notre 'monde' de sorte que nous puissions y vivre aussi bien que possible*.

Our moral attitudes are tested every day. The gravest test may be towards Africa. Are we acknowledging and respecting them in our trade with them or are we doing business with them just in order to get hold of their resources?

3 Ethics and Cultural Traditions

An equally important problem is taken up in Marietta Stepanyants' article "Traditional Values in the Time of Globalization". The author draws attention to the tension between past and present, with special focus on the history of India. India was earlier, through the British occupation, dominated by Western values. However, in the course of the nineteenth and twentieth centuries, India developed into economic power, at the same time as European and especially Scandinavian youths were attracted by the Veda and later on the Buddha culture of wisdom and meditation. The old Indian values came to dominate a great number of youths in Europe.

The author points to the distinction between Mahatma Gandhi and the Nobel Laureate Rabindranath Tagore. Gandhi was strongly against modernization and looked at the traditional local agrarian community as an ideal, also for the future. He was against modernization when he saw the consequences. Tagore recommended the development and regarded it as necessary to employ the achievements of modern science and technology. Indian researchers have themselves greatly contributed to the development. However, the Indian cultural identity can only be preserved by keeping the Indian traditions alive. The commitment to ethical values can best be upheld by transmission of the past.

This view on tradition and moral values, however, has its limits. The author sides with Tagore. Her proposal to find the Golden Rule and in the end to further the complete elimination of poverty and inequality is to strike a balance to be a highly modernized power and at the same time, not to lose its own cultural identity. In the conflict between Gandhi and Tagore, she points to an important author who helps to understand the need for a "middle path", Krishna Chandra Bhattacharya. The question, however, remains: Will the cultural traditions and moral values survive in a dominant modern culture?

Most European countries together with the United States appear to approach the answer, no. The idea of learning related to the local community has been removed from the schedule of education. Wherever history is being taught, it becomes knowledge without commitment, with no binding force.

The quest for "the middle path" applies to every country. Maybe India is better off with its long and binding history of 4,000 years BC. It is just to remember that the modern or post-modern culture is very powerful and has already weakened the key property in many individual's knowledge of moral values. In the basic Indian wisdom, the *Vedas* "moral values were a serious concern" from the beginning, according to Bhuvan Chandel.

The author gives an excellent overview over some of the wisdom and rules of conduct in the Vedas, called *dharma*. Truth, taken as words of wisdom, "exalts the mind". She speaks of non-violence, truth is word, non stealing, abandonment of theft, regularity in life to be lived according to the moral prescription.

The ethical codex involves ten recommendations:

1. patience
2. forgiveness
3. piety

4. honesty
5. keep internal purity
6. control of the senses
7. to develop reason by acquiring knowledge
8. knowledge of all substances used for the benefit of life
9. truth – to know a thing as it is, and
10. tranquility – to give up anger or similar passion, and to attain tranquility and other peaceful virtues

To obey *dharma* in *Vedas* is the conduct of life in accordance with strict moral principles. These principles are valid also for the rulers and for the four social classes. It may be difficult to understand that freedom is achieved by basic detachment – a detachment which is attained through a withdrawal into the transcendent self. This is the reason why in Indian ethics a man "is respected for what he does, not for what he is". The translation of *Vedanta* by Swami Vivekananda is called "The voice of freedom".

This line of thought is by no means alien to readers with some knowledge of the history of philosophy. The emphasis on what a man does, is stated in Confucius' *Analects*. That freedom is related to the transcendent self. The transcendent self is free from external influence, as in the "self" in the Cartesian *ego cogito*.

My lack of knowledge of Sanskrit may also inflict upon my reading of the next article on Buddhism by D. P. Chattopadhyaya. He also poses the question of ethics and cultural tradition. Buddhism is a much later system of thought, partly known in Europe from the philosophy of Arthur Schopenhauer. Morality in Buddhism functions as "a sustaining agent of social life". It is supposed to bind people together. The question is, will the moral teaching of Buddha and his schools survive modernization in India and elsewhere?

The teaching of Buddha refers in the beginning to the classical Indian wisdom of the *Vedas*, and uses consequently the term *dharma* to signify the entire moral code. There are two well established theories which explains "co-variance" between the naturalistic and the normative perspective. Co-variance means that nature is the starting point for a description of what thinking about morality, just to end with a systematic formulation of "moral conduct" and "moral ideas" (Chattopadhyaya). This school takes the existence of suffering as a great moral evil. And the evil causes attachment to things in the world. Freedom is consequently to be attained by freeing oneself from worldly things. We are in Buddhism warned against admiring the importance of some experience. If we do, we do not have the opportunity to free ourselves. The physical world is continually changing and cannot be said to be permanent. The self does not exist because it has no form. And none of the sense organs can be said to be the self. Nothing that is continuously changing can be a permanent self. Therefore one has to shift from the changing concrete to the abstract and the spiritual, a Vedic influence on Buddhism. The abstract and the spiritual level.

The negative process of the liberation process finally may lead to the *nirvana*, the final step of mental purification. Nirvana is the positive quality that remains. To reach *nirvana* the Buddhist, we are told, "gladly renounces the world". Detailed ethical rules are established in relation to the former liberation process, presumably as a condition for succeeding in their process.

Buddhism recognizes the reality of the empirical world, available to sense and science as well as the transcendent *nirvana*. We are ourselves, encompassing both stages, making it necessary to follow the ethical rules. It is compared to the famous dictum, the sensible world is empirical, real but transcendentally ideal.

My lack of knowledge of Sanskrit greatly hampers my presentation of both Hinduism and Buddhism, although the presentation to the authors is fascinating. The view of the sensible world and the idealism and transcendental are well known from Platonism onwards. But the exact content of the two sets of notions is difficult to decide without intimate knowledge of the Indian language. As far as ethics is concerned, there are obvious differences. Modernization has turned on acceleration of time. Due to the competition, everything has to be produced in a hurry. There is hardly room for the Hindi ethic of patience. Moral values in India and everywhere else are in need of patience and slowness. Personal relations guided by moral values are incomparable with someone always in a hurry. The modernization has also led to a closer integration with the sensible and technical world. Any process leading to the liberation from it is out of the question. We are all entangled.

How do we take care of our cultural identity in a modern era? Bhuvan Chandel answers: Through our cultural history. I am quite sure that India with its long history and its contemplative mindset will last longer than many others. I know that Buddhist and Hindu meditation have a strong grip on many people all over the world. I have myself been trying it in Calcutta and in Sweden. I noticed it at a conference in the *Indian Institute of Management* when we had to listen to a course given by Professor Chakraborty, the Head of the Institute. The topic was on the integration of business in Hindu. The audience counted over 150 people, some from Europe and the rest from India. During the presentation of the *Vedas* teaching, I noticed that the audience, with some exceptions, fell off. Most of them appeared not to be unfamiliar with the relation of their business company to the Hindu teaching. The second day the reader came to the consequences of the integration. It turned out to be remarkable for their business achievement. And the entire audience began listening carefully. The time until dinner, during dinner and a couple of hours afterwards, no conversation was allowed. The message should have time to make its imprint on our minds.

A similar story is to be found in Max Weber's description of the origin of Protestantism in the weaver industry in Holland in the eighteenth century, the beginning of the modernization period. It turned out that women from pietistic homes had a higher ethos than other women. They were more effective workers, better on sale of products, more precise in accountancy and hardly away from work. They got their daily training of concentration through prayer to a transcendent entity.

In support of this line of argument I shall simply quote part of the foreword written by A. L. Basham (Professor of Asian Civilisations ANU in Canberra) to *The Hindu Ethos and the Challenge after Change* by the well-known Subhayu Dasgupta, MA in Philosophy, MA in Economics, AMBIM (London), Postgraduate Certificate in Industrial Administration (Manchester), (Cosmo Publication, New Delhi 1990). First a preliminary comment.

> In common with many other nations, Asian and otherwise, India is faced with the problem of adapting and adjusting her ancient cultural heritage to a set of new rapidly altering conditions brought about by the immense technological changes of recent decades. The tempo of change seems to become faster and faster as the years pass by and no cultural system has more than two alternatives: it must either adapt itself to the new conditions or doggedly resist them. The latter alternative had hardly any chance of success in the contemporary world, for it presupposes a rigid isolationism which is now virtually impossible.
>
> It is thus up to India to decide how much of her tradition she intends to preserve, how much to adapt and modify, and how much to abandon completely. In writing that it is 'up to India' I do not imply that India, or any other nation, possesses a collective mind or will. 'India', in such a context, is just a convenient abbreviation for over 500 million conscious individuals who come under the jurisdiction of the government ruling from New Delhi. It is the consensus of their individual choices and decisions which will decide the future of India's cultural and social system.
>
> Their decisions will be vital for future generations of Indians, and indeed for the whole world, because India's impact on the world at large, both cultural and political, is increasing and is certain to increase further. For that reason this book is an important one, for it may have a great influence on the future. […]

The preface should be placed in all material dealing with the encounter between the traditional cultural and ethics *and* modernization. I have a strong intuition, having studied together with an Indian student/engineer in London for a couple of years, that the heavy *Veda* tradition, due to its long history, still has a hold on the Indian mindset. Those countries that have shorter or even a short history, are worse off. Norway may be one of them.

4 The Golden Rule

Are we dependent on tradition for having moral theories and norms? The answer is probably, yes and no. That we have ethical theories, are easily ascribed to tradition. Norms shaping our attitudes do we still have, although they in many respects are different from the earlier ones. The basic ethical norm, however, is still the same, the principle of mutuality or *The Golden Rule*. This is the answer to Ioanna Kuçuradi requests for a universal rule. I have elsewhere pointed to the universality in all the great religions. The Golden Rule should be a matter of course to everyone: Being born means to be within a family and a community. If I want to have good life, I have to behave according to the rule of mutuality. A good life is only possible when the people around you also have it. Or, as Aristotle once said, having in mind his Eudaimonia, no one can be happy unless others are happy too, a statement everyone should ponder upon.

Ethics, as Kuçuradi remarks, are much more than the Golden Rule. Our behavior and actions need guidelines – even if the principle of mutuality are basic to all, even to those that are self-centered. This is why my behavior inflicts upon the feeling and thoughts of others.

This is, however, not the issue at present. The primary issue is the position of the Golden Rule and the norms in general. The answer suggesting itself is that the norms are built upon already existing praxis. Everyday praxis is in other words, the starting point for the formation of moral theory.

5 The Primacy of Moral Praxis

In his article "Communicative source of moral normativity", Ruben Apressyan takes as his starting point a 'forgotten' passage on Locke's *An essay concerning human understanding*: "– they establish amongst themselves what they will call 'virtue' and 'vice'. This is even written in the law of opinion and reputation". We are living in a society and our thoughts and actions are of necessity adjusted to each other. The Golden Rule is the result of the common agreement. He adds that the experience of "communicative experience", the judgment "are incorporated into the tradition and culture of the given community".

Apressyan refers to Michael Oakeshott, who in "The Tower of Babel" develops a morality similar to Locke. Morality, he holds, exists in two forms, "a habit of affection and behavior" and secondly "the reflective observance of moral rules". It was important for Oakeshott to show that it is man's sense of dignity that in the end guides our actions and secure our moral qualities. He starts with accepting the inner heterogeneity of the moral phenomenon, to show that it is partly non-rational, non-universal and non-autonomous. He thereby wants "to extend the space of morality beyond the boundaries" put forward by Kant.

In addition, Apressyan refers to several instances from ancient cultures. A situation from the *Iliad* by Homer is among them. Priam is the Trojans' ruler, Achilles' enemy. In Homer there is no civil law. Achilles is acting in accordance with custom and tradition of the Greek. In the meeting with Priam addressing Achilles as his father, wanting Hector's body, Achilles acted in accordance with the Golden Rule and gave him want he wanted. Other instances are from the Assyrians in the seventh century BC, and from Aristotle's thoughts on friendship. Both confirm the principle of mutuality.

Due to the much faster pace of our modern and post-modern culture, it is a question whether anyone has sufficient time to chose "the soul" with someone else. All of us, living in an often multi-cultural society, often are required to follow the Golden Rule.

There are several requirements to register the presence of moral phenomena. The Russian philosopher A. A. Guseynov points to several of them. I shall mention only two. One is the statement that individual actions have to be personal. This sounds as a matter of course. But it is not. There is a difference between acting out of one's own free will and an action forced by others. Secondly, in a society focusing on impersonal knowledge alone, without emphasizing the importance of wisdom, every individual is running the risk of themselves becoming impersonal. The economist Max Weber (1864–1920) pointed to the danger already in the beginning of the end of the nineteenth century. The danger of becoming impersonal has been becoming increasingly imminent in our century. The culture of entertainment, especially in the media, has been a threat to the uniqueness of an individual. If we happen to ask who someone *is*, the answer is nowadays usually: He or she has such and such knowledge. One has to admit that a morally just and morally acceptable action can be the expression of a collective will. The history of class conflict provides examples.

The second test is the observation that moral qualities are more distinct to conscious in the case an action is prevented from being performed than in other cases. The requirement is, of course, that the voice of mutuality is strong enough. It certainly applies to most people in the world. But it certainly doesn't apply to all. In the newspapers and other media we daily read about fraud, stealing, corruption in many ways, all over the world. It points to the strengthening of moral education. Even a meta-ethical discipline like philosophy should join in. It can help in sharpening the awareness of norms, included the Golden Rule. Moral norms should be discussed in the family, kindergartens and in all classes in school.

"What is most missing, is most discussed". This popular saying may have something to it. When Ioanna Kuçuradi started publishing *Ethics* in 1977, she remarks "Ethics was among the less cultivated disciplines of philosophy". Since then, she adds, "Ethics has become fashionable". The interest in ethics almost in every field signifies that something is needed. Meta-ethical studies abounds. Courses in ethics and meta-ethics are flourishing. What is even most remarkable is that business companies and administrative units nearly all have long since written their documents on value-based leadership. One reason certainly reflects the quality requirement from the market. The quality of their products and their decisions should satisfy the customer and the public. Another major reason is illustrated in the *Guardian* some years ago. A research fellow in the Asian filiation of Oxford University, Martin Jacques, published a full page in the newspaper with the title "A selfish, market driven society is eroding our very humanity". "Eroding our humanity" means isolating the individuals from each other. Loneliness is the new illness. The upper half page is an illustration: Over hundred individuals stand on their tuft of grass, isolated, with no opportunity to reach each other. Each person is expressing deceit, anger, longing and resignation. They all express, in various ways, the lack of relations, which is synonymous with the lack of moral values, that is, lack of mutuality. That is what moral values are about. Values following from the Golden Rule are all relational rules (respect, equality, forgiveness, justice). To write and lecture about these values is a direct contribution to ethics. It is normative ethics. Meta-ethics is the philosophy of how to do it, of its foundation and the history, analysis and justification of ethical propositions and norms.

Kuçuradi also takes into account the development of ethics, and begins with the ancient Ethics: Aristotle, how should one live to achieve *Eudaimonia*, happiness or blessedness. It cannot be achieved directly, as a goal in itself. *Eudaimonia* is achieved by fulfillment of one's capacities. Kant's deontological Ethics or Value Ethics (*Wertethic*) by Max Schuler and Nicolai Hartmann hold that values have an objective existence. The moral norm can be recognized as such, especially in Hartmann, which is Kuçuradi's own view.

She distinguishes between three different categories of ethical views. Under the *first* category she mentions Socratic schools, views like utilitarianism and Camus' altruistic individualism and the views of Hans Jonas, E. Levinas and John Rawls. As a *second* category, the so-called Ethics of discussion. *Thirdly*, one will find theory of justification.

The author raises, of course, the question of a universal ethic, as does the German theologian and philosopher Hans Küng. If the question points to an answer other than the Golden Rule, certified by all religions and humanistic views, it may be difficult to find.

As every reader will understand, Ioanna Kuçuradi will do as an instructive manual for most occasions. A final question will be, does the fact that ethics has become fashionable mean a lesser dignity in each individual's action?

That ethics and politics are closely related phenomena is obvious from the first articles in this volume. The political system has to be such that it allows for individual free choice of action. This is a condition to be labeled moral or unmoral. Herta Nagl-Docekal has chosen Kant as an important theoretical basis.

Kant's categorical imperative shows the two sides of an individual: it can act to achieve some goal, often dicted by others, and at the same time, be an end in itself. An individual is valuable in itself. It is autonomous and has a dignity in itself. The idea of human dignity reflects of course a long history. Pico della Mirandola's booklet from 1484, *De hominis dignitate*, is but one stage out of many. *Imago Dei* (Genesis 1:27) is another. The dignity of man should take care of the relation to others ("I should be my brother's servant") and to the moral quality of actions.

In a dominant secular society the idea of dignity of man runs at least into two difficulties: Economy has taken a dominant position in the modern society. Adam Smith's theory spoke of workers as a mean to the relief of poverty. The dignity of man was reserved for the churches and philosophical faculties at the universities. Now we are left with a population of means to an end. Karl Marx saw already in 1848 that man was reduced to "a payer of bills", and added that all what is holy has been made profane. It should be added that great human tragedies are still able to call forth the dignity within us – for a while. Maybe that the program of value-based leadership in the long run would succeed in reintroducing the dignity of each individual again, in the workplace. Kant's categorical imperative may be a guideline.

The author cultivates the ability to listen to others. To listen to understand them is to take them seriously. It is to re-establish our own dignity in relation to others. This applies especially to women, who more often than not have been overheard by men. The restoration of women's history is a heavy burden on men. Much has so far been achieved. Much remains. The American feminist, Adrienne Rich, deserves to be listened to, not only Simone de Beauvoir.

Freedom is a difficult notion. Kant advocates also freedom of the speech. But free speech has its limit. As part of a communication the participants are each other's moderators. For this reason a liberal discourse can also have a moral function. Political liberation is necessary as a basis of moral discourse.

In this case, freedom is not to choose whatever one wants. Freedom is freedom on the basis of duty. Duty towards one's neighbor is a necessary element of freedom. The danger is that behavior can be stretched too far. Kant allows for liberation, puts, however, also limits to it.

Kant also points to moral behavior towards oneself, "make yourself more perfect than nature has made you". The author also points to social obligation towards others. Irrespective of the political system, everyone can be kind to another. This is often as possible the closest one can come to happiness.

"Society" is a most honorable word. It denotes a group of people that in one way or another have found and belong to each other. Society is the opposite of loneliness. The reasons that people fall apart, are many. A poor communication is a vital one. Total lack of communication is even worse. For some years I passed a group of youngsters at the nearby school on my way to the university. They were certainly talking, but none listened. Whenever they said something, it was primarily to announce their presence. Some people were also silenced due to an addiction to the culture of visual entertainment. Quite a few seem to have forgotten the basic principle for all communication, the enlargement of your knowledge and emotions. Professional enlargement will always be needed, but it is hardly enough. No society, be it a friendship, marriage or a philosophical society, can ever be established by professionalism alone. Professionalism is not the same as qualified communication.

6 Ethics and General Education

Jure Zovko introduces the German *Bildung*, and refers to a number of German philosophers, first of all Gadamer and his predecessors Heidegger, Dilthey and Hegel. *Bildung* has no direct translation, but it has to do with taking care of our traditions as a basis for future actions. General cultural education may catch the meaning of the German term. Besides being the specific task of the humanities (*Geisteswissenschaften*), it also to some extent solves the problem of communication. And communication is dialogue. And dialogical training is to strengthen the role of listening and consequently each individual's dignity in action. Looking at the face of another person involves also the strengthening of moral values. This is not only entertained by Levinas. It means that communication, dialogue, is in itself a moral exercise. This is why "*Bildung*" is itself a contribution also to enforcement of moral values.

The value documents of administration and business companies are only focusing on professional values. I have collected between 30 and 40 of them. None of them takes into account the Golden Rule and its values. The Golden Rule enforces the relations between people and consequently the professional values.

The general cultural education also strengthens the judgment among people. Zovko points to the example given by Gadamer: "False diagnosis and false subsumption in medicine are not because of failure of science, but as a rule, at the expense of the personal power of judgment". It depends on his training, but also on application of his general knowledge of the concrete life situation. A patient is not only a patient. He is primarily a "whole" human being. Applied to professional knowledge, the old Roman master of rhetoric, Quintilian, remarked that effective use of professional knowledge requires that you know more than your profession. And he adds, without the general knowledge it becomes a degeneration of praxis into technique.

It remains to be said that the ethical problems ahead is considerable.

7 Eco-ethica

"Eco-ethica" is a new type of ethics proposed by the Japanese philosopher Tomonobu Imamichi. The research team appointed covers a great variety of topics related to the new technology. The nuclear technology and communication and information technology are important issues. The main question to the research team was: How can we "live better" or "live together with each other" in our systematized, technological age. It is a task which should be asked every now and then.

Communication technology invades all of us. The invention of the mobile phone should improve the relation between people and consequently the moral quality. A mobile phone could easily be misused by listening to music by oneself and waiting a message, hour after hour. Selfishness and the destruction of one's ability to concentrate are the effect for many.

"The ethical community" *has* to be established in subject relations, whereas overuse of the new technology contributes to the isolation of the individual. An ethical relation to animals and the nature in general depends on the moral quality of the community. I side with philosophers like Spinoza that holds nature to be part of ourselves.

When the powerful earthquake happened in Tokyo together with the destruction of the Fukushima Nuclear Facilities, the mobile phone was of no help, because everyone tried to call each other at the same time. The system was overloaded.

The new technology presents a cluster of ethical problems, especially in the energy production. I am sure that technology will solve it. Hashimoto ends with a list of moral and technological questions to be solved in the future. The main problem, however, remains, how to create the community we want. The old view on *Eudaimonia* is a goal still to be achieved. We are becoming ourselves through others.

8 Ethics in Business Management

Managers of business companies are usually not among those writing about ethical issues. There are two reason for this. One is general, the other specific. The general reason is the view that craving for revenues for the owners and for himself, disregarding the employees, usually makes a company short-lived. To earn money is of course important both for the owner and for the community at large. However, to earn money begins by caring for the employees and also for their families and for the local community. It is to become their friend, as the founder of the world-wide Norwegian Hydro. As their friend, you can put demands on them, to be correct and conscious in their work. First of all, a manager should behave such that he or she deserve their confidence.

The special reason is that the author of the contribution, Tor Dahl, besides having had great success as a manager of the Norwegian and Scandinavian branch of the American firm Manpower, has written just a book and article (in Norwegian) on

value-based management. His starting point is the present knowledge society. The value-based management helps people develop personally and professionally to the benefit of themselves and the organization. No wonder Manpower has been recognized for its great respect for and confidence in people. He quotes the writer Charles Garfield, who points to the difficulties in counting values: "Everything that counts, cannot be counted, and also that everything that can be counted, does not count".

It goes without saying that a professional leader, having a value-based leadership style, must have other qualities than being professional. Some business education is not enough. The leader must be conscious of his or her own personal mental self-development, and be inspired by, and learn from art and culture like literature, theatre, film and music. He/she should also have friends other than business associates. In other words, a leader should have a rich personal identity, enabling him/her to listen to and acknowledge people. Creativity has many sources. Jure Zovko has tried to show the importance of a general, cultural education for the improvement of moral qualities. Rich social relationships and creativity in work should belong to every employee's identity. We have still some way to go.

Pico della Mirandola wrote in 1484 his well-known book *De hominis dignitate*. As I said earlier, this idea occurs today only in churches and at the universities. Most people are living under the slogan "useful to achieve something". Maybe that an enforced value-based leadership style is able to restore also the workers' value in themselves.

9 Ethics and Architecture

Most of us are victims of architectural praxis, often without knowing it. We are happy to get a roof over our head. Ethical qualities are seldom within our awareness. We register of course whether the flat or house is conveniently organized. However, through its history architecture now and then has self-critical voices – even back to Vitruvius' *De architectura*, written in the first century AD. The famous Vitruvius tried *firmitas*, *utilitas* and *venustas*. The first two of them have professional, the third professional and cultural qualities. An architect, Tom Spector, states in the introduction to his book *The ethical architect* (2001): Architects live and work today in a functioning but weakened profession that lack a dominant design ethics.

Beata Sirowy turns to phenomenology, to Edmund Husserl, Martin Heidegger and to hermeneutics, Hans-Georg Gadamer. The key terms are "lifeworld" (*Lebenswelt*) praxis (the Aristotelian *Phronesis*) and "interpretation". Architecture should take care of the lifeworld of the individual. A careful "phenomenological" study of the local site and its history and environment is necessary. Thus architecture should help recovering the collective memory of a community, because as Mockbee holds, contemporary commitment culture and modern technology alienated people from their collective memory. Gadamer adds: What man needs is not the persistent posing of ultimate questions, but the sense of what is feasible, what is possible, what is correct, here and now.

Sirowy uses the example of the "Rural Studio" presented by its founder Samuel Mockbee. In co-operation with Thomas Goodman he quickly established a reputation for innovative design through the utilization of local material to create works referring to vernacular motifs. An architect is a person that "exemplifies an ethical commitment". It should be added, in agreement with Heidegger that the inhabitants should be "capable of dwelling". This may require an introduction to the new architecture.

It should be added that moral values may be identical with a certain kind of knowledge. Spinoza from the seventeenth century, f.inst. in his major work *Ethica mare geometrica demostrata* from 1677 never mentions the term *Ethica*, but discusses instead three kinds of knowledge, knowledge by sensation and opinion, knowledge by reason and by intuition. These types of knowledge are closely related to Bonaventure's famous expression *Itinerarium mentis in Deum*. Spinoza uses the term "perfection". Maybe that the last two kinds of knowledge have to do with the education towards capability of dwelling. Heidegger (and Augustin) uses in a sense the same type of ethics.

10 Ethics and Medicine

The history of medicine has a promising beginning. Over 400 years AD, Hippocrates entertained a philosophical view on man's body, regarding it as a whole, an organism that could be divided into parts. A physician should be personally and professionally a whole person. One of his successors, Galen, was also a Greek physician. Galen, famous for his intersections of animals, was also inspired by Plato and Aristotle. Later on, the history of medicine predominantly is a professional development. It is quite understandable that the discourse of medicine, particularly from the seventeenth and eighteenth centuries (Harvey, Sydenham, Pasteur), was so absorbing that philosophical ethics had no place in their research – apart from their general education.

Up to the 1960s Valérie Gateau and Anne Fagot-Largeault hold that ethics in medicine was an internal affair within medicine. In the period 1962–1971 arises against scientific research a vague revolt. This new discourse in medicine, especially in bio-ethics, violated human rights. In the period from 1970 three basic principles for bio-ethical medicine, initiated by theologians, philosophers and jurists: (1) respect for the autonomy of the person; (2) beneficence, and (3) justice. At the end of 1980 all institutions had appointed their ethical committee. Empirical method of the social sciences lead to a variety of ethical rules, also for the clinics.

The authors have also referred to Martha Nussbaum, who in turns advocates Amartya Sen's idea of "attentive care". This is even applied to the responsibility with the family. "Bio-ethics is an ethic of care" is a view found in many authors. The authors raises the most difficult and at the same time most important question: How are all the results from the empirical, social research as well as the *Déclaration universelle sur la bioéthique et les droits de l'homme* been turned into *norms*?

Kant asked the same question and answered: The good example. The trouble arises when the media think that all the bad instances should be known to everybody. In addition, few persons have had the opportunity to succeed on their own. Other institutions have long since taken over. Your are certainly able to lecture about values. But you cannot lecture about the main property of norms and Declarations that is *commitment*. I know at least one additional argument that can create norms: To change Kant's categorical imperative into hypothetical laws: To ask oneself whether or not one wants to be respected and treated with justice. If you do, you should exercise the same qualities towards others. In every branch of education, not only in the medical profession, this question should be dealt with repeatedly.

With this question the highly advanced medical profession may, philosophically speaking, be on its way to the beginning of its history.

Éthique et mutualité: Le *Care*, l'indifférence et la relation fiduciaire

Jean-Godefroy Bidima

1 Introduction

1.1 Nettoyer le mot « Éthique » ?

Entrons au xxi[e] siècle, ouvrons les yeux et tendons les oreilles, un vacarme monte: la finance régit, les personnes sont écrasées par la technique que l'humanité – tel un apprenti-sorcier – a mis en place, les populations sont déplacées, les génocides n'ont pas cessé de faire parler d'eux, la misère des plus pauvres ne révolte plus et est devenue un *business*, les familles disloquées cherchent de leur côté une nouvelle définition, les divers droits naguère garantis s'essoufflent et les caprices du climat et les pollutions ne cessent d'inquiéter, les pays du Tiers-monde courent, quant à eux, derrière le modèle chinois devenu depuis peu de temps le pôle d'attraction et le nouveau miroir aux alouettes, les religions se sont recyclées et leur symbolique a perdu sa charge subversive, les traditions, vidées de leur substance, sont redevenues des folklores et, pour fermer la marche, la subjectivité subit de nombreuses redéfinitions que lui fournissent les questions liées au genre (*Gender*), à la transsexualité, à l'utilisation des cellules souches et à l'apparition des nanotechnologies. Tous ces défis mettent en lumière l'urgence de la question de l'éthique. Ce monde qui nous paraît, comme le dirait Adorno, de plus en plus faux, est aussi celui qui se permet aujourd'hui, *via* les nouvelles technologies de la communication, de jouer à l'éducateur. D'abord, il y a une *prolifération des éthiques* – allant de celle des affaires en passant par celle de l'environnement jusqu'à celle médicale – ce qui nous autorise à revisiter ce concept et ses pratiques en nous référant au contexte africain. Ensuite, la pression actuelle de

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nos *sociétés fonctionnant avec le marché comme paradigme* nous éduque à oublier de sonder ce qu'il y a de plus intime en nous et surtout à éviter les autres. Nous sommes, à divers degrés, invités non pas à aimer ou à haïr mais à *être indifférents*. « *L'indifférence se caractérise alors par la non-relation, la déliaison, le déni* […] *elle ne se réalise que par une absence d'action, d'émotion apparente, de sentiment manifesté, une séparation, un isolement par rapport aux autres et au monde* […] *La denrée rare est notre action agissante, notre sollicitude active. Généralement, nous ne sommes pas concernés, nous sommes neutres* ».[1] S'agissant du concept d'éthique, on ne suivra pas Wittgenstein qui recommandait qu'« Il faut parfois retirer de la langue une expression et la donner à nettoyer – pour pouvoir ensuite la remettre en circulation ».[2] De l'éthique, nous interrogerons d'abord ses rapports à l'indifférence (i), ensuite sa critique de l'esprit d'entrepreneur (ii) et enfin la colère et la sollicitude (iii) comme cadres d'expression de l'éthique en Afrique.

2 Indifférence et solidarité

2.1 Mon frère ?

L'Ancien Testament nous décrit la situation de Caïn qui, après l'assassinat de son frère Abel, est sommé par leur Dieu de lui dire où se trouvait Abel. Caïn, dans une phrase restée célèbre, lui pose la question à laquelle, si l'on en croit les textes, Dieu ne répond même pas ; « Suis-je le gardien de mon frère ? »[3] Autrement dit, de quel droit dois-je répondre de quelqu'un et de son sort ? L'indifférence a d'ores et déjà là un adjuvant qui est la bonne conscience de la déresponsabilisation. La responsabilité dont il est question ici n'est pas, comme nous avertit Ricœur, celle de la simple imputation juridique, mais celle qui répond de l'autre (au sens latin de *Sponsor*) dans ce monde à la fois imprévisible et dur.

2.2 La redistribution ?

Un débat se passe au moment où nous écrivons ces lignes dans l'un des plus grands pays du monde et qui, de surcroît, se fait classer parmi les pays démocratiques : les États-Unis. Il est question dans la campagne électorale actuelle de savoir lequel des deux candidats (à l'élection présidentielle) est susceptible de faire redémarrer une économie – à tendance capitaliste – dont tout le monde s'accorde à déceler la

[1] Vincent-Buffault Anne (2009) *L'Éclipse de la sensibilité. Éléments d'une histoire de l'indifférence.* Lyon : Parangon, pp. 18–19.

[2] Wittgenstein (2002) *Remarques mêlées*. Paris : Flammarion, p. 100.

[3] Bible, Ancien Testament, *Genèse*, iv, 9.

faillite. Parmi les griefs qui sont avancés contre l'un des candidats on note que, des années avant qu'il ne soit candidat, il a osé dire que les Américains qui ont eu à amasser les richesses (souvent dans des conditions plus que questionnables) devraient penser à *la redistribution*. Cette idée est devenue un scandale pour le candidat adverse, car selon les « *core values* » des États-Unis, *la redistribution* est absente. A *contrario* il faut permettre à chacun de voler de ses propres ailes en travaillant ; l'essentiel, selon cette optique, n'est pas la redistribution mais la multiplication des accès au travail salarié. Ce qui est en jeu dans ce débat, c'est bien la notion de solidarité, autrement dit, de cette tendance qui consiste à s'occuper de ce qui (apparemment) ne nous regarde pas. S'occuper des autres peut prendre plusieurs formes allant de la pitié, en passant par le paternalisme jusqu'à la compassion. Mais avant même de déterminer quel registre la solidarité doit privilégier, il est important de noter que dans ce débat électoral américain de l'an 2012 la redistribution pose problème.

2.3 « Be yourself ! »[4]

C'est le titre d'un ouvrage de Flahault qui résume bien la philosophie implicite de l'indifférence. Cette injonction d'être soi repose sur plusieurs a *priori* ; d'abord « l'idée que l'on est soi par soi »[5] et qu'ensuite *l'existence de soi* précède, comme le dit Flahault, la *coexistence*, et enfin, en ne se concentrant que sur soi, on ferait œuvre de critique et on assurerait ainsi son autodétermination. Ce qui a un certain avantage de ne pas inscrire le Sujet qui veut être soi sur la liste d'aptitude à la grégarité. C'est une attitude qui s'étend sur les cultures non occidentales : « Le désir et l'injonction d'être soi après avoir largement pénétré dans les classes moyennes européennes et américaines, part aujourd'hui à la conquête d'autres cultures. Les jeunes Indiens branchés de Bombay, par exemple, se doivent d'acheter leurs vêtements chez Be, une marque dans l'esprit de Zara ou de h&m. Le slogan Be ? "Be yourself ! " bien sûr déjà utilisé par plusieurs marques occidentales. »[6] Ce fameux « *Be yourself* » est un prélude à l'indifférence, car sous prétexte d'être soi, on verse dans ce « je m'en fichisme » que dénonce Flahault. Il y a comme une contradiction dans ce programme ; à la fois on se veut indifférent à ce qui se passe et on demande quand même à être reconnu comme marginal et opposant à la société ; « Les déclarations du genre "je m'en fiche de ce que les autres pensent" sont porteuses de la même contradiction. Le contenu de l'énoncé est, certes, une déclaration d'indépendance. Toutefois, étant donné que, dans l'Occident moderne, l'indépendance d'esprit est considérée comme un trait essentiel de l'individu véritable, le fait même de dire qu'on se fiche de l'opinion des autres équivaut à se prévaloir de ce trait, donc

[4] Flahault François (2006) *« Be yourself ! » Au-delà de la conception occidentale de l'individu*. Paris : Mille et une Nuits.

[5] *Ibid*., p. 7.

[6] *Ibid*., p. 7.

à se faire reconnaître d'eux en se conformant à leur critère de valeur. On déclare fièrement qu'on est indépendant des autres et cependant, puisqu'on éprouve le besoin de le dire, c'est que l'on désire toutefois encore faire une certaine impression sur eux. »[7]

2.4 Ne pas voir, trop voir, la chaîne de responsabilité et la « dissociété »

Une autre forme d'indifférence consiste à poser l'autre comme néant, n'ayant aucune existence. Ce n'est pas tant que nous le haïssons ou l'adorons, c'est qu'ontologiquement, il n'existe pas. Tel est le cas des anciens maîtres qui se promenaient nus sous la présence des esclaves supposés être des objets *n'ayant pas de vue*. N'ayant pas de vue, ces sujets/objets (!) ne sont pas en vue. Comme le remarque Axel Honneth, « l'histoire culturelle offre de nombreux exemples de situations dans lesquelles les dominants expriment leur supériorité sociale en ne percevant pas ceux qu'ils dominent. La plus notoire est peut-être celle dans laquelle les nobles s'autorisaient à se dévêtir devant leurs domestiques parce que ceux-ci étaient, en un sens, tout simplement absents ».[8] Cette indifférence couve à la base un profond mépris et pourrait, comme le dit Adorno, aboutir à justifier un certain type de cruauté : « celui qu'on n'a pas perçu comme un être humain et qui pourtant est un homme, est transformé en chose afin qu'aucun de ses mouvements ne mette en cause le regard du maniaque »[9] … qui est prêt à tuer. Une autre indifférence provient de la saturation du voir. *Trop voir* provoquerait aussi une sorte de syncope de la sensation que Gunther Anders remarque chez les pilotes sur Hiroshima. Ils exécutent un geste technique à partir de leurs cabines et sont tout à fait momentanément indifférents à ce qui se passera après ; ou alors on peut exécuter un geste de mise à mort au nom de l'obéissance comme Eichmann[10] et dans la pure indifférence. Enfin, le spectacle affligeant de ce qui se passe comme horreur dans le monde mais l'écrasante et abrutissante fréquence de ces maux font qu'ils semblent si lointains et les chaînes causales si longues qu'au-delà du spectacle, cela ne provoque que de l'indifférence. « Un des effets de la distance est certainement, en accroissant les chaînes causales, de rendre la responsabilité morale par omission plus incertaine et donc plus difficile à établir ».[11] Ce qui reste, ce sont souvent ces kermesses de pitié, qui n'ont point de compassion, à savoir les téléthons qui sont, selon la belle expression d'Anne Vincent-Buffault, des « solidarités à éclipses ».[12] Cette indifférence isole de plus en

[7] *Ibid*., p. 11.

[8] Honneth Axel (2006) *La société du mépris, Vers une nouvelle Théorie Critique*. Paris : La Découverte, p. 226.

[9] Adorno Theodor W. (2003) *Minima Moralia*, aphorisme 68. Paris : Payot, p. 142.

[10] Lire Anders Gunther (1999) *Nous, fils d'Eichmann*. Paris : Payot Rivages.

[11] Boltanski Luc (2007) *La souffrance à distance*. Paris : Folio, p. 44.

[12] Vincent-Buffault Anne (2009) *L'Éclipse de la solidarité, op. cit*., p. 27.

plus les individus qui ne sont liés le plus souvent que pour s'affronter. Et c'est le secret de la société marchande et libérale qui congédie la solidarité produisant ainsi ce que Jacques Généreux nomme la « dissociété » et qui « est une société qui réprime ou mutile le désir d'"être avec" pour imposer la domination du désir d'"être soi". L'archétype de la *dissociété* est la société de marché néo-libérale fondée sur l'extension maximale de la libre compétition à toutes les activités humaines ».[13] La société de compétition installe le désir de guerre qui aboutit, à terme, à une sorte d'indifférence puisque si le concurrent – devenu ennemi par les mesquineries de la lutte pour la survie – tombe, cela ne nous touche pratiquement pas. « La guerre économique nous dresse les uns contre les autres et finit par convaincre des citoyens […] de se comporter en guerriers solitaires. Ce nouveau cadre de vie est conçu pour dissuader quiconque de chercher encore à concilier son désir d'être soi avec son désir d'être avec. La vie humaine tend à se dissoudre en une interminable lutte des places […]. Et puisque la division du travail interdit à chaque groupe de vivre en parfaite autarcie […] limitons du moins l'interaction à des échanges de biens […] et ne voir que les marchandises produites […] En effet dans ce qui n'est qu'un regroupement intéressé d'individus égocentriques, les manifestations de sociabilité sont inévitablement ressenties comme hypocrites et impersonnelles ».[14] Notre psychique est atteint ainsi.

2.5 La « noopolitique »

L'indifférence serait-elle due par le *défaut d'attention* qu'analyse si bien Stiegler ? Pour celui-ci, il se fabrique, avec l'organisation industrielle et la transmission du savoir au service de l'économie, un type d'homme dont il manque au psychique la faculté de se concentrer et de faire attention ; car faire attention implique la lenteur et la patience d'attendre : « faire attention, c'est essentiellement attendre et ce à quoi l'attention s'attache en tout objet, ce que, en tant qu'attention elle en attend étant entendu qu'elle est avant tout cette attente ».[15] Ce déficit d'attention, selon Stiegler, conduit à une forme de contrôle qui est la *noopolitique*, c'est-à-dire « une politique des esprits en vue de la formation et de la gestion d'un esprit national au service d'une économie et d'une industrie nationale ».[16] Les psycho-technologies au service de l'économie détruisent ainsi les facultés psychiques et sociales, et en particulier l'attention, en les remplaçant par des automates sans processus de ré-intériorisation, c'est-à-dire sans critique et donc sans responsabilité ».[17] Entre le biopouvoir de l'État et le psycho-pouvoir du marché, ainsi que le décrit Stiegler, il faudrait se poser la question de savoir si l'indifférence ne serait pas une modalité du déficit

[13] Généreux Jacques (2008) *La dissociété*. Paris : Seuil, p. 176.

[14] Ibid., pp. 182–183.

[15] Stiegler Bernard (2008) *Prendre soin de la jeunesse et des générations*. Paris : Flammarion, p. 174.

[16] *Ibid*., p. 312.

[17] *Ibid*., p. 240.

d'attention d'une humanité déprimée et saturée par les diktats économiques ? Cette humanité victime d'elle-même se raconte des histoires en s'inventant des semblants de solidarités.

2.6 Solidarité bourgeoise ?

La question éthique qui se pose à propos de l'indifférence et ses déclinaisons est celle qui lie la dette aux notions de devoir, de responsabilité et de réciprocité. Nos sociétés post-postmodernes fonctionnent avec le mythe de l'horizontalité. Tout doit devenir équivalent comme les articles mis en vente. Cette horizontalité refuse la *verticalité qui lie les êtres humains à l'humanité passée et future*. Le fantasme de *l'horizontalité* est un retour très rusé de la question biblique « suis-je le gardien de mon frère ? ». L'homme post-postmoderne semble se demander : « suis-je responsable de mes ancêtres ou des générations futures ? Au nom de quoi devrais-je me sentir débiteur pour une dette que je n'ai pas voulu contracter ? Et quels sont mes droits sur les générations futures quand on m'accable des devoirs envers elles ? » Au cours d'un séjour au Vietnam, François Flahault se fait reprendre par un chercheur vietnamien : « Nous, les Asiatiques, nous pensons que la société repose sur les liens entre générations, alors que vous, les Occidentaux, vous croyez que la société est une association entre contemporains ».[18] En Afrique aujourd'hui les catéchismes importés, qui restructurent les sociétés selon les impératifs économiques, font une telle impasse sur les avatars des us et coutumes qui, en deçà et au-delà de l'État colonial et du marché, ont un impact sur la mentalité des peuples africains. L'indifférence est l'un des défis éthiques qui pourrait donner une nouvelle configuration au questionnement des questions relatives à l'éthique en Afrique.

La solidarité fait partie de ces questions. Peut-être que, dans le cadre de l'Afrique, la question éthique devrait se pencher sur celle de *la mutualité* en laissant de côté le concept de *solidarité* qui parfois se mue en « solidarisme » selon la belle expression de la philosophe ivoirienne Tanella Boni.[19]

3 L'éthique « entrepreneuriale », Passions et pléonexie

3.1 La société forcée à devenir « entrepreneuriale »

Une question doit être mise sur le tapis, celle du sort des sciences sociales dans le monde africain. Ces sciences nous aident à mieux voir les plis de ce que devient cette entité qu'on nomme société en Afrique. Les urgences du développement

[18] Flahault François, *op.cit*., p. 58.

[19] Boni Tanella (2011) « Solidarité et insécurité humaine ; penser la solidarité depuis l'Afrique », in *Diogène*, Paris, n° 235–236, pp. 100–104.

technologique ont influencé la manière dont les sciences sociales étaient reçues, perçues et enseignées. La linguistique, par exemple, s'est mise au service des administrateurs coloniaux et des missionnaires. La confection des grammaires et des dictionnaires en langues locales, l'utilisation de la notion « d'interprète » et les modifications des syntaxes de ces langues n'avaient le plus souvent pour but que de « servir » à la « gestion efficace » des populations ou à l'exécution des ordres. La géographie servait non seulement à encadrer territorialement le mouvement des populations mais aussi à développer des recherches sur les richesses du sous-sol. La géographie était ainsi, soit sous la coupe du politique, soit sous celle de l'industrie, avec comme manque une recherche sur les notions de lieu, de paysage et de seuil. L'histoire elle-même est devenue une instance idéologique servant à justifier soit des logiques identitaires, soit des revendications tribales et ethnicistes. La sociologie et la philosophie furent mises au service de la notion de « développement ». Quelquefois, les notions sociologiques et philosophiques ne devaient avoir de pertinence que si elles pouvaient montrer en quoi elles étaient liées au thème du développement. Par ce dernier, il fallait entendre le développement scientifico-technique de l'Occident qui donnerait aux populations africaines une vraie libération économique et militaire. La philosophie et la sociologie furent ainsi conçues comme des « instruments » du développement.

Cette idéologie diffuse de la rationalité instrumentale sillonne encore aujourd'hui les arcanes des orientations des sciences humaines. Plus loin, cette logique orientera le *modus operandi* du personnel intellectuel africain. Une question se pose, celle de savoir quel type de société promeut cette rationalité de l'efficacité ?

Les intellectuels africains ont ainsi été (ou bien se sont) mis en condition de devenir des entrepreneurs. Chacun, en fonction de ses compétences et relations, doit trouver des ressources matérielles pour *satisfaire non seulement ses besoins* immédiats, mais aussi pour maintenir la *relation au désir* qui lie souvent ceux qui ont et ceux qui aspirent à avoir. Sur le plan pratique, chaque intellectuel africain misera d'abord sur l'*État*. Celui-ci est conçu à la fois comme un *grenier* et comme un *parent*. Ce grenier inépuisable qui remplace l'ancien grenier tribal est un parent qui punit, attire, amadoue et écrase selon les cas. L'intellectuel africain post-indépendance n'aura de cesse que de s'adresser à ce parent en lui prodiguant des éloges ou selon les cas en lui inoculant le poison de la haine. La haine ou l'amour de l'État sont des modalités du lien de famille. Les intellectuels seront ainsi, selon les cas, vassalisés par le pouvoir politique à travers l'habile et inconfortable position de conseiller du prince, de thuriféraire ou d'expert-consultant, ou alors, se faisant les obligés des médias, ils seront les contempteurs de l'État. La deuxième entreprise est la nébuleuse des ong (Organisations non-gouvernementales). Tout intellectuel qui veut émerger est obligé de s'associer ou de créer une ong. Le but n'est pas souvent de faire avancer les idées que d'avoir un « quant à soi » et un « pied-à-terre ». Tous se sont tournés vers la création des « associations », des « laboratoires » de recherche qui ont pour but d'attirer des investisseurs. L'éducation devient ainsi une entreprise, un « business » qui ne procure au mieux que l'angoisse de trouver un travail, au pire la lassitude.

3.2 Transmettre à l'ère de la consommation

Une culture se transmet à travers les symboles et les artefacts. Cette transmission est souvent tributaire à la fois des conditions idéologiques et des symboliques qui structurent des Sujets et communautés. Une transmission produit, en fonction des impératifs historiques, des cassures, c'est ainsi que certaines pratiques peuvent soit disparaître, soit être transformées. Il se trouve que, dans toute transmission, il y a une grande part de verticalité qu'il faut observer, car après tout, le mouvement de transmission est toujours asymétrique et ne peut faire l'économie de la hiérarchie. Or l'idéologie du management – qui, au passage, nous dit que les idéologies sont finies – consiste à oblitérer ce qui est important dans toute transmission, à savoir, assurer à l'institution du social la liaison qu'il y a entre les arcanes de l'identité, les miroirs qui les traduisent, les institutions qui les coordonnent, les fictions et la parole. Transmettre en Afrique obéissait à la règle d'assurer à la fois la survivance et le contrôle de la hiérarchie. Et depuis la période postcoloniale où l'économie monétaire est devenue un modèle pour toutes les autres économies (psychique, sexuelle et symbolique), la question de la verticalité dans la transmission et l'éducation a été remise en cause. Que reste-t-il à l'existence africaine qui est si structurée en communautés au moment où l'économie marchande tend à y imposer une transmission des biens matériels en mettant de côté le symbolique ? Que reste-t-il de la transmission quand tout est équivalent (comme les marchandises), et que la différence sexuelle est supplantée par la diversité sexuelle ? Cette horizontalité est une véritable entorse au processus de transmission qui avait cours dans les sociétés africaines précoloniales.

3.3 Gouvernance, société civile et marché

On éduque l'Africain politiquement. À quoi ? À pratiquer ce que les marchés qualifient de *bonne gouvernance*. La fin des années 90 et avec le renouveau de ce qu'on peut nommer la *démocratie du coffre-fort* – une « démocratie » promue par les bailleurs de fonds avec à la clé le chantage de la suppression des investissements – a vu émerger dans le lexique politique africain le terme de *bonne gouvernance*. Dans les années 60, qui furent celles des indépendances africaines, on utilisait plutôt le terme de « Gouvernement ». Celui de gouvernance marque ainsi un glissement non seulement terminologique mais aussi idéologique. En effet, ce terme est une imposition linguistique anglo-saxonne et a pris corps quand la forme actuelle du capitalisme libéral s'est autoproclamée victorieuse dans la guerre idéologique qui opposait les deux blocs. La gouvernance définira ses propres paramètres variables dans les pays du Tiers-monde en fonction des intérêts des puissants. La *bonne gouvernance* sera mise en musique non seulement par les soins de la Banque mondiale, le fmi et la communauté économique européenne, mais aussi par la coopération des États africains eux-mêmes et surtout par la *société civile*. *Gouvernance* et *société civile* sont donc les deux lunettes par lesquelles la question du politique est de plus en plus

posée. On éduque non seulement les États à la bonne gouvernance, mais aussi cette notion est devenue le paradigme par lequel des groupes financiers agissent. Le terme de gouvernance « *a été introduit par les think tanks d'inspiration libérale […] Il ne s'agit pas à proprement parler d'un néologisme […] ici on a repris un mot ancien et on lui a affecté une nouvelle signification. Ce terme est utilisé depuis le xiiie siècle. D'abord proche de "gouvernement" il peut aussi désigner "la façon de se conduire" […] Aux xviie et xviiie siècles, la "gouvernance" se rapporte aux moyens d'équilibrer le pouvoir royal et le pouvoir parlementaire […] depuis quelques années […] la notion de gouvernance vient en ligne droite de l'expression anglo-américaine de* corporate governance *(gouvernance d'entreprise) […] [qui] renvoie à un tournant décisif dans la gestion de l'entreprise qui se marque à la fois par le nouveau statut privilégié des actionnaires et par l'évolution du management interne […] bien loin de renvoyer à une extension de la démocratie […] [la gouvernance] ne désigne rien d'autre que la prise du pouvoir du capital financier sur le capital industriel, caractérisé au premier chef par le fait de ne plus considérer la personne que comme un facteur de coût parmi d'autres* ».[20] La gouvernance, fût-elle bonne, n'est qu'un autre nom de la dictature des actionnaires et des financiers et, dans le cas des États africains, la *bonne gouvernance* est l'expression de la dictature des marchés financiers sous le couvert de la démocratie. Il se profile à l'horizon un modèle social où tout s'achète et se vend. La marchandise devient ainsi le nouveau totem. La bonne gouvernance est ainsi ce qui assure au marché sa fluidité et ses caprices. En fait, la gouvernance s'accompagne souvent aussi par un autre slogan, à savoir la réduction de la présence de l'État au profit des investisseurs privés. « *La gouvernance cherche alors à ranger la chose publique au rayon des vieilleries et à la remplacer par l'ensemble des intérêts privés, supposés capables de s'autoréguler […] le problème est que l'addition des intérêts privés ne fait pas l'intérêt général* ».[21] Une fois que l'horizon de l'intérêt général se réduit à la lutte pour le contrôle des monopoles – on nomme cela concurrence, pour en adoucir la cruauté – l'économie psychique des individus se caractérise dès lors par cet échange curieux entre l'insécurité et l'agressivité. Le but est de « *fabriquer des crétins procéduriers adaptés à la consommation* ».[22] L'économie sexuelle enfin est basée dans cette période par la non-maîtrise des pulsions. Les sociétés traditionnelles africaines avaient, selon les cas, un véritable contrôle sur des pulsions. La gestion et la maîtrise de celles-ci servaient d'abord à assurer la maturité de l'individu au sein du groupe et surtout son intégration à l'ordre symbolique. La réduction de l'individu à ses propres pulsions – qu'il peut vendre et surtout qu'il doit le faire avec la bonne conscience de « s'occuper de soi-même » – le rend vulnérable.

Après la chute du mur de Berlin, il y a eu la réorganisation des États africains qui, pour la plupart, avaient des systèmes de partis uniques. « La démocratisation »

[20] Robert-Dufour Dany (2007) *Le divin marché. La révolution culturelle libérale*. Paris : Denoël, pp. 142–144 (je dois remercier l'auteur pour des discussions communes à l'iea de Nantes. Discussions qui inspirent ces lignes).

[21] *Ibid*., p. 135.

[22] *Ibid*., p. 142.

qui y fut introduite voulait, avec les impératifs du Front Monétaire International, mettre sur pied la notion de *bonne gouvernance*. En réalité, cette exigence de « bonne gouvernance » voulait mettre les économies africaines sous la coupe des intérêts privés. La politique – qui est une certaine organisation de la cité en vue de préserver le bien commun – s'est convertie, dès lors, en gestion des sociétés sous le guidage des groupes de la finance internationale aidés en cela par l'irresponsabilité et la cupidité de l'élite africaine.

3.4 Jeux des émotions/passions et pléonexis

S'il y a un comportement qui n'a jamais cessé d'étonner les Africains colonisés au contact avec l'Occident, c'est le sort fait aux émotions et passions. Que deviennent la colère, la joie, l'empathie et la pudeur quand la seule règle qui régit la nouvelle culture du marché sous les tropiques est de produire de manière forcée pour la bonne marche de l'Empire ? Et *le corps* ? Que devient-il dans cette nouvelle gestion de l'existence de l'Africain qu'introduisent les jeux du travail salarié, de la finance et de l'abstraction monétaire ? Dans cette nouvelle situation, le corps de l'Africain se trouve tiraillé entre une existence qui fut soumise au contrôle des rites sacrés et esthétiques – tout cela sous la juridiction des communautés – et une autre qui, après l'avoir atomisé, l'introduit (via le travail salarié) dans le contrôle de la productivité marchande. C'est dans toute une série de modifications que le corps du postcolonisé va désormais évoluer. La première de celle-ci concerne la contradiction entre l'exigence de ne pas prendre le corps comme objet de plaisir – la danse et la prostitution étaient durement réprimées pendant la colonisation en Afrique – et l'obligation qui lui est imposé d'être disponible à devenir un objet de la production marchande. À côté de cette répression sexuelle se cache l'une des ruses du « divin marché » et que Marcuse résume si bien dans un autre contexte : « *on en vient à penser qu'il était inhumain d'utiliser le corps des sujets comme source de plaisir et de se servir des hommes ainsi directement comme moyen […] la mobilisation de leur corps et de leur intelligence au service du profit a été considérée, elle, comme une manifestation naturelle de la liberté. C'est ainsi que les pauvres furent soumis à l'obligation morale de se louer à l'usine mais que la location de leur corps comme moyen de plaisir fut considérée comme une perversion et une prostitution* ».[23] Une fois que le corps fut contrôlé, il était assez facile de manipuler le désir. Mais ce que l'introduction de la civilisation instrumentale a donné dans la réorganisation de l'économie du désir en Afrique fut de favoriser la *pléonexie*. Jean-Pierre Vernant la définit à la suite des anciens Grecs comme ce qui conduit à l'injustice « *Koros* (dédain orgueilleux), *hubris* (le délire des grandeurs), *pléonexia* (le désir d'avoir toujours plus) sont les formes de déraison qui ne peut plus enfanter qu'injustice […] ».[24] Le mode de vie postmoderne et postcolonial a introduit en Afrique une véritable corruption des émotions. Le désir de jouir toujours plus, une

[23] Marcuse Herbert (1970) *Culture et société*. Paris : Éditions de Minuit, p. 131.

[24] Vernant Jean-Pierre (2002) *Les origines de la pensée grecque*. Paris : puf, p. 81.

colère qui ne féconde plus dans une Afrique qui s'est initiée au grégarisme, et les émotions qui doivent accompagner l'éthique de la sollicitude, se sont dégradés par la politique d'assistanat promue par les ong occidentales et asiatiques.

4 Colère, care et relation fiduciaire

4.1 La colère

La question éthique ne se pose pas souvent de manière calme, elle est toujours accompagnée de la colère. Mais, que vaut éthiquement la colère en Afrique aujourd'hui ? Autrement dit, l'indignation suffit-elle à donner des réponses à la déconfiture morale qui semble intimer ces mots d'ordre à l'Afrique : moins d'État et plus de commerce, moins de critiques et plus de consommation ? Qu'apporte la colère au moment où la nouvelle théologie du marché semble *s'appuyer sur et/ou se justifier* à la fois par les conflits régionaux et les risques écologiques ? Que peut la colère devant l'expression d'un marché international qui est réglé sur les desiderata de la spéculation des intérêts internationaux ? Nous devons rappeler la rhétorique de l'éthique de la politique internationale que copient et promeuvent les élites intellectuelles et politiques en Afrique : (a) la primauté du droit ; (b) la bonne gestion ; (c) le développement durable. Mais à vrai dire, « le respect de la primauté du droit signifiera la prévalence du droit du commerce international sur le droit national, la bonne gestion des affaires publiques désignera les coupes sombres dans les budgets sociaux, le développement durable voudra surtout dire nouvelles opportunités de faire des affaires, le respect de l'environnement correspondra à l'établissement des normes de pollutions compatibles avec les projets industriels, la lutte contre la pauvreté se fera au nom de l'éradication d'activités archaïques ».[25] Dans cette situation, que faire de la colère ? La colère a eu plusieurs statuts comme le rappelle Sloterdijk. Elle fut, dans la tragédie grecque, l'apanage des héros et des Dieux ; cette colère venue d'en haut et qui prenait les situations de haut a été abandonnée au profit d'une maîtrise de la colère.[26] Cette maîtrise était le gage de la tempérance et de la civilité. Mais, depuis qu'il y a le retour de la victime dans l'horizon des théories de la justice, la question de la mobilisation des ressources « thymotiques » est redevenue importante pour mieux comprendre le rapport de la colère à la politique. Il y a eu ainsi, estime Sloterdijk, des agences de colère avec des distributions plus ou moins équitables des motifs de la colère. Il situe historiquement cela dans la Révolution française ; « développer une culture de l'indignation en encourageant méthodiquement la colère devient la principale mission psychopolitique de l'époque

[25] Robert-Dufour Dany (2012) *Le divin marché*. Paris : Gallimard, pp. 182–183 (la première édition de ce livre a paru chez Denoël en 2007. Cf. note 20).

[26] Cf. Sénèque, *De Ira*, Livres i, ix. Il recommande de prendre la colère non comme chef mais comme camarade de combat.

qui commence au cours de la Révolution française ».[27] Avec la colère, nous avons aujourd'hui une conception politique qui associe le peuple à la colère. Qui, en Afrique, ne joue pas à la victime de l'État, de la famille, de son travail, de la colonisation, de l'Église ou de ses « frères du village » ? La colère est devenue une ressource, un emploi, un magasin qui recense et recycle les rancœurs personnelles dans le bon vieux style du ressentiment. Des intellectuels africains à la rhétorique lassante et répétitive ont investi la colère pour lui donner ce caractère convenu et improductif qui la fait exploser pour qu'elle soit aussitôt neutralisée. La presse sert d'exutoire, l'État postcolonial et son personnel de bouc-émissaires. Dans cette atmosphère, faire preuve de critique ne signifie plus prendre ses distances avec l'objet de sa critique et de sa position de critique, mais d'exprimer la colère. Des agences de colère sont ainsi nées dans les pays africains où les élites déversent leur colère. En Afrique, diverses modalités de la distribution de la colère se font soit chez les grossistes qui ont des stocks de colère à revendre (utilisant les vieux leviers des haines tribales), soit chez les détaillants qui habillent les échecs personnels, les haines académiques, professionnelles et familiales en colère. Que reste-t-il de la colère pour qu'elle puisse servir aux humiliés et à ceux qui subissent des injustices ? Il faut remarquer que ceux qui sont dans le bon droit de s'indigner – pour que l'humain soit respecté non seulement dans sa dignité mais aussi dans ses droits – doivent tenir compte de la notion de vulnérabilité. Souvent l'indignation nous fait oublier la réalité de la fragilité aussi bien des êtres que des institutions avec ou contre lesquels nous sommes en colère, raison pour laquelle il faut ajouter quelque chose à cette colère : associer les *réserves de colère aux utopies sociales*. Établir d'abord dans chaque société africaine des *réserves de colère* qui, si elles sont laissées en elles-mêmes, se coaguleraient en un ressentiment fade et mort. D'où, il faut ajouter ensuite, *la collecte des utopies sociales* qui tirent la société vers le non-encore-Être *(Nondum)* au sens où Ernst Bloch l'entend. Sur le plan purement éthique, la colère seule ne suffit pas ; il lui faut un « supplément d'âme » qui doit veiller à détecter et à libérer les forces qui naissent de la colère. Ce qui veut dire que la colère a besoin de l'intelligence « *Ira quaerens intellectum* »[28] et qu'en retour l'intelligence a besoin d'une bonne dose de colère ; « *intellectus quaerens iram* ».[29] La modernité africaine – et souvent avec raison – s'est souvent exprimée en faisant étalage de sa colère et de sa souffrance. Pour les élites africaines, de belles carrières universitaires et des postes politiques ont été le gain de ces colères. Il manque aux Africains actuels, symboliquement en voie de paupérisation, une intelligence de la colère, celle qui donne à penser et à privilégier dans les sociétés africaines actuelles, le non vendable et le non négociable. Quand tout se vend, qu'est-ce qui dans mon être, mon environnement, ma société et mon patrimoine ne doit pas se vendre ? Telle est la vraie question à laquelle conduirait la colère. Une colère qui ne pose pas la question de l'aliénation de tout en objet de vente, n'est, dans le cadre de l'Afrique, au mieux qu'une distraction et au pire une mauvaise humeur vite achetable.

[27] Sloterdijk Peter (2007) *Colère et temps* Paris : Libela Mareen Seel, p. 164.

[28] *Ibid*., p. 167.

[29] *Ibid*., p. 167.

4.2 « Care » et les ancêtres ?

Puis vinrent parmi les théories éthiques les fameuses considérations autour du soin. L'homme est un Sujet pensant, fantasmant, imaginant, mais surtout qui peut être fragile et vulnérable à la fois. Les théories du soin veulent ainsi lier, à la pratique de la discussion et aux habitudes de l'administration des remèdes et soins, le dialogue avec les êtres souffrants auprès de qui nous apprenons tant de choses de notre humaine et fragile condition. Comme toute nouvelle doctrine, le *Care* s'est fragmenté en plusieurs sous-groupes, les uns aussi critiques que les autres. Il y eut des féministes, des écologistes, des dialecticiennes et marxisantes, des éco-utopistes.

La définition générale et synthétique du Care est celle donnée par Joan Tronto : « Plutôt que de soumettre à discussion les multiples utilisations du terme de *care* (sollicitude/soin), je proposerai cette définition élaborée par Berenice Fischer et moi-même […] nous suggérons que le *care* soit considéré *comme une activité générique qui comprend tout ce que nous faisons pour maintenir, perpétuer et réparer notre 'monde' de sorte que nous puissions y vivre aussi bien que possible*. Ce monde comprend nos corps, nous-mêmes et notre environnement, tous les éléments que nous cherchons à relier en un réseau complexe, en soutien à la vie ».[30] Une constante dans les pratiques du *Care* est de sauvegarder *la relation avec autrui*, c'est ce qui traduit aussi la sollicitude. Carol Gilligan, autre penseur du *Care*, consacre, elle aussi, un chapitre important sur la relation dans son livre sur le *Care*.[31] S'agissant de la relation, elle traite des rapports à l'enfant, aux malades, entre les gens d'une même génération ainsi qu'à ceux des générations futures. Qu'est-ce qui fait problème dans cette floraison de la sollicitude à travers les théories du *Care* ?

Ce qui est pour nous important de souligner à la marge de ces théories sur le *Care*, c'est le caractère purement étroit de leur argumentation. Le Sujet souffrant qui est aidé et qui mérite de notre part dialogue et compassion vit dans un monde qui se conjugue en terme de droits (de vivre, à la dignité, de savoir, de dire) et de devoirs. C'est un Sujet qui ne se préoccupe pas de la dette ancestrale. Mais dans le cadre des malades africains, le « qui » du Sujet qui est souffrant est constitué par la chaîne intergénérationnelle de la famille étendue. La famille qui est consultée et qui intervient dans la maladie ne se limite pas – comme c'est le cas dans les théories du *Care* – à une association des êtres liés entre eux par la banque, le notaire et l'avocat. Le Sujet souffrant implique plus que la personne visible, il fait appel à une chaîne intergénérationnelle. Il faut donc souvent faire un peu de place à ceux qui ont précédé et rendu possible la société à l'intérieur de laquelle la sollicitude est pratiquée. Les relations de *Care* ne prennent pas soin de la mémoire de la tradition.

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[30] Tronto Joan (2009) *Un monde vulnérable : Pour une politique du* Care. Paris : La Découverte, p. 143.

[31] Gilligan Carol (2008) *Une voix différente. Pour une éthique du* Care. Paris : Flammarion, pp. 47–106.

4.3 La relation fiduciaire

Une époque qui soupçonne tout se laisse envahir par le vertige propre à l'auto-fondation. Qu'en est-il du fondement quand tout ce qui est fondé est mis en doute ? Mieux, quand on a congédié le vieux monde qui légitimait les croyances et savoirs, le Sujet devrait avoir le vertige d'être lui-même son propre fondement. Et c'est au sein de ce vertige que la confiance/foi (au sens large) subit un coup. La relation *fiduciaire* au sein de l'espace politique est de plus en plus vécue comme un stade pré-moderne de la société. En pleine guerre, en 1943, Simone Weil faisait cette remarque à l'Occident à propos de ses rencontres avec d'autres civilisations. Elle affirmait que : « Nous (les Occidentaux) ne croyons malheureusement pas à grand-chose. Nous fabriquons à notre contact une espèce d'homme qui ne croit à rien ».[32] Le manque de confiance est redoublé aujourd'hui par la prise en compte de la notion de risque. « Des sociétés à risque » ne privilégient pas la confiance, car dans « la dictature du danger »[33] tout peut être objet de peur. La philosophie de ces sociétés s'étend sur le monde entier et tente de réduire à néant ce qui semblait être la relation fiduciaire des Sujets à leur environnement quotidien. L'homme post-postmoderne vit une véritable tragédie : d'un côté, ce qui le lie aux autres dans la « société de risque » ne sera que la peur de la catastrophe, et de l'autre, la confiance elle-même semble être un état intermédiaire de connaissance qui ajoute parfois un peu plus d'angoisse. Comme le dit Simmel : « la confiance est aussi un état intermédiaire entre le savoir et le non-savoir sur autrui. Celui qui sait tout n'a pas besoin de faire *confiance*, celui qui ne sait rien ne peut raisonnablement pas faire confiance ».[34] En Afrique, la destruction de la relation fiduciaire au savoir et à une certaine tradition dessine en creux une conception linéaire de l'histoire ; tout se passe comme si le passé n'avait aucune consistance et comme si tout commençait avec le présent. On a peur de la relation fiduciaire parce qu'elle est exigence, consistance et promesse. Le mot *Fides* en latin, selon les linguistes, aurait au moins le sens du *Don* (on donne sa confiance à), de *l'hospitalité* (je reçois un don) et surtout un attachement, une fidélité et une *loyauté*. L'étymologie latine, fait d'abord de *fides* le crédit : « dans son sens passif, *fides* est 'le fait d'être cru', le 'fait d'obtenir', d'entraîner la confiance ».[35] Ce premier sens implique *l'hospitalité* car *fides* c'est recevoir. Ensuite, *fides* prend le sens de la *promesse* et implique de par le fait même la notion de *don* ; « l'acception est particulièrement claire dans la formule *fidem dare + accipere* qui indique toujours la conclusion d'un accord ».[36] Enfin, *fides* veut signifier la loyauté. Freyburger fait référence à Tite-Live « Tite-Live dit à propos du *foedus*

[32] Weil Simone (1999) « À propos de la question coloniale dans ses rapports avec le destin du peuple français », in *Œuvres*. Paris : Gallimard, Quarto, p. 429.

[33] Beck Ulrich (2008) *La société du risque, Sur la voie d'une autre modernité. Paris* : Flammarion, p. 145.

[34] Simmel Georg (1999) *Sociologie, Études sur les formes de socialisation*. Paris : puf, p. 356.

[35] Freyburger Gérard (1986) *Fides. Étude sémantique et religieuse depuis les origines jusqu'à l'époque augustéenne*. Paris : Les Belles Lettres, p. 41.

[36] *Ibid*., p. 59.

entre Porsenna et les Romains : '*Vtrimque constitit fides*' ; 'Des deux côtés, on fit preuve de loyauté' ».[37]

En définitive, la confiance – qui n'est pas une croyance aveugle – sert – comme le souligne le sociologue Niklas Luhmann – à réduire la complexité du réel et à renforcer ensuite le présent et la tolérance active. « La confiance renforce le présent dans son potentiel de saisie et de réduction de la complexité ; elle renforce les états par rapport aux événements et permet ainsi de vivre et d'agir face à une grande complexité en rapport avec les événements […] la confiance renforce la tolérance à l'égard de la polysémie […] on a besoin de la confiance pour la réduction d'un avenir dont la complexité demeure plus ou moins indéterminée ».[38] Le grand défi reste pour l'Afrique de faire une place à cette confiance critique qui est à la fois don, hospitalité et fidélité à un idéal. Quelle est aujourd'hui la valeur de la parole donnée ? Comment faire pour que la parole ne devienne l'esclave du formalisme des contrats juridico-administrativo-commerciaux ? Quelles ressources symboliques utiliser pour remettre en marche la capacité de faire des dons et de tenir à la parole ? Avec le changement des sociétés africaines et ce défi qu'est la relation fiduciaire, comment ruiner la confiance aveugle au marché ainsi que les divers catéchismes des régimes financiers tout en maintenant la foi en quelque chose ? C'est aussi le lieu d'interroger la foi aux fondamentalismes religieux avec leur vues exclusivistes en Afrique. Les fondamentalismes qui, pour la plupart, sont des manifestations de la cyber-guerre et des guerres économiques et symboliques, ne savent pas faire confiance, c'est-à-dire, donner, recevoir et tenir la promesse. Obéissant aux mots d'ordre, la relation fiduciaire a aussi été absente des agissements des gouvernements post-coloniaux en Afrique. La tragédie qui se déroule entre l'État, la société civile, les organisations internationales, les Organisations non-gouvernementales, les banques et la propriété a pour secret – en partie – la faillite de la relation fiduciaire des Africains avec les valeurs fondamentales qui contredisent celles de l'argent et du pouvoir, valeurs qui restent à être choisies (librement) et redéfinies en tenant compte du possible.

5 Conclusion

5.1 L'esprit du marché et l'esprit de l'utopie

« L'ordre rationaliste à l'occidentale ridiculise les anciens styles et promeut l'univers des déracinés. Il parle libre marché du travail et parie sur l'idéal standard d'un travail nomade, précaire, dans un monde industriel apatride. La Globalisation conduite par l'Occident effaceur des identités ressemble à une fuite en avant, instinctive,

[37] *Ibid*., p. 50.

[38] Luhmann Niklas (2006) *La confiance un mécanisme de la réduction de la complexité sociale*. Paris : Economica, pp. 16–17.

dénuée de pensée. L'Afrique accablée est-elle un monde de nulle part, ou le continent en attente ? L'Asie tenue en respect est-elle promise à l'absorption, ou sur la pente d'un renversement stratégique ? »[39] En attente ? L'Afrique n'attend pas seulement, elle bouge et se veut un *continent en transition* même si on ne voit en elle qu'un *continent en transactions* (les produits du sous-sol et les forêts intéressent les spéculateurs). Comment reposer la question éthique dans une Afrique accablée d'une part par ses propres démons et par une spéculation monétaire internationale impitoyable d'autre part ? Cette question ne peut trouver son sens qu'en reconsidérant les rapports entre la raison d'État et la justice, les religions et les diverses mises en scène de l'absolu, le droit international et le respect de celui-ci par les grandes puissances, les nouvelles technologies de contrôle des populations et de l'économie psychique, les interdits fondateurs et les nouvelles manières de subjectivation, la violence diffuse et l'organisation du savoir, la question des critères du goût et la pollution. Tous ces domaines auraient dû être interrogés ; il aurait été question de trouver *les optatifs* par lesquels une vie en société dans des institutions à peu près honnêtes (Ricœur) peut être possible. Point n'est besoin pour nous de prêcher la vertu, nous sommes très conscients de l'avertissement de Nietzsche : « celui qui sait comment naît la réputation aura de la méfiance même à l'égard de la réputation dont jouit la vertu ».[40] Il est plutôt question de mettre à égale distance et en perspective ce monde inquiétant, indifférent et sa tendance à tout enrégimenter par la finance et le management. Au fond, plus que l'idée de *solidarité* comme la préconisait Léon Bourgeois, celle de *mutualité* avancée par Proudhon nous servira de guide. La mutualité n'est pas seulement l'association comme le voulait parfois certains contemporains de Proudhon mais une exigence de s'associer et de proposer des utopies qui mettront en crise et en perspective notre vécu. « La mutualité c'est la première opération d'un inventaire des utopies ».[41] Ces dernières aideront à réinventer des nouvelles règles pour que l'Humain survive à la tragédie du marché : « la compétition partage le monde en deux camps. Il y a les gagnants et les perdants. Sous la Main de fer du marché. Mais le marché universel n'est pas un pouvoir aveugle. C'est un assemblage de règles ».[42]

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[42] Legendre Pierre, *op.cit*., p. 48.

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The Immanent and the Transcendent in Indian Ethics

Bhuvan Chandel

Philosophy is ever thought as the lamp of all sciences, as the means of all action and as the support of all laws and duties […]. With [its] help one can learn what is spiritual good and material well-being. Kautilya

The search for meaningfulness in human life has led humanity to carve out niches which constitute teleological webs and exercise a pull on humanity with a view to make this canvas of human life a veritable platform to seek what is ultimately valuable.

The Indian mind postulated the notion of *Dharma* (supreme moral ideal) and, through *Dharma*, '*nirvana*' or *mokśa* (liberation from bondage) as the penultimate objectives of all human action. Indian ethics presupposes a belief in immortality of soul and embodiment of soul from time to time. Different schools of philosophy from the Vedic era to the non-Vedic and beyond have entertained these values and prescribed morally appropriate action (*karma*) through knowledge (*jñāna*).

1 Vedic Ethics of Ancient India

In fact moral values and principles of moral life have been a serious concern of Indian mind and have been the subject matter of the basic ancient texts of Indian Wisdom, namely the *Vedas*, which have been traced back to nearly 4,000 years before the birth of Christ. Therefore, *Vedas* contain significant insights into how human life should be lived and what value structures humans should pursue during the course of their life spans. Obviously, therefore, the texts of Vedic ethics are

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aimed at creating a better human being and building an ideal society worthy of providing excellence and meaningfulness to human life. To achieve this, one has to follow the supreme moral ideal of *dharma*. The pillars of *dharma*, which constitute the matrix of a good life for men and women in a society, are the principles of *sadacharah* (good conduct) with distinctly drawn parameters for deciding what is right as against what is wrong.

The *Vedas* are the supreme authority to delineate on *dharma* and have been accepted as a treasure of universal knowledge for centuries. The *Smritis*, such as *Manusmriti*, are commentaries which lay down the rules of *dharma*, but are not considered primary authorities on their own. The *Smritis* were written at certain times as a response to available texts in certain circumstances. Therefore, before accepting them as final, one should refer to the *Vedas* whenever one is in doubt about their veracity and relevance. The subject matter for both are principles of regulation for good human behaviour, i.e., *Sadacharah* and *Vedas* are the founding texts of these.

Some scholars inclined to accept the overwhelming presence of nature plead for the satisfaction of the senses and mind, reasoning that our desires and sensuous pleasures should be satisfied if we want to be at peace. However, in Vedic ethics this approach is vehemently opposed; it is argued that the mind must control the senses, and reason should control the mind and soul should, in turn, control reason. The soul is the supreme decision maker and reason is the propeller. Without self-control (*Sanyam*), a person cannot live life according to *dharma*, and would entail negation of good conduct and violate the intrinsic worth of character (Tulsi Ram 2002; Upadhay 2005).

According to Manu, Truth exalts the mind. Knowledge and strict devotion to duty elevate the soul and possession of ideas refines the intellect.

In the *Yoga Darśana*, Patañjali mentions the rules of conduct, i.e., (i) *yama* (values) and (ii) *niyama* (regulation).

Yamas are of five kinds: (i) *Ahimsa,* or non-violence; (ii) *Satya*, or truth in word and deed; (iii) *Asteya*, or non-stealing, i.e., abandonment of theft in thought, word and deed; (iv) *Brahmaacarya*, or control of senses; (v) *Aparigrah*, i.e., freedom from extreme covetousness. These *Yamas* ought to be observed with regularity if life is to be lived according to given moral prescriptions.

The *niyamas* are five: (i) purity of mind; (ii) contentment without desire for reward or consequences of actions; (iii) *tapas*, i.e., doing righteous deeds even in adverse circumstances; (iv) *svadhyaya*, or acquisition of knowledge and wisdom through study and reflection; (v) placing oneself at the disposal of forces transcendent and immanent beyond oneself.

One who is committed to live according to moral prescriptions should follow the *niyamas* and the *yamas* together.

Manu lays down the following ten imperatives for an ethical code:

I. *Dhriti* or patience.
II. *Kshama* or forgiveness – to maintain balance in respect of praise and blame, respect and disrespect, profit and loss and the like, and to maintain equipoise therein.

III. *Dama* or piety – always to engage oneself in the practice of righteousness, and to refrain from committing inequities.
IV. *Asteya* or honesty – giving up stealing, that is, not to take others' things without permission, by fraud, cheat, or treachery, contrary to the injunction of the Vedas.
V. Sanctity – to keep internal purity by shunning emotions, fondness, hatred and partiality.
VI. *Indriya-nigrah* or the control of the senses – to check the senses from committing an act of unrighteousness and to employ the same in the practice of virtue.
VII. *Dhi* or reason – to develop reason, abstain from the use of intoxicants, avoid the company of the wicked; to give up idleness, pride and evils; to seek the company of good people; and to promote the practice of contemplation.
VIII. *Vidya* or knowledge – knowledge of all substances to be utilized for the benefit of human life, and to abide by truth. Truth should be reflected in action on the basis of what is expressed in speech, and to express in speech what is in thought and will.
IX. *Satya* or truth – to know a thing as it is, to talk of it, and to refer to it accordingly.
X. *Akrodh* or tranquility – to give up anger and similar passions, and to attain tranquility and other peaceful virtues.

The practice of these ten regulative principles of ethics are binding on all persons in the four stages of life (*āshramas*) and for all the classes (*varnas*) as well.[1]

The Vedic code of conduct thus advocates: (i) To accept truth and give up un-truth; (ii) To do everything according to the dictates of *dharma*, i.e., after due reflection over the right and the wrong; (iii) To aim at promoting the physical, spiritual and social welfare of mankind; (iv) To promote *Vidya* (knowledge of subject and object) and dispel *Avidya* (illusion); (v) To seek one's own welfare in the welfare of all; and (vi) To follow altruistic rulings of society.

Vedic ethics demand that man's actions be regulated by love and justice, in accordance with the dictates of *dharma*. In fact, *dharma* is meaningful only when it is followed in life through manifestation of good conduct. This is the kind of moral matrix which creates a virtuous person performing right action as against wrong and attains the excellence of character a moral man ought to have. This is the road to *mokśa* or *Nirvana* as advocated by the Indian philosophy and Vedic ethics.

2 Varna-Ashram Dharma

The essence of Indian ethics is thus located in the word *Dharma*, which is derived from '*Dhri*' meaning that which preserves, supervenes, and upholds life and universe. In *Ṛg Veda*, the term *Dharma* refers to foundational principles of moral living

[1] *Manusmriti*, IV, p. 204.

on which human society is organized.[2] In Atharvaveda, *Dharma* implies a quality of character which ordains a duty-oriented life according to given principles of morality. These rights and duties bind an individual as a member of *Ārya Jati*, i.e., a society of noble human beings who are habitual morality seekers, who believe in truth and who are aware of their *Swadharma*, i.e., obligations enjoined upon them.

Indian society had envisaged functional distribution which entailed four segments or *Varna*s (classes): i.e., (1) *Ksatriya*s, the ruling and the warrior class; (2) *Brahmins*, learned and knowledge seeking class; (3) *Vaisyas*, the commerce and trade practicing class; (4) *Sūdras*, the slave and serving class.

The seers and sages of ancient India also advocated four *āshrama*s (stages) in the biological curve of life for every member of the above *Varna*s, primarily for the first three classes. This was to provide regimentation for every aspect of life. Each *āshram* consists of 25 years of life.

1. *Brahmacharya Āshram*: When an individual learns and acquires the knowledge accumulated by tradition and wisemen of society over the millenia.
2. *Grihastha Āshram*: When, after adequate learning, an individual enters life as a house-holder, marries and performs his duties of looking after the family and procreates so that society can continue its uninterrupted existence.
3. *Vānaprastha Āshram*: When a house-holder has completed his obligations of rearing the next generation, he can renounce the duties of a house-holder and start living in solitude in places of tranquility and solace.
4. *Sanyās Āshram*: When an individual should devote the remaining part of life to contemplation and meditation as one who is detached from the world and has become a hermit or a yogi with a view to attain *mokśa* or *nirvaṇa*.

It is believed that the sages of the yonder years prayed to Manu, the law-giver, to allot duties and obligations for members belonging to each of the *Varna*s. The same interpretation has been given by *Yagyavālkya Smriti* as well. Another text *Tantravārtika* has stated that *Dharma shastras* were supposed to educate members of the society about the specific obligations, i.e., *Dharma* or the code of conduct for each of *Varna*s and each of the *Āshrams*.

Therefore, Maghatithi, the commentator of *Manusmriti*, gave five meanings of *Dharma*: (1) *Varna Dharma*; (2) *Āshrama Dharma*; (3) *Varna-Āshram Dharma*; (4) *Dharma* pertaining to *Prāyascitta* (penance); (5) *Guna Dharma* pertaining to obligations of king for preservation of state and society so that citizens can live their lives meaningfully and according to prescriptions of *dharma*.

3 Mīmāmsa Ethics

Primary among the Indian schools of Philosophy is *Pūrva Mīmāmsa Sāstra*, the exponents of which Jaimini, followed by Sabara, Kumarila Bhatta and Prabhakara Misra, believed in the authority of *Vedas* and upheld the supremacy of '*Dharma*'. To

[2] Chattopadhyaya (1998). – See also Balasubramanian (1996).

live life according to strict moral discipline practiced and inspired by *Vedas* is *dharma*. It is what gives bliss and helps to achieve *Nisreya*, the highest moral ideal. *Ahimsa* has also been acclaimed as *param Dharma*, i.e., the highest virtue. They also propounded the view that it is *dharma* that determines the moral conduct of humanity, though they differed on many issues of epistemology, logic, metaphysics, and ethics.

The term *Mīmāmsa* denotes *Pūjitavicara*, i.e., an enquiry which is held in high esteem. It is derived from the root *mān*, which means to recognize. Another relevant meaning of *mān* is to respect. From time immemorial the word *Mīmāmsa* has been used to signify the branch of learning represented by the text (*sūtrā*) authored by sage Jaimini which makes an enquiry into the nature of *dharma* – the moral code – and has been held in high esteem.

The subject matter of Jaimini's texts consists of twelve chapters and thousands of aphorisms (*sūtrās*) defining *dharma* – the moral code as enjoined by *Vedas.*

Dharma, in keeping with innumerable vedic statements scattered in various vedic hymns, is deliberated in the context of injunctive statements (*vidhi*), statements of praise or censure (*arthavad*). The reasons advanced by Jaimini are called *nyayās*, which he claimed are universal in nature and can be adopted to tackle similar problems arising in different situations anywhere in human societies.

While for Jaimini's *Pūrva Mīmāmsa* the subject matter is *dharma*, for Badaiyana, a prominent disciple of Jaimini in his *Uttara-Mīmāmsa*, the subject matter was Brahman, the ultimate reality which unifies the Universe. Since both interpreted *Vedas* with the explicit purpose to carve out the *Pūjitavicara* (thoughts that which are held in high esteem), the framework of thought produced by both was designated *Mīmāmsa*.

The principles of sentence interpretation laid down by *Mīmāmsa Sastra* are widely used in interpreting the *Smriti* texts of Law. Thus *Pūrva Mīmāmsa* has greatly influenced the Indian way of thinking and acting in situations where choices have to be made between the right and the wrong and the good and the bad. *Mīmāmsa Sastra* has been a dominating influence through the ages in shaping moral and spiritual life of the Indian people.

The *Pūrva Mīmāmsa* school is of the view that souls which are plural, are beginningless and indestructible. The association, with the three-fold world, namely, the body through which they experience pleasure and pain, the sense organs which are instrumental in gaining experiences, and the objects are seen as bondage for them. The souls are associated with the three-fold world due to their acts. The acts, as already explained, are of four kinds, viz, *nitya* (to be performed regularly), *naimittika* (for a moral objective), *kāmya* (desire) and *niṣiddha* (forbidden acts). The non-performance of the *nitya* acts such as *sandhyavandanam* (offerings prayers), and the *naimittika* acts like the respectful homage *śrāddha* ceremony which are obligatory following the death of father or mother, produce *adharma* (immoral acts), the accumulation of which is the main cause of pain. Similarly, the performance of the *niṣiddha* acts such as causing injury to others, etc., also produces *adharma*, i.e., non-righteous actions that cause pain and bondage.

In order to get absolute emancipation from bondage, the *Mīmāmsa* advises that a person without fail must perform the *nitya* and *naimittika* acts and avoid *kāmya* and *niṣiddha* acts. This state of the soul without having any body and without having any experience of pleasure and pain is, according to the *Mīmāmsaka*, the state of salvation.[3]

4 Raj Dharma: Moral Injunctions for Rulers

Kautilya's *Arthaśāstra* is one of the earliest works which attempts to formulate precepts concerning the establishment of the institutions of society, including the kingship. The precepts or rules bore on matters of the administration of justice and of state policy at home and abroad in for seeking a fulfilled human life and a noble society. This text gives a deep insight into social, economic, political, and religious life of ancient India. It has elaborate and thoughtful principles of guidance for the rulers so that they can effectively organize good governance of the society and the state.

Rājdharma, i.e., the art and texts of administration, had become the core essence of all the ethical treatises available during the time of Kautilya and Manu. *Rājdharma* had been proclaimed as the highest goal to be achieved by humanity; correspondingly subsumed under it were the norms of human behaviour, moral criterion for deciding what is right and wrong, good and bad. *Rājdharma* became the principal regulative principle which was hailed as the regulator of the age. The king was considered the harbinger of the golden age who, well versed with *Rājdharma*, could avert disasters and even decide to wage war for the peace and good life of people (Kane 1992).

In chapter 19, verse 34, pertaining to rules to be obeyed by the king, Kautilya observes: "In the happiness of the subjects lies the happiness of the king and in what is beneficial to the subjects lies his own benefit. What is dear to himself is not beneficial to the king, but what is dear to the subjects is beneficial to him."

Further, in verses 26–28, Kautilya provides the following prescriptions for the king:

> The king should allow unrestricted entrance to those wishing to see him in connection with their affairs. […] For, a king difficult of access is made to do the reverse of what ought to be done and what ought not to be done, by those near to him. In consequence of that, he may have to face an insurrection of the subjects or subjugation by the enemy.

These precepts were collected together and constituted a manual for the guidance of rulers for the attainment of a moral social order for the people.

Kautilya's *Arthaśāstra* unmistakably marks the culmination of a long process of thought on matters pertaining to the welfare of society and its people. It contained 15 sections, 150 chapters, 180 subjects and 6,000 passages. His principles of governance of a state enunciate some of the following important aspects:

[3] Prahlada Char (2009). – See also Pandurangi (2006).

1. Governance of the state by the ruler through acquisition of knowledge and wisdom.
2. Division of state into villages, towns, appointment of presiding authorities for each of these.
3. Establishment of a system of justice, rules and regulations, forms of marriages, duties and responsibilities of husband and wife, the rights of women and their duties.
4. Security of artists and tradesmen and state departments, management of national disasters like fire, floods, disease, famine, etc., death and financial penalties for different kinds of violations of social and moral norms.
5. The code of conduct for ministers, councillors, punishment for rebellion.
6. The calm and wise qualities of king, hard work for peace and prosperity of the state, farsightedness in principles of administration.
7. Impartial king and state organization.
8. Difficulties of king and sufferings of citizens and soldiers.
9. Violation of trust, enemies and their friends.
10. About war, infantry, horses, elephants in the service of army, division of army into different segments.
11. Municipalities and trade organization.
12. Powerful enemies, organizing secret service, destroying grain storages, arresting the enemy and final victory.
13. To establish peace in the forts and territory won through victory.
14. By secret planning killing the enemy.
15. Putting to use what has been won.[4]

5 Puruśarthas: Universal Values

The concept of *Dharma* had two sources: One, Vedic texts and second, texts of the *Smriti*s which deal with *Varna Āshram Dharma* touches the lives of all members of Society. Therefore, Kautilya's *Arthaśāstra* and Manu's *Smriti*, about which we have spoken in the preceding sections, delineate a conception of the good life for man and for the community. Both are dominated by the ideals of the *puruśarthas*, the ultimate values for human beings and the society to follow. The unity of spiritual good and material well-being constitutes the essence of the Indian theory of values, i.e., the *puruśarthas*.

The word *puruśartha* literally means that which is meaningful to man, i.e., human value, the conscious pursuit of which makes life meaningful and worth living. Etymologically it means that which is intrinsically desirable. The classification of what human beings seek from the inward recesses of their being (*Arthaśāstra*, chapter 2) for the moral strength of the soul and for the eternal peace of the inner being of the individual. *Anand* – the bliss of the soul – is what most of our ethical treatises aim at.

[4] *Ibid*., p. 31.

According to accepted tradition there are four *puruśarthas*: (i) *artha*, (ii) *kāma*, (iii) *dharma*, and (iv) *mokśa.* However, indological scholars unanimously maintain that originally the theory of the *puruśarthas* included only the concepts of *artha*, *kāma* and *dharma*, these three being known as the *trivarga* (the three-fold classification) and that the concept of *mokśa*, the highest value, was a later addition to the already existing ones, thus constituting what later came to be known as the *caturvargā* (four-fold classifications of values). It was maintained that *mokśa* is only an ideal extremely difficult to access and therefore may not be achievable but will remain as a polestar to be sought after.

Nevertheless, *mokśa* has been admitted to be the highest *puruśartha*. The entire Indian tradition and Indian ethico-legal philosophy has upheld *mokśa* and *dharma* as the ultimate objectives or goals of man's individual or social life which, to achieve, we must identify the necessary means. Action or *karma* is seen as a prerequisite for the attainment of the *puruśarthas* so that a society can live in harmony with the spiritual and material seekings of human beings. The values of *mokśa* and *dharma* provide the spiritual fulfillment to man.[5]

One of the primary aims of Manu and Kautilya was to promote *sāttvika* qualities, or qualities of excellence, or divine attributes (*deivi sampatti*) in the character of man. They were anxious to promote *āryatva* (nobility) and suppress *anaryatva* (the ignoble) in the psychic equipment of man. *Dharma* and *kāma*, if regulated appropriately, facilitate the realization of the aforementioned qualities.

The common life of man was controlled by the fear of punishment. Supporting this view, *dandanīti*, i.e., policy formulation for punishment, was the accepted sociopolitical theory of the times.

Dandanīti enabled the *puruśartha* of *dharma* to bring about a harmonious balance between the claims of liberty and equality, which in the contemporary context provided the grounds for the possibility of social justice. *Dharma* in this context became synonymous with the concept of righteousness or equity and/or what is just in the context of a given situation.

The Indian tradition views values in the context of equal freedom of each for seeking spiritual and material well-being. While spiritual well-being is attained through the *puruśarthas* of *mokśa* and *dharma* together, material well-being is attained through the *puruśarthas* of *artha* and *kāma*. While *artha* denotes all kinds of material possessions, including material means for the performance of religious, social, legal, and moral duties, as well as those required for normal living and subsistence, *dharma* denotes the set of obligations which one is required to fulfill by virtue of his status in society, i.e., his caste obligations (*varna dharma*) as well as obligations in virtue of his being member of the human community (*sāmanya dharma*).

In the encompassing fold of the *puruśarthas*, *dharma* is seen as denoting a complete system of morality or of moral obligations and values.

What if there is a conflict between the *puruśartha* of *artha* and the *puruśartha* of *kāma*? While the former seeks a sense of power and wealth, the latter gives rise to a

[5]For a detailed exposition of *Purusarthas*, see Prasad (2008).

plurality of desires. Again, there can be a conflict between the obligation imposed by *dharma* in the name of righteous actions, and desires generated by *kāma. Dharma* seeks to restore order and *kāma* can bring anarchy. Injunction of *dharma* wishes to bring order and the anarchy of *artha* and *kāma* has to be resolved. However *artha* and *kāma* being lower in hierarchy of *puruśartha*s, *dharma* must prevail over the other two.

One may pause and ponder a situation in which one may realize that the notion of universality has to be seen in the context of plurality – the plurality of *dharma*s envisaged for different stages in the biological curve of human life, different positions occupied by the individual in a family, in a group or *jāti*, or in a larger whole, i.e., nation, state, or *varna* (caste).

It is envisaged in the tradition that this essential tension would be transcended through *mokśa*, which is deemed to be freedom from the chain of births and deaths, from the suffering arising from attachment to objects or desires, and even from *karma* or action seeking its reward. *Mokśa*, being the highest *puruśartha*, is considered a joyous state of consciousness which may arise when the self has liberated itself from the bondage of the mundane world (Chattopadhyaya 2010). *Dharma* is supposed to serve as an instrumentality for its realization.

6 Karma

Indian ethics accords a significant place to *karma*, which means the capability to function or "quality" with which human beings are naturally endowed within a *varna* system. It also includes *tapasya* (meditation through willed hardship) involving effort which is said to have three sources: the mind, the body, and speech. *Karma* is said to be the cause of happiness or unhappiness. It is supposed to lead to a certain kind of *nihsreyasa* (absolute bliss). The *ātmajñāna* (self-knowledge) is said to lead to *mokśa.* The relation between action or *karma* and knowledge or *jñāna* is not discussed by Manu. However, it finds elaborate space in *Bhagvad Gīta.*

Bhagvad Gīta is very emphatic on the assertion that a person who neglects *jñāna* of scripture and acts under the impulse of desire does not attain competence for realizing the ends of life – happiness, and the highest goal liberation. It concludes by saying that *jñāna* of scripture is the authority for deciding what ought to be done and what ought not to be done (Pande 1995). (16.24)

It may be observed that *karma* is related to one's caste or *jāti. Karma* has acquired a meaning in the context of what is considered to be right, good, and valuable in a given social system which has distributed functions and duties according to the requirements of the society. In the context of our great epic Mahabharat injunction issued to Arjuna is in the name of *Varna Dharma*, i.e., to fight the battle in the name of the *karma* of a *Ksatriya* (warrior). This explains the relationship which exists between one's *varna dharma* and the moral obligation to follow it as a member of a class.

7 Pravṛtti and Nivṛtti Karmas

Karma is further divided into two aspects: *pravṛtti* and *nivṛtti*. The actions performed for the realization of *dharma* and happiness in this life and beyond belong to the former category and are called *pravṛtti karma*s. Those actions which are performed for the singular ideal of *mokśa* are called *nivṛtti karma*s insofar as these latter seek to achieve liberation from the bondage of existence in this world (Pande 1999).

This brings the transcendental and immanent dimensions of *karma* to the fore. It is believed that the fruits of *karma* will not remain confined to this life alone but will be carried over to the next life. Therefore, the whole conception of action in this context presupposes the notion of the immortality of the soul, the possibility of rebirth, and the transfer of consequences of one's action (*Karma phala*) to a life beyond.

Until such time as the individual has suffered the *karma phala*, or the effect of an action performed by him in his previous life, he will not be liberated from the chain of births and deaths. This has been called *prārabda* or destiny, which is shaped by the accumulated merit or demerit of the *karmas* already performed.

8 Three Qualities (Guṇas)

The implication is that *karma should remain restricted to the realization of sattva* (goodness) rather than extending to *rajas* (activity) or *tamas* (darkness) – which are the three qualities or *guṇas* possessed by the soul of an individual. Through the renunciation of the latter two the soul can become liberated from the bondage of existence. Excessive indulgence in *raja*s and *tamas* may create chaos and disorder in the society. Therefore, such acts call for punishment or *daṇda* from the king in the name of maintaining and sustaining a moral social order.

However, this division of qualities into *sattva*, *rajas* and *tamas* raises diverse questions. Why only three *guṇas*? Why not more or less? What kind of societies would emerge if they were dominated by one or the other of these *guṇas?* What impact would the prevalence of *sattva*, *rajas*, or *tamas* have on the ordering of a society in the name of a moral social order?

9 Atonement: Prāyascitta, Anutapa and Tapasya

For not following *puruśarthas*, Manu has prescribed what is called *prāyascitta* (penance). Keeping in mind the necessities of man's inner self, Manu has also prescribed *anutāpa* (repentance). An unjust act, if confessed, is washed away. Austerity and reflection are also recommended as means of purging the effects of immoral actions. It is in this context that the term *tapasyā* (rigorous meditation) is used in the sense of a *Varna Dharma*. Acquisition of *jñāna* (wisdom) is also advocated for

overcoming the effects of immoral actions. *Jñāna* is later seen to be enshrined in the *Vedas* as the redeeming instrumentality through and in terms of which a moral life can be acquired.[6]

The above account constrains one to be self-reflective on some issues propounded by Indian moral philosophies. If the single univocal ideal is the ideal of *mokśa*, what happens to *dharma* as a value of righteousness and equity? Will it occupy a secondary position? In that case, if all members of a community subscribe to the ideal of *mokśa*, how can social order and moral life be maintained in a society? In the case of conflict between immanent and transcendental values, would this imply that it is the latter which take precedence over the former?

If the *varna* system could accommodate adequate equity in the distribution of resources, powers, and opportunities, incomes and wealth, etc., what would happen to the fourth *varna*, the *Sudrās*? It is a clear violation of the rights of human beings *qua* human beings. They cannot be treated as ends in themselves in the social structure of society. It will violate moral precept of treating every human being as an end and never as a means which is a categorical imperative of Indian ethical texts as well.

Action in this context may be seen as revolving around the dialectic of the ideal and the actual. Man through action seeks to bridge the way man and society are and the way they ought to be. Philosophy of action in the Indian context is seen as striving toward the attainment of a good life.

10 Ahimsa as an Ideal

Non-violence has been accepted by Indian traditions as *param-dharma.* In the famous Indian epic *Mahābhārata*, a theory of action for the sake of a righteous battle is propounded, which is enjoined after all means for attaining justice have been explored and exhausted, apart from the possibility of an abject, unrighteous surrender. Through this theory the Indian tradition expounds the ideal of a fight against injustice and evil.

Though *Ahimsa* is the highest virtue in Indian ethics, the use of violence prevailed in certain circumstances because the warrior class (*Ksatriyas*) was expected to protect the inmates of hermitages from non-Aryan tribes. It is observed in *Rig Veda*: "I string the bow of Rudra for the destruction of all who molest the Brahmins. I fight for the protection of the pure and I pervade the heaven and earth" (Pande 2008).

Radhakrishnan was of the opinion that violence is the "unwarranted use of force" and he maintains further that if human welfare is the supreme good, peace and war are good only in so far as they minister to it. We cannot say that violence is evil, in itself, when its use is for human welfare; when it respects personality, then war is permissible. We cannot judge the use of force as good or bad by looking upon it in isolation.[7]

[6] For a detailed study see Satchidanand Murty (2002). – See also Satchidanand Murty (1965).

[7] Cf. Radhakrishnan (1939). – See also Radhakrishnan (1969).

The Indian ethics commends non-violence as a supreme value, but it also indicates occasions on which departure from this principle is permissible. Progress in civilization is to be judged by the character of the occasions on which exceptions to the rule are permitted. The ideal of *ahimsa* must be cherished by us as a precious goal, and departures from it are to be accepted with regret, because society must recognize the relative justification of institutions and laws as well as the hardness of men's hearts.

According to the Indian tradition, foundational freedom in action is achieved by basic detachment – a detachment which is achieved through a withdrawal into the transcendent self. This, then, is the ideal of *sthithaprajñā*: one who is a man of the divinity and is rooted in his own self. He is respected for what he *does*, not for what he is. Indian ethics assigns the highest respect to a man who has attained the status of *sthithaprajñā.*

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Naturalism in Indian Ethics: *Sāmkhya, Jainism and Buddhism*

D.P. Chattopadhyaya

1 Introduction

Morality in every epoch and in every society has provided the matrix that regulates the lives of those who encompass the life-world of that society. Therefore, morality functions as a sustaining agent of social life. It is in this sense that the term '*dharma*' has been used in Indian classical moral tradition as a moral code which sustains the human and the social world.

In the Indian context, the idea of society or community is extended to the entire living world. According to an ancient ethical prescription, a moral man should treat the entire world (*vasudhā*) as his family (*kutumba*). Moral relationships are thoughtfully extended to animals and plants by virtue of the benefits received from them and the services rendered by them.

The term used for ethics in Indian tradition is *Nīti Sāstra* (Prasad 2008). Here, *Nīti* is used to denote a moral policy or a morally commendable code of behaviour. *Nīti* connotes something positively normative and essentially moral. Indian ethics envisages four noble ends (*puruşārthas*) of human life: namely, *artha*, *kāma*, *dharma* and *mokśa. Nīti* is, therefore, interpreted as that which leads to the attainment of the moral ideals of these *puruşārthas.* The adjectival sense of *Nīti* is given through the word '*naitik*', which means that which is unambiguously moral or ethical in a normatively positive sense.

The difficulty encountered by a seeker of morality in the Indian context is that a good number of ethical ideas get entangled with metaphysical and sometimes transcendental considerations, as in the case of '*puruşārthas*', the highest moral ideals espoused by classical Indian tradition. Here the ideal of '*mokśa*' and its transcendental underpinnings are seen as far removed from the domain of nature and

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materiality which are accepted for purposes of a rational discourse. But as we shall see in the course of our forthcoming presentation, the Indian system of ethics has a wide variety of ideals, parameters, and presuppositions which sustain its ethical ideals. There are systems like '*cārvāka*' which deny the spiritualist and theological interpretations as the basis of ethics. But, nevertheless, *cārvāka* also has an ethics which has elements of hedonist ethics.

Similarly, there are the theories of *Sāmkhya* philosophers, and the Jaina and the Buddhist philosophers who ground their ethical values on clear acceptance of naturalism as the core reality in *contra distinction* to spiritual metaphysics or theological interpretations.

This chapter attempts to show that there are well-established ethical theories which explain meaningful co-variance between the naturalistic and the normative perspective. For instance, *Sāmkhya* and Buddhist theories of ethics take nature to be the point of departure for their highly persuasive and plausible deliberations on morality and end up with a systematic formulation of moral codes and theories of moral conduct and moral ideals, even while scrupulously avoiding the domains of belief in God or in self or soul.

Like the other Indian philosophical schools, the *Sāmkhya* school considers the existence of suffering to be a great moral evil. However, complete freedom from it can be acquired when one attains liberation. Attachment to worldly things and worldliness is the cause of suffering or bondage. The way to attain freedom is to get rid of the attachment to worldly things.

Arāda Kālāma, a teacher of Buddha, held doctrines resembling *Sāmkhya.* It is relevant to mention that early Buddhism is similar to *Sāmkhya* in the sense that both seek to do away with the illusion that the empirical ego is the real self, though Buddha was silent on the issue of real self. The classical authority for *Sāmkhya* is the *Sāmkhya Kārika* of Īşvara Kṛsna which defined *Sāmkhya* as an enquiry into origin and the end of suffering. The *summum bonum* in *Sāmkhya*, Buddhism, and Jainism is conceived as a total turning away from life which is conceived as full of suffering. All three deny the existence of God and the authority of Vedic texts.

We can see a clear similarity between the *Sāmkhya* notion of suffering and the notion of '*Dukha*' in Buddhism and Jainism as pivotal for deliberations to work out a theory of liberation. While *Sāmkhya* emphasizes that man must rise above the life of sensual impulses and act as a fully moral being before he can embark upon the path of liberation, Jainism and Buddhism proposed the theories of *Nirvāṇa* as equals of the liberation theory of *Sāmkhya.* In all the three systems, liberation can be attained by morally elevated persons.

2 Naturalism n *Sāmkhya*

The *Sāmkhya* account of naturalism is very ancient (in certain respects may be even pre-Vedic (Chattopadhyaya 2002)) comprehensive, and systematic. The word *"Sāmkhya"* means number in Sanskrit and what pertains to number, enumeration,

or calculation. The *Sāmkhya* recognizes 25 elements or *tattvas.* These are: (i) pure consciousness or self (*Puruşa*); (ii) primordial materiality or Nature (*mūlaprakṛti*)*;* (iii) intellect (*buddhi* or *mahat*); (iv) ego (*ahamkāra*); and (v) mind (*manas*) comprising both its perceptual and actional capacities. The five sense capacities are enumerated thus: (vi) hearing (*śrotra*); (vii) touching (*tvac*); (viii) seeing (*cakşus*); (ix) tasting (*rasanā*); and (x) smelling (*ghrāṇa*). The recognized five actional capacities are: (xi) speaking (*vāc*); (xii) grasping (*pāṇi*); (xiii) walking (*pāda*)*;* (xiv) excreting (*pāyu*); and (xv) procreating (*upastha*). Then the *Sāmkhya* enumerates the five subtle elements (*tanmātrās*): (xvi) sound (*śabda*); (xvii) contact (*sparśa*); (xviii) form (*rūpa*); (ixx) palatable *essence* (*rasa*), and (xx) smell (*gandha*). The final and the gross five elements (*mahābhūtās*) confirmed by the *Sāmkhya* are: (xxi) space (*ether* or *ākaśa*), (xxii) wind or air (*vāyu*), (xxiii) fire (*tejas*), (xxiv) water (*ap*), and (xxv) earth (*pṛthivi*).

Of these 25 real entities only two, Self and Nature, are said to be independent. It must be added here that, notwithstanding their stated independence, a sort of *proto-purposive affinity* between the two is recognized. From its orderliness it appears that Nature is intended to be the object of enjoyment (*bhogya*) for Self (*Puruşa*). Nature consists of three elements (*guṇas*) which may be regarded as its constituents. These are *sattva*, exhibiting the traits of luminosity, expressiveness, and ordering; *rajas*, marked by energy and spontaneous activities; and *tamas*, characterized by darkness, gravity, density, inertia, and determinate formulation or objectivation. In everything real all these three *guṇas* or elements are present. Depending upon the supervenience of one over the other two qualities, the concerned reality (*tattva*) appears to be bright and expressive, dynamic and active, or slow, sluggish, and static.

All these characterizations of elements of reality are relative, a matter of degree only. Since in everything real energy (*rajasik guṇa*) as a component is present, nothing can remain strictly static. Everything is changing. This is the reason the *Sāmkhya* view has often been described as *Process Naturalism* or *Process Materialism.* The process is believed to be real, not illusory. That explains why the *Sāmkhya* theory on transformation (*Parinamavad*) is distinguished from the Vedantic theory of "evolution" or self-alienation (*Vivartavad*). The former view asserts that, though the process of transformation is continuous, the transformed elements are genuinely new. In other words, the process is recognized as real.

In contrast, the Vedanta theory of "evolution" maintains that, throughout the empirical and visible process of change, the essential reality (*Brahman*) which sustains the process does not itself undergo any change, transformation, or self-alienation. Rightly understood, the *Sāmkhya* form of Naturalism *is indeed radical.* Contrary to popular belief, it views all such real entities as intellect, egoity, mind, and includes the sense and action capacities under the aspect of Nature. In order words, these real things (*tattvas*) are all fundamentally Natural. They differ only in their degree of manifestness or non-manifestness. To put it differently, Nature is both potential and actual. Many of these *tattvas* are potentially existent in Nature and gradually, through the process of real transformations, assume the forms of actual functioning.

Some interpreters like K. C. Bhattacharya[1] are of the view that three *guṇas*, or constituents of Nature, are three modes of feeling, which should be understood in terms of freedom. Only in a subsidiary way may these *guṇas* be taken as qualities of the object. But in view of the fact that all elements or *tattvas*, according to the Sāmkhya, are due to Nature, the first alternative interpretation seems to be strained. But the view that the subjectivist *guṇas* have three grades of feeling vis-à-vis the objective world appears to be plausible. This shows how the *Yoga* system departs from *Sāmkhya* Naturalism towards its justification for added freedom of human Nature.

3 Jainism

Elements of both Naturalism and Spiritualism are present in the Vedas and in the *Upaniṣads*. At least two different interpretations gained ground and gradually, depending on the changing social settings, established themselves as two broad approaches to the world, life, and its ideals. These two approaches are generally referred to as orthodox (*āstika*) and heterodox (*nāstika*). Acceptance or rejection of Vedic authority was a moot point between these two competing approaches, and their auxiliary consideration was to go or not to go back to the pre-Vedic ideas of India.

For practical reasons, we may briefly refer to some general characteristics of the orthodox schools, viz, (i) belief in the transmigration of the soul or immortality; (ii) the doctrine of *karma*, suggesting the operation of the causal chain of the effects, merits and demerits, of human acts of commission and omission; (iii) the belief in the possibility of attaining disembodied liberation or salvation, i.e., going beyond the realm of thought and action, enjoyment and suffering; and (iv) the belief that life is full of suffering.

Naturally, those who wanted a different view of life had to criticize and reject some of the fundamental tenets of the orthodox approach. Among the main heterodox groups mentioned previously, one has to recognize the *Ajivikas* and *Cārvakās*.[2] They seem to have flourished between 600 and 300 B.C. They accorded primacy to the non-living material world and apparently their approach and language of presentation was very persuasive and popular. The emergence of these popular or populist thinkers presupposes a relatively dismal social background, which may be attributed to the decline of Vedic spirituality consequent upon the Aryans' settlement in the Gangetic Valley, and to their easy ways of life, and their practice of excessive ritualism and strong commitment to conventionalism.

It is pertinent to mention that the anti-metaphysical and pro-practical approaches of Mahavira, one of the chief exponents of Jainism and Buddha, acted as voices of

[1] Cf. Bhattacharya (1983).

[2] For a detailed analysis, see Chattopadhyaya (1990).

protest against Vedic orthodoxy. Both the *Ajivikas* and *Cārvakās* had been critical not only of the Vedic legacy but also of the many tenets of Jainism and Buddhism.

However, their basic principles may be classified under the following headings. Firstly, the infallibility claim of the sacred Vedas must be questioned and rejected. Secondly, supernaturalism and metaphysicalism are enemies of a sound and correct understanding of life and its goals. Thirdly, the belief in the immortality of soul is a myth. After death nothing like soul survives. Fourthly, all things and beings of the world are due to the forces and actions of material elements (*mahābhūtas*). Fifthly, for their operation and interaction these elements need no external impetus. Motion is inherent (*svabhava*) in them. Sixthly, what we call human intelligence and natural orderliness are derived from the increasingly complex interaction of all these material forces. Seventhly, all sources of knowledge, inference, analogy, etc., are questionable and fallible. Only sense perception (*pratyaksa*) is the reliable basis of knowledge. Eighthly, ritual, spiritual, and ethical injunctions which are derived from the so-called sacred scriptures and not in accord with the practical needs of life should be discarded. The mind should be free from superstitions and prejudices. Finally, the life of sense and the happiness of sense-life should be given primacy in the idealistic pursuits of life.

The basic ideals of Jainism and Buddhism seem to be indigenous in character. Though Mahavira is regarded as the chief preacher (*tīrthankar*) of the Jaina worldview, it is traditionally believed that he was preceded by 23 other preachers; foremost among them was Parsvanath, the propounder of Jaina ethics and philosophy. Mahavira was a contemporary of Gautam Buddha, who lived and preached in and around the same area of Northern India in the easterly direction as Buddha did.

The Universe, in the Jaina view, consists of two eternal entities – consciousness (*jīva*) and extended matter (*ajīva*). The former is conscious and enjoyer of the latter. *Jīva* is the eternal consciousness; also it is used in the sense of soul or self. *Ajīva* is of two types – stuff with form or matter (*rūpa*) and stuff devoid of form or matter (*arūpa*). The extended material world has in it: (i) motion (*dharma*); (ii) rest (*adharma*); (iii) two kinds of space, (a) (*lokakasa*), space filled with material things, and (b) (*alokakasa*), space which is absolutely void; and (iv) time (*kala*).

The Jaina thinkers also speak of three levels of *loka* or realm, viz, the upper realm (*urdha loka*), populated by celestial beings; (*Madhya loka*), the middle realm inhabited by humans and other creatures; and (*adho loka*), the denizens of hell. Time is supposed to be quasi-substantive in character, persisting through successive movements of the world. Time may be eternal (then it is called *kala*) or it may be relative, marked by a beginning and an end, and temporal divisions within it. In the latter case it is called *samaya*.

The matter or material subsistence is said to be *pudgala* by Jaina thinkers. The modifications of *pudgala* are sound, grossness, fineness, shape, union, divisibility, darkness, image, luminosity and heat. *Pudgala* is the conductor of the two forms of kinetic energy – simple motion (*parispanda*) and development (*parinama*).

Matter may be gross or subtle. It may be so subtle that at times it is beyond the reach of all human senses. All physical objects, consisting of gross or subtle atoms, are called *paramanus* (sub-atomic entities). Atom or *aṇu* possesses weight, is

infinitesimal, eternal, ultimate, indestructible, and formless in character. Atoms have two types of qualities – primary and secondary. The qualities of atom may appear and disappear and therefore are not permanent. Aggregation or combination of atoms is called *skanda*.

Combination may be of different kinds – binary, tertiary or of higher orders. Atoms of subtle matter create a subtle body within the human soul. According to Jainas, *karma* is material in nature. It is of two types: *jīva-karma* (*karma*-in-soul) and *ajiva-karma* (no-soul-*karma*). This *karmic* or motion-like character of particles in souls are responsible for the bondage of the soul. Unless and until the soul becomes absolutely perfect and free from the *karmic* effects, bondage does not disappear. Jaina Naturalism is admittedly dualistic in character, but when we are told of the possibility of perfection of the soul as the liberated soul, then that dualism is partially compromised.

Jaina ethics is remarkably free from transcendental trappings or supernatural presuppositions (Pande 1995). Its emphasis is on (a) non-violence or love (*ahimsa*), (b) chastity in thought, word and deed, and (c) renunciation of worldly attachments and interest. In Jaina thought naturalism and humanism are sought to be reconciled. God does not figure in the system as the presiding power of the world of *karma*. The *karmic* law is self-sustaining and self-fulfilling. Only in its doctrine of perfection or liberation of the soul, an element of supernaturalism, presumably because of Vedic influence, is discernible.

4 Buddhism

The naturalism found in Buddhism is of different types. It has been interpreted differently at different stages of its development and in different countries. It emerged as a protest movement against Vedic culture, but it carries in it distinct traces of both *Brahmanism* and *Tantra.* Buddhism is understood mainly under its two broad interpretations, *Hināyana* (literally, small vehicle) and *Mahāyāna* (literally, large vehicle). Historically speaking, *Hināyana*, or the orthodox school, developed earlier and from India it spread to Sri Lanka and different countries of Southeast Asia. *Mahāyāna*, a later development, was accepted in Central Asia, Tibet, China, Mongolia, Korea, and Japan.

Both the schools claim to have developed from the basic teachings of Buddha. But the difference between them is clear. Also notable is the difference between the different sub-schools within each of the two schools. Time and again, the main tenets of Buddhism have been written and rewritten in different languages, like Pali, Sanskrit, Tibetan, and Chinese. The three aspects of the Buddhist canons which deserve special mention are found in *Trpitaka* (three baskets), viz, (i) rules of discipline, (ii) doctrinal aspect, and (iii) the thoughts attributed to the Buddha soon after his attainment of enlightenment (*Buddhatva*).

The *Hināyana* group had a very strong pro-realist school, namely, *Sautrāntika.* The reality of external objects without mental modification has been recognized by

this school. The *Hināyanists* are also known as *Theravādins*. Both *Sautrāntikas* (followers of formulae, *sūtra*) and *Sarvāstivādins* (those who believe in everything, *sarva*, exists, *asti*) are kindred in their realistic inclinations. According to *Sautrāntikas*, all things, not only sentient beings, may be viewed under two categories, primary existents (*dravyasat*) and secondary existents or conceptual constructs (*prajñaptisat*).

Though these realist Buddhists did not completely disown the momentariness of the object-ward experience, it is in this school that realism receives its strongest support. The debate between realism and idealism, regarded as metaphysical in the Buddhist orthodoxy, was not favoured by these realists. The *Hināyanist* refers to Buddha in support of his assertion of the reality of the sense-given world. This proclaimed sense-givenness of reality is to be understood primarily because of its anti-speculative character. The other, apparently opposite, aspect of Buddhism is its recognition of intuition as a mode of knowledge. It is not denied by any of the schools of Buddhism.

Buddha warned his disciples against the dangers of admiring the importance of sense-experience. His empiricism was tempered by his denial of the substantial and non-mental character of existence. For proper understanding of the world of objects, we are required to recognize the importance both of form (*rūpa*) and name (*nāma*). It is in terms of them that the specific peculiarities of objects are identified, discerned, and grasped. Objects are the furniture of the external world of which human bodies themselves are a part.

External reality of the objective world is proved by how our process of perception is resisted by the world outside. The external world, though in a sense independent of the human body, is not concrete or continuous. The externality of the physical world is marked by discrete events. It cannot be said to be permanent. The world of sense consists of five elements: earth, air, fire, water and ether (*akasa*). Every material thing consists of different elements but ultimately disintegrates and passes away. The materiality of the world is recognized simultaneously with its impermanence. Later on, this doctrine of impermanence yielded place to that of momentariness (*kṣaṇabhanguravād*).

Aligned to the doctrine of momentariness is the doctrine of dependent origination (*pratīya-samutpādavād*). The crux of the view is that there is nothing-in-itself. Every entity is dependent or conditional in its origination, transformation and destruction. Cause and effect are neither identical nor different – certainly not substantial. The relation between the agents and their acts is also to be understood in terms of dependent origination. It finds its most authoritative exposition in Nagarjuna's *Mādhyamika Kārika.*

The naturalism of Buddhism is clearly evident also from what is called no-selfism (*naitrātmyavād*). The doctrine of the non-existence of self rests on several arguments. Firstly, it has no form (*rūpa*) like the material body. Secondly, its appearance is due to the aggregation of mental states like feelings, perceptions, dispositions, and intellect. But scrutiny reveals that none of these constituents of mental nature can be taken to be self. Even these constituents themselves continuously perish and, therefore, cannot be taken to be real.

If this no-selfism is pushed to its logical end, then the notions of action, previous births and fruits of action turn out to be footloose or untenable. Mainly in view of this fact Buddhists, both the Hināyanist and the Mahāyānist, developed a doctrine of surrogate self. The identity and the capacity of remembrance of human individuality is sought to be explained in terms of a collection of changing aggregates. Additionally, it is claimed, these collections or their near-analogues are capturable by imagination (*kalpanā*).

Further, the Buddhist concept of body confirms its naturalism. The body includes sense organs, awareness, and reception of the sense-information and the resulting fleeting feelings of pleasure and recurrent pain. The body is credited with the power to have ideation and the formation of a mental image about the external world. The body is also endowed with the power of volition or desiring the objects of sense-contacts and what arises out of it.

Buddhist naturalism is systemically ambivalent. Its early form (*Hināyana*) was totally against the supernatural. That was a fallout of its firm commitment to the reality of the sense-given external world. Later on, however, one observes the gradual but clear emergence of a kind of supernaturalism. The Buddha who used to be treated earlier as a human person was, with the passage of time, increasingly mythologized and deified. To him was also ascribed an all-pervasive cosmic body (*dharmakāya*). This shift of emphasis, from the concrete to the abstract, from the sensible to the spiritual, reminds one of the lingering Vedic influence on Buddhism.

Also notable in this connection is the Buddhist's original recognition of the traditional Vedic gods like Indra, Agni, and Varuna. Simultaneously, their *existence* is downplayed by saying that this is to be understood only as *traditional*, rooted in traditional reality, not strictly *existential* in nature. Denial of ontological existence of Vedic gods and affirmation only of their traditional reality may be cited as evidence in support of anomalous naturalism of the later Buddhists.

Mahāyāna was essentially the doctrine of the Bodhisattva which implied perfection of knowledge and compassionate action towards all beings. As such, *Mahāyāna* insists upon what is virtually an infinite potential, the vow to attain Buddhahood and become the saviour of all beings (*Bodhicittapranidhana*).

Buddha's experience was essentially mystical and therefore, *Mahāyāna* contends, truly beyond speech and thought. Earliest Buddhist texts describe truth (*Dharma*) discovered by Buddha in *Sambodhi* as *Atarkāvacara* and *Pratyātmavedaniya* (Pande 1999).

Buddha avoided categorical formulations on metaphysical questions. He taught the middle way, which emphasized the relativity of all finite things and conceptions. The inexpressible and infinite nature of truth was clearly pointed out. It is accessible only to direct experience where categories and discriminations of finite experience are utterly inapplicable. This was termed *Bodhi* or *prajñā* where Truth stood revealed. The way to this final experience lay essentially through the process of mental purification and detachment. The beginning has to be in the cultivation of virtue and the avoidance of sin, and through contemplative detachment from its habitual finite supports transformed into infinite radiance or non-dual awareness of Being.

Buddha encouraged the attitude of analysis to help the growth of detachment and discrimination, or the practice of *vicara* or discriminative thinking, as the means

leading to dispassion. He maintained that *vicara* (discrimination), *viveka* (intellect), and *vairāgya* (detachment) are casually connected. The principal forms of discrimination are between good and evil, transient and eternal, self and non-self. The essential process is to discriminate and reject all that is transient and non-self. This process is found in *Sāmkhya* as well.

Since Buddha did not speak of self or truth in positive and categorical terms on account of their transcendent and infinite character, the rejection of the ephemeral and the non-self became a negative process which is akin to *Sāmkhya* practice. This negative intellectual exercise among early Buddhists led to the growth of a complex ethics and metaphysics culminating in *Abhidharma*.[3]

The self or a permanent spiritual principle is no more than a name and an illusion, and *Nirvāṇa* is only the final cessation of the psychophysical process. The subsect of Buddhism called *sthaviravādin* declared *Nirvāṇa* to possess an infinite but positive character. However, the *Sarvāstivādins*, another sect, resuscitated the *Sāmkhya* doctrine of *Avyakta* and by implication relegated time and actuality to the realm of phenomena with an eternal noumenal world underlying them. That implied that what we know is not real and what is real we do not know. This view was adopted by *Sautrāntikas.*

The *Mahāsānghikas* propounded the reality of matter without defilement and of supernatural personality. The doctrine of pure mind and unreality of phenomena was also formulated. These tendencies represent the striving for an eternal and infinite or supernatural principle beyond the *Abhidharmic* tendency, which confined reality to transient mental and material states, i.e., made reality wholly temporal, finite, and natural. Such a naturalistic view proved attractive to modern rationalists and to their ancient counterparts.

It was maintained that *Dukha* is not a sensation of pain but the sense of dissatisfaction with the instability of phenomenal experience. This was called *Dharma* or *Nirvānā* in original Buddhism and its beatific attainment was the goal for which Buddhists gladly renounced the world. By re-interpretation of the doctrine of *Nairātmya* and *Paramārtha*, *Mahāyāna* reasserted and developed the original tendency and indicated a bold departure from the rational metaphysics of the *Abhidharma.*

According to *Pudgalanairātmya*, mind and matter are real while the spirit is not. According to *dharmanairatimya*, mind and matter are certainly illusory while an ineffable and infinite truth is not denied but explained as non-dual awareness. This is the doctrine of *Sūnyata* or *Vijñāna*, the two being merely the logical and mystical aspects of the same truth. This again is the continuation of ideas found in original Buddhism, i.e., the ideas of *Pratītya-samutpāda*, *Nirvānā*, *Sambodhi*, and *Vijñāna.*

In the age of Buddha, Arhat was a person of the highest spiritual attainment – the most 'worthy' – and there was no difference between Arhat and Buddha. The experience of *Sambodhi* was apparently the highest development of *Samprajñāta Samādhi*, where the mind not only reflects – transcendent Quiescence – but is also capable of illumination of the totality of all possible objects as distinguished from

[3]Cf. Nakamura (1996).

the world of finite objects constructed by intellect. The mind is in a natural state of 'luminous ethereality'.

It is comparable to the *Sāmkhya* state of *Mahat*, where the ego is absorbed in its source and the mind becomes infinite light or cosmic intelligence which in its purity, i.e., freedom from all objectivity, reflects *puruşa* or the supernatural principle after the annulment of subjectivity and ego.

The experiencing mind is still finite and temporal but its content is infinite and eternal and transcends the subject-object relation. Therefore Bodhisattva was one of the prominent characteristics of *Mahāyāna.* The essence of *Mahāyāna* thus was to seek *Buddhahood* for the sake of Universal salvation.

The sublime ideal of the Bodhisattva entailed putting aside all personal ends, including personal salvation, in order to save all beings. The seeking of enlightenment was also aimed at the fulfillment of universal compassion. Therefore the ideal of *Mahāyāna* was indeed enlightened perfection. In this sense, Mahaprajñā and Mahākarma define the *Mahāyāna* ideal. *Prajñā* is the comprehension of *Sūnyata* (emptiness) which alone facilitates total selflessness and, in the remaining stages of Bodhisattva, the qualities of Buddha himself are inculcated.

It may be mentioned that Buddha was revered not so much as a historical being but as the ultimate reality itself with an inbuilt element of universal grace which manifests itself at the cosmic as well as human level. As ultimate reality, Buddha is *Dharamk*āya as self-effulgent grace. As a super human, he is the *Sambhogak*ā*ya*, the manifestation of glory. In human form, he is *Nirmank*ā*ya*, i.e., the embodiment of a miraculous spirit.

The above three conceptions of Buddha culminated in an apotheosis of Buddha and his diverse iconic representations. *Mahāyāna* – the later development of Buddhism – thus facilitated a transition from Naturalism to transcendentalism encompassing ethics of universal compassion.

Sūnyavādins recognize the reality of the empirical world (*samsara*) available to sense and science. At the same time, they recognize the reality of *nirvāṇa*, a state of liberation, which is absolutely indeterminate by anything worldly. What is more, they assert the essential unity of the empirical *samsārā* and the transcendental *nirvāṇā.* This state of Buddhism has been compared by T. R. V. Murty, a contemporary scholar of Buddhism, to the famous Kantian dictum that the spatio-temporal world is empirically real but transcendentally ideal.[4]

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Traditional Values in the Time of Globalization

Marietta Stepanyants

The tension between traditions and the challenges of the present time is not something new and typical only to our age. It has always been like that, since tradition refers to beliefs and customs which, though originated in the past, are still followed and performed in the present. Tradition is commonly in opposition to radical turns in human history. This dichotomy is generally associated with a social change, in which societies make a move from being traditional to being 'modern.'

It is my intention to reflect on the theme suggested by the title of the paper in the context of the traditional East, in particular as presented by the Indian case.

The fidelity to traditions allowed the Eastern nations to maintain their identity in spite of all intrusions from the outside (India is the most illustrative example of that) under conditions of colonial or semi-colonial dependence. Yet, the same devotion was frequently one of the major causes for spiritual and social stagnation.

In the nineteenth and twentieth centuries the destiny of the peoples of the East became closely linked with and, in many respects, dependent upon world processes. This time is often defined as the age of "Asia's awakening," implying the general arousal of public thought there, primarily in sociopolitical, economic and philosophical thinking. Intellectual efforts were directed at resolving the crucial problems which, taken together, represented concurrently a search for a way out of stagnation resulting from outdated traditions and the intention to overcome backwardness without the loss of cultural identity.

In the historical situation of that period the problem of a correlation between national traditions and Western ideals and values acquired a key importance in the public discourse. On the one hand, there was a non-acceptance of all Western ideals and the excessive adulation of national traditions and, on the other hand, a critical attitude to the latter, sometimes even their complete rejection as absolutely obsolete

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and unfitting the new times along with unwarranted idealization of Western values and institutions. As it turned out, both attitudes, apologetic and nihilistic, failed to prevail. The reformative approach came to predominate as more realistic and promising. It combined respect for the cultural heritage with a sober critical appraisal of outdated traditions; anti-imperialist sentiments and the recognition of the unquestionable achievements of Western civilization; the immutability of a religious faith and the understanding of the need to employ the achievements of modern science and technology. As S. Radhakrishnan claimed, "As long as a society lives by its ideals, its tools and forms have meaning. If the faith fails, the society loses its guides and direction" (Radhakrishnan 1988, p. 418). Hence it is more sensible and preferable to build up life on the previously laid foundation of national culture, which does not exclude but, quite the reverse, necessarily implies the adoption of valuable elements in Western civilization.

Nevertheless, in the course of time, the reformative approach found itself being fiercely criticized by the advocates of the ideological trend conventionally called "revivalism" or fundamentalism. The adherents of that trend call for a return to the "golden age," when Tradition manifested itself in a "pure" form. But the understanding of this purity is quite ambiguous. The diversity of opinions among the champions of "revivalism" is wide, ranging from the most conservative to extreme leftist views.

The manifold phenomenon of fundamentalism is not to be reduced merely to its counter-reformism variety. The intensifying movement for "revivalism" points not to the end of the reformative process but rather to its new level: this time it will not amount to the elitist progress (as it was until recently) but to a large-scale movement for a radical transformation of traditional society. To make it real here, it is necessary to identify and spur on the internal driving forces of development.

It is to this end that current philosophical thought is oriented in the East. Its attention is drawn to the "forgotten" or ignored components of cultural heritage, which remained undeveloped owing to the circumstances but which have acquired an essential importance today. These include rationalism and scientific knowledge, free will and respect of individual rights, and the capacity for social transformation and innovation. In short, it embraces all that would make it possible to mobilize national potentials and resources for attaining modern levels of material and social development.

The tension between the traditional and modern took on new dimensions by the beginning of the twenty-first century due to unexpected developments in the forces of globalization.

Until recently it was commonly considered that globalization will lead in the long run to the worldwide triumph of Western values and institutions. However, with the further advance of globalization it becomes more and more apparent that the above-made claim is too self-assured. The multi-polar concept has been embraced by all those who are convinced that the uni-polar concept is either in fact or in theory unrealistic and unworkable.

According to the report of the US National Intelligence Council "2020 Project," there are several ways in which major global changes could take shape in 10 years.

Four scenarios which were extrapolated from the key trends discussed in the report describe possible worlds upon whose threshold we may be entering, depending on how trends interweave and play out:

1. *Davos World* provides an illustration of how robust economic growth, led by China and India, could reshape the globalization process – giving it a more non-Western face and transforming the political playing field as well.
2. *Pax Americana* takes a look at how US predominance may survive the radical changes to the global political landscape and serve to fashion a new and inclusive global order.
3. *A New Caliphate* provides an example of how a global movement fueled by radical religious identity politics could constitute a challenge to Western norms and values as the foundation of the global system.
4. *Cycle of Fear* provides an example of how concerns about proliferation might increase to the point that large-scale intrusive security measures are taken to prevent outbreaks of deadly attacks, possibly introducing an Orwellian world.

China and India hold a particular place in the first scenario (often called the Asian) as potential super-powers. Some even speak of *Chindia*, as if the two are joined at the hip in the international imagination.[1] The likely emergence of China and India as new major global players is likened to the rise of Germany in the nineteenth century and the United States in the early twentieth century.

There is no doubt that the two countries possess real chances to become the dominant states on the international stage due to their large populations, and their remarkable achievements in the increase of gross domestic product and military assets. China and India are demonstrating their ability to work a miracle by transforming from underdeveloped colonies into the "locomotives" of the world's progress. Yet, economic and military supremacy is not sufficient for governance in a globalizing world.

The multi-polar world cannot emerge only through economic and military power. One needs to possess and to disclose a certain set of values. These values are to be commonly accepted and shared by a nation. Hence they are to be grounded on one's cultural heritage so as to be capable of safeguarding internal unity and the mobilization of a nation for achieving high goals. Thus the task is not just to get out of stagnation by catching up with Western countries, but to take a leading place on the international scene, to take an active part in the construction of future world civilization.

Until recently in Western perception the cause of the backwardness of the East, and in particular of India, was considered to be totally dependent on outdated traditions. One of the first to most clearly express this position was Max Weber, who claimed that popular religions in Asia (Hinduism, Buddhism, Islam, etc.) do not possess the motive or orientation for sound ethical modeling of the world in accordance with the holy commandments. They are all in contrast to Protestantism, the only source wherein one found religious grounds justifying and taking this world as the best of all possible worlds (Weber 1965, pp. 269–270).

[1] See Tharoor (2007).

Recently a group of leading scholars[2] has shown that there is a set of values and patterns of behavior which obstruct satisfaction of basic psychological requirements of individuals and by this get in the way of economic, political and social development by generating collective demotivation towards such development.

In the 1990s The International Project on Comparative Studies of Values was initiated by professor S. Schwartz from Jerusalem University. He constructed a system of universal values so as to define the place of each civilization, and each culture within the framework of that system. In this system values were arranged along three bipolar axes: Conservatism – Intellectual Autonomy, Hierarchy – Equality, and Skillfulness (Mastership) – Harmony. The studies have shown that such values as Conservatism and Hierarchy were more important for the Eastern countries than the Western, while Equality, Skillfulness and Intellectual Autonomy manifested themselves among Easterners much less than among Westerners.

On the above-mentioned data the conclusion was made that the value profile of the Eastern people poorly adjusts to democracy since Equality and Autonomy are weakly manifested there. They do not wish to carry personal responsibility, to take risk, to work hard using all their abilities and talents. On the contrary, since Conservatism and Hierarchy are predisposed, they incline to state paternalism.

There is no doubt that the above-mentioned values are required for economic development. Yet they are certainly of lesser import than those ones from which they draw; since they are secondary, they belong to what we may call 'thin culture'. Thin culture is rooted in the past. Yet it is **dynamic**, it is of a constructive nature. The values of thin culture are empirical; they come out in response to social and economic changes often with unexpected swiftness. This culture is marked by individualism.[3]

Culture is a multilayered phenomenon. Its core attributes are what could be named as thick, getting progressively thinner as one moves from the core to the periphery. Thick culture is fundamental: cultural meanings are historically rooted and deeply embedded in a society's institutions and practices.[4] Thick culture is exogenous: it is given. It precedes and shapes both institutions and behavior.

In short, culture is a thick concept defined as the deepest desires of all: how we wish to live with others and how others wish to live with us, while preferences are a much thinner concept defined as the second-level or third-level choices that people make among the culturally prescribed options that are socially available.

The entry of India in the new stage in its development phase is not just that of participation in the world community, but the rise to the level of one of the most prosperous and promising of planetary Leadership States. This is made possible in no small measure thanks to expanded attention to its traditions, free of the ideological controversy associated with finding a way out of stagnation and a decent response to the challenges of the West. One can say that as a result of these searches, Indian society has understood: firstly, the inevitability of radical change; secondly, the need

[2] See Harrison and Huntington (2000).

[3] See Mishler and Pollack (2002).

[4] See Geertz (1963).

to assimilate the positive experience of the most prosperous States; thirdly, the preference to participate in the globalized community without losing its own identity; fourthly, the importance of maximizing the positive potential embodied in the values of its own culture and its institutions.

Let's consider in more detail the fourth of the listed positions.

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1. One of the most important features of India throughout its long history has been and continues to be what is termed "inclusiveness," i.e. the ability to include other cultural patterns through assimilation, primarily philosophical and religious ideas and views, and types of economic and socio-political organization. **Tolerance** towards the other cultures, a willingness to adapt, and creative perception by transforming its own traditions and creating new cultural synthesis, has allowed the Indian civilization to remain unified in expanding cultural fields at the expense of other traditions (customary tribal beliefs, Vedic, Islam, Christianity, Western bourgeois values) and their subsequent mutual enrichment.

2. It is known that every civilization is characterized by a specific set of values, which are considered to be principal. The core of Indian culture is the system of *varna-ashrama-dharma*. According to Hindu beliefs, God Brahma identifies for all Hindus their "names, occupation and special situation." In mythology, *Purusha* is a sort of model spirit and at the same time of mankind. Out of his spirit has emerged the Moon; out of the eyes, the Sun; out of the breath, the wind. The Brahmin priests have emerged out of Purusha's mouth; a military bar-*Kshatriya*, out of his hands; a trading people – *Vaishya* – out of his hips; and, finally, all other caste people – *Shudras* – out of his feet. (Outside the caste divisions remain the "untouchables.") Only the first three *varnas* are considered to be twice born and therefore have access to read and study the Vedas. Shudras are prescribed to serve all the members of the upper castes and, above all, the Brahmins.

Nobody has a chance during his/her life to leave his/her own caste and move to another one. Strict adherence to the caste prescriptions might ensure a higher social status in the future life of a soul after its body's death. Human involvement to *dharmic* process, on the one hand, makes him/her different from the rest of the world's creatures. "Only man is open for the 'ought'; regardless of what he has in common with the animals, he finds himself faced with norms and duties to be truly and fully human. He has to live up to these norms and duties to be truly human" (Halbfass 1991, p. 278). On the other hand, the caste system rigidly regulating human life places a maximum limit on free choice: the person acts not as a guardian of morality but rather as an "actor" with lines fitting his/her role on the stage.

The above can be characterized as a normative model aimed at the unconditional implementation of the norms and rules of conduct, at maintaining a certain world order. The conservative implications of compliance, in particular, the requirements of the caste system are as Max Weber wrote: "A ritual law in which every change of occupation, every change in work technique could result in ritual degradation is certainly not capable of giving birth to economic and technical revolutions from within itself" (Weber 1974, p. 413).

There are, however, other assessments of the caste system. Significant, for example, is the judgment made by S. Radhakrishnan. In his world famous book *Indian Philosophy* he says that the introduction of the caste system was necessitated by the needs of the age. Referring to the period of the Aryan invasion, and their rooting in the Indian subcontinent, he claims that at that time the caste system appeared for the country as a salvation. The only means of preserving the culture of the race, which faced a serious danger of being dissolved in the superstitions of the native population, was to consolidate in an iron grip the existing cultural and racial backgrounds. Only caste has made it possible for the various races to live together and coexist without mutual bloodshed.

The above statement could not be seen as a sign of conservatism from Radhakrishnan. It speaks of political caution and wisdom demonstrated by the leaders of the Indian national movement, one of whom was Radhakrishnan, the President of the Republic of India. To destroy the caste system in one fell swoop, overnight, would renounce the authority of the Vedas constituting the foundations of Indian culture. This would entail the deprivation of millions of people of faith, the traditional worldview, and doom the people to the loss of ethical guidelines. It would also mean the destruction of the whole social structure. The implications of such drastic measures would be disastrous. That is why the Indian leaders chose the path of gradual reform, the way of a slow but continuous removal of caste-based discrimination.

The Constitution of the Republic of India, and then the Civil Rights Act of 1955, banned not caste divisions but discrimination based on them (article 17) and slanted their manifestation of criminal offences. Moreover, for the members of the so-called registered, i.e. lower castes, the Constitution provides for the reservation of seats in the Log Sabha, that is in the People's House (article 330), and in the state legislative assemblies (article 332) in proportion to their numbers. Members of lower castes were granted quotas to obtain education in the most prestigious professions.

Nehru, like many other leaders of the national liberation movement, believed that such constitutional measures and, above all, the elimination of economic exploitation, would lead to the gradual end of caste-based discrimination (Nehru 1942, p. 438). However, those hopes were not fully realized. Caste-based discrimination is maintained, and its role is still very high in the political life of the country. This is particularly evident during the election campaigns. As the diplomat Shashi Tharoor, widely known for his non-fictional and literary works, has recognized, in election campaigns Hindus vote for their own caste. The caste politics which is practiced in modern India is a direct antithesis to the political rule of law which Nehru had hoped would thrive (Tharoor 2007).

And yet, time for change has come. The social organization of Hinduism with the caste system at its core fits a society with a slow pace of development, what today is known as "sustainable equilibrium." Frank Hahn, who introduced academic circulation of the concept, describes the balance as such a state in which the members of the community do not learn anything new, so their behavior becomes routine. This is because the economy does not create signals that induce changes in the traditionally accepted theories or the usual course of action.[5]

[5] See Hahn (1973).

Two ancient civilizations – China and India – in the Middle Ages proved to be in the trap of high-level equilibrium. Dipak Lal, who specially studied Hindu equilibrium, (Lal 1989) has come to the conclusion that India was caught in the trap around 300 BC. This happened as a result of very intensive growth during the reign of Maury, under which the Empire with a strong centralized bureaucracy was created. India reached a higher standard of living than other civilizations of that period. It so well adapted to this environment that it did not experience the need to transition from the extensive development of its "organic" economy to the more intensive growth of the more Promethean type, which led to the "elevation" of the Western world.

"Sustained equilibrium" usually holds until the environment has changed so radically that it must adapt. It is these kind of changes, which took place in India after it had acquired independence, and more specifically, in the second half of the twentieth century, that dictated the need to choose between either abandoning the traditional beliefs that make up the foundation of Indian society, or transforming them in accordance with the requirements of the new time.

Here are some examples connected with the caste system. The smallest of changes affect the caste endogamy, while the number of inter-caste marriages, particularly among the urban population, is constantly growing. Caste remains a closed group of relatives, and this is one of the main reasons for its preservation, its internal adhesions and solidarity. However, it should be borne in mind that caste endogamy creates a strong corporate culture. Family, the clan corporate, as it has proved in the rapidly modernizing countries of Confucian culture (China, Korea, Taiwan, Singapore) itself does not hinder accelerated development, but determines the specificity of the latter.

Another key part of life, occupations, are viewed as a dharmic sign, i.e., dharma prescribes a Hindu from his/her very birth to have a certain professional occupation. Modernization is inevitably accompanied by the emergence of many new modes of work which do not fit into the traditional hierarchy of occupations. Modern urban living conditions preclude compliance with the rules of inter-caste communication based on the dichotomy of "pure-impure." While at home this "purity" continues to hold, in public places (in enterprises, restaurants, etc.) these caste rules of communication are almost impossible.

Incredibly high social mobility has "blasted" the notion of status: it has collapsed on the set of values and characteristics. Various sectors of society and social groups attach different meanings to different elements: some consider the most sacred rank to be the degree of purity; others prefer wealth, and still others positions in the Government, education, occupation, etc.

With the emergence of a real opportunity to change one's status, there is the incredible increase in the pursuit of education, particularly that leading to prestigious professions. Industrialization and urbanization have allowed some of the most fortunate people from the lower castes, even the "untouchables," to become wealthier landowners and farmers, and to join the ranks of the middle class and the legislative and executive bodies.

However, according to the laws of the caste society, these people out of the gutter may obtain recognition of their new status only if the entire caste – or at least a

substantial part of it – would reach the same results. Therefore, the existence of a caste family or person of higher social status is perceived by the rest of the caste community as an important support for the claim of all castes to a new and higher status. Thus, paradoxically, caste discrimination has become an incentive for activity by disadvantaged individuals and groups, making them the most motivated and persistent agents of modernization.

3. A second "pillar" of the Indian society which for centuries managed to maintain sustainability and stability is the "age" vertical system – *ashrama*. There are four stages. The first is *brahmacharya-ashrama*: an age for the study of the Vedas under the guidance of a *guru* and for looking after the sacrificial fire. Knowledge, temperance, piety and obedience are the main characteristics of a Hindu's behavior during this stage of his life. The second is *grihastha-ashrama*: man as a head of the family performs related duties, like acquiring means for life, progeny, ritual ceremonies, etc. The characteristics of this stage are a family, acquisition, piety, love. The third is a *vanaprastha-ashrama*: a forest hermit whose life is characterized by abstinence and piety. Finally, the fourth is *sanyasa-asharama*: a begging ascetic, who negates the common life, but does communicate with the people although living on alms rounds.

The Ashrama system not only provides stability, but it could also contribute to the "mobilization" of human activities. It all depends on which parts of the system focus is placed. Under conditions of accelerated modernization, the principle of artha is the most in demand. Artha is considered to be one of "four human purposes," especially meaningful during the grihastha-ashrama stage of human life. Artha is the principle of reasonable practical behavior in specific everyday situations. This behavior is especially needed for a household whose duty is to acquire and properly use the material benefits.

The famous treatise "Arthashastra" is dedicated to artha as the goal of human existence. Though in "Arthashastra" artha is seen primarily as an object of desire of the King, it relates to the acquisition of land, the population of which can be overlaid with taxes and duties, and a broader interpretation of this principle is permitted. *Artha* may be understood just as one of human objectives. Moreover, it is sometimes considered to be the implementation of **all** the objectives as a whole. Clearly influenced by the tradition of "Arthashastra," Medhatithi, a famous commentator of the "Laws of Manu," prescribed to the King that in a case where he is forced to choose between following Dharma and heavy losses for the artha, he should renounce the first.

4. The Hindu concept of *moksha* and Buddhist *nirvana* are rightly considered to belong to the set of the universals of Indian culture. Both moksha and nirvana mean in the long run "**salvation**." The ultimate goal of all living beings is to be saved, to be liberated from the sufferings of rebirth (*sansara*) and from the law of *karma*. For the followers of Indian religions the immortality of the soul is not a benefit but rather the greatest evil, since immortality is associated with the endless transmigration of the soul.

Neither moksha nor nirvana means annihilation of the individual "ego." Though there is a great diversity of perceptions of moksha in many schools of Hinduism,

most consistently in the spirit of the teachings of the Upanishads, it is treated by Vedanta, the dominant of Indian spirituality, as the realization of the true essence of *Atman*. In other words, it is the realization of the absolute identity of an individual atman with *Brahman*. The soul gradually moves towards release, accumulating knowledge, relying on its own good deeds and thoughts, as well as on the love and support of the personified Ishvara, God-Creator. Even after exit from the circle of transmigration the soul retains its individuality, a kind of concise history of its previous births.

Moreover, the possibility for "liberation" during the one's lifetime (*djivanamukti*) is permitted: moksha cancels the action of the whole karma, which determines the behavior of the certain human, with the exception of that one which has already begun to "bear fruit." In other words, except for the karma inertia which has already taken place. In this case, the adept, who has achieved liberation, retains the body until natural death. However, already not feeling himself bound by the body, he no longer needs to care how well his behavior relates with moral and religious norms. These rules do not have any power over him, since purity and goodness accompany him without any special effort.

From the above examples, it becomes apparent how unjustified are the categorical assertions that the Eastern cultures (primarily, their traditional religious beliefs) are characterized by a lack of ethical motivation for individual activity, and because of this the only possible way for the peoples of the East is to accept the Western model of development. It includes not only capitalist economics, but also the ideology behind it best ensured by individualism. In such views, willingly or unwillingly, the claim of the West to hegemony in the global community manifests itself.

Actually the traditional religions, say, of India are distinguished by a high degree of flexibility. This was recognized in recent decades by some Western researchers. According to Brian Wilson, in the context of faith flexibility, it is precisely the particular aspects of the religions that have an impact on the daily lives of the Hindu majority. **Real** religiosity of the Hindus is inherent rather than transcendental religiosity (Wilson 1982; p. 73).

D. Lal claims that particularity manifests itself in the Hindu understanding of Salvation: what man would be in the next birth is not at all determined by what he believed in, but by what he did, following his Dharma. That is why, in his view, Hindu salvation has always been personal.[6]

Flexibility of Eastern traditions allows believing that there is a possibility of modernization without loss of cultural identity. This scenario is pursued for almost the whole of the twentieth century. Indicative in this sense is the debate between the two great Indians: Mahatma Gandhi and Rabindranath Tagore.

It is known that Gandhi was a strong critic of modernity as such, the clearest manifestation of which he saw in British colonial rule in India. Gandhi evaluated modernization as the "great deception." Yes, he said, it promises much, but all these promises are just temptations. Modernization is immoral in the bud. It is destroying

[6] See: Лал (2007).

the culture of the nation and thus undermines its independence. Indian languages, religious beliefs, philosophical views, moral values, traditions and customs, traditional methods of production, local products – everything is replaced by the English language, the Western way of life, the bourgeois ideals and institutions, and a capitalist organization of native production.

Gandhi based his project of civilization on the overarching principle of non-violence. Violence has been interpreted as the presence of the animal in man, and non-violence (*ahimsa*) as a sign of his divine essence. Gandhi acknowledged that the ideal of non-violence itself is not original. As the "eternal truth" it is enshrined in the teachings of all the Holy Scriptures. The challenge, however, is to transform the commandment, making it the norm for personal and public life.

Mahatma undertook an unprecedented experiment in the non-violent method of struggle for national independence – *Satyagraha*. He cherished the project *Ramaraj* or "God's Kingdom on Earth," based on the universal triumph of the principle of non-violence. In this Kingdom there was no place for machine manufacturing, in his words, "killing the harmony of man and nature." Gandhi claimed that the modern city destroys villages, brings slavery, the exploitation of female labor, unemployment, promiscuity, disbelief in God, etc. In the Gandhi's project machines were to be replaced by spinning wheels as the symbols of handicrafts; the means of production and growth of cities were to be decentralized; villages and rural communities were to be revived. He dreamed of a *Swaraj* with a confederation of free and freely interacting villages, each of which is a unique state with full authority and local self-rule (*panchayatt*); of the unity of religion and politics (instead of their separation), since no political action should be moral if it is not religiously justified. Finally, instead of wars and Nations he wished to establish the World Union of free peoples, acting out of love in international affairs.

Despite his immense respect for Gandhi, Rabindranath Tagore criticized his stance on nationalism and patriotism, intercultural interaction, the role of rationality and science, and the nature of the economy and social development.

Differences between Tagore and Gandhi for contemporary Indians are not just history. The controversy between the two great personalities has existential meaning to them. In the reasoning and arguments put forward by Tagore and Gandhi, they try to find the answer to the question: which way is the most preferable for India?

Here is the most recent example – the paper presented at the Tenth East–west philosophers' Conference (Honolulu, May 2011) by two eminent philosophers, Nalini Bhushan and Jay Garfield, on "*Swaraj* and *Swadeshi*: Gandhi and Tagore about Ethics, Development and Freedom." In their view, the basis of differences in the interpretation of the key principles of the Gandhian concept of "non-violent civilization" is a fundamental difference in understanding by the two great Indians regarding the meaning of freedom. For Mahatma, freedom is mainly a spiritual notion. To be free meant for Gandhi liberation from the material and political burden caused by modernization; it is a free choice in favor of a simple, primarily rural life; it is freedom for self-development and self-perfection.

Rabindranath Tagore, of course, also passionately wanted to see India independent from colonial domination. However, he believed that freedom is the path to freedom from poverty; it is an opportunity to improve the standard of living. Rejection of all foreigners, isolationism and the idealization of the archaic past, in his opinion, are erroneous and harmful for the Indians.

Although Tagore was the author of India's national anthem, in a book called "Nationalism," published in 1917, he assessed nationalism and Nation-States as a "great threat," a "geographical Monster." In May 1921, in a letter to C. F. Andrews, Tagore wrote: "I feel that the true India is an idea and not a mere geographical fact […] the idea of India is against the intense consciousness of the separateness of one's own people from the others, and which inevitably leads to ceaseless conflicts. Therefore my one prayer is: let India stand for **co-operation** of all peoples of the world. The spirit of rejection finds its support in the consciousness of separateness, the spirit of acceptance in the consciousness of unity."[7] Tagore was referring to a feature of Indian civilization, its ability to harmonize differences "that should be taken into account when building an independent State, i.e. Swaraj." In "Bharatbarsbe ltibaser Dhara" [The Course of History in India] and several other articles he insisted that Indian history demonstrates the ongoing process of reconciliation of contradictions, and hence the idea of nation building should be understood in terms of inclusiveness, not exclusiveness.

While Gandhi put his hope in the "natural" order inherent, in his opinion, in rural communities, Tagore was for the future of an independent political organization of India as a liberal democratic representative organization based on scientific rationality and appropriate technology.

Gandhi's views seem archaic compared to those of Tagore. You can even believe that Gandhi was a forerunner of modern "fundamentalism" or "revivalism." But how then to explain that it was he, not Tagore, who has been recognized as the "father" of the nation, the leader in the success of the national liberation movement with minimal violence and thus with minimum losses? Does it mean that an anti-modernistic position, isolationism, and an appeal to the archaic are more effective in ideology and politics, and because of this they should be resorted to in our day? Positive answers to these questions would have been wrong and risk reversal. But at the same time, the juxtaposition between the views of Gandhi and Tagore in favor of the recognition of the unconditional righteousness of the latter, and the increased criticism and even condemnation of Gandhi's views in recent years by many enlightened Indians, seems unjustified as well.

While selecting the ideological platform and policy strategies one should not ignore the particularity of the historic moment. Gandhism with its tough criticism of modernization was justified and even necessary in the period of the national liberation movement, when the main goal was to gain freedom from colonial domination of the highly developed UK. In spite of his sincerity and consistent commitment to non-violence, Gandhi actually was a revolutionary! This conclusion may seem strange. However, while Gandhi's methods of struggle were of a peaceful nature,

[7] Cit. from Kampchen (2010, p. 79).

they pursued truly revolutionary goals: a complete rejection of any reconciliation and cooperation with the colonial authorities, and a boycott against all that has been linked to British rule, the **overthrow** of the colonial rule. At that moment in Indian history any kind of compromise or glamorization of Western civilization, personified primarily by Great Britain, could not be attractive to the masses of the Indian population. To awaken them to action, to raise them to combat colonialism, to unite the Indians into a broad national movement motivated by high ethical ideals, it was needed to have the "message" which was carried by Gandhi.

The situation has changed drastically today. India is not only fully sovereign, it has succeeded so much that it stands in the ranks of the leading world powers. To go further towards the complete elimination of poverty and inequality, to break ahead and become a superpower, one of the poles in the multi-polar civilization of the future, it should define its orientations in the new global world. Nowadays to follow the ideals of Gandhi's *Ramaraj* is impossible and inappropriate. This would be a setback. Today, it is important to listen to the voice of Tagore and to try to learn from the controversy between the two great Indians. That could help in finding the Golden Middle road: to strike a balance to be a highly modernized power and, at the same time, not to lose its own cultural identity.

Back when the controversy between Gandhi and Tagore was unfolding, there were the voices of those who understood the need for a "middle path." One of them was Krishna Chandra Bhattacharya (1875–1949), whose name was mentioned alongside such outstanding philosophers of India in the first half of the twentieth century as S. Radhakrishnan and Aurobindo Ghosh. In 1928, he published an article entitled "Swaraj in Ideas." In particular, it stated:

> Slavery begins when one ceases to feel the evil and it deepens when the evil is accepted as a good. Cultural subjection is ordinarily of an unconscious character and it implies slavery from the very start. When I speak of cultural subjection, I do not mean the assimilation of an alien culture. That assimilation need not be an evil; it may be positively necessary for healthy progress and in any case it does not mean a lapse of freedom. There is cultural subjection only when one's traditional caste of ideas and sentiments is superseded without comparison or competition by a new caste representing an alien culture which possesses one like a ghost (Bhushan and Garfield 2011, p. 103).

Globalization cannot be stopped. Are we as human beings capable of preventing the breakdown of any civilization? Do we have the power to shape our own future? What then should be our means and methods? The answer I have found in D. P. Chattopadhyaya's writings is: "Yes, we can, if the future is not excluded from the present and from the past" (Chattopadhyaya 1996, p. 214). To include the present and, in particular, the past in our future means to take tradition as "a very important thing in the life of a nation" (Chattopadhyaya 1983, p. 195).

However, it does not mean that tradition should be perpetuated or prolonged beyond a reasonable point, since it would inhibit freedom and the creative genius of the people concerned: "Repetition of history is not the lesson of history. The lesson of history is to change and to enrich it by discoveries, inventions and innovations."[8]

[8] *Ibid*.

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What Ought I Not to Do?

Abdusalam A. Guseynov

Kant used the question "What ought I to do?" to define the subject area of ethics as an integral part (or aspect) of philosophy within the paradigm of the traditional division of the latter discipline into logic, physics and ethics. This wasn't an expression of his private point of view, but rather an encapsulation of a general tenet of European philosophy.[1]

This question sets morality apart from commonplace cognition and raises it to the level where it becomes subject to philosophical analysis. The question turns out to be the very first (as in basic) definition of morality that shapes each philosophical critique thereof and every revisionist approach thereto. The present article embodies my attempt to complement the positive formulation of the question with the negative and to demonstrate that the latter expresses the unique nature of ethics as practical philosophy more adequately.

1 On the Question "What Ought I to Do?"

No question is ever asked in emptiness – this concerns aptly formulated questions in particular. Questioning is always a product of certain knowledge or expectation, often of an intuitive nature. It could be said that questions, unless they are of the wanton and flippant variety, direct one towards the truth, since a certain portion

Translated by Mikhail Yagupov.

[1]This tenet can be traced all the way back to Aristotle, who claimed that ethics dealt with actions rather than cognition and that people studied it in order to "examine the nature of actions, namely how we ought to do them" (EN 1103b).

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thereof is already known and contained in the question itself, insofar as the latter represents the process and shape of one's methodical cogitative effort.[2] Let us consider the epistemological and axiological rationale for the Kantian question "What ought I to do?" by rendering the latter to a number of key structural elements inherent in any interrogation: *what* is being asked, and *who* is asking *whom*.

What is being asked? The question obviously does not deal with whether or not one must perform a certain action. There is no such choice. No human can remain inactive or refrain from action altogether – humans have no alibi in being, to use Mikhail Bakhtin's phrasing. Morality is an existential category for humanity, a qualitative characteristic of its activities, in a way. The present question deals with the action's focus and its intrinsic qualities rather than the action per se. It is thus further implied that the question refers to something that can be accomplished in a number of ways, something that involves a choice. *What* to do may be interpreted as "what to choose", or, in other words, how to make a correct, infallible choice – one that is capable of becoming a moral obligation, which will make it tantamount to duty. Whatever the question concerns constitutes a duty, something one ought to do. The word duty shall be used in its most common meaning – a rationale for an action which takes precedence before everything else, which has the kind of priority that dwarfs any other rationalisation. The question is never about specific examples of duty, real-world activities, particular situations, etc., but rather duty as such – unconditional duty. The concept of oughtness thus takes on a philosophical dimensionality and is viewed in its ultimate manifestations. The object of interest indicated in the question is the oughtness as an unconditional element of any action – indeed, of any human activity.

Who is asking the question? The question is formulated by a certain Self. But who is behind this Self? The answer is obvious and essential in its obviousness – the one who acts; the one who takes actions. The agent may not be an abstract human being, since an abstract human being never does anything. Nor may a group of people be viewed in this capacity, nor several groups; they may act as agents of certain actions, and yet their collective actions are governed by laws that go beyond oughtness. The question can never be asked by a "human being" or by "we" – it can only be asked by the Self. Even when a philosopher formulates his question as "What ought I to do?", he refers to himself first and foremost; if he ascribes a general nature to the conjectures, he draws and considers them a *sine qua non* for every "Self" (or every individual), it is solely for the reason that he had already applied said conjectures to himself and acts under the assumption that any reasonable individual would draw the same conjectures (or prove unable to make conjectures of any other nature). The object of interest mentioned in the question becomes identical with duty per se; likewise, whoever asks the question can be identified with the agent per se. The Self is also considered outside of its professional contexts, all of which imply and develop agents of their own (scientists in case of science, farmers

[2] In his observations on the formal structure of questioning, M. Heidegger says: "Every questioning is a seeking." Heidegger (1996).

in case of agriculture, athletes in case of sports, etc.) – it is viewed as one's very ability to make decisions, to act, to be the instigator of an action. The who of the act is the Self as an entity that performs the act and is responsible for acting.

If oughtness is incorporated into the paradigm of philosophy as something unconditional, as absolute oughtness, then the Self as regarded by moral philosophy assumes a comparable status of a primordial, unconditional and absolute agent of action, one that stands behind all the other agents of an individual and makes them possible. The individual becomes an agent of oughtness (or morality) insofar as he or she is the party responsible for his or her actions. The Self of oughtness cannot be viewed separately from the oughtness – they are the same; the Self and the oughtness refer to each other. The Self is capitalised here – we place it at the very beginning of the sentence of human activity to distinguish it from the multitude of other selves of the same individual, which pertain to other parts of the same metaphorical sentence and are therefore exempt from capitalisation.

To whom is the question addressed? The question does not specify the addressee explicitly. Implicitly, the addressee is the only entity who can be hoped to provide replies to such question – the mind of a sentient being. In our case, the being in question is the one who asks the question. The questioner ends up as the only entity that can be questioned. The Self addresses and is being addressed, thus becoming an autonomous agent that defines its own laws of action, formulates them, and treats them as duty.

Therefore, "What ought I to do?" is a question that all people should ask themselves, so that they may discover the intent to perform actions that establish them as agents in the world and fill their existence with unconditional meaning. This question is based on one's understanding of morality as a category of human activity that serves as the basis of its intentional, consciously reasonable nature.

2 Morality as the Over Goal of Human Activity

Human actions serve certain ends that ideally represent the planned end result. The implication is that humans make a decision to act before they take an action. The complex and multifaceted scope of human activities corresponds to the multitude and complexity of purposes whose unity within a single system is defined by the domination of the more general and important purpose over its allegedly lesser and negligible counterpart, relegating the latter to the status of a means to an end. In order to guarantee the integrity of the sum total of human activities, that is, to make it sustainable, our system has to fulfil the most important and general purpose, one that has no other purpose of greater importance behind it and therefore cannot be relegated to the status of a means to an end. This final higher purpose is the mortar that holds the agent's entire system of purposes together; being of a finite nature, it affects all the other purposes and provides a common value basis for them. It lends meaning to human activity as such. No human being can reject the idea of a finite, higher and self-perpetuating purpose (that could also be called a meta-purpose, a

self-sufficient purpose or a purposeless purpose). This is why human behaviour always has a certain meaning, which can be interpreted to reveal the meta-purpose that it serves. Obviously enough, this does not imply that acting agents are always aware of the meaning of their actions, or that they subjugate their every intent to that purpose, but it is nonetheless present as an integral part of the experience of conscious action. Leo Tolstoy used the following comparison to explain this human trait. A person always moves in a certain direction; no step can be taken without giving some indication of the choice of direction that had been made. Similarly, by taking individual actions, a person places them in a certain conceptual context and orients them towards a certain over goal.

The very definition of human existence implies the existence of a purpose that may not serve as a means to any other end and has value in and of itself; this purpose is absolute insofar as purposeful activity is concerned. This is what provides a moral vector to human behaviour. The question "What ought I to do?" can now be elaborated as follows: what are the actions that have value in and of themselves, possess absolute meaningfulness, and can therefore be viewed as duty by the Self? The question of moral actions takes precedence here – whether or not they are at all possible, that is, provided they are, what are the actions whose only subjective rationale is the moral motive?

3 Moral and Non-Moral Motives

The complex multitude of motives for human actions and human behaviour in general reserves a special place for morality. The concept of double motivation in human behaviour is particularly important for understanding the nature of this place. This concept was delineated as a certain paradigm in Homer's epic poems; eventually, it transformed and was formulated with greater precision, but its basic nature has remained the same until the present day, and it still plays an important part in the theoretic imagery of morality.

The characters of Homeric epics always have double motivation – on the one hand, their every action had been conceived, provoked and de facto directed by the Olympian deities; on the other hand, they fall into the common patterns of human psychology where the normal criteria of choice apply. What was the *casus belli* for the Trojan War? It was started by the goddesses Athena and Hera, who wanted to spite Paris for choosing Aphrodite over the pair of them and for giving her the infamous apple of discord. This is what the myth tells us. However, there were perfectly mundane reasons for the war as well, the likes of which have served people as a reason for confrontation since time immemorial. Paris stole the wife of Menelaus, and that was reason enough for discord; since both were kings, discord meant war. This is where the two lines that determine human behaviour converge: heroes do the deities' bidding as well as whatever their human passions dictate them to do. Let us also recollect the episode with Achilles desecrating the body of the slain Hector. He subsequently decided to return the body to Priam, Hector's father. This was done by

fiat of Zeus, who gave heed to Apollo's complaints and ordered Achilles to hand the body over. However, Achilles had another motive – he traded the body for a ransom. Apart from that, we can also see the psychological factor at play – Achilles imagined his own aged father waiting for his return from the war and drew parallels with Priam lamenting the death of his son. Thus, Achilles had perfectly normal human motives for giving Hector's body back to Priam. The bidding of the deities is the "motivation from above", or motivation from Olympus, which is complemented by the "motivation from below", which is closely associated with earthly interests and passions – greed, profit, wealth, hatred, friendship, etc. The two types of motivation converge in the most conspicuous way. The bidding of the gods is the wish of the heroes. This dichotomy lies at the very core of the fascinating and unique world of Homeric heroes.

This idea would eventually develop, becoming more specific and more elaborate. Socrates, for instance, had a personal "guardian angel", or *daemon*, who, one might point out, never told Socrates what to do, but only what actions he had to abstain from doing. The philosopher would heed the warnings of his *daemon* that reached him via a mystical inner voice, and always to his benefit. In other words, apart from the motives that Socrates could control, there were other motives that remained incomprehensible to him and came from above.

The idea of double motivation has undergone a variety of different interpretations in human culture. The philosophical representation of human behaviour developed by the Stoics proved a crucial milestone in this process. They distinguished between two different levels of values. The first level represents the so-called vital values, according to which we prefer health to illness, life to death and wealth to poverty. The second level represents the actual moral values, which render the values of the first level perfectly neutral; it expresses nothing but one's attitude towards the vicissitudes of one's fate and fortune. According to the Stoics, the level of moral values, or the reverse of vice and virtue, is completely unaffected by the circumstances of one's life, namely, by whether one's health is good or poor, whether one lives in poverty or wealth and so on. The first level represents the empirical human life that cannot be controlled by a person and depends on nothing but fate. The second level represents a given person's attitude to his or her fate, or the first level – this depends on no one but the person in question. According to the Stoics, humans can accept their fate regardless of the circumstances and thus earn internal freedom and moral virtuousness, or go against their fate, fall into despair and struggle continually, revealing their folly by behaving like one of the ignorant and profane, with manifest lack of wisdom. Stoics cite the following example: if a dog is tied to a moving cart, it will be dragged along, even if it attempts to resist the cart. This is what they consider the epitome of profane behaviour. The wise would be likened to the dog that runs alongside the cart eagerly, being unable to do anything else, anyway. The Stoics believed fate to be unavoidable and impossible to control by an act of conscious will. However, there is one thing and one thing only that is completely up to the individual: namely, whether one accepts one's fate impassively, as if it didn't matter at all, or whether one tries to change it. In the former case one's behaviour will be considered sensible and virtuous; in the latter, fatuous and unsound. The

only thing that matters to us here is as follows: what the Stoics emphasised in human existence was whatever had immanent meaning to a person and depended on no other party but the person in question, something that established people in their absolute quality, so they put virtue into this very category.

The essence of Kantian ethics can be expressed as a pronounced dichotomy between the moral motive and all the other behavioural maxims – duty as the sole moral motive and one's inclinations in their natural, social and psychological multitude. Kant understands morality as a logical extension of freedom – it represents one's internal view of an action in the limitless perspective of the domain of ideal purposes. The very same action as seen by another party is the result of empirical motives that can be deduced. Each of the two views is completely independent, and may even contradict the other completely. Kant provides a good example to illustrate the above. Let us assume a gambler cheated to win at the card table. Although he did make a profit, deep down he is aware that he had won by cheating and thus had done something dishonourable. According to Kant, "A man must have a different criterion when he is compelled to say to himself: 'I am a worthless fellow, though I have filled my purse'; and when he approves himself, and says: 'I am a prudent man, for I have enriched my treasure.' "[3]

We must point out another theory of the act that is based on drawing a principal distinction between its moral and substantive determination – the one developed by M. M. Bakhtin and related in his tractate entitled *Toward a Philosophy of the Act*. When we refer to an act or an activity, we must distinguish between two of its aspects, namely, the existence of the act (the fact that it has been committed) and the content of the act. An act as an event (or an action) is invariably associated with a single individual, being an expression of the uniqueness of his or her life. The content of the act is oriented towards the world and depends on the latter. Correspondingly, the responsibility for the action also has two sides to it – the responsibility for the act itself and the responsibility for the content of the act. The former kind is essentially moral and expresses a human's moral nature. The latter kind is referred to as "specific responsibility" in Bakhtin's works; it represents a person's skill and knowledge. Bakhtin also uses the term "theoretical world" for the area of specific responsibility, understanding it as the sum total of what makes an act conscious and rational – what provides a thought-out, purposeful direction. Bakhtin claims that every action is reflected in two directions – towards the agent and towards the outside world, and that the intrinsic, or basic element here, is the act itself, or moral responsibility. Specific responsibility is secondary, and should be considered a corollary or an extension. An activity becomes an act regardless of its rationale or consistency, but rather due to its being a *modus vivendi* for the individual who takes the action – his or her way of participating in existence. Morality defines an individual's decisions – one's willingness to bear

[3] See Kant (1889).

responsibility for acting. An act is a form of moral responsibility because it cannot be committed by any other person but the acting agent, since there is no other entity in the same part of the space-time continuum.

The decision to act does not depend on the content of the action. Or, in Bakhtin's words, there is no transition from the world of theory to the world of action – specific responsibility cannot be rendered to moral responsibility. There is a very clear distinction between the multitude of possible actions and their classification according to different criteria and deliberate actions taken by individuals. A railway timetable won't tell me where I should go or whether I should go anywhere in the first place. "Is" does not imply a "must be". What to do and where to go are my own decisions – facts of my individual existence and the very fact of existence in my individual expression. The autonomy of moral responsibility and the priority it takes over special responsibility were encapsulated by Bakhtin in the following aphorism: "It is not the content of an obligation that obligates me, but my signature below it" (Bakhtin 1993). There is no transition to moral responsibility from the special kind. However, the reverse transition is possible and indeed obligatory. Special responsibility is the extension of moral responsibility. Once the decision to act is taken, further actions are determined by the content of the act. When one commits to the choice of one's destination, one turns to the railway timetable and, ipso facto, becomes a passenger inasmuch as one remains a moral individual.

According to Bakhtin, an action considered in its moral aspect is not a product of one's skill or knowledge and cannot be generalised enough to place it in any sequential context; it is moral inasmuch as it expresses and embodies an individual, imprinting one onto existence itself by the singularity of one's existential experience. Singleness and seriation are the characteristics that express the nature of moral and specific responsibility, correspondingly, in the most clear and direct manner. Seriation is a trait of an agent of specific responsibility: individuals are replaceable in this context. The agent of moral responsibility is unique: nobody can replace an individual in this capacity.

There are thus two levels of motivation for human behaviour that represent a dichotomy between the two classes of any action by the criterion of whether or not the action in question depends on the acting individual. The usual motives common to all people are defined by circumstance, psychology, and external factors. These motives are empirical and objective; they form a causal connection with the world. There is no mystery involved in human actions insofar as their empirical components are concerned – they can be "calculated" with the same precision as any other natural process, such as wind velocity, solar eclipses, etc. Moral considerations weigh people's actions on an altogether different scale, transferring them into a non-existent ideal world. They are completely autonomous.

It has to be pointed out that philosophical discourse is in perfect concurrence with common perception here, which also distinguishes between empirical and moral motives. It is generally assumed that empirical motives are purposeful, oriented towards a certain result, profit, etc. But moral motives are considered to account for no personal gain; they have value in and of themselves. The

phenomenon of repentance is of particular interest here. The very essence of repentance is that a person is trying to change something that appears impossible to change – after all, we are powerless to alter things that have already happened; we have no control over the past. Yet repentance is an attempt to expunge a certain action from the chain of causality that defines our behaviour – to treat an event as though it did not exist. It is thus acknowledged that although the action has been committed, it wasn't worthy of committing. Repentance should not be perceived as a means of self-deception or an attempt to forget one's trespasses and make them sink into oblivion. On the contrary, the very mechanism of repentance implies that a person should remember the action, keep from letting it get swept away by the river of oblivion, hold it in one's memory at all times. This is why it has to be retrieved from the depths of one's recollection and kept close to the surface, within one's line of sight, as a constant reminder of the danger that must be avoided.

The two categories of motives are also mutually independent in the sense of having different origins. However, they apply to the same actions and represent different projections – different views of the same action. Moral motives occupy the same place and serve the same function as the Olympian deities in the behavioural framework of Homeric heroes. Apart from the fact that a moral motive has a different origin from motives of other kinds and puts every action into a completely different ideal perspective, stemming from freedom it is also unique inasmuch as it lacks the randomness inherent in the empirical motives of a non-moral nature. Morality has a certain necessity, which differs from the necessity to behave dictated by natural and social circumstances and interests by being unconditional.

The natural question to ask is as follows: "What is the connection between these two types of motives? What is the meaning and the purpose of moral motives?" Moral motives are redundant, after all – they add no factual elements to the action. A moral motive can only sanction or veto an action. Moral motives are on a wholly different level from the variety of motives associated with pleasure, wealth, career, etc., which we collectively refer to as empirical. They are beyond such motives, above them, they do not determine anything about the act – they do not estimate its effectiveness, necessity, possible consequences, and so on. They simply judge the act by whether or not an individual is willing to associate with it, to bear responsibility for this act, to declare his or her involvement publicly. Behavioural motivation is a complex and multilevel process. Morality may be somehow involved in every stage of this process, but it only plays a dominant part in the final stage, when an individual makes the final commitment and goes from intention to action. At this stage moral perception of the action becomes definitive. Morality plays the same part in the psychological process of "assembling" an action as the quality control department plays in the production of goods. Similarly to the way quality control examines ready-made goods to determine whether or not they meet a certain standard and discards the ones that fail to pass the test, morality uses its criteria to assess actions before they are released to the "market" of social behaviour and either sanctions them if they pass the test or vetoes (discards) them if the actions fail to meet these criteria.

4 What is Negative Action

Moral sanction (approval) and moral prohibition represent the final link in the chain of taking an action. Metaphorically speaking, moral approval opens the exit door and lets an action out – from the internal world of an individual to the external world of other people, from the subjective world to the objective – whereas moral prohibition does the contrary by locking and barring the exit to prevent an action from escaping into the outside world. The two procedures have a number of fundamental differences between them.

Every action taken by an individual receives his or her moral sanction. Every action has got to pass the moral quality control. The very fact that it passes means it has received moral approval. This leads us to a number of important conclusions. Firstly, the virtue of these actions concurs with their quality. Such actions are taken out of necessity for motives of a pragmatic nature that are merely additionally emphasised by the moral sanction. Under such circumstances, moral sanction becomes secondary, arbitrary and random.[4] Incidentally, one of the implications is that no matter what actions are being considered, the integrity of their moral motives may be questioned in every case, since there are always motives of a more pragmatic nature behind them. This very fact allowed such theoreticians as N. G. Chernyshevsky to consider moral motive as a form of enlightened self-interest, making others, such as Kant, for instance, claim that, perhaps, not a single action in the world has been taken out of pure duty. Secondly, moral principles and judgements involved in the approval of actions may differ from one another as much as the actions themselves (a typical example is a situation when something is considered perfectly permissible in one culture and shameful in another). Thirdly, everything we do may be, and indeed always is, described (or characterised) in moral terms, whether explicitly or implicitly – we plot it along the axis of good, the axis of justice, etc. After all, good in the most general sense is the positive nature of our behaviour, something we strive for, whereas evil is its opposite, something we avoid. Yet there is no point in similar plotting of actions along the axis of moral coordinates, the reason being that any action of an individual can and will be measured in terms of its morality by said individual each and every time. Everybody is convinced of the morality of their actions. This is why many people try to avoid appealing to morality in their everyday practices. It is also beyond any doubt that appeals of this sort are very often hypocritical and contrived. Moralising has an unsavoury reputation in mature society, likewise habitual moralisers. This subject is worthy of a dedicated and independent study – unfortunately, none such has been conducted to date, namely, how, when and to what purpose do people employ argumentation of a moral nature and how much the very propensity for passing moral judgements (those involving invective in particular) may be considered an indicator of a tendency towards abusing morality.

[4] "All norms, even those specially proved by science, will be relative in regard to the ought, for it is tacked onto them from outside." – Bakhtin (1993) *op.cit*., p. 23.

In other words, moral sanctions of actions are concrete, contextual and volatile, likewise the actions themselves. Moral dictates and judgements that serve as the context and basis for the approval of one's actions are linked to said actions in a completely arbitrary manner. A moral norm or judgement does not define the act per se. Two citizens motivated by patriotism, one of whom is a general, and the other, a pacifist, perform radically different acts. The link between the moral dictate and the action is the acting individual, who tailors the action to the dictate; the correspondence between the two is entirely up to said individual's conscience. The unconditional and absolute nature of a moral dictate becomes lost in the details, blurred by the conditional and relative features of individual interpretations.

The absolute nature of morality cannot manifest itself to a sufficient extent in adequate positive acts because such acts depend on more than just morality – there are virtually no actions that would subjectively be dictated by moral motives exclusively. At the same time, the very same absolute nature is an inherent trait of morality – the entire logic of a moral perception is based on the conviction that people are morally responsible for all their actions. This contradiction might make the conclusion that morality and its absolute norms and judgements are nothing but wishful thinking and illusion, the sort of self-deception typical for humans, seem inevitable. However, this conclusion would be false. The universality of moral responsibility is based on the fundamental fact that a person's every action is the result of his or her own decisions taken in the process of a conscious evaluation of motives – the result of his or her own choice. Obviously enough, moral motives have no bearing on either the content of an act or its consequences – they merely allow this act to happen as the action of a given individual. However, the fact that they do allow it and that, consequently, one can – may, must – say of every action "I could have refrained from doing it", if only to remain honest with oneself, is the reason that a moral self-perception has an absolute nature, a reason for the universal character of moral responsibility. The question about the moral motives of human actions transforms into the question of what one ought to refrain from doing – a question of moral prohibition.

In case of moral prohibitions, the connection between the norm and the act is fundamentally different. The effectiveness of a prohibition manifests itself when people avoid certain actions – avoid them deliberately, as a matter of conscious choice. An action that is avoided as a result of moral prohibition can be referred to as a negative action.

The most important features of a negative action are as follows. The domain of negative actions does not include absolutely everything that we keep from doing – only the things that we would very much like to do; something we have every reason and opportunity of doing – something we only fail to do due to moral prohibition. This happens when we veto certain actions that we are urged to take by our passions, external factors, peer pressure and everything else but the moral sanction. For instance, when people abstain from lying and killing, they keep from crossing certain prohibition lines, but they do not necessarily take negative actions. Prohibitions begin to make sense and lead to actions when individuals have strong urges and reasons to lie or commit acts of violence, yet manage to resist the temptation. This

is the first major indicator of a negative action – a person refrains from doing something he or she ought to have done by every consideration other than morality. The second indicator is when moral prohibition is the *only* reason a person abstains from taking a certain action, lacking any other reason not to take it. A negative action is, in a way, positive in its negativity, being the result of nothing but wilful restraint and conscious choice. Such actions must not be confused with whatever one fails to do for any number of other reasons and motives (lack of necessity, common sense, self-interest, fear, etc.); a negative action is defined as something one avoids doing because of moral grounds – as a result of a moral decision not to take a certain action.

A negative action is negative in both primary meanings of the word negative. It is negative de facto – no action has been taken, it was blocked during the transition from the subjective stage to the objective. It is also negative in terms of values and standards – the action was avoided because of its objectionable nature, because of the fact that it had received no moral sanction. A negative action is an action that did not come to pass as a fact due to its being questionable in terms of values.

5 Negative Action as an Absolute One

In my opinion, a negative action embodies all the traits and meets all the criteria stipulated by morality as a specific institute, a specific system of norms and values that claims the status of practical philosophy.

Firstly, negative actions meet the criterion of absolute morality. They are absolute in the sense that a moral individual has absolute power over them and requires nothing else to act negatively but goodwill and moral resolve. George Moore points out this distinction between moral obligations.[5] He suggests that we use the terms "rules of duty" and "ideal rules." Rules of duty are categorical; they concern the action per se, or, rather, the transformation of intent into action. Here human power is absolute, and it may be one's duty. To take a certain kind of action or to abstain from taking it, to act on some agenda or to forswear it – those choices are entirely within the power of a human to make. As for the ideal rules, they involve all the desires, intentions and designs that often come into existence spontaneously and are beyond one's conscious control. No one can control a multitude of wishes, intentions and flights of fancy, which are often lewd in nature. Therefore, the requirement for purity of intentions can only be an ideal rule – more along the lines of a wish. This distinction correlates with what has been traditionally known in philosophy as the distinction between perfect and imperfect duty. Moore illustrates it well, using the example of two commandments of the Mosaic Law – the seventh commandment, "Thou shalt not commit adultery," which may be classified perfectly well as duty, and the tenth commandment that says, among other things, "neither shalt thou

[5] See Moore (1922).

desire thy neighbour's wife", which can only be considered an ideal rule. As for the norm "Thou shalt not commit adultery," the ability to follow it depends on the actions of a sentient being capable of controlling what he or she does voluntarily; one must assume that there were people who followed this norm in the past and that there are some who live by it in our very day and age. The situation with the norm about not desiring your neighbour's wife is somewhat different – the desire may flare up involuntarily, even in one who would consider it sinful. A negative action is thus doubtlessly an application of the rule of duty – a case where the action depends entirely on an individual's control and responsibility, and results from nothing but moral motive.

Secondly, it must be said that negative actions have universal value inasmuch as different people can agree on certain moral prohibitions. As for positive actions, they cannot have any such value by definition, since their factual nature (some factual content that goes beyond the field of morality being a necessary prerequisite for a positive action in general) is always associated with specific, particular circumstances; this rules out the notion of universal value. We cannot so much as imagine everybody doing the same thing simultaneously. The distinctive characteristic of a negative action is that the general premise or principle of morality instantly leads to a corollary and becomes an act – there is no intermediate (particular or unique) link. To be more specific, the minor premise (particular link), or the more unique circumstance, is represented as what is being negated. The question of universality, and, in this sense, objectivity of an action – namely, a negative action – is a question of the human ability to be aware of prohibitions that form a prerequisite for communal existence, guarantee that the latter carries on unimpeded, and reach a consensus on the moral status of these prohibitions. The development of such prohibitions and their acceptance as unconditional moral norms is a historical process of great complexity that comprises a multitude of factors, one of them being philosophical comprehension. To get down to particulars, we can discern at least two prohibitions that are consensual, and reasonably so, throughout human society, and which are found in the ethical canons of all the great cultures – namely, the prohibition of killing and the prohibition of lying. These prohibitions are not denied as morally justified in the earnest by anyone – they are accepted as norms and principles, yet they become a part of everyday life for humanity. Even though they are acknowledged as principles, one witnesses constant attempts to corrupt these principles – to find and create a rationalisation for making exceptions. Even if the perfectly reasonable counter-argumentation would be that prohibitions, and categorical prohibitions in particular, are ignored all the time – and, moreover, that the very categorical nature of these prohibitions is complemented and confirmed by these trespasses, it nonetheless has to be acknowledged that prohibitions are substantially more categorical than mere positive guidelines.

Thirdly, negative events are elementary and thus quite obvious. They are very conspicuous and therefore difficult to misinterpret. Whenever one does a so-called "good deed", the moral purity of one's motive can always be questioned. Even actions that look unequivocally moral, such as acts of charity, may be a perverted form of narcissism, or the sign of an uneasy conscience. Negative actions, as compared to the so-called good deeds, have the distinct advantage of being easily,

strictly and indubitably identifiable. Even people who are moderately honest with themselves always know when they tell the truth and when they lie – even though when they resist the temptation to lie, it does not necessarily happen as a result of moral prohibition. Nevertheless, the prohibition is obviously complied with in such cases.

One might get the idea that by rendering morality and the absolute claims it makes to mere prohibition and negative actions, we impoverish the moral world and make it subject to primitivization. This idea is manifestly false, of course – negative actions are the most spiritual in nature. Unlike positive actions, which also have empirical motives and may be taken for venal reasons, negative actions are taken exclusively as a result of one's moral principles embodied in moral prohibitions. If morally pure actions exist at all, they are none other but negative actions.

To summarise the characteristics of a negative action, we might say that one's moral qualities are manifest in what one doesn't do to a much greater extent than in what one does. We are truly moral, without any deception or self-deception, when we abstain from immoral actions, when we resist our temptations. In our positive actions we may be – and most often are – successful, effective, crafty, sensible, professional or lucky. Additionally, all those actions may be considered good, pious or kind-hearted. However, this additional moral estimate is most often impossible to verify, and doesn't prove very useful for a better understanding of the factual texture of human actions. For negative events, the only mandatory and decisive qualification is morality – such events are the result of a moral prohibition, which may not be the only reason for these actions, but is at the very least an obligatory reason. Moral prohibitions and the negative actions that embody them define the framework inside which morality is represented as a positive activity; the notions of good and ought coincide with what is reasonable, and moral responsibility fuses with specific responsibility. They define the space of humanity, so that the actions taken inside it may always claim to be sound and morally justified.

In order to understand how moral prohibitions and negative actions correlate with positive moral norms and actions, we have to distinguish between the following two questions: (1) Which of my actions are dictated by moral criteria? (2) Do my actions meet moral criteria? The answer to the former is "negative actions". The answer to the latter is: they do, if they fall into the category of the former, that is, conform to moral prohibitions. Basically, moral absolutism can be rationalised by negative ethics – this rather uncommon term is used similarly to "negative theology". The crucial question asked by negative ethics is "What ought I not to do?" It identifies moral duty with negative actions.

6 Negative Ethics and Two Paradoxes of Morality

Let us conclude by citing two illustrations that demonstrate the efficacy of the concept of negative ethics. The former concerns the paradox of moral perfection. Moral perfection is understood as a striving for perfection. It results from one's awareness of one's imperfections and results in the furthering of this awareness. The closer one

gets to perfection, the less satisfied one is with oneself and the more critical one becomes of one's moral capacity, virtues, and qualities in general. It is an indisputable and universally acknowledged fact that the more morally evolved one becomes, the greater is one's awareness of one's own immorality. Evolution is only possible through downfall. How can this be possible? What does it signify? If we assume that one's moral evolution is manifest as one's negative actions, the situation ceases to be mysterious and turns out to be amazingly banal, for the greater one's skill in negative action and the more negative actions one takes, the greater one's awareness of one's potential propensity for immoral and unworthy actions. The very nature of a negative action is to resist temptation and to abstain from the fulfilment of wishes that are morally reprehensible. Therefore, the greater our talent for the cultivation of negative actions, the more aware we become of our perpetual affinity for immoral actions. A moral individual can be compared to the man who picks parasites from his head, and the cleaner he becomes, the greater his terror at his state.

The other paradox is the paradox of anonymous good deeds. One of the universally recognizable wisdoms of a moral consciousness is the maxim that one shouldn't advertise one's moral qualities, and that all good deeds must be done secretly, or, as the Gospel according to Matthew has it, "let not thy left hand know what thy right hand doeth" (Matthew, 6:3–4). How can this be possible? If it is an action, it cannot be a secret for the party at the receiving end. If it's a good deed, it cannot be a mystery for whoever does it, since any good deed is a deliberate deed. What are these good deeds that we must do secretly, so that no one would know, including ourselves and the people around us? I believe that everything falls into place once we turn to the concept of negative ethics, and define moral actions as negative actions. The very nature of a negative action means that the action doesn't go any further than a mere intent, which is why others learn nothing of it. Yet this action also remains a mystery to the one who acts, since the factual content of the act, which could make it obvious, would be an evil deed – not a good one. Nobody would boast of being tempted to lie or take some other immoral action. One might consider the fact that one managed to resist temptation reason enough to be proud of oneself, but the fact that one did have unsavoury intentions will compel one to ethical modesty and restraint. Pride at not committing an evil deed is dwarfed by the horror of having had an opportunity to commit it. One feels like a pedestrian who was fortunate enough to escape the car that had just driven by – not rejoicing at having evaded danger, but terrified and drenched in cold sweat because of the sheer proximity of peril.

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Communicative Source of Moral Imperativity

Ruben Apressyan

There is a brief, but remarkable argument in the second book of John Locke's *An Essay on Human Understanding*, which has been almost ignored by specialists in moral philosophy. In its most significant parts it reads:

> For though men uniting into politic societies have resigned up to the public the disposing of all their force, so that they cannot employ it against any fellow-citizen any farther than the law of the country directs; yet they retain still the power of thinking well or ill, approving or disapproving, of the actions of those whom they live amongst, and converse with; and by this approbation and dislike, they establish amongst themselves what they will call "virtue" and "vice." (Locke 1894: 281).

Locke said this analyzing morality (in a broad sense – as coordination of the conduct in general) as a sphere of actions in their relation to laws. Distinguishing three kinds of laws "that men generally refer their actions to," he pointed to 'the divine law' and 'the civil law,' as well as the law, which he variously marked as "the law of opinion or reputation" (Locke 1894: 280), or "the philosophical law", or "the law of fashion, or private censure". According to Locke, 'the divine law' states the measure of sin and duty, 'the civil one' – the measure of crimes and innocence and 'the law of public opinion' – the measure of virtue and vice. The above quoted fragment discloses one of this law's mechanisms.

Locke scholars are certainly familiar with this statement as one of the defining moments of Lockean thought as such. Sometimes it is referred to by those who study public opinion to point to a precedent of considering public opinion as a determinant of human conduct. The indifference shown by morality scholars in respect to this argument may be explained by dominance of the Kantian approach in moral philosophy, with its particular reverence to moral autonomy. As it may be presumed in this fragment, according to Locke, moral decisions appear to be derived from a

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person's reaction to his/her surroundings, to others' expectations and estimations, and thus they are heteronomous, material, and non-universal. From the point of view of Kantian ethics, the statements presuming heteronomy in morality may be considered at most as a result of theoretical immaturity. Locke has not been observed among the precursors of either Immanuel Kant or John Stuart Mill (though he belongs to that very tradition, which leads to Mill) and as a moral philosopher he has not been highly appreciated.

Meanwhile, the quoted fragment as well as the discourse on "the law of opinion, or reputation, or fashion" as a whole, though not excelled in theoretical clarity or logical fineness, reveals an important character of morality and characterizes an important source of moral imperativity.

Lockean moral-philosophical thinking is peculiar for its evidently broader subject matter compared to what may be expected by a reader today. It is clear that the Lockean concept of 'the civil law' covers the sphere of positive law only. As Locke emphasizes, the civil law is set, firstly, by the commonwealth and, secondly, by the commonwealth "to the actions of those who belong to it". 'The civil law' is sanctioned by the power of the commonwealth "engaged to protect the lives, liberties, and possessions of those who live according to its laws, and has power to take away life, liberty, or goods from him who disobeys" (Locke 1894: 280). At the same, if we extrapolate an idea of civil law into the proper ethical context, we would be able to discriminate in it that particular layer of morality which may be designated as social-disciplinary and institutional, and which is represented in moral philosophy by a conception of morality as a means of conduct guidance.

It is easy to imagine the phenomena indicated by Locke as 'the divine law' and 'the philosophical law' to directly correspond to the modern sense of morality. 'The divine law' (torn from the context of a Lockean description of its mechanism) reflects, from the one hand, the general and abstract substance of morality expressed in the commandments of the Scripture and, from the other hand, the perfect dimension of morality. Its sanctions are ideal. 'The law of public opinion or reputation' reflects a communicative dimension of morality and though Locke speaks in terms of 'the law' and 'the rule', we cannot tell with certainty, following the text of the treatise, what particular normative substance is correlated with this law. In general it is clear that virtue and vice set the frame of actions according to 'the law of reputation' corresponding to 'the divine law,' which Locke also characterizes as 'the law of nature.' By the "rule of right and wrong" this law guides individuals to the common good.[1]

'The law of reputation' is the most efficient among the three laws. Though it has no necessary component of any law, namely, a power to enforce itself, "the greatest part [of mankind] we shall find to govern themselves chiefly, if not solely, by this law of fashion; and so they do that which keeps them in reputation with their company, little regard the laws of God, or the magistrate", so far as "no man escapes the

[1]It is only clear that the law of reputation is based on the divine law. However, uncertainty in Locke's explanation of "the divine law" and "the law of reputation" does not allow treating them definitely. Locke clarified neither the relation between duty, right, and virtue, nor between sin, wrong, and vice.

punishment of their censure and dislike, who offends against the fashion and opinion of the company he keeps, and would recommend himself to." (Locke 1894: 282)

Further on we find the most interesting part of Locke's argument. People engage in relations with each other having general ideas of right and wrong; often their interests are competing and they come into conflict, but according to a law established by a state power they are restricted in the resort to force, for the right of force is usurped by the state. But they can express their expectations and share their impressions regarding others' actions. And they do it. The above-quoted fragment from Locke contains a remark: "by this approbation and dislike, they establish amongst themselves what they will call 'virtue' and 'vice'." It is not quite clear how particular ideas of virtue and vice are formed; but it may be concluded with certainty that like duty and sin, malefaction and innocence, the ideas of virtue and vice are formed in the process of people's direct relations. They are not the produce of authority, divine or political; they are the result of human communication.

To judge from the context, Locke speaks on virtue and vice at social and communitarian levels – meaning "the several societies, tribes, and clubs of men in the world" (Locke 1894: 281) – and not at an individual one. But so far the subject of his discourse is an individual rather than collective agent, and its interpretation in terms of communication is appropriate and justified.

It is worth mentioning that Locke's main concern is not about *actions*, but *judgments* regarding others' actions. Locke realized that a person could act in different ways and follow his/her current interest not to take into account obligation and virtue imposed upon him/her. But he/she will evaluate such actions according to a different criterion. Locke argued, rather artlessly, that "men, without renouncing all sense and reason, and their own interest, which they are so constantly true to, could not generally mistake, in placing their commendation and blame on that side that really deserved it not." (Locke 1894: 282). Ordinary observation of characters and morals cannot but show that people, contrary to Locke, just because of their loyalty to their own interest, are not able to make nonpartisan judgments and are disposed to approve in others something irrelevant to virtue; however, not longer than this irrelevance starts contradicting their own interests. Meanwhile, arguing from the point of view of an evaluating agent, Locke at certain moment changes his focus and continues his argument from the point of view of a person as a subject of others' evaluation. In this projection it becomes evident that a person seeks from others' approbation and tries to avoid their condemnation.

To summarize the Lockean idea of this mode of conduct regulation we may distinguish the following main points:

Firstly, people do not only approve actions they consider advantageous for themselves and condemn the contrary ones, but in their own actions tend to promote others' good to entail their favour and to avoid their complaint.

Secondly, they are not arbitrary in their approval and condemnation. There is no reason to think that Locke intentionally developed his argument in an order that started with one's judgments regarding others' actions and then passed on to consideration of the motives for such actions. There are no comments or reservations for this change in the subject matter of discourse. Nevertheless, such composition in thinking has inner theoretical construction. Locke actually explicated reciprocity in

human relations taken in their moral dimension. Presented in this way, the reciprocity is of a generalized rather than a direct kind, but in this case the difference is not significant.[2] By virtue of reciprocity, all the more generalized reciprocity, Locke surmounts possible presumption regarding particularity or relativity in judgments and expectations of communication among participants or community members, and shows the potential for the impersonal character of "judgments, maxims, or fashion".

Thirdly, the judgments, maxims, and fashion elaborated on the basis of communicative experience are incorporated into the traditions and culture of the given community "by a secret and tacit consent," as Locke puts it (Locke 1894: 281).

These features of 'the law of reputation' require additional attention to this rough Lockean conception and its more careful study. In further development of moral philosophy towards Kant these Lockean ideas were as a matter of fact lost. In the eighteenth century another type of moral-philosophical thinking was dominant and in that context such ideas were considered as fundamentally different from a 'pure' conception of morality. A new approach to morality was clearly expressed by Kant. However, among those of Kant's predecessors for whom morality appeared to be a matter of special concern (mainly British philosophers of both, sentimentalist and intellectualist trends), the opposition of morality to different forms of normative thinking (e.g. habit, custom, or fashion) became a kind of *locus communis*, although not entirely trivial. In the twentieth century moral philosophy of this mode of thinking was expressed in particular theoretical concern of clarification of the specific nature of morality. This approach, oriented to an understanding of morality in its specificity, allowed philosophers to work out the main sociocultural features of morality, but it was based on abstracting morality, distinguishing it as a particular sociocultural phenomenon from the range of the analogous phenomena. The latter proves the limitations of such an approach to the analysis of morality.

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Michael Oakeshott in "The Tower of Babel" proposed an approach towards morality, comparative to the Lockean one, though presented in different terms and with a different configuration. The general picture of morality in Oakeshott's vision is simpler than what we find in Locke.

According to Oakeshott, morality exists in two forms. The first form appears as "a habit of affection and behaviour" (Oakeshott 1962: 61) and the second form in two varieties: as "the self-conscious pursuit of moral ideals" and "the reflective observance of moral rules" (*Ibid*: 64).[3] In common relations and reiterating

[2]Generalized reciprocity is usually interpreted as reciprocity carried out through successive relations of individuals as members of a community. On different kinds of reciprocity see: Seaford (1998), and Tullberg (2004).

[3]In such representation of morality one point is worth mentioning, though its entire discussion would take us out of the framework of this chapter. Oakeshott understood morality in terms of self-realization of the person as moral agent, particularly, in the second form of morality – in persons' attitude towards 'moral ideals' and 'moral rules'. However he did not explain the locus of ideals and rules he called 'moral' *in* morality or *in relation* to it.

situations with virtually no alternative and, hence, opportunity of choice, no particular rational decisions are expected from an agent; it is enough for her/him to follow traditions. However, a person is often unable to deliberate under extraordinary conditions either; in that case he/she possibly acts according to his/her sense. Both in extraordinary and routine situations human actions are not evidently determined by rationally selected rules or thorough reflection. They are direct and spontaneous. As Oakeshott argues, in routine situations actions undertaken spontaneously are determined or supported by community traditions and habits and stereotypes familiar for an agent and shared by her/his close environment. Oakeshott gives no explanation as to how spontaneous actions are ensured in extraordinary situations and circumstances, and I would presume that we deal here with a kind of intuition rooted in previous personal and collective experience both virtually unconscious, and cultural experience of a narrative or normative nature.

The first form of morality is possible under the condition that "most of the current situations of life do not appear as occasions calling for judgment, or as problems requiring solutions; there is no weighing up of alternative or reflection on consequences, no uncertainty, no battle of scruples" (*Ibid*: 61), and owing to some kind of education we have "the power to act appropriately and without hesitation, doubt or difficulty", even being not able "to explain our actions in abstract terms, or defend them as emanations of moral principles" (*Ibid*: 63). An agent acts by force of habit and it works either in not acting in inadmissible way, or in accomplishing appropriate acts.

We find a 'mark' in Oakeshott's text, which allows us to imagine how such habits work. According to Oakeshott, man's "moral dispositions are inevitably connected with his *amour-propre*" (*Ibid*: 63). The term '*amour-propre*' as such gained currency owing to Jean-Jacques Rousseau, who used it in combination with '*amour de soi*'. Oakeshott considers the sources of human actions in one's self-esteem and sense of dignity rather than in one's adherence to ideals or awareness of obligation. This is what could be correlated with *amour de soi* of Rousseau, while *amour-propre* is the sense, which appears as a result of comparison, frequently vain and jealous, of oneself with others. In Rousseau scholarship, *amour-propre* is sometimes interpreted as a source of acrimony, prepossession, distrustfulness and evil among people (Asmus 1984: 127–128). However Rousseau himself believed that *amour-propre* gave rise to conceit in negligible souls, but produced pride in great souls.[4] And always it is determined by consideration towards other's opinion. By assuming that morality develops out of interpersonal relationships, listening to others' opinions, recognizing them as the basis for the relationship to oneself, Rousseau is not so far away from Locke's 'law of reputation'. Still, even acknowledging the possibility of a positive pole in *amour-propre*, he associated this sense mainly with a negative principle in human relations and suspected pride of having the tendency to degenerate into conceit.

[4]For positive and negative dimensions of *amour-propre* see O'Hagan (1999: 171–179). It is worth adding that in its negative meaning *amour-propre* could be probably considered as one of the direct intellectual precursors of Friedrich Nietzsche's notion of *ressentiment*.

As to Oakeshott, he took into account only positive or anyway neutral connotations of *amour-propre*. It was important for him to show that it was the sense of dignity rather than external rules that proved to be a practical foundation of moral acts.

The second form of morality is featured by the role of self-consciousness. Articulation of moral aspiration is its primary and determinative trait. As articulated, this aspiration may become the subject of criticism and thus it should be discursively and intellectually protected. At the same time it should be developed in behaviour. Moral acts are mediated by interpretation of an ideal or a rule, by belief in correctness of this interpretation and hesitations concerning it. Within the second form of morality, traditional, habitual, spontaneous behaviour necessarily becomes a subject matter of "a continuous corrective analysis and criticism" (Oakeshott 1962: 67). Such reflective activity is more significant than moral actions as such. Oakeshott presents this form of morality as having a number of positive aspects: it is resistant against idolatry, "well protected against degeneration into superstition", it promotes a "self-conscious pursuit of moral ideals" and keep "a vision of perfection" (*Ibid*.: 68), "its great capacity to resist change" (*Ibid*.: 69), etc., However, there are many disadvantages with this form of morality and they are essential. Thus "moral reflection may come to inhibit moral sensibility" (*Ibid*.); over-orientation on the rules may impede the pursuit of perfection; the requirement of constant critical reflection can instigate incertitude; steadfast against external change it shows inflexibility and maladjustment towards inner change; adherence to one single ideal may cause intolerance against other ideals.

Oakeshott's general conclusion regarding this form of morality is unconsoling: "[I]t is dangerous in an individual and disastrous in a society" (*Ibid*.: 70). Justifiability of this conclusion seems beyond doubt for me. But we should take into account that Oakeshott was skeptical about unilateral representation of morality in one form or another; he summarized his analyses by recognizing that the two forms of morality he had described did not as a matter of fact exist completely apart; instead, they coexisted and complemented each other. Furthermore, it would be better to consider morality existing not in two forms, but rather in some 'ideal extremes'. Anyway, Oakeshott's essay, written in the middle of the twentieth century, is interesting by the attempt to develop a concept of morality starting with recognition of inner heterogeneity of the very phenomenon of morality, to show it as partly non-rational, non-universal, non-autonomous, direct, traditional, habitual, etc., and thus to extend the space of morality beyond the boundaries established by Immanuel Kant.

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Discussing the first form of morality Oakeshott particularly, though for unclear reasons in the context of the essay, points out that by means of this image he does not describe "a merely primitive form of morality, that is, the morality of a society unaccustomed to reflective thought" (*Ibid*.: 61–62). Such an impression could occur, especially in those minds which under the impression of the term '*amour-propre*' used in the text presume a possibility of theoretical roll call between Oakeshott and Rousseau. For Rousseau *amour-propre* is a characteristic feature of a civilized human, mature adult, while the full agent of *amour de soi* is the savage, the child.

Oakeshott's remark may have double meaning. From the one hand, by such remark, he distanced himself from Rousseau and from the other hand, what is particularly important, he emphasized that by discriminating between the two forms of morality, Rousseau represented the advanced modern stage of morality, but not its cultural-historical dynamics. As Oakeshott reasonably mentioned at the end of his discussion, two forms of morality existed mutually related and their separate analysis was the result of a kind of theoretical idealization.

Nevertheless different forms of morality were distinguished and elaborated upon; their special study as particular forms should be recognized as a separate research task. The same is meaningful regarding Locke's moral laws. This task may be accomplished on the basis of historical approach. The analysis of morality in its historical dynamics shows that historically morality developed in a way that its different parts and forms (not in the Oakeshottean sense) were emerging sequentially through the times of culture.

From this point of view, the Homer epic may be of particular interest. Let us look at it through the lens of Lockean moral laws. In the world of Homer we find admonitions, incitements, provocations from the side of gods, but no 'divine laws', for that world did not know a kind of Saint Scripture. There are also no 'civil laws' in the strict Lockean sense of this term, for there were neither state nor written laws, and citizens to whom they would be addressed. A well-known historian of Ancient law Michael Gagarin distinguishes three kinds of rules in the Homeric world. Their composition is more than interesting. Firstly, there are 'moral rules' and they govern actions, which: (a) have the lowest ever imaginable share of private interest in motivation, (b) do not presuppose any sort of reciprocal action, (c) show consideration to those, whom Gagarin calls according to the tradition 'unprotected persons', i.e., guests (including strangers), suppliants, and beggars. Secondly, there are 'legal rules' which regulate relations among full members of a community. We have no reason to speak about the law regarding Homeric society, because it did not practice rules other than traditional customs and habits. Thirdly, there are 'religious rules', mainly ritual ones, which govern the actions of mortals towards gods. Religious rules are directly sanctioned by the gods present in events: they reward or punish mortals according to their behaviour. To this very category belong actions towards mortals, which are the members of divine families or which are institutionally bound with gods, for instance, priests or oracles (Gagarin 1987: 288–289). So, according to Gagarin, we have three substantially different kinds of rules given directly or through various narratives. The distinction between moral, legal, and religious rules is determined by the spheres of their validity and the type of sanctions. The moral rules either have no external sanction, or are imagined as sanctioned by gods, mainly by Zeus. Although the normative difference between these three kinds of rules is sometimes relative, the ultimate distinction between moral and other rules is evident for Gagarin: "[W]e can draw a line that will prove useful in our understanding of Homeric behavior, a line separating consideration for one's friends and other full members of the society, which is still largely a matter of self-interest, from consideration for unprotected persons, which is largely moral." (*Ibid*.: 289)

In the majority of cases heroes' actions are directly sanctioned by the opposite side of a communicative situation – initiatively or reactively. This is true in regard to either equal, or unequal relations.

In the *Iliad* this feature of morality is graphically represented in the episode of Priam visiting Achilles with ransom for Hector's body (*Il*. 24). Supplicating for indulgence Priam does not appeal to tradition, custom, or heroic patterns (what would be quite expectable in the Homeric world). He addresses Achilles, invoking the Greek warrior to treat him as he would like his Father to be treated in the same situation. Though Priam is the Troyans' ruler – Achilles' enemy, Achilles approaches Priam exactly as he would like his Father to be approached. He gives Priam in his supplication and, accepting the ransom, treats him with dinner and then offers him a bed for the night. Achilles acts partly according to traditions and habits and partly against them, entirely reposing to his own choice and his own understanding of the situation. Compassion rather than ransom is his true motive, following which propitiously responds to Priam's supplication. In this episode Achilles and Priam are unequal. Priam, however in a position of supplication, genuflection and weakness in his appeal to Achilles, actually sets up the way that Achilles – multipotent, powerful, the master of the situation – should act. And the mode of behaviour Priam proposes is that very one, which later will be committed in the formula of the Golden Rule.

Taking into account that we find nothing like the Lockean 'divine' or 'civil' laws in the epic, but we find 'the law of reputation', almost in primeval purity, this component of morality may be considered as the most ancient.

Initially morality was neither commanded, nor revealed; it originated within the network of live human relations as single and individual, the interpersonal experience of communication, discord, and conflict resolution. Such experience was gradually generalized in *description*, later rethought in normative form of a recommendation or recipe for local, situational actions and then, on the basis of various individual experiences of behaviour – in a form of super-situational *prescription*, first just commended, but then clamorous and even indispensable. Being abstracted from described experience, a prescription became perceived as self-sufficient, representing morality as such. That is clear: verbalized prescriptions are easier to perceive than non-verbalized ones and non-verbalized prescriptions become a matter of awareness as a part of normative discourse. Meanwhile, the experience of direct human relations forms a basic level of morality, both, historically and ontologically.

Communicative experience becomes morally relevant and significant owing to incorporation into moral discourse through verbalization, rationalization and association with transpersonal, trans-situational, and universal implication, what ensures its intentional repeatability. Without verbal, objective, and universal forms, morality as *perfection*-focused morality would not be possible (what, as we could see, Oakeshott actually recognized).

The progressive normative dynamics of morality is apparently illustrated by the historical development of the Golden Rule. Its reconstruction has become possible

on the basis of analytical explication of the normative-ethical and philosophical concept of the Golden Rule as a result of numerous studies on this phenomenon in different cultural and historical contexts.

The above episode of Priam's visit to Achilles gives an idea of a pre-normative and pre-verbalized mode of the Golden Rule. There is no reason to speak on any sort of a rule, especially the golden one regarding this communicative situation, which gave neither any hero nor god, nor Homer himself, any reason for trans-situational and transpersonal generalization. But at the same time this situation demonstrates the fact of attitude towards the other in a way one desired to be treated in the same situation. Moreover, we have here the fact of Achilles' attitude towards the elderly Priam in a way he would desire his nearest elders to be treated. This relation is factually not reciprocal: according to the epic plot, Achilles knows that by slaying Hector he actualized the condition of his own death, predetermined by the gods. It is imaginary, presumably, potentially reciprocal. The reciprocity is given in the very fact of Achilles' benevolent decision to return Hector's body in response to Priam's supplication.

This episode has something in common with an episode from *The Words of Ahiqar*, a masterpiece of Assyrian wisdom literature of the seventh century BC. Grand-vizier Ahiqar, falsely accused through betrayal, is ordered put to death by the king. A high ranking official Nabusumiskun is charged to execute the sentence. Ahiqar does his best to get a chance to talk with Nabusumiskun confidentially and addresses him with the following: "Indeed, I am the same Ahiqar, who once long ago rescued from an undeserved death, when King Esarhaddon's Father [Sennaherib] was so angry with you [that he sought to kill you] […] Now it is your turn to treat me as I treated you. Do not kill me, (but) take me to your house until the times change" (Lindenberger 1985: 496). As we know from the novel, at his day, long ago, Ahiqar saved Nabusumiskun from the king's wrath following his duty and reason; that decision was not determined by gratitude or precaution. Ahiqar treated Nabusumiskun as he believed he had to treat him and thus as he would like to be treated under similar circumstances. And as Ahiqar had treated Nabusumiskun "as a man would care for his own brother", so Nabusumiskun provided Ahiqar with everything he needed, "as a man would care for his own brother" (*Ibid*.: 496, 497). In the novel the communicative logic of the Golden Rule extended through a single episode and was explicated in its wholeness at the level of the entire narrative. It is implemented in the practice and intuitively evident, though it is not yet conceived, articulated and normatively formulated.

The next stage in the development of the Golden Rule is still latent: we distinguish it in other normative forms. In the Pentateuch it may be read out of the partial formula of loving one's neighbour[5] and in Aristotle – in the partial formula of philia-friendship.

[5]The Commandment of Love, even in its partial forms known from Lev. 19: 18, 33–34, is often interpreted as a peculiar expression of the Golden Rule. The difference of the Golden Rule from the Commandment of Love I tried to show in Apressyan (2002).

Eventually, the accumulated normative content became articulated. An example of such articulation is in the Book of Tobit[6] (second century BC), where the Golden Rule is given in its authentic negative form (Tob 4: 15). Its direct normative association is not absolutely clear. From the one hand, the formulation of the Golden Rule is given in a passage, which is continued with precaution against excessive drinking; from the other, it follows an admonition in precaution and prudence. Though the latter is expressed to some extend in universal form: "[…] in all things […]" (4: 14), in both references the Golden Rule supplies partial recommendations, has prudential implication and is not self-sufficient. In this sense it is still not 'golden', i.e., not supreme and comprehensive.

As a 'golden' one, as the "single word which can serve as the guiding principle" this rule was proposed by Confucius (Analects 15: 23, Confucius 2007: 109). The Golden Rule has a similar if not higher status in Hillel, the Elder, who with the words, "What is hateful to you, do not to your neighbour", presented it as the whole Torah, "while the rest is the commentary thereof" (Talmud, Sabbath 31a 13–14). Both Confucius and Hillel articulated the Golden Rule in its negative wording.

Finally, in the New Testament the Golden Rule is given as a general and summarizing Law ("for this is the law and the prophets" Math 7: 12), by context a comprehensive one, and in positive wording.[7]

So, following the data given in the ancient texts and on the basis of a theoretical concept of the Golden Rule, we can distinguish six stages in its emergence and normative development – from non-verbal situation related to communicative experience, via verbalized situation related experience to partial normative formula and generalized normative formula. The logic of this historical-normative dynamics of moral consciousness regarding the Golden Rule was reflected by Immanuel Kant in that part of his theory of Categorical Imperative, which considered the ethically necessary transformation of a maxim to the universal law of nature.

Such is the proto-normative and normative dynamics of the Golden Rule. Communication in the spirit of the Golden Rule is composed of mutual demonstration of expectations, their verification, recognition and non-recognition, subsequent correction, adjustment, universalization. Treating the other as I would like to be treated, I demonstrate my expectations and preferences, set up a standard and thus express a demand, which in the context of communication (not necessarily equal, but reciprocal) appears to be trans-situational, trans-personal and universal by character.

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Now we can return to the Lockean understanding of 'the law of reputation' to distinguish a number of ideas in order to clarify peculiarities of moral ought. *Firstly*, some moral decisions are developed in communication, in one's direct attitude towards others, and on the basis of one's experience of interpersonal relations.

[6]Nameworthy that in the Book of Tobit Ahiqar is mentioned as Tobit's nephew and friend.

[7]On negative and positive implications of the Golden Rule see King (1928, 1935) and Rembert (1983).

These are not general principles that determine particular moral decisions and, hence, actions, but real practice of human relations. Taking into consideration the Lockean 'law of reputation' in unity with 'the divine law', the latter thesis may be specified in the following way: particular moral decisions are determined not only by general and abstract principles, but also by the experience of real interpersonal relations. *Secondly*, moral ought is not always given in normative expressions, i.e., through external, objective and universal forms. It may appear through one's reactions towards the other, through adaptation, including adaptation by the means of compromise, accommodation, or reconciliation. *Thirdly*, the decisions reached through particular communicative situations and corresponding actions are verified by an agent, recipients and observers according to the existing principles and rules in the given culture (subculture).

People comprehend morality as a form of values and principles, but the latter are not the only form through which morality is shown. At the basic level morality is rather given as a particular substance of decisions and actions. This substance is positively expressed in intentional non-causing of harm, in the pursuit of justice, in benevolence, collaboration, friendship, careful participation, etc., and negatively – in hostility, malevolence, injustice, indifference, spitefulness, etc. The positive moral values may be executed for different reasons: (a) following some 'logic of situation', (b) in response to presumed or articulated expectations of partners in communication, (c) following the given individual or communal experience, (d) through tradition and habit, as well as – and this is another side of morality –, (e) in conformity with objective rules, given apart, in association with other rules or systematized in a code. Thus, a code, associated or not associated rules present morality in an aspect, but not in its entirety.

This substantialist interpretation of morality critically differs from an imperativist-functionalist interpretation, which emphasizes the forms of coordination and (self) guidance of behaviour and the means (motivational, intellectual, communicative, social) of its realization rather than the substance of actions and their practical results for the agent, direct and indirect recipients. Functional characteristics of behaviour (for instance, whether it is executed in inertia, imitation, under authoritative imposition or by agent's own initiative, according his/her conviction) are important for understanding the quality of an agent's moral standing; they are also relevant for ethical analysis. But they are not of prime significance in the determination of a specificity of morality.

The above positive substance of morality is established in culture in different ways and in general and universal form – as values (harmlessness, justice, benevolence, friendliness, care, etc.) and corresponding rules, historically developed on the basis of generalization and rationalization of various behavioural, communicative, and communitarian experience. But that substance, which, following traditions, we associate with moral rules, was initially distinguished and assimilated through contemplation of single situations of decision making, conflict resolution and spiritual and practical preferences conceived on the ground of that experience.

By these conclusions I certainly do not question the existence of objective moral forms in the culture and their inner normative nature. Moreover, without this

universal cultural distinctness morality would not be as powerful as it is. However, its potency and vividness are secured by its rootedness in the reality of human communication and inter-personal relations.

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Approaches to Ethics, Approaches in Ethics and the Idea of a "Universal Ethics"

Ioanna Kuçuradi

I was in the first years of high school when I started being disturbed by, and revolting against, the different, discrepant, often contradictory, evaluations of the same person, of the same action of a person, of the same situation, etc. This was, nevertheless, a fact of our world, lying among the causes of many clashes, of injustice and bloodshed.

Thus, when I started teaching, in 1965, at Atatürk University, in Erzurum – a town in Eastern Turkey – far from distraction yet faced everyday with the most merciless consequences of the contradictory evaluations I just mentioned, I also started putting in black and white the first results of my revolt. At that time, even when I published for the first time my *Ethics*, in 1977, ethics was among the less cultivated disciplines of philosophy. In the meanwhile, 'ethics' has become fashionable.

Still, what has become fashionable for varying reasons,[1] is the so-called "applied ethics" and/or "professional ethics", rather than philosophical ethics. The word 'ethics', in whatever sense it might be used, is now *en vogue*.

Another recent development we observe in connection with 'ethics', due probably to the turmoil created by the postmodernist relativistic approach to questions of norms and its "anything goes" principle, is the debate on the "universality of ethics" and the attempts made in various circles to develop a "universal ethics", or "universalizable ethics", or "global ethics".

In all these attempts made within the framework of the so-called "philosophical ethics" and "professional ethics", as well as in those aimed at developing a "universal ethics", various epistemological confusions call our attention – confusions which constitute, as far as I can see, obstacles in the development both of ethics as a philosophical discipline and of various "professional ethics" in a way promising to meet the needs which have brought ethics to the focus of the present intellectual debate.

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[1] Reasons whose coincidence has caused this fashion and on which I shall not dwell here.

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Let me first try to distinguish between the main meanings ascribed to the term 'ethics' in the present debate.

If we trace the meaning of 'ethics' in this debate, we realize that this term is made to convey, besides the discipline of philosophy, sets or codes of norms – of principles and rules – on the one hand, and areas of research or inquiry about such norms – as is the case with various "professional ethics" – on the other. And the "object" of Ethics, as a philosophical discipline, is assumed to be questions of norms. Also in the debate about "universal ethics", "universalistic ethics" and "global ethics", the term 'ethics' denotes a set of norms. Let me here give you only one example:

> Dans la situation actuelle du monde où, pour la première fois, les différentes civilisations et formes d'existence doivent cohabiter et travailler en commun dans un ordre de paix planétaire, il faut accorder radicalement une éthique pluraliste des valeurs avec une éthique axiologiquement universaliste. […] L'éthique de la discussion […] en tant qu'éthique de consensus formé par la communication, prend moralement à tâche la *médiation par la communication* entre les normes universelles de l'éthique déontologique et les évaluations – sans doute incommensurables – de l'assomption propre de l'individu dans les diverses formes d'existence.[2]

In this quotation, from Apel's "Une éthique universaliste est-elle possible?" does the word 'ethics', which is used five times in this paragraph, denote the same thing? By no means: within the context "axiologically pluralistic ethics of values", as well as within the context "axiologically universalistic ethics", the term 'ethics' denotes sets of norms; but within the context "ethics of discussion" (*Diskursethik*), it denotes a theoretical view about norms or a theory in meta-ethics.

Thus the expression "ethics of discussion" appears to be an approach in meta-ethics (an approach to questions of norms), i.e., one given view in meta-ethics, Jürgen Habermas' and Karl-Otto Apel's view. This is a view which takes over to carry out what it considers *a priori* to be the function ("the task") of ethics, or what ethics should do, which, in this given case, is mediation between the universal norms of deontological ethics and the evaluations of the individual in its various forms of existence. This is carrying out an *a priori* conceived assumption about what ethics should do in connection with norms.

As for the term 'ethics' within the context of "deontological ethics", which we find in the above quotation: it denotes the philosophical discipline and "deontological ethics" denotes an approach to, or a conception of the task of, this discipline.

Thus the need not to take for granted the meaning of the term 'ethics' in the present philosophical debate is not only obvious, but also necessary, if we wish ethical philosophical knowledge to have a stronger impact on life.

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[2] Apel Karl-Otto (1993) "Une éthique universaliste est-elle possible?," in *La philosophie en Europe*, sous la direction de Raymond Klibansky & David Pears. Paris: Gallimard/UNESCO, 1993, p. 501–203, emphasis added.

1 Approaches to Ethics

By the term 'approaches to ethics' I mean different conceptions about the object of inquiry of ethics, consequently about the task of ethics as a philosophical discipline. To distinguish among these conceptions, let me start with underlining the different meanings ascribed to the expression 'ethical problems':

> Ethical problems, in whatever sense, have throughout the history of philosophy constituted one of the main bundles of problems confronting philosophers. They are problems directly related to the everyday life of the individual, whether he or she is aware of them or not. The word ἤθη (the plural of the Greek word ἦθος) wherefrom ethics (τά ήθικά, i.e. issues concerning ἤθη) is derived, denotes, in its original sense, 'resort', the place where a living being takes refuge, its natural protective environment.[3]

Yet, the ethical problems which an individual has to face every moment in life are of a different kind from those which a philosopher deals with. These two kinds of ethical problems show different epistemological specificities, consequently they should not be mixed, as it is usually the case. For example, the question "what is right action?" and the question "What is right to do in this given situation?" are asking epistemologically different things.

An answer to the first (philosophical) question could be given by a conceptualization or "definition" of the term 'right' in connection with action; while in order to answer the second question an individual has to find out, in that given – real, concrete, unique – situation, either on the ground of a concept of right action or in any other way, what he should do. He might say, for example, "I have to resign from this post", or, "I have to conceal from my brother the truth", etc. As can be easily seen, these answers have little, or nothing, to do with philosophy. The ethical problems of the latter kind are also called moral problems.

Still the ethical problems which professional ethics, for example bioethics, deal with at present belong to neither of these two kinds of ethical problems. What various professional ethics are looking for are norms, yet norms of a special quality, expected to determine the decisions and actions of all those who exercise the given profession anywhere.

What the various attempts to elaborate a 'universal', or 'universalizable', or 'global' ethics are also looking for, are norms – norms on which consensus could be established, norms of behaviour which could be accepted globally. Still, little attention is paid to the epistemological specificities of the norms, which such attempts are looking for.

The line of development of ethics, as a philosophical discipline, is also usually constructed in accordance with what is considered to be the main changes in approaches to ethics. The most widespread assumption about the development of ethics, to be found in most manuals of ethics, is that ancient Greek ethics is a

[3] See Λεξικὸν τῆς Ἑλληνικῆς Γλώσσης, Σ. Δ. Βυζαντίου, 1852.

eudaimonistic ethics, i.e., ancient Greek philosophers tried to answer the question "How should one live in order to become εὐδαίμων (happy, blessed or prosperous)?" and consequently "What should one do?" for this purpose; with Kant begins deontological ethics, i.e., the ethics which try to bring "universal laws" for practice; in the twentieth century, with Max Scheler and Nicolai Hartmann comes value-ethics (*Wertethik*); today the point that ethics has reached is meta-ethics, i.e., ethics which deals with the foundation, the analysis and justification of ethical propositions or norms.

The way that this line of development of ethics is constructed, and which I find very problematic indeed, already betrays the broadly accepted (or valid) assumption that Ethics has to do, in one or the other way, with norms. Ethics is considered a philosophical discipline whose task is, in the face of various and varying morals – or "modes of existence" and norms–: (a) either to tell "us" (whom?) what we ought to do, i.e., to bring "universally" valid norms (or "values") for good life and action, or (b) to justify norms or bring meta-norms for the evaluation or for the rational justification of norms.[4]

This is what books tell us – philosophers and laymen – about the "evolution" of ethics. And this seems to be a quite persuasive "description", as its last stage of development – meta-ethics – also seems to be a quite natural end in the process of this evolution; because if we assume that the "object" of ethics is moral norms and if we consider these norms with the criteria of scientificity of logical empiricism, it is true that propositions of norms do not bear the characteristics of "scientific propositions", i.e., they cannot be verified or falsified by empirical sense data. What remains to do in this case is to try to justify them "rationally" or to introduce meta-norms.

Let me quote a passage from a manual on Ethics:

> Die Funktion, die obersten Prinzipien der moralisch (sittlich) Richtigen und Guten zu ermitteln, macht den Bereich der normativen Ethik aus. Wir [not me at any rate!] möchten wissen, was letztlich richtig oder unrichtig, gut oder schlecht ist, das heisst was uns als letztes Kriterium unseres Verhaltens im moralischen Bereich dienen kann: Wir suchen nach grundlegenden Normen menschlichen Verhaltens. Die normative Ethik ist somit eine Theorie, die Normen aufstellt und deren Gegenstand Handlungen sind. Anders verhält es sich mit jener weiteren Funktion der Ethik, die Begründung- und Rechtfertifungsmethoden moralischer Urteile zu diskutieren. Sie fällt in der Bereich der Metaethik, die gegenüber der normativen Ethik auf einer logisch höheren Ebene (Metaebene) liegt. Gegenstand der Metaethik sind nicht Handlungen, sondern Urteile uber die Handlungen – und zwar jene normative Urteile moralischen Inhalts, die wir im Alltag oder in der normativen Ethik abgeben […][5]

Is ethics as a philosophical discipline really normative? Or does this assumption, and consequently certain developments, stem from confusions related to the object of inquiry of ethics and its ontological specificity?

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[4] Problems concerning "human freedom and responsibility" are also treated in connection with the answers given to these questions.

[5] See: *Texte zur Ethik*, Heraug. Von D. Biernbacher & N. Hoersts, 1976, 1993[9], p. 10 empasis added.

If we leave aside the books about ethics and read carefully the main books on ethics in the history of philosophy, things do not seem to be as they are described.

Such a reading makes us realize, among other things, that there is at least another approach to ethics, underlying certain of the views in ethics, which separate the "what for" or the function of ethical knowledge from the knowledge itself. In this approach, ethics appears to be a cognitive discipline, like the other disciplines of philosophy: a discipline which objectifies and treats ethical issues – i.e., issues related to interhuman relations – within the framework of the ethical human phenomenon and produces verifiable-falsifiable knowledge. The oldest example of this kind of view in ethics is *Nicomachean Ethics*. Other examples of this approach to ethics are Kant's and N. Hartmann's *Ethics*. My own approach to ethics is this latter one.

Thus keeping in mind the history of philosophy and the present debate, we can distinguish among the conception of ethics as a normative discipline, whose task is to "tell us what we ought to do", i.e., to provide "universal norms" for "our life" and action; the conception of ethics as meta-ethics, i.e., as a discipline, whose task is to secure the methods of justification (of rational justification) of "ethical propositions", both general and singular, and which is the product of logical empiricism and the analytical school in philosophy, in fact the application of its epistemological view to "ethical propositions"; and the conception of ethics as a philosophical discipline, whose task is to produce knowledge on the ethical human phenomenon.

In all of these approaches to ethics we find different starting points; more precisely, we find different approaches in all of them.

2 Approaches in Ethics

By the term 'approaches in ethics' I mean basic assumptions, or acceptances, which philosophers, consciously or unconsciously, take for granted when they deal with ethical questions of any kind.

When we consider ethical inquiries in philosophy, we come across different cases of approaches, varying in accordance with: (a) the epistemic value of the given assumption, and/or (b) the role this assumption plays in these inquiries.

Put very generally, we see that in some of them the point of departure is a *Weltanschauung* and/or a *Lebensanschauung* and in some others a conception about human nature from which they deduce principles or rules concerning what "we should do" for a good personal or public life. These are cases in which we see attempts to philosophise not on the ground of philosophical starting points, but on the ground of the acceptances of a philosopher as a layman; the outcome is a given morality. But in other cases we see that the points of departure of the given philosopher are broader philosophical views – ontological, epistemological, anthropological, axiological – which are either applied to the ethical issue under consideration, or they lead the philosopher to grasp a new problem, the problem he deals with. In this latter case the ethical philosophical view and the broader view underlying it are

two distinct views, i.e., they are not the (logical) application of a philosophical or other view to the issue under consideration.

For the *first* category of ethical views – or moralities – we can find examples in the Socratic schools, views like Utilitarianism and Camus' "altruistic individualism", and for the present day thinkers, in the views of Hans Jonas, of Levinas, and of Rawls to a great extent. All these views, though very different among themselves, and of different scope, share the same approach to ethics – the normative approach. These are different approaches in normative ethics.

What professional ethics wish to accomplish is to put forward sets of such principles and rules for various professions.

As examples of the *second* category of views – i.e., meta-ethical views – we can think of the so-called Ethics of Discussion (Apel), Communicative Ethics (Manfred Riedel), of Hare's view and of Rawls' relevant view, which attempt to secure "methods" or criteria for justifying – I would prefer saying for evaluating – both propositions of norms and propositions expressing singular moral judgements. These are different approaches in meta-ethics.

> L'ethique de la discussion, […] en tant qu'éthique de consensus formé par la communication, prend moralement à tâche la *médiation par la communication* entre les normes universelles […] et les evaluations […] de l'assomption prope à l'individu […]. Cette médiation est encore elle-même à régler par la formation d'un consensus dans la pratique de la discussion par argumentation.[6]

Here we see only an intention, but not a theory of justification or argumentation.

At this point I wish to call your attention to the fact that, though a most fiery debate at present focuses around the problem of justification of norms (or "justification of ethics"), the problem of justification – as an epistemological problem – is not sufficiently dealt with in present day epistemology. If it were, it could, among other things, make us aware that the way of justifying a singular proposition expressing a moral claim is different from the ways – or epistemic procedures – of justifying propositions of norms – principles of action, of will, rules of behavior, principles of social order, etc.

Knowledge of these different procedures (which are objects of epistemological inquiry) not only could secure us better equipment for evaluating existing norms; it could also help us see the different problems inherent in the attempt to know (and consequently decide) in everyday life, whether a prospective action – when we are about to do it – should or should not be done and whether an action should or should not have been done, i.e., when we judge or evaluate an action already done.

Meta-ethical theories put all of them in the same pot and try to give each a 'method of justification' for all kinds of propositions related to ethical problems, in all its three meanings which I mentioned in the beginning of this chapter.

Thus all views falling under both these approaches to ethics are ethical and meta-ethical theories, put forward in the face of different factual morals and of contradictory singular value judgements or moral judgements in everyday life. They concern

[6] Apel, in *op. cit.*, p. 503.

the assumed "object" of ethics and are followed by theories concerning the "subject" of ethics, e.g., theories about "responsibility" and "freedom".

As examples of the views falling under the *third* category of approaches to ethics, we can think of Aristotle's *Nicomachean Ethics* and partly Kant's Ethics and Nicolai Hartmann's *Ethics*, which treat ethical issues within the framework – or at least without losing sight of – the ethical human phenomenon. Something else they have in common is that the views constituting their approach in ethics and their views of ethics are different views, i.e., they don't develop their views by a mere application of the views which constitute their points of departures; and that they don't attempt to "tell us what ought to be", but what "is", i.e., they don't mix up philosophical knowledge with its possible use.

Aristotle's point of departure or approach in ethics is his anthropology – his view of the "soul": virtues are ἕξεις of the two rational parts of the soul – and his ontology: virtues are εἴδη.

Various dialectical problems probably discussed in his time cease to be problems any longer, as a result of his ethical view based on this approach – for example, "whether virtue is something which can be taught or which is acquired by exercise" (*Meno*): intellectual virtues are acquired by teaching (διδακταί), while ethical virtues are developed by exercise (ἀσκηταί).

Kant's points of departure are his anthropology (: human beings are beings who possess the capacities of knowing and willing. Ethical problems have to do with the question of the determination of the will); and his epistemology (: the specificity of human reason, as distinguished from understanding, is to produce ideas, in a spontaneous way – ideas which are not "valid" in the phenomenal world, as the *a priori* categories of the understanding are. One of these ideas is freedom, which in its negative sense expresses a possibility concerning the determination of the will, the possibility of not being determined by what he calls natural causality. Still, it is not possible to act without willing "something", without any determination of the will). Thus the job of practical philosophy is to put forward the law(s) of freedom – of this idea of pure practical reason, or to put forward the specificity (or quality) of free will, i.e., to conceptualize freedom in the positive sense.

In spite of its imperative form, the basic law of the pure practical reason and its variations (the categorical imperative, the imperative of duty and the practical imperative), describe the specificities of free will, i.e., the kind of goals which characterize an individual's ethical freedom. This is a criterion which can be used only by the individual to evaluate his or her own maxims, i.e., the personal principles which determine one's own will – not one's actions.

Thus various other ethical disputes lose their ground, for example, the dispute about the "existence" or "non existence" of freedom. For Kant's ethical view does not attempt to answer the question whether the will is free or not, but the question of what *is* ethical freedom. By defining ethical freedom not as lack of determination, but as a special kind of determination of the will, Kant puts forward the knowledge of a human possibility. In other words: Kant does not "tell us what ought to be" or "what we should do", since this latter has to be found independently in each case.

To Nicolai Hartmann

> Normativ nämlich ist in erster Linie gar nicht die Ethik selbst, sondern nur das Prinzip, resp. das Reich der Prinzipien, das sie aufzudecken hat, m.a. W. ihr Gegenstand. Die philosophische Forschung ist nüchterne Vertiefung in das ethische Phänomen, nicht lüsterne Ausschauen nach Aktualitäten und Sensationen.
>
> Anderseits kann man auch nicht verkennen, dass der Spielraum des mittelbar Normativen in der Ethik ein keineswegs zu unterschätzender ist. Zunächst besteht an sich eben doch immer die Möglichkeit, dass sie mit ihren Methoden Werte endeckt, die dem sittlichen Leben fehlen oder abhanden gekommen sind.[7]

This is very briefly Hartmann's conception of ethics. His own points of departure are ontological (values belong to what he calls "ideal being") and phenomenological: he clarifies and analyses various "values", which he assumes to be principles – i.e., norms among which we see also "the good", which he considers to be *a* cardinal, special "value". He names as "values" everything that is considered, or he considers, to be good, and makes an extensive analysis of such "values". His view of freedom is also ontological, not anthropological.

These three views, though they share the same approach to ethics, have different approaches or points of departure in ethics. Although my own *Ethics* shares with these views the same approach to ethics, its approach or points of departure in ethics are quite different, as well as the outcome.

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To sum up: In its long history ethics as a philosophical discipline is considered – with very few exceptions – to have to do with norms in one way or the other: either it is expected to bring universal or universalizable norms for "good" personal and public life, or to objectify existing norms and evaluate or justify them, or even to analyze and justify singular moral judgements in everyday life.

I think it is time to overcome this approach to ethics. By saying this I don't wish to say that we need not deal with questions of norms, but only that we need realize that dealing with norms is a different job and that it can constitute only a small part of ethics as a philosophical discipline. Why do we let ethics grow so poor?

The ethical human phenomenon is much broader than that which we assume when we restrict or reduce the job of ethics to dealing with questions of norms. I think that we need to redefine the object of inquiry of ethics as a philosophical discipline and, first of all, to clearly distinguish between 'ethics' as sets of norms and 'ethics' as a philosophical discipline, the latter expected to produce knowledge of the ethical human phenomenon – without which sets of norms are of little use in the concrete unique situations we have to live through every moment and without which ethical education becomes quite unfruitful. Only when we know what is the role or place of norms within the ethical human phenomenon as a whole, can norms really play the role that belongs to them as norms.

This awareness is necessary just at this moment when various efforts are being shown on a worldwide level to develop a universal, universalist or a global ethic(s).

[7] Hartmann Nicolai (1962).

3 On the Idea of a "Universal Ethic(s)"

In the turmoil created by postmodernism – which claimed the equal value of all norms and world-views or all cultures, and which by its "anything goes" principle has corroborated the "anything is permitted" principle that had already penetrated all areas of human endeavour – attempts are made to develop a "universal", "universalistic", "universalizable" or "global" ethics, i.e., a set of basic practical principles – or values (these two terms are used in the same sense) – shared or commonly accepted by all cultures, religions, etc. "A global ethic", says Hans Kung, "means a basic consensus on binding values, irrevocable criteria and personal attitudes, without which any community is sooner or later threatened with anarchy or a new dictatorship".[8]

The way anticipated for developing such an "ethic" is a "synthesis of 'values' of different cultures" or finding out "values which are common in different cultures" – overlapping consensus.

The main debate going on concerns the possibility of such an "ethic" or "ethics". Still, most of those who defend its possibility, as well as of those who defend its impossibility, share the same understanding of 'ethics' – i.e., ethics as a set of norms – and of "universality" – understood as worldwide validity.

Not only French postmodernists, but also a number of German, English and American philosophers deny the possibility of such an "ethics". Here I shall not dwell on the French postmodernists. I already said a few words about them; I shall refer to the relevant views of Rorty and of the German "neo-Aristotelians" – as they are called – Lübbe and Marquard, because I think that their criticism might be of use for those who defend the possibility of a universal ethics, in the sense mentioned above.

What Lübbe and Marquard oppose, to use Apel's words, is "to evaluate or judge the morals – i.e., the conventions and institutions – of one's own tradition by using the universal criteria of reason", i.e., by using the norms of Western culture or "Western rationality".

I agree with them, so far as they reject to evaluate a norm through another norm (supposed to be a product of reason), because this would amount to (what I call) imputing value to a norm and this should be avoided; but I do see it possible to make a right evaluation of a given norm, provided that we possess the philosophical – epistemological and axiological – knowledge of the activity of evaluating norms.

As regards Rorty, with his "ironist utopia" and his suggestion of small compromises, he describes his own relevant position as follows:

> My own hunch is that attempts to erect large theoretical oppositions between, or effect large theoretical synthesis of, the "spirit" or the "essence" of distinct cultures, are only stopgaps and makeshifts. The real work of building a multi-cultural global utopia, I suspect, will be done by people who, in the course of the next few centuries, unravel each culture into a multiplicity of fine component threads, and then weave these threads together with equally fine threads drawn from other cultures – thus promoting the sort of variety-in-unity characteristic of rationality [of tolerance: of the ability not to be overly disconcerted by differences

[8] Küng Hans (1997).

> from oneself, not to respond aggressively to such differences]. The resulting tapestry will, with luck, be something we can now barely imagine – a culture which finds the cultures of contemporary America and India, as suitable for being neglected as we find those of Harapa or of Carthage.[9]

This, from one viewpoint pragmatic, but from the other not visionary but utopic, suggestion speaks poetically of different but "equally fine threads". I wish to understand these 'equally fine threads' as different views and norms but o f the same kind and then say that we can find these "fine threads" now as well, provided that we know how to evaluate a norm, independently from whoever or whichever culture has put it forward, and that we are well aware of the place or role of different kinds of norms in public life and of that of the knowledge of ethical values. We need not to wait for a few centuries.

People can indeed be forced to act according to norms, but they cannot be forced to will and act ethically. Still, they can be trained so that at least some of them can acquire the will to act ethically and become equipped with the philosophical value knowledge necessary for acting so. Because both of these, together with the knowledge of the given situation, are the minimum conditions of the possibility of acting ethically in given real unique situations.

As regards the minimum conditions of the possibility of establishing a universal morality or "ethics", i.e., a set of norms, which could be expected to determine action in public life, they are, so far as I can see, ethical-philosophical value knowledge, as well as epistemological and axiological knowledge of norms. The current debate does not seem to be sufficiently based on such knowledge.

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[9] Rorty Richard (1993), emphasis added.

Learning to Listen or Why Morality Calls for Liberal Politics

Herta Nagl-Docekal

Facing the various current phenomena of crisis, many people have come to think that politics, including decisions with regard to the economy, needs to be based upon morality. Significantly, this opinion implies some kind of separation: As the cultivation of a moral attitude is considered a prerequisite for sound politics, morality itself is assumed to be independent from politics. In the following, I intend to challenge this assumption. As I shall explain, a certain type of politics is needed if we are to fully implement moral guidelines in our way of acting. Elaborating this line of argument, I shall point out that Kant's moral philosophy provides an important theoretical basis.

1 The Moral Obligation to Heed the Uniqueness of the Individual

The contemporary understanding of morality, both in philosophy and the general public, can be described as post-Kantian, since it is informed by the idea that we have the duty to respect each and every human being as a person. Kant defines a "person" – in contra-distinction to a "thing" – by the capability to act. Human beings are persons due to their capacity for decision making, i.e., for choosing their ends on their own.[1] The term "autonomy," in Kant, refers to this capability,[2] and it is autonomy that provides the basis for human dignity. While all the existing "things"

[1] Kant (1964). (Henceforth cited as gm, p. 96.)

[2] For a more thorough analysis of Kant's conception of "autonomy" see Nagl-Docekal (2010).

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have "merely a relative value," only "persons" may claim to have "an intrinsic value – that is, dignity" (gm: 102). Kant goes on to emphasize "the idea of the dignity of a rational being who obeys no law other than that which he at the same time enacts himself" (gm: 102). Explaining this specific status, he holds that "everything has either a price or a dignity. If it has a price, something else can be put in its place as an equivalent; if it is exalted above all price and so admits of no equivalent, then it has dignity" (gm: 102). Thus by virtue of the capacity of autonomy, each human being has "absolute value" (gm: 96).[3]

In our everyday lives, Kant maintains, we have these differentiations in mind whenever we judge actions from a moral perspective. We are able to make such judgments because our autonomous practical reason provides us with a yardstick – a yardstick that is defined by a moral principle focusing on the absolute value of the human being. Kant's conception of the categorical imperative intends to spell out, in a philosophically consistent manner, what we have already performed in our moral judgments. According to one of the transcriptions of the categorical imperative provided by Kant, our practical reason tells us: "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (gm: 96). In this manner our practical reason imposes upon us the duty to respect the dignity of every human being. One crucial implication of this duty is this: With regard to any action that we consider to carry out, we need to ask whether the persons who will be affected by that action can, or do in fact, give their consent to our way of treating them (cf. gm: 97). Viewed from the perspective of the addressee, the categorical imperative justifies my claim that I must never be treated merely as a "thing" which may be instrumentalized for the purposes of others – i.e., my demand to be acknowledged as a person. The argumentation here rests on one element of the categorical imperative, as quoted above, which often escapes notice: The obligation to respect the dignity of human beings concerns not only the way I act in regard to others, but also the way I act in regard to myself.[4] This second perspective implies, as Kant points out, that we have the right to assert our worth as a human being in relation to others – a right which, strictly speaking, amounts to "a duty expressed by the saying, 'Do not make yourself a mere means for others but be at the same time an end for them'"(mm: 62). It becomes obvious here that the categorical imperative provides the legitimation for a politics of resistance against any form of treating us in a way limiting our self-determination without good reasons.[5] In this context Kant also explains that the concept of human rights is morally grounded. He notes that "a violator of the rights of man intends to use the person of others merely as a means without taking into consideration that, as

[3]For a study focusing on the relevance of Kant's conception of "dignity" in the contemporary debate on "human rights" see Tiedemann (2007).

[4]For a detailed account of the "duties to oneself," see Kant (1991a) . (Henceforth cited as mm).

[5]The relevance of these considerations for a philosophical theory of feminist politics is discussed in Nagl-Docekal (2004a).

rational beings, they ought always at the same time to be rated as ends – that is, only as beings who must themselves be able to share the end of the very same action" (gm: 97).[6]

It is important to note that, in defining human beings as "persons," we imply the concept of "individuality." Our capability to act enables us to interact with others, as we are immersed in manifold social settings from the very beginning of our existence. Through these interactions we lead our lives in a way that makes each of us unique. There may be natural talents and inclinations that we have in common with others, yet as we deal with them – cultivating or neglecting them – within the framework of our social interactions, they contribute to the singularity of each of us. One author who carefully analyses the way in which individuality is created through (inter)action is Hanna Arendt. Drawing upon Kant's practical philosophy, she defines "action" as the ability of us human beings to "begin, from our own initiative, with something new."[7] Based upon this ability, Arendt explains, we shape our unique selves – "and it is uniqueness that the human being contributes to society in word and deed" (ah: 1007).[8] Exploring the diverse aims of our actions, Kant specifies one decisive reason for our singularity. He maintains that our quest for happiness brings about differentiation. While all humans share the intention to lead a happy life, they differ remarkably in where they seek their happiness. "To be happy is necessarily the desire of every rational but finite being," Kant states; yet, "[w]here one places his happiness is a question of the particular feeling of pleasure or displeasure in each man, and even of the differences in needs occasioned by changes of feeling in one and the same man" (mm: 24f). As Kant emphasizes, it is impossible to provide a single, universally valid notion of happiness, "since happiness is an Ideal, not of reason, but of imagination" (gm: 86).

Thus, our status as "persons" entails individual diversification. This fact proves relevant as we ponder what we are required to do if we intend to implement the moral principle. Obviously, the duty to respect human dignity implies that we need to be sensitive to the uniqueness of the individual – or, more precisely, to strive for a continuous improvement of this kind of sensitivity.

Expounding what, exactly, it means to treat the human being "as an end," i.e., to acknowledge the faculty of humans to determine their ends for themselves, Kant specifies two different guidelines that follow from our basic moral duty. The first has the form of a prohibition, as discussed above: We must never treat human beings (others as well as ourselves) merely as a means for our own purposes. The second has the form of a precept that reaches beyond the scope of this prohibition: We must support others, as far as possible (and morally permissible), on their self-chosen

[6] While the term "the rights of man" used in this English translation has a masculine frame, this is not the case with Kant's German expression: The term "Rechte der Menschen" is gender neutral. See Kant (1963).

[7] Arendt (1998). (Henceforth cited as ah.)

[8] Explaining this matter, Arendt refers to the theological conception of *creatio ex nihilo*. See Arendt (1979). A detailed account of her analysis of action is provided in Brunkhorst (1999).

paths to happiness. As Kant emphasizes, we would fail to grasp the full extent of our moral obligation, were we to restrict it to the idea that we must not harm human beings, i.e., that we must not treat them in a manner to which they do not – or cannot – give their consent. In this context, Kant contends that the "Golden Rule" does not capture the idea of morality in the entire range of its implications, and that we have "duties of kindness": "Let no one think that here the trivial 'quod tibi non vis fieri, etc.' can serve as a standard or principle. For it is merely derivative from our principle […]: it cannot be a universal law since it contains the ground neither of duties to oneself nor of duties of kindness to others" (gm: 97). Elaborating on the notion of "duties of kindness" (or rather "duties of love," as would be the more adequate translation for the term *Liebespflichten* used in the German text of the *Groundwork*), Kant maintains: "Now humanity could no doubt subsist if everybody contributed nothing to the happiness of others but at the same time refrained from deliberately impairing their happiness. This is, however, merely to agree negatively and not positively with humanity as an end in itself unless everyone endeavours also, so far as in him lies, to further the ends of others. For the ends of a subject who is an end in himself must, if this conception is to have its full effect on me, be also, as far as possible, my ends." (gm: 116) Based upon these reflections, Kant develops his thesis of "the happiness of others as an end that is also a duty" (mm: 196–197). In accordance with his general view on happiness (as outlined above) he explains that, while it is our duty to further the ends of others, "[i]t is for them to decide what they count as belonging to their happiness" (mm: 192).

With regard to the extent of the "duties of kindness," it is obvious that further specification is needed, since no one is capable of tending to all the hopes for happiness of all fellow humans. Addressing this issue, Kant elaborates the conception of "duties of wide obligation" (mm: 194). As he points out, it is characteristic for this type of our obligations that the moral law "can prescribe only the maxim of actions, not actions themselves" (mm: 194). Therefore a "wide duty leaves a latitude *(latitudo)* for free choice in following (complying with) the law, that is, that the law cannot specify precisely in what way one is to act and how much one is to do" (mm: 194). Yet, the character of a duty must be taken seriously nevertheless; as Kant emphasizes, "a wide duty is not to be taken as permission to make exceptions to the maxim of actions" (mm: 194). In other words, practical reason imposes upon us the obligation to scrutinize continuously whether we further the happiness of others "as far as possible" (gm: 116).

Both moral guidelines call for attentiveness towards the individual in his or her uniqueness. Unless we strive to perceive the given situation from the perspective of the addressees of our intended action, we cannot hope to properly assess the impact which this action is likely to have – i.e., whether or not the autonomy of the affected persons would receive due respect. Regarding the first guideline, we need to consider, for instance, this: There are many cases of human interaction in which the harm that is inflicted upon individuals or groups remains largely invisible – sometimes even to those who are affected. In particular, common views and social norms that have long been in practice tend to impede our perception of their harmful effects. Traditional gender relations are a case in point. Onora O'Neill addresses the fact

that there are numerous forms of common interaction in which women are assumed to give their consent while this is in fact not the case. One example is the workplace where women are often seen as freely accepting contracts that put them in an underprivileged position compared to their male co-workers. From the moral perspective, we need to highlight that the concept "consent" does imply voluntariness – only where the possibility of not consenting is given can we say that someone does consent to a given way of proceeding. Concerning our example we therefore need to investigate the specific situation of the women in question, and to ask: Have other options for earning their living been available to them? If this was not the case, the signing of their unfavourable contracts can no longer be portrayed as based upon an act of decision making, and it becomes apparent that what actually happens is a form of forced instrumentalization of women (O'Neill 1985).

The second moral guideline – which instructs us to further, as much as possible, the happiness of others – obviously also urges us to be sensitive for the specific needs and aims of individuals. This obligation can again be illustrated by feminist concerns. Popular prejudice often fails to acknowledge the diversity of women's talents, interests, hopes and needs. Typically, parents still tend to enable the best possible education for their sons rather than their daughters; certain professions are still called women's work, while others are seen as men's domain; many women, unlike men, still feel forced to choose between profession and family; women are still underrepresented in top political positions and decision-making bodies. Traditional practices of this kind are marked by perceiving women as a group, obliterating the differences among them. By contrast, the moral perspective – as specified in Kant's concept of the categorical imperative – implies that it is our duty to take into account the specific needs of the individual woman, i.e., to further women, as much as possible (and morally permissible), on their self-chosen paths to happiness.[9] As we investigate our obligation to heed the uniqueness of the individual, it is important to address one common danger – the danger of a patronizing attitude. The claim to provide aid or support to others is often marked by a propensity to overrule the addressees' capability for self-determination.[10] As is well known, this problem does not only occur in the privacy of personal relations, but also on a global scale: Measures described as "aid to underdeveloped regions" often involve that the people in those regions are forced to adopt Western conceptions and standards that are at odds with their own visions of a good life.

Clearly, if we intend to cultivate a moral disposition, we must learn to listen. We cannot grasp the perspective of others while refusing to communicate with them. Rejecting any solipsistic concept of comprehension, Kant coins the term

[9] Drawing upon Kant's "duties of kindness" also allows us to tackle the care versus justice controversy that has been one focus of the debate on feminist ethics. On the basis of the categorical imperative the two approaches that have been considered mutually exclusive – an ethics of care and a universalist concept of morality – prove to be not only reconcilable but rather necessarily intertwined. For a more thorough elaboration on this issue see Nagl-Docekal (1997).

[10] A precise philosophical assessment of paternalism is provided by Gadamer (1982) .

"logical egotism."[11] Yet, which of our faculties does enable us to heed the diversity of individual perspectives? As Arendt points out,[12] valuable categories for a philosophical assessment of this faculty may be gained from Kant's theory of judgment, specifically from his (re-)reading of the concept *sensus communis* as it is elaborated in his investigation of aesthetic judgment. In the context of his reflections on "[t]aste as a kind of 'sensus communis'," [13] Kant provides a general outline – which he considers relevant not only for the sphere of aesthetics – suggesting that "by the name 'sensus communis' is to be understood the idea of […] a critical faculty which in its reflective act takes account […] of the mode of representation of everyone else, in order to […] avoid the illusion arising from subjective and personal conditions which could readily be taken for objective […]. This is accomplished by […] putting ourselves in the position of every one else" (cj: 151). Kant emphasizes the latter aspect as he further explains the idea of a *sensus communis*. Distinguishing three "maxims of common human understanding" which we should adopt in our thinking approach to any given matter (and which correspond with Kant's concept of 'enlightenment'),[14] he stresses – in maxim 2 – the need "to think from the standpoint of everyone else" (cj: 152).[15] It is only by following this maxim that we are able to detach ourselves from the "subjective personal conditions" of our judgments and to develop an "enlarged mind" (cj: 153). Arendt interprets these Kantian reflections as pointing out "an extra sense that fits us into a community […]. It is the very humanity of man that is manifest in this sense."[16] Discussing the implications of Kant's concept of the "enlarged mind," Arendt maintains that "communication" is the crucial feature here: "The 'sensus communis' is the specifically human sense because communication, i.e., language, depends on it" (lk: 70). In other words, "one can communicate only if one is able to think from the other person's standpoint" (lk: 74).[17] With reference to Kant's thoughts on "the right to visit," formulated in his study on "Perpetual Peace," Arendt summarizes: "To think with an enlarged mentality means that one trains one's imagination to go visiting" (lk: 43).

Yet, as we train ourselves to listen, whose voices will we hear? Evidently, if moral sensitivity is to achieve its aim, one precondition is that individuals are in fact able to speak up – to articulate their suffering, their fears, plans, hopes, etc., without being in fear of reprisals. In short, it is necessary to make unrestricted communication possible.

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[11] In German: "logische Egoisterei." See Kant (1910–1968).

[12] See, for instance, Arendt (1961).

[13] Kant (1952). (Henceforth cited as cj.)

[14] See Kant (1983a). (Henceforth cited as we.)

[15] The remaining maxims are: "(1) to think for oneself," and "(3) always to think consistently" (CJ: 152). Kant explains: "We may say: the first of these is the maxim of understanding, the second that of judgement, the third that of reason" (cj: 153).

[16] Arendt (1982) . (Henceforth cited as lk.)

[17] Seyla Benhabib observes that in Arendt's reading of Kant, "judging becomes a […] capacity for presenting to oneself the perspectivality of the world, of taking cognizance of the many points of view through which a matter must be seen and evaluated." See Benhabib (1996).

2 Implementing the Moral Law: The Need for Liberal Politics

As we articulate the demand for unrestricted communication, we enter the sphere of politics – in particular, the call for institutions that establish and protect the equal right of everybody to freely express his or her opinion. For Kant there is no doubt that the moral perspective generates the need for a politics that seeks to create a legal framework entitling everyone to the "freedom to use reason publicly in all matters" (we: 42). He emphasizes that a political regime which refuses to provide the citizens with this freedom fails to treat them "in accordance with their dignity" (we: 46). With regard to today's conditions, the political project laid out by Kant does, of course, require specification. In view of this task we need to turn to the recent debate on political theory and philosophy of law, since the concept of free public communication has received detailed elaboration in this context. As is well known, many authors participating in that discourse have turned away from the Kantian mode of linking these political and legal issues with a moral basis defined by practical reason. In an explicit manner, this turn has been made, for instance, by authors contending that "post-metaphysical thinking"[18] is the appropriate approach today. Nevertheless, the findings of this contemporary research prove fruitful as we investigate which institutional framework is best equipped to allow us to take cognizance of the diversity of individual views. (It seems hardly necessary to point out that but a few hints can be given here.) Essential differentiations can, for example, be gained from the way in which John Rawls locates freedom, as a "primary social good,"[19] within his complex theory of justice. Among the various notions he subsumes under the umbrella term "freedom," Rawls names "freedom of speech and assembly; liberty of conscience and freedom of thought" (tj: 61). As he explains, a political community that intends to be well ordered needs to acknowledge that "these liberties are all required to be equal […], since citizens of a just society are to have the same basic rights" (tj: 61). Additionally, he emphasizes that equality is not the only focus here; the point is rather that every citizen should enjoy freedom to the greatest possible extent. Therefore, as Rawls distinguishes the two fundamental "principles of justice" (tj: 60–65), the first principle reads: "each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others" (tj: 60).

As we examine which kind of politics is needed to create an environment that allows for an unrestricted articulation of individual perspectives, we must take into account that the legal instruments required for this purpose include a whole bundle of measures. As recent studies have demonstrated, a constitution providing citizens with "equal right to the most extensive basic liberty" in the sense of Rawls's first principle – albeit a necessary precondition – is not a sufficient instrument for bringing everyone into a position to speak up freely. Clearly, other basic rights such as those

[18] See Habermas (1994).

[19] Rawls (1971). (Henceforth cited as tj.)

protecting life and bodily integrity need to be established as well. Most importantly, the sphere of social rights is of relevance here. We need to consider, for instance, that individuals who lack a minimal level of education – as illiterate persons placed in the context of a society with a higher average standard of education – may find it extremely difficult to make their voices heard. Empirical research investigating the various – often overlapping – forms of discrimination with regard to class, gender, race, ethnicity, religion, etc., has revealed that one shared problem is that of invisibility, i.e., of being silenced.[20] Therefore, a politics that corresponds with our moral obligation to heed individual perspectives must make social justice one of its core concerns. In order to specify such a politics, we can draw upon insights reached in the multi-faceted recent debate concerning which modes of support are best suited to make it possible for underprivileged individuals to insist on their legal right to equal participation in public discourse. Concepts ranging from "equality of chances" through "affirmative action" have to be analyzed from this perspective.

Concerning the positive effect such a politics of inclusion is expected to have with regard to the implementation of morality, further differentiation is called for. The above reflections have characterized the relation between morality and individuality primarily in terms of individuals listening to other individuals articulating their suffering, their anxieties, hopes, etc. Yet the term "public discourse" does imply more than that. It is not based upon a view of individuals as isolated listeners and speakers; rather, the two capabilities – to be prepared to listen and to be able to make one's voice heard – are seen as but the necessary precondition for a genuine "discourse." As Kant introduces the term "public" (we: 33), he makes it very clear that what he has in mind is "communication" (as indicated above, Arendt uses this term in her comment on Kant), i.e., a pluralist exchange of opinions that brings about a general process of learning. He observes that it is "difficult for any individual man" (we: 33), on his own, to properly bring to bear the faculty of reason on given concrete matters – "only a few have succeeded, by cultivating their own minds, in freeing themselves from immaturity" (we: 33). By contrast, Kant considers the communication process of a "public" to have the potential for enhancing the accuracy of our understanding. He articulates this point in the most comprehensive way as he contends that for our thinking – in the field of theoretical as well as practical issues – to gain clarity we depend to a large extent on unrestricted public discourse. Consequently, he explains the importance of a liberal politics in a strong mode: "Of course it is said that the freedom to speak and to write could be taken from us by superior power, but the freedom to think cannot be. Yet how much and how correctly would we think if we did not think as it were in community with others to whom we communicate our thoughts, and who communicate theirs with us! Thus one can very well say that this external power which wrenches away people's freedom publicly to communicate their thoughts also takes from them the freedom to think" (Kant 1998a).

This view also informs Kant's elucidation of the concept "enlarged thought." While the second maxim of "common human understanding" – which urges us "to think from the standpoint of everyone else" (cj: 152) – has often been read as calling

[20]For a recent reflection on this matter see Pogge (2010).

for an effort of "solipsistic"[21] individuals, making up their minds in isolation, Kant does in fact sketch quite a different process. What he has in mind is that, as we explore the perspectives of others, we share with those others our way of perceiving them, and vice versa. In this context, Kant emphasizes that "sociability" is the crucial feature of "humanity," and he states that "a regard to universal communicability is a thing which everyone expects and requires from everyone else, just as if it were part of an original compact dictated by humanity itself" (cj: 155).

Clearly, Kant's conception is inclusive in a double sense: not only does it advocate the idea of everybody's unrestricted access to public discourse; it also implies that none of the diverse issues which are on people's minds is to be excluded in advance – as Anderson-Gold points out, the Kantian understanding of communication "prohibits no topics" (Anderson-Gold 2004). Furthermore, the temporal aspect of morality becomes apparent here: As Kant attributes to public discourse the potential to promote the clarity of our thinking, he obviously refers to the fact that people engaging in a communication process typically feel the need to differentiate their categories, i.e., to improve the adequacy of their language. With regard to moral issues this implies that, as we gradually perform such meliorations, our moral judgment will increasingly reach a higher degree of sophistication. It is important to acknowledge that morality, in Kant's terms, is not a matter of implementing the categorical imperative separately, as it were, in each given case; rather, it requires continuous striving for improvement. As Kant discusses this task of a persistent endeavour, he has two dimensions in mind. On the one hand, he refers to the individual's moral biography. This is evident, for instance, in his understanding of "virtue," since he defines virtue as "moral strength" that must be "earned," i.e., that needs to be "guarded and cultivated."[22] Secondly, Kant refers to the future development of humankind, raising the question of moral progress. In his study on history he notes, for example: "we are a long way from being able to regard ourselves as moral. […] So long, however, as nations expend all their energies on their vain and violent designs, thus continuously inhibiting their citizens' plodding efforts to shape internally their way of thinking *[Denkungsart]*, even withholding all support for it, no progress of this sort is to be expected, because the formation of citizens requires a long process of preparation in every commonwealth."[23]

To strive for an increasing moral competence does, of course, not only require to seek the clearest possible perception of fellow human beings and given situations; the prime task is to act, on the basis of these insights, in a mode that respects the dignity and uniqueness of everyone (following the two moral guidelines outlined above). As we take a closer look at this practical dimension, we will find that the moral need for politics is more comprehensive than our reflections have revealed so far. A liberal politics is instrumental not only for a differentiation of moral

[21] Unfortunately, this way of reading Kant has predominated with authors advocating the approaches of Transcendental Pragmatics and Communicative Action.

[22] Kant (1998b). (Henceforth cited as rr.)

[23] Kant (1983b). (Henceforth cited as uh.) For a comment on Kant's reflections on the moral progress of humanity see Anderson-Gold (2001) and Kleingeld (1995).

judgments, but also for a full practical implementation of the moral law. (However, while examining the full scope of our political obligations, we need to keep in mind that Kant's line of argument does not suggest that a commitment to what he calls "republican" politics would cover all the practical demands resulting from the moral law. Rather, such a commitment allows us merely to take the first necessary step, as it were, because its reach is limited to the "external" conditions of autonomy.)[24]

The idea of an unrestricted public discourse is relevant for this second practical issue, too. As people communicate their needs, fears, hopes, etc., they will, simultaneously, engage in a debate on the best ways of solving their problems, including ways of overcoming conflicts on controversial matters. As is well known, this aspect is reflected in the concept of political self-determination. Our investigation converges here to the discourse examining the foundations of the modern state. In his explanation of the "idea of an original contract," Kant describes a constitution that grants "external (rightful) freedom" to every citizen, so that each one can say: I have "the privilege not to obey any external laws except those to which I have been able to give my consent."[25] Kant specifies this characterization by adding: "In just the same way, external (rightful) equality in a nation is that relation among citizens whereby no citizen can be bound by a law, unless all are subject to it simultaneously and in the very same way" (pp: 112).[26] It is important to note that, according to Kant, a commitment to participate in creating and maintaining a political commonwealth which is based upon this idea is part of our moral duties. His argument can be summarized like this: Freedom and equality, as defined in the passages just cited, are "innate rights that necessarily and inalienably belong to humanity" (pp: 112); therefore, since the moral law demands that we respect everybody's humanity, it is but a logical consequence that we are obliged to engage in a politics that seeks to establish and promote everybody's freedom of self-determination. Consequently, the moral call for such a politics does concern the entire field of politics, including the realm of legislation – from the basic constitutional framework through the diverse specific branches of the law – and the sphere of government, as well as the general discourse in which public opinion is shaped. As Paul Guyer emphasizes, Kant provides a complex concept of "the responsibilities of citizenship," in suggesting to "transform the idea of a social contract from a mere test for the justness of laws or even a basis for the participation of at least some citizens in government at the general level of legislation into a model for the active and continuous involvement of citizens in a number of different ways in the establishment, maintenance, and improvement of their polities."[27]

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[24] A more detailed explanation of this difference is provided in Nagl-Docekal (2004b). (Henceforth cited as ru.)

[25] Kant (1983c) . (Henceforth cited as pp.)

[26] A recent debate has raised doubts whether the two core concepts of political theory – freedom and equality – can be brought into a balanced relation. But this debate was based upon a more specific reading of the two concepts and did, therefore, not concern Kant's formal understanding – and his mode of linking – them. For an overview see Pauer-Studer and Nagl-Docekal (2003).

[27] Guyer (2004). Guyer also points out that Rawls's conception of the social contract is clearly more restricted than Kant's.

With regard to contemporary conditions, the basic concept of the modern state provided by Kant has received a detailed elaboration, in particular – as is well known – in Jürgen Habermas and the research inspired by his work. Most importantly, as he discusses the notion of "public discourse," Habermas suggests a number of differentiations. First of all, he specifies this notion by introducing the term "rational discourse,"[28] which he explains with reference to his analysis of the contemporary social world. Today's societies, he observes, typically are not based upon one shared set of convictions, such as religious teachings; their members rather represent a diversity of cultures and traditions, and therefore, as they seek to communicate their opinions with regard to problems caused by conflicting interests, they need to provide reasons. Adopting thoughts from Max Weber, Habermas has coined the term "rationalization of the life world"[29] in order to capture this particular feature of modernity. A contemporary theory of law and democracy, he contends, needs to reflect this social reality. Therefore he suggests to elaborate on the idea of collective self-determination by introducing the concept of rational discourse, which "should include any attempt to reach an understanding over problematic validity claims insofar as this takes place under conditions of communication that enable the free processing of topics and contributions, information and reasons in the public space constituted by illocutionary obligations" (fn: 107–108). Wingert points out in which way the notion "reasons" is essential here: "Gründe sind Aussagen unter Einsatz von Begriffen, und zwar mit dem Anspruch, eine Zustimmung aus Einsicht zu dem zu gewinnen, wofür die Aussagen Gründe sein sollen. Rechtfertigende Gründe sind die Markierungen des Weges, den wir durchlaufen müssen, um zu Einsichten zu gelangen."[30] With this specific understanding in mind, Habermas explains how a contemporary political community needs to go about in order to reach a just way of dealing with any given conflict among its members. He specifies one formal principle, as a guideline, modifying the basic Kantian line of thought in accordance with his approach: "Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses" (fn: 107).

With regard to our present topic – the idea of an active and continuous political involvement of citizens in a variety of ways – some of the differentiations Habermas elaborates on the basis of his core concept prove specifically fruitful. Primarily, his suggestion to distinguish two types of power – "communicative power" and "administrative power" (fn: 147–150) – provides a valuable tool for specifying the different branches of political commitment. The notion "communicative power" – which Habermas develops with reference to Arendt (fn: 147–148) – addresses the impact which agreements reached in public rational discourse may have. The

[28] See Habermas (1996). (Henceforth cited as fn.)

[29] See Habermas (1984).

[30] Wingert (2002). ("Reasons are propositions, stated in using concepts, that seek to reach consent which is based upon comprehension, i.e., consent to that for which the propositions claim to provide the reasons. Justifying reasons are the signposts along the path that we need to take in order to achieve comprehension." Transl. H. N.-D.)

collective will, since it is based upon shared reasons that have been shaped in an inter-subjective process, has a potential of power. For Habermas, one obvious case in point is the capability of civil society to overthrow a given political system that has, in a collective opinion-formation, been judged illegitimate. On the other hand, he points out that the idea of the right of political participation does also refer to the sphere of "administrative power," i.e., to the domain "with those sanctioning, organizing, and executive functions that the system of rights depends on" (fn: 150). Habermas elucidates in which way those two dimensions of power need to be intertwined: "The concept of communicative power requires a differentiation in the concept of political power. Politics cannot coincide as a whole with the practice of those who talk to one another in order to act in a politically autonomous manner. […] The concept of the political in its full sense also includes the use of administrative power within the political system. […] The constitution of a power code implies that an administrative system is steered through authorizations for rendering collectively binding decisions. This leads me to propose that we view law as the medium through which communicative power is translated into administrative power" (fn: 150).

3 Morality and Politics in the Context of Globalization

Obviously, the scope of our moral obligations is not limited to the single state. As the categorical imperative demands that we respect the dignity of all the individuals with whom we are in contact, we need to consider the full extent of our relationships – of our direct as well as mediated interconnections. This demand has specific significance in an age like ours which is marked by rapidly intensifying international as well as trans-national relations, i.e., by a process commonly called "globalization."[31] Situated in an earlier phase of this development, Kant – in the course of critically portraying the colonialism of his time – has already pointed out that, through the increase of worldwide relations, we are confronted with moral problems occurring in very distant parts of the globe. He observes: "Because a (narrower or wider) community widely prevails among the Earths' peoples, a transgression of rights in one place of the world is felt everywhere" (pp: 119). In view of today's worldwide presence of the mass media, we can add that – apart from transgressions of rights – the despair and neediness caused by disease and natural disaster "in one place of the world" also are "felt everywhere." In more general terms this is to say that, due to the dense network of relations existing today, we are facing moral problems from all over the world that relate to both implications of the categorical imperative: to the prohibition, according to which no one must be treated

[31] The term "globalization" is used here in a wide sense which covers relations in a variety of fields, including science and culture. In current everyday language, this term often has a more narrow meaning with a clearly negative ring; in that case it refers to the economic and political dynamic defined by neo-liberal conceptions.

merely as a means, as well as to the precept specified under the heading "duties of kindness." Therefore, Benhabib seems to voice a legitimate demand as she insists that, since we are "caught in a net of interdependence," we "have to become moral contemporaries."[32]

However, many people – in academe as well as common discourse – tend to reject the notion that we have responsibilities towards "distant strangers." But such an attitude is unwarrantable for at least two reasons. First, there is the fact that many of the harms people suffer in distant parts of the world have been inflicted upon them by political and economic agencies that we are involved in (as will be explained below). Secondly, it is important to note that our "duties of kindness" are defined in terms of the needs and hopes of others rather than in terms of acquaintance. Therefore, our (wide) moral obligation to support others (as much as possible and morally permissible) on their paths to happiness does imply the task to help to relieve human suffering wherever on the planet it may occur, and to join in efforts of prevention. Thomas Pogge emphasizes the un-tenability of the "priority-for-compatriots idea" with a focus on the problems of under-nourishment and poverty-induced death: "Allowing hunger to kill people whom one could easily save, even mere foreigners, is morally on a par with killing them or at any rate little better."[33] Generally speaking, our moral obligations with regard to "distant strangers" concern grievances of all kind – pains caused by disease and natural disaster as well as bereavements generated by unjust political regimes and social arrangements. Regarding the latter dimension, Martha Nussbaum's discussion of harms caused by the social practices of traditional patriarchic cultures provides ample evidence.[34]

In order to specify the first point, we need to take a look at the research exposing the – often neglected – fact of our involvement in institutions which cause harmful distant effects. Studies on the depravations and abuses generated through economic globalization under neo-liberal conditions clearly demonstrate such an involvement. As is well known, the last decade has brought to many regions outside the so-called "First World" a dramatic increase in poverty and hunger as well as in social bereavements of all kinds, including lack of education and its consequences, like severely diminished professional chances and opportunities of political participation.[35] While one common view attributes these developments to an economic dynamics viewed as virtually self-steering, Pogge contends that such a perception is incorrect because

[32] Benhabib (2002). (Henceforth cited as cc.)

[33] Pogge (2002). (Henceforth cited as wp.) Pogge refers here, i.e., to the arguments developed in Singer (1972). Pogge insists that all our obligations to help and support distant strangers can be derived from the concept of 'negative' duties. There is, however, no need for such a theoretical restriction since, as pointed out in this chapter, the concept of (wide) 'duties of kindness,' as introduced by Kant, is well argued. In her critical assessment of both Singer's and Pogge's approaches Bleisch also draws upon Kant's 'duties of kindness.' See Bleisch (2010).

[34] See for instance Nussbaum (2000) and Nussbaum and Glover (1995).

[35] See, for instance, the data provided in wp. For a specific focus on the deterioration of the situation of women in the global South see Jaggar (2002).

it fails to recognize the political foundations of economics. He demonstrates in which way neo-liberal economic conditions are based upon decisions made by agents in, or authorized by, Western industrial countries – agents among whom at least some can claim democratic legitimation. This means that the adverse effects of neo-liberal economics do result from decisions that were, at least to some extent, made on behalf of the citizens of democratic Western states. Pogge explains: "One may think that a shared responsibility for the injustice of any social institutions one is involved in imposing cannot plausibly extend beyond our national institutional order, in which we participate as citizens […]. But such a limitation is untenable. […] The existing global order is shaped and upheld by the more powerful governments and by other actors they control (such as the EU, NATO, UN, WTO, OECD, World Bank, and IMF). At least the more privileged and influential citizens of the more powerful and approximately democratic countries bear a collective responsibility for their governments' role in designing and imposing the global order and for their governments' failure to reform it toward greater human right fulfilment" (wp: 172–173). But what difference can individuals who are aware of this responsibility, and willing to act on the basis of their moral perspective, actually make? Discussing the fact that actions taken by well-meaning individuals, on their own, are likely to achieve only a very limited impact, Stephan Schlothfeldt emphasizes the need for "cooperative action." He considers it "the primary duty" to seek fellow-combatants (Schlothfeldt 2009).

For the two reasons just specified, we need to acknowledge that our moral obligation does, indeed, have a global scope and, more specifically, that our responsibilities in this far-reaching domain do not only concern problems generated by decision-making processes in which we were to some extent involved, but also problems resulting from other causes, be they of a social or a natural character. Yet, what does this mean for the individual who would like to meet this comprehensive moral demand? With regard to the complexity of the given structures, and the proportion of the given problems, it seems obvious that the individual can hardly make any difference. However, much depends on which course of action we have in mind: activities of single, detached individuals which may, indeed, have a very limited impact – or of individuals engaging in joint efforts geared at bringing about decisive changes. As we examine the latter option we do, once again, detect a moral need for politics. Regarding which kind of politics is called for here, we can draw upon distinctions suggested above.

Evidently, in view of the global reach of our responsibilities, we have to expand our moral sensitivity accordingly. On this scale, too, we must learn to listen, and – as a prerequisite – it must be possible for all individuals to make their voices heard in an unrestricted manner. For this purpose, a politics is needed that strives to establish a (rational) public discourse of a worldwide scope. As we seek to specify this kind of politics, thoughts elaborated by Kant prove helpful once more, in particular his call for a "cosmopolitan right." We have to take into consideration here that Kant uses the expression "rights of world citizenship" in two different – albeit connected – ways: firstly, with regard to the idea of a worldwide unrestricted exchange of

opinions; secondly, with regard to the project of a federation of peoples.[36] The first usage, which is of relevance for our present issue, refers to Kant's thesis that all humans have the right to be regarded "as citizens of a universal nation of men (*ius cosmopoliticum*)" (pp: 112).

Kant emphasizes that "our concern here is not with philanthropy, but with right" (pp: 118). In order to grasp this point in a precise manner, we need to note that the "right" Kant has in mind here does not, per se, imply the idea of a one world state. His claim is rather that we have the right to call for an open communication process to which every person on the globe has access on equal terms. Everyone, he argues, is entitled "to present oneself in the society of others,"[37] which implies the entitlement to offer to them one's opinions on any subject. With regard to the issue of legal implementation, Kant presents this right as one of three elements required for a constitution to be just. According to this differentiation, every person has rights, firstly, "conforming to the civil rights of a nation *(ius civitatis)*," secondly, "conforming to the rights of nations in relation to one another," and thirdly, "conforming to the rights of world citizenship" (pp: 112). In this context Kant advocates the need for a legal codification that establishes the right of everyone to get in touch with people in other countries in a direct form, i.e., independent of his or her state and of given relations among states. Anderson-Gold comments on this demand: "In acknowledging that individuals have a right to attempt to communicate with others, Kant has assumed that states cannot completely construct the identity of their subjects" (Anderson-Gold 2005).

Clearly, these Kantian differentiations are helpful as we seek to define the kind of politics needed to make a global public communication on people's suffering, needs, hopes, etc., possible. It is obvious, too, that further specification proves necessary in view of the fact that many people live in circumstances which prevent them from successfully communicating their concerns. In this respect, it is significant that the "cosmopolitan right," for Kant, is tantamount to the right to free travel all over the globe. This view implies the demand that people must be allowed to make their voices heard by means of travelling abroad. Most importantly, Kant focuses on the consequences this demand has for the state in whose territory travellers guided by such an interest arrive. He defines the cosmopolitan right as the right to "conditions of universal hospitality" (pp: 118), explaining that "in this context hospitality (hospitableness) means the right of an alien not to be treated as an enemy upon his arrival in another's country […] [T]he right to visit, to associate, belongs to all men" (pp: 118). In other words, each has a right to "offering to engage in commerce with any other […] without the other being authorized to behave toward it as an enemy" (mm: 158).[38] (Arendt has these Kantian reflections in mind when – as in

[36] For a careful analysis of Kant's conception from a contemporary point of view see Rademacher (2010).

[37] Kant (1991b). (This edition is used here because the translation of Kant's *Perpetual Peace* from which the other quotations are taken does not contain this sentence.)

[38] For a lucid comment see Brandt (1995).

the above quotation – she explains the concept of "enlarged mind" by means of the idea to "go visiting.") Kant leaves no doubt that – based upon the right that "belongs to all men" – the state's obligations with regard to such visitors do include that no one must be turned away if this cannot "be done without destroying him" (pp: 118).

As we face the fact that today the voices of millions of people suffering severe harms are barely audible, it becomes obvious that, in addition to the Kantian line of argument, further measures need to be elaborated. In order to define a politics of awareness which aims at breaking this kind of silence, we can turn to the contemporary debate on human rights. As is well known, the concept of human rights has been discussed from various perspectives, and considerably expanded in the recent decades. Summaries of the evolvement of the international agreements on human rights since the UN Charta of 1948 commonly distinguish three "generations"[39]: The "first generation" established civil and political rights, including freedom of speech, opinion, conscience and religion as well as the right of assembly; the "second generation" guaranteed economic, social and cultural rights, including the rights to social security and a standard of living that allows for an adequate level of health and well-being, as well as the right to a decent education; the "third generation" added a variety of collective and solidarity rights such as the rights to peace, development and humanitarian aid as well as the rights to cultural expression and being different. With regard to our topic, it seems evident that a politics striving to create the necessary conditions for a fully inclusive global discourse will find it important to insist on a worldwide unrestricted implementation of these international contracts, and to support the ongoing debate on further specifications of human rights. One guiding insight of such a politics will have to be "that the global moral force of human rights is activated only through the emergence of a global institutional order […]. Where such institutions are lacking, human rights are merely latent" (wp: 170–171).

Yet the moral call for politics does impose upon us a much broader obligation. As demonstrated above, the task to create the preconditions for free public discourse represents only the first, albeit necessary, step, while the core concern is to transform public interaction, in all it its spheres, in accordance with the moral law. This insight is, of course, significant on the global level, too. Since the moral law demands that we respect the dignity, i.e., the autonomy, of every fellow human we are related to, our moral duties, in the interconnected world of today, do include that we actively and continuously engage in a politics seeking to further everyone's freedom of self-determination. In order to properly fulfil this task, we need to heed both guidelines implied in the categorical imperative. Let us first explore what it means for politics to heed, on a global scale, the "prohibition" demanding that we must never treat human beings merely as a means. Generally speaking, we are obliged to join in reform efforts seeking to end our involvement in social institutions that impose upon people abroad unjust conditions. In Pogge's words: "Our negative duty not to cooperate in the imposition of unjust coercive institutions triggers obligations to protect their victims and to promote feasible reforms that would enhance their fulfilment of human rights" (wp: 172).

[39] See, for instance, the account provided in Jaggar (2003).

Kant describes global forms of instrumentalization in a poignant manner. Challenging, for example, the oppressive "conduct of civilized nations in our part of the world, especially commercial ones," he notes: "the injustice that they display towards foreign lands and peoples (which is the same as conquering them) is terrifying. When discovered, America, the lands occupied by the blacks, the Spice Islands, the Cape, etc., were regarded as lands belonging to no one because their inhabitants were counted for nothing. Foreign soldiers were imported into East India under the pretext of merely establishing economic relations, and with them came subjection of the natives, incitement of various nations to widespread war among themselves, famine, rebellion, treachery, and the entire litany of evils that can afflict the human race" (pp: 119). It is in the course of seeking a way out of such evils that Kant introduces the second version of the term "cosmopolitan" mentioned above. In his *Idea for a Universal History with a Cosmopolitan Intent* he explains the need for establishing "law-governed external relations among nations" (uh: 34). In order to overcome the grievances typically generated by a "lawless state," nations need to "enter into a federation of peoples," he argues, which is based upon the principle that decisions must be made "by the united will in accord with laws" (uh: 34–35). What is needed is "a law of equilibrium and an associated power to enforce it and, consequently, a cosmopolitan state in which the security of nations is publicly acknowledged" (uh: 36). More specifically, Kant explains that, while reason would advocate the idea of a "world republic," for the time being states seem unwilling to accommodate such a project. "So […] in place of the positive idea of a world republic they put only the negative surrogate of an enduring, ever expanding federation" (pp: 117–118).[40] Most importantly, Kant emphasizes that, although such a league can take shape only gradually, it has "finally to include all the people of the earth" (pp: 117). In this manner, he provides the theoretical foundations for a reform politics striving to create a worldwide system of political self-determination from which nobody is excluded.

In recent times this political project has received renewed attention. Various suggestions have elaborated how to adjust, or modify, Kant's basic line of argument with regard to contemporary conditions. As to our quest for a politics seeking to implement the respect for persons, as autonomous beings, the ongoing debate on "global democracy" does provide useful differentiations. David Held clearly states what is the core concern here: "The implementation of a cosmopolitan democratic law and the establishment of a cosmopolitan community – a community of all democratic communities – must become an obligation for democrats, an obligation to build a trans-national, common structure of political action which alone, ultimately, can support the politics of self-determination."[41] One important feature of this project is the call for a differentiated conception of sovereignty which meets the need for both, centralization as well as decentralization. As Held notes, "sovereignty can be stripped away from the idea of fixed borders and territories […]; it could be entrenched and drawn upon in diverse self-regulating associations," ranging from

[40] See Kleingeld (2004) and Höffe (2001) .

[41] Held (1995). (Henceforth cited as dg.)

local, regional and national sovereignties to "the public assemblies of the wider global order" (dg: 234). Along a similar line of thought Pogge proposes "that governmental authority – or sovereignty – be widely dispersed in the vertical dimension […]. Thus, persons could be citizens of – and govern themselves through – a number of political units of various sizes […]. People should be politically at home in all of them" (wp: 178). He illustrates the capability of such a vertical dispersal of sovereignty with reference to a number of pressing issues concerning peace and security, political oppression, economic justice, and ecological problems (wp: 181–189).

From a moral perspective, it is important to make sure that the principle of respect for the individual point of view is not getting marginalized in the debate on global politics. As Christian Volk contends, even some leading conceptions of global democracy are marked by paternalism. He points out that theories of legitimation that are based upon conceptions of justice are in danger of prioritizing just solutions over democratic procedures (Volk 2009). One further focus in the debate on how to re-define democracy needs to be the dramatic increase in the number of migrants all over the globe. Seyla Benhabib, addressing the fact that these people typically are denied political participation by their host countries, elaborates a concept of "de-aggregation of the rights of citizenship." As she demonstrates, there is no good reason for sticking to the traditional way of linking the privileges of political citizenship with national identity.[42]

Let us now – secondly – address what it means for politics to follow, on the global level, the moral "precept" to further others (as far as possible and morally permissible) on their self-chosen paths to happiness. Obviously, this context requires a wide concept of "politics" that covers all kinds of collective activities providing aid and support to people abroad. Also, we have to bear in mind that the need for such activities has a great variety of sources, including problems of a natural as well as of a social and political character. As to the agents responding to these various needs, it is well known that the recent decades have brought a considerable diversification. While state authorities and international institutions based upon agreements between nation states do, on a regular basis, provide development aid and humanitarian help in case of natural disaster or war, most valuable care work is provided by numerous non-governmental organizations as well. The latter group of agents has proved particularly capable of addressing harms that have long gone unnoticed with state-run institutions, as, for instance, the international women's movement clearly shows us. Taking this specific capability into account, Otfried Höffe claims that it is important to establish a balanced interaction between the emerging world wide "society of citizens" and democratically legitimized authorities (Höffe 2004).When concrete measures to meet people's needs are elaborated and implemented, there is always the danger that a patronizing and humiliating attitude creeps in, as mentioned above. Therefore, it is important to keep in mind that respect for everybody's autonomy is the central thrust of the moral law. From this perspective, the diverse suggestions for a politics of "empowerment" deserve particular attention.

[42] Benhabib (2004); see also cc.

4 Beyond the Realm of Politics

This broad diversity of responsibilities notwithstanding, the moral law does also entail obligations that lie beyond the sphere of politics. As Kant points out, there are, for one thing, the "duties to oneself" (mm: 47),[43] which include "limiting (negative)" duties based upon the "dictum 'live in conformity with nature' " (mm: 215–216), such as the prohibition to mutilate our bodies, as well as "widening (positive)" duties based upon the principle "make yourself more perfect than nature has made you" (mm: 215–216), such as the (wide) obligation to cultivate our talents. Apart from these types of responsibilities, Kant demonstrates, we also have moral obligations of a social kind which do not translate into political activities. Alongside our duties concerning the establishment of just conditions, on both the national as well as the trans-national level, he maintains, we are also obliged to create an "ethical community" (rr: 106). Kant elucidates this point in anthropological terms: As individuals on their own, human beings are very likely to lack the strength needed to fulfil the duties imposed upon them by the moral law. In the context of everyday life, they tend to compete with one another in a way that threatens to undermine their moral disposition: "It suffices," Kant observes, that the individual man finds himself amidst other people, "that they surround him, and that they are human beings, and they will mutually corrupt each other's moral disposition and make one another evil" (rr: 105). What needs to be done in order to challenge this incessant danger is "to establish a union which has for its end […] the promotion of the good in the human being – an enduring and ever expanding society, solely designed for the preservation of morality by counteracting evil with united forces" (rr: 105–106). As Kant explains, such an "ethico-civil state" is clearly distinguished from a "juridico-civil (political) state," since it unites people "under laws of virtue alone" (rr: 106). This implies that the task of establishing an "ethical community" cannot be performed by means of politics. Consequently, given the topic of the present essay, we cannot discuss this project any further here. In Kant's view, our duty to engage in developing an "ethico-civil state" is tantamount to the obligation of "founding a kingdom of God on earth," which needs to be expounded in terms of a philosophy of religion – and that is a different story.[44] However, there does exist a closer connection between those two different areas than may be evident at first glance. According to Kant, the relation between the aim of continuously improving our moral capabilities, on the one hand, and politics, on the other, can be described in terms of mutual benefit: While, as demonstrated above, politics is needed for a comprehensive implementation of the moral law, a just order of the political community – on the national as well as the trans-national level – does, in turn, provide favorable conditions for

[43] See the chapter "On Duties to Oneself as Such" (mm: 214–242).

[44] For details on the differences between – and the parallel structures of – the "political" and the "ethical" state in Kant, see ru.

increasing our moral strength. It is only within the framework of such a "good political constitution," Kant argues, "that people can be expected to attain a good level of moral culture" (pp: 113).[45]

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The Human Sciences and Moral Judgment

Jure Zovko

The specific character of the humanities is made manifest in the fact that the object of investigation in these disciplines, as Hans-Georg Gadamer pointed out, is not anything abstract or metaphysical, but primarily a manifestation and articulation of the particular social, cultural and historical circumstances in which humanity finds itself at any given moment. The object of study in the humanities is thus that to which we belong: the humanist tradition, which is made evident in a variety of differences and in a pluralism of life-forms and world views. In this respect Gadamer maintains: "What makes the human sciences into sciences can be understood more easily from the tradition of the concept of *Bildung* than from the modern idea of scientific method. It is to the *humanistic tradition* that we must turn. In its resistance to the claims of modern science it gains a new significance."[1] The primarily task of the *humaniora* in the age of globalization is to promote a pluralism of differences with regard to affiliation to various cultures and forms of life, with the added aim of helping to preserve and develop those cultures and life-forms. This pluralism of differences does not rationalizing uniformity is to be replaced by cultural and moral relativism. The intention of this chapter is to emphasize the relevance of experience of a hermeneutic and phenomenological reflection in the examination of the world we live in (*Lebenswelt*). The concept of world as it is elaborated in hermeneutic

[1] Gadamer (1989). Plato's thematisation of concern and cultivation of the soul (*epimeleia psyches*) as presented in the early dialogues, and which attains in Plato's later philosophy a special aura of sanctity and nobility, has had an extensive *Wirkungsgeschichte* and reception. Care of one's soul, as one of the central *topoi* in Western European metaphysics, is transformed in Kant's philosophy into the philosophical care for the cultivation of one's own identity, or rather the collective identity of humanity as a whole, and becomes in the descriptive psychology of Wilhelm Dilthey the basis for the justification of the specific task of the humanities (*Geisteswissenschaften*).

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philosophy, i.e., as a result of the reduction of the categorical view of the world to the "living world" and the resulting explication of the historical and cultural context of living beings, gains thereby a strong culturological aspect. In keeping with the fundamental hermeneutic understanding, to philosophize means to be in the world, to gain understanding by the use of language, to integrate the context of one's own self-conception with the self-conception of the object of our interpretation and so to establish an intersubjective world. *Bildung* as formation implies, according to Gadamer, an openness to other points of view or perspectives: "That is what, following Hegel, we emphasize as the general characteristic of Bildung: keeping oneself open to what is other – to other, more universal points of view. It embraces a sense of proportion and distance in relation to itself, and hence consists in rising above itself to universality."[2] Gadamer endeavors to emphasize the humanistic dimension of the humanities (*Geisteswissenschaften*) and to comprehend them as "the true advocates or emissaries of humanism" ("*als die wahren Sachwalter des Humanismus*").[3] On the first page of *Truth and Method*, Gadamer pleads for the specific character of humanities and distinguishes its investigation from the methodology of the natural sciences: "Its purpose is to seek out those experiences of truth, wherever they may be encountered, which transcend the area of control of the scientific method and to question them concerning their own legitimacy. So the humanities are brought together with other ways of experiencing which lie outside science; with the experience of philosophy, with the experience of art and with the experience of history itself."[4]

Many critics of contemporary hermeneutical philosophy claim that the hermeneutical request for sense-discernment is indeterminate and vaguely formulated. This, to a degree, also applies to their relativistic notion of truth as advocated by Heidegger, Gadamer, and postmodernists who explain the structure and essence of truth through the concept of "play." We all, seeking to learn and realize something, climb up the language games to the understanding of the world: "In understanding we are drawn into an event of truth and arrive, as it were, too late, if we want to know what we ought to believe."[5] The hermeneu-tical practice of understanding, through which one needs to arrive at the truths that have to be prevented from falling under the rule of the modern notion of science, actually expresses our belonging to

[2] Gadamer TM, p. 17.

[3] *Ibid*., p. 9.

[4] *Ibid*. xxii. Dilthey's Distinction between "Explanation" and "Understanding" has contributed to the radical bias that all human experience divides naturally into two parts: (1) the explanation of the natural world, in which "objective necessity" rules, and (2) Understanding in which the inner experience of life dominates. For Dilthey the notion of "Explanation" is derived from the methodology of the natural sciences and has in this respect its primary application in this field. Wilhelm Windelband, following Dilthey, attempted to draw a clear distinction between the *nomothetic* goals of the natural sciences (generalizations, abstraction, and universal statements) and the *ideographic* goals of the human and historical sciences (particular instances, concrete individuals, detailed understanding of the particular). Cf. Dilthey (1924), p. 144 sq.

[5] Gadamer, TM, p. 446.

what we understand. Since such hermeneutical reflection dispenses with the assumptions that precede entire scientific methodology, its relevance to a reliable textual interpretation and understanding remains extremely questionable. The greatest danger to interpretation in contemporary human and social sciences is hermeneutical and epistemic relativism, for without normative standards of interpretation no interpretation has any advantage over any other and no explanation is possible at all, a condition which is ultimately insupportable to us as human beings because of our natural desire and need to know and understand. The American physicist Alan Sokal characterized the tendency of mainstream postmodern philosophy in his parodic essay "Transgressing the Boundaries: Towards a Transformative Hermeneutics of Quantum Gravity" when he wrote: "The content and methodology of postmodern science thus provide powerful intellectual support for the progressive political project, understood in its broadest sense: the transgressing of boundaries, the breaking down of barriers, the radical democratization of all aspects of social, economic, political and cultural life."[6]

The question whether it is possible to establish in the area of ethics a normative universalism that would give us some orientation for distinguishing the morally right from the wrong and the good from the bad in our praxis will in no way become superfluous in the modern life-world (*Lebenswelt*), even when our modern democracies are functioning. Without a doubt, human beings in modern democratic societies are intensely discussing basic ethical problems such as the relation of individual freedom and political justice, the universal validity of human rights, the global ecological responsibility for endangering and destroying our biological environment, and the search for resolutions without appealing to religious authority. The question as to the justification for our ethical actions gives us an opportunity to analyze presupposed and recognized ethical norms, and to assess their relevance for our modern democratic societies at length. The question as to whether it is possible to make concrete decisions correctly based on general norms has been raised time and again; it is indeed possible to answer it by rationally considering the normative principles that guide our actions and acutely analyzing concrete praxis.

Some hermeneutic philosophers who take up the traditional *philosophia practica* in their argumentation have tried to make the Kantian formalistic "ethics of laws" based on the general principle that duty is unconditional more accessible (to his critics) by supplementing it with the position of Aristotelian ethics that reflects on the concrete application of ethical knowledge (*sittliche Wissen*).[7] The Kantian path remained dissatisfying to Hans-Georg Gadamer because one cannot make a sovereign decision on the question what is the right action in the given situation due to the formalistic and reflective overgeneralization of Kantian ethics. Gadamer held

[6]Cf. *Social Text* (1996), 46/47, pp. 217–252; p. 229.

[7]Cf. Gadamer (1987) and Cf. McDowell (1994, p. 84): "If we generalize the way Aristotle conceives the moulding of ethical character, we arrive at the notion of having one's eyes opened to reasons at large by acquiring a second nature. I cannot think of good short English expression for this, but it is what figures in German philosophy as *Bildung*."

that Kantian rigorist moralism does not help us when confronted with different moral demands. The consistency test of maxims alone will not facilitate our making a responsible ethical decision in praxis.

Gadamer shows that Kant's moral-philosophical reflections refer to "ethical principles" only in borderline or exceptional situations when there is a contrast of duty and affinity and, thus, turn such situations into "a case for conscience testing"[8] whereby the aspect of the moral decision and its relevance for the character formation of the agent come to the fore. The vigilance of conscience, which makes itself noticeable only in exceptional cases of conflict is, unfortunately, according to Gadamer, no permanent habitus but it primarily depends on the "substantiality of the ethical order" into which we are always already integrated. That is why Gadamer thinks that it is appropriate to take the Aristotelian path in ethics. His moral philosophy bethinks the connection between logos and ethos, or "between the subjectivity of knowledge and the substantiality of being," and analyzes how to put into effect general virtues and apply them in the given situation concretely.[9] On a similar path, J. McDowell pleads for a successful synthesis of nature and ethics as articulated by the Aristotelian philosophy of the "second nature." This represents a feasible alternative to the currently predominant scientific concept of the world and nature. He writes that "our nature is largely second nature, and our second nature is the way it is not just because of the potentialities we were born with, but also because of our upbringing, our *Bildung*. Given the notion of second nature, we can say that the way our lives are shaped by reason is natural, even while we deny that the structure of the space of reasons can be integrated into the layout of the realm of law. This is the partial re-enchantment of nature that I spoke of."[10] Wittgenstein's later work contains several essential philosophical concepts, such as "forms of life" (*Lebensformen*), "world picture" (*Weltbild*), "system of relationships" (*Bezugssystem*), and also "manner of thinking" (*Denkstil*), concepts which contain reference to various aspects of human identity and cultural productivity. Taking into account the implications they involve, these concepts offer a wide variety of possibilities for achieving as objective a knowledge and understanding of the "other" as possible, and taken where "other" is understood in the broadest sense from an understanding to signify the entire spectrum of objectivity, from nature and the natural world to an understanding of other peoples and cultures, whatever the form of communication.

By updating Aristotle's practical philosophy, Gadamer consciously distances himself from the two most influential ethical currents in the tradition of Continental European philosophy, i.e., on the one hand, Kant's "deontological" ethics, and, on the other hand, the "material ethics of values" established by Max Scheler and Nicolai Hartmann. Kant's deontological concept of normative standardization does not make an exception for ethical demands and N. Hartmann holds the view that ethics is indeed able to teach "what is ethically right, as geometry is able to teach

[8] Gadamer GW, 4, p. 180.

[9] *Ibid*., p. 183.

[10] McDowell (1994) *Ibid*., p. 87 sq.

what is geometrically true" (Hartmann 1926). By realizing values, human beings are included in an interconnection that transcends them.

The shortcoming of normative utilitarian theory is best visible in the readiness to put into question all norms that do not maximize benefits. Using the norm of justice in particular, critics of utilitarianism have convincingly argued that we must not violate justice in case of conflict with the principle of benefit. They have made plausible that it is not possible to integrate principles of justice into a utilitarian ethic without going beyond its scope. An ethic, which, from the point of view adopted by the *homo oeconomicus*, interprets the freedom to act as the pursuit of benefit and profit maximization is not fair to those who are handicapped or uncompetitive. Free business competition is of course not guided by the Kantian categorical imperative but rather by the principle of *pleonexia*, which, as is generally known, has been considered as the structural negation of individual and social justice since Plato. *Pleonexia*, defined as the want of more possessions, is the basic determinant of free market economy because every business activity complies with the (principles) of benefit and profit maximization. In praxis, the care for realizing one's own profits always obtains priority over one's responsibility for the welfare of others. Without exception, thinkers who equate the free accumulation of capital with the inviolable right of every person to individual and political liberty advocate a model for the minimal state in which it remains impermissible to limit personal liberty by disposing of private property without approval from its citizens.[11] That is why the representatives of classical liberalism advocate the ideals of efficiency and the unregulated markets, which are supposedly congruent with the political ideal of liberty. Robert Nozick, one of the most prominent representatives of radical neoliberalism in modern times, or more precisely, libertarianism, believed that market mechanisms alone may regulate and equalize divergent egotistical interests. He rejected all kinds of redistribution and social transfer *a limine*: "[…] there is no moral outweighing on one of our lives by others so as to lead to a greater overall social good. There is no justified sacrifice of some of us for others."[12] Every kind of reallocation in the name of social justice is at the same time, according to Nozick, simply a violation of the law because it *ipso facto* violates personal liberty and the individual right to private property.

We could take recourse to the Kantian criticism of egotism as a counterargument to this coupling of personal liberty and private property in Nozick's supposedly quintessential theory of human rights, which is and remains regardless to all persons in need of help. In his posthumously published notes "Reflections on Anthropology," Kant compares the egotist to "Cyclops," who "is in need of another eye" to be able to see things and events "from the viewpoint of other human beings" (Kant 1900).

The question of implementing ethics into market economy determined by autonomy and instrumental reason is and remains a precarious issue. In their critical

[11] In connection to this, Robert Nozick and J. M. Buchanan are paradigmatic. Cf. Nozick (1974), Hayek (1976), and Buchanan (1975).

[12] Nozick Robert (1974, p. 33).

writings, Karl Marx and Friedrich Engels already remarked that liberal market society is and remains closely coupled with the utilitarian *Weltanschauung*. In *German Ideology*, the two critics of capitalism criticize utilitarianism for exploiting the human being through the human being (*eine "exploitation de l'homme par l'homme"*).[13]

The *humaniora* should not discuss the modern human being as an uprooted individual conceptualizing him as an abstract, isolated, and socially deprived subject in a society without history, but they should rather aspire toward improving, within the existing states and social institutions, the level of civility for all who consider themselves heirs to the Enlightenment. The more basic question, how to press the moral wine of the welfare state from the immoral grapes of *pleonexia*, is and remains one of the most essential questions of the *humaniora*.

The essential affinity in structure between hermeneutic philosophy and Aristotelian ethics lies in the shared conviction that we understand ourselves in executing our thoughts and actions as always already situated and embedded in an existing ethical life-world, family, society, and state. Our hermeneutic and practical reflections take place against the backdrop of this existing ethical life-world. The education toward reasonability turns out to be the precondition for applying concepts of obligatory norms for human conduct and normative concepts for rational political constitution. This is why Hegel admired Aristotle for his conception of the polis.[14] The complex praxis of moral understanding is the process of reflexively applying ethical norms adopted through education to concrete situations of human life or as conscious conduct through which a life-form establishes itself and those who acquire moral understanding articulate their belonging to that which they understand. According to Aristotle, the goal of practical philosophy is not knowledge as such but human action and its success.[15] But since all human individuals are equally determined by the structures of the existing moral life-world and their contingencies, they must take into consideration the possibility of missing their targets. Every ethical theory must accept that no agent is master over all the consequences of his action. According to Gadamer, Aristotle distinguished himself as the most successful founder of philosophical ethics because he realized that ethical knowledge, *phronesis*, does not exhaust itself in the general concept of ethical virtues but proves its worth in specific concrete situations: "Ethical knowledge recognizes what is right (*tunlich*), what a situation requires, and it recognizes this based on reasoning by putting the concrete situation into a relation to what one deems right and correct in general."[16] The primary substantiality of right and custom (*Sitte*) adopted by education is the indispensable condition for an individual's ethical being. It is the guide

[13]Marx and Engels (1956). Ernst Tugendhat adopts the view that utilitarianism is "the ideology of capitalism," "for it permits morally justifying economic growth as such without regards for questions of allocation." Cf. Tugendhat (1993, p. 327).

[14]Cf. Aristotle, *Ethica Nicomachea* 1095 a 3 ff.

[15]Cf. *ibid*. 1095 a5: *To telos estin ou gnosis alla praxis*.

[16]Gadamer (1987, p. 183).

for the decision of the agent and it conditions his decision on what is right. The object of ethical knowledge, *phronesis*, includes neither changeless and eternal being nor the highest and constant principles, but it exclusively addresses contingent circumstances or "that which may be thus or otherwise" (*to endechomenon allos echein*). Except for circumstances in which exceptions are always possible, this refers primarily to human actions that are always singular, unrepeatable, and irrevocable. It is, therefore, reasonable not to pursue perfect exactness and accuracy in the world of action but rather prudent consideration and dutiful analysis of the state of affairs in their interconnection. Since the identity of the human person established itself through executed and omitted actions in time, all individuals are obliged to consider the consequences of their actions.

Aristotle tried taking a skeptical step beyond Socratic-Platonic ethical intellectualism, indicating that the good is the primary object of practical philosophy. We encounter it in human praxis and it informs our human lifestyle. For human beings do not exist abstractly but they grow up in a family, live in a specific *polis*, and are molded by their social and ethical environment. That is why it is useless to consider abstract ethical norms. Aristotle demands that we realize virtue according to ethical knowledge, *phronesis*, instead of theorizing focused on the good and right in general. The general becomes determinate through concretization. Although Aristotle, as Plato, considered the virtues to be indispensable preconditions for *eudaimonia*, there is no certain warranty of success but only reasoned signposting. For teleological reasons, the human being is obliged to act in accordance with his reasonable insights. According to Aristotle, only those who pursue a serious goal (*skopos*) and are, at the same time, capable of judging the concrete situation in light of what is expected of them in general deserve the attribute *phronimos.* Similar to the archer who must look at his target to hit it, the agent must contemplate the good life as the scope of ethical reflection and the goal of his or her meaning and (self-)fulfillment.[17]

The main trajectory of the teleological mode of argumentation is that Aristotle confers the interconnections existing in nature to the determinate purpose of human existence. He excludes meaningless existence *a limine*. His critics recognized a logical error in his mode of argumentation and conclusion by analogy: by virtue of the fact that all human actions aim at a goal, he concludes that there must be a highest goal of all human actions. However, it does not follow from the view that there is a goal in human life that human life as such is embedded in a teleological order, i.e., that it has purpose in cosmic terms. At the very least, we may rightly state that we are Aristotelians to a high degree in our ethical life-world. Regarding the Aristotelian constitution of our existence, J. Nida-Rümelin writes: "Ethical theory cannot distance itself too much from the experience of the life-world, the endowment of meaning to our life, and the praxis of everyday interaction, if it wants to be taken seriously."[18]

[17] Aristotle, *Ethica Nicomachea*, 1094 a 23.

[18] Nida-Rümelin (2006, p. 113); Cf. Patzig (1983).

By raising his ethical questions, Aristotle tries to deepen the main topic of the Socratic dialogues; that is, how to realize the good life and how ethical reflection may serve human education. The authentic intention of the Socratic investigations, as per the early Platonic dialogues, is to emphasize clearly the ethical norm as a paradigm and, with an eye to this paradigm, to enable us to decide whether a specific action is morally permissible or impermissible. The Socratic irony of non-knowledge does not transfer an ethical doctrine of general validity *via negationis* but, rather, it presents us with a paradigm for ethical self-examination and self-recognition by referring us to the experience of thought and existence, an experience that is built up in dialogue and able to take effect in dialogue alone.[19] Following Aristotle's moral philosophy and pragmatic attitude, it is possible to elaborate a philosophy oriented toward ethics in the sense of the *philosophia practica*, whose main task is rethinking the communicative character of our praxis and life-form. Gadamer's engagement with practical philosophy was decisively inspired by Martin Heidegger's Marburg Lectures on the Platonic dialogue *Sophistes* from 1924/5, where Heidegger deals with the sixth book of the *Nicomachean Ethics* at length. The fact that Heidegger applies the most important philosophical concept of Aristotelian ethics to the analysis of being-there and existence is understandable because of the structural affinity between the determinations of action and existence. Similar to the agent who does not have the option of refusing to act because of time–pressure, this applies to him who exists; he exists and he must exist and he cannot do otherwise but execute his existence in time making concrete decisions along the way. Here Heidegger illuminates the concept *phronesis* in a remarkable way; he does not, however, consistently follow Aristotle's ethical reflection but he explicates human action by raising the question as to the meaningful understanding of being. Heidegger defines *phronesis* as the ability to deliberate (*überlegen*) well and appropriately. The object of deliberation and consideration (*Überlegung*) is factual life, "*zoe* itself"; his telos, "the being of the one who is deliberating"; his principle, the being-there of the human being Heidegger. It is not possible to experiment at whim in ethical action because the ethical knowledge of *phronesis* refers to the being of the human being-there and because it analyzes and understands this being in his life-world. In reflecting on *phronesis* there is, according to Heidegger, either "the sincerity of the resolute decision" or "Self-failing" Self-failure?[20] Since *phronesis* relates to the being of the human being who is by nature a contingent being, an *endechomenon allos echon*, it is "new every time," since it must "uncover the concrete singular possibilities of the being of being-there (*Daseins*)."[21] According to Heidegger's judgment *phronesis* is paradoxically the "highest mode of cognition of the human being" because its intended object, the being-there of the human being in its temporality, deserves "the most sincerity."[22]

[19] Cf. Gadamer (1987, p. 210); Cf. Vlastos (1991).

[20] *Ibid*., p. 54.

[21] *Ibid*., p. 139.

[22] *Ibid*., p. 135.

In contrast to Heidegger's transformation of *phronesis*, which he defines in *Being and Time* as the call of conscience addressed to the being-there, in which responsibility for one's own self is evoked, Gadamer defines *phronesis* as "reasonability" which guides our praxis and life-form. Praxis, as a key-concept in Gadamer's late philosophy, denotes "self-conduct and action in solidarity," whereby solidarity is the "decisive condition for all societal rationality."[23] Practical philosophy always starts with the concrete situation in which we find ourselves and then asks "what is reasonable there, what is to be done in the sense of what is right."[24] We ourselves must determine what is to be done by consulting others and entering into an exchange of experience with each other. We cannot control our praxis by means of schematic instructions; praxis always implies the choice of different possibilities and we must make our decision instantly most of the time. Gadamer holds that this process of communication (*Verständigung*) is not a matter of monologues, but that we must enter into it through dialogues. If we must make each other understand our very own situation, then we have already entered into the process of hermeneutic reflection: we must interpret the situation through its integrative interconnection (between us). Communicating what is to be done, as accomplished through interpretation, is reasonable self-responsibility because as political citizens we make decisions that we are able to advocate. According to Gadamer, social praxis as our authentic form of life consists in "determining common purposes through common and thoughtful choice and concretizing them through practical reflections on what is to be done in our given situation. That is societal reason."[25] Since the practical instruction of reflection always articulates a relation to the "being of the human being"[26] and chooses the *humanum* manifesting in cultural creations as its object of reflection, Gadamer holds that the commitments of praxis and, hence, the efficacy of societal reason in praxis are always much greater than theorists believe.[27] A strict scientification of the praxis of understanding is not possible for Gadamer because the praxis of understanding articulates the self-conduct of the human being (in relation) to himself and (in relation to) what he knows of himself. The societal praxis is, according to Gadamer, not an innovation, for a form of science is running through the intellectual history of the Occident, the so-called *scientia practica*, which transports cognitions of human conduct and life-praxis and raises the question how to integrate knowledge into the practical consciousness of those who act. From the point of view adopted by the modern philosophy of language, though, it is demonstrable that there is a multitude of established games of justification that are grounded in our life-world and that determine our ethical life-form and its praxis of mutual understanding.

[23] Gadamer (1987, p. 228).

[24] Gadamer (1993, p. 67).

[25] *Ibid*., p. 72.

[26] Gadamer (1987), p. 245.

[27] *Ibid*., p. 225

Gadamer demonstrates to what degree the problem of application is particularly topical even in the highly developed sciences by giving medicine as an example. False diagnosis and false subsumptions arise in medicine not because of failures of science but, as a general rule, at the expense of the physician's power of judgment. The physician's expertise obviously does not depend on his training through purely scientific research alone but also on his ability to apply his general knowledge to the concrete life-situation. In any case, it is not possible to set aside the question of humaneness in the art of healing because it is primarily life itself which is entrusted to the physician's ability. It is remarkable that Aristotle, appealing to Plato, compares the physician's occupation with rhetoric; the physician should be able "to see the whole of nature" similar to the true master of the art of speech. "Beside the 'case' that he is treating, he must also look at the human being as a whole in his life-situation. He must even reflect on his own action and how he affects the patient."[28] Gadamer illustrates the alienating transformation of the medical profession in modern society by exemplifying the renowned difference between the medical praxis of a family doctor who, on account of his cautious assignment, usually was a family friend and the clinical physician who visits his patients only during their hospitalization and treats them as ill persons with professional distance. The physician's power of persuasion together with the patient's trust and cooperation increase the healing effects,[29] which by no means can be determined as scientific progress or denied in praxis. Gadamer characterizes the professional occupation of the clinical physician, which has proven to be abstract, as the prototype of modern expert science that excludes the hermeneutic reflection of the concrete. Nowadays, we are living in an expert society that, at the same time, is a society of functionaries that attunes experts entirely to administering their function, while they see their opportunities for advancement exclusively in doing so. What is worrisome in such a society is that ever fewer people make thoughtful and responsible decisions and ever more just serve the apparatus as experts in the field. This results in the degeneration of praxis into technique or "the regress into societal unreason."[30] Thoroughly rethinking the ethical and societal praxis against the model of humanity remains the primary task of practical philosophy.

Whether practical philosophy is able to perform almost everything that it undertakes because of its universal claim to understanding life praxis and ethical experience of the world remains a matter of concern. In my opinion, the idea of reason as a guide for praxis, which does not take recourse to generally valid norms, is justifiable only as integral and provisory morality, which recognizes and respects institutional conventions and ethical customs as basic *prima facie* rules. A concept of ethics that dispenses with justifying moral norms of conduct for the current situation always anew is unable to come to terms with the problems posed by the current world of technology. In discussing the dangers of ecological catastrophes or genetic engineering, or explicating

[28] Gadamer (1993), p. 63.

[29] Gadamer (1987), p. 258.

[30] *Ibid*., p. 219.

the universal character of justice regarding the respect for the inviolable dignity of the human being and the burning question of securing rudimental livelihood and world sustenance, we must unconditionally take recourse to universal ethical norms. The basic principle of Gadamer's practical philosophy, according to which existing moral norms cannot relieve the individual from responsible decision-making, should not be misunderstood as a sufficient argument against the point that universal ethical norms require objective justification and acceptance. Critical philosophy in the area of ethics should reflect on the rational principles of decision-making and conduct in order to enable us to cultivate and strengthen our power of judgment and to penetrate the concrete situation clearer and more completely. The fact that it is not possible to apply generally valid norms to concrete state of affairs without limitation does not justify anybody in discounting universal norms of action and concepts of normative standardization as obsolete. The meaning of moral norms is primarily, as Günther Patzig puts it, "to secure the conditions of possibility for an endurable or even enjoyable cohabitation of human beings."[31] These are norms of human cohabitation that largely underlie our everyday praxis, that are rationally justifiable, generally acceptable, and verifiable through experience in most cases.[32] As critically reviewed and rationally justified norms, they are an integral part of our ethical life-world.

The modern democratic societies tend to promote pluralistic relativism regarding the justification of norms, while the right to a different opinion is elevated to the highest and inviolable value. The fact that pluralistic relativists present ever more arguments against the possibility of giving rational and generally valid justifications for moral norms does not prevent us from refuting their power of persuasion by means of rational discourse. Among other reasons, the argumentation put forth by ethical relativists is unsustainable, because pluralistic relativism with respect to values is negated by a legal positivism in which "ethically unbinding law loses its obligatory character."[33] On the other hand, every theoretician of legal positivism should know that the norms of positive law, as W. Wieland puts it, "are in need of appraisal," which is executable "only by an accomplished power of judgment."[34] Without a doubt, there are ethical norms that are made relative under any circumstance and that should consistently determine our political and social action. Such norms that cannot be denied and that are not, to put it in Kantian terms, replaceable by any other equivalent, include human rights, the indefeasibility of human dignity, personal liberty, the right to life, just and equal opportunity for all citizens, and the moral obligation to take global responsibility for the protection of the environment.

Human action in average everyday life usually takes place in the area of institutional and provisory morality. It takes recourse to regulative norms mostly in limit situations and at times of crisis.[35] Human life is more often than we can think ahead a

[31] Patzig, p. 135.

[32] Cf. Patzig, p. 134.

[33] Nida-Rümelin J., *Demokratie und Wahrheit*, p. 21.

[34] Wieland (1998, p. 19)

[35] Cf. Wieland (1999).

life of a succession of crisis situations, in which human dignity and personal integrity are constantly in danger and human beings constantly exposed to in which a state of potentially irreversible damage of their natural living conditions for human beings is conceivable. In such cases, we can stabilize our lives only by justifying deontological norms. The rapid development of scientific research and technological world domination has unfortunately led our society into such a limit situation in which the human being cannot come to terms with difficult problems of the current world without taking recourse to basic ethical norms. The human being of today is living under the threat of an ecological world catastrophe that could result in the inhabitability of earth and the extinction of humanity. We are still far away from seeing all of the possible and shocking consequences of genetic engineering and the cloning living beings, including human beings. The accountability for human action under the conditions of the modern scientific and technological development in the digital society by no means dispenses with normative ethical justification. Without these basic ethical norms, the human being would entirely lose orientation in modern society and have no starting point for cultivating his ethical attitude and faculty of judgment.

The question of normative values and individual rights that are not relative – a question that has been raised in ethical discussions time and again – indicate that deontological argumentation is indispensable for normatively justifying and distinguishing the morally right from the wrong. Wolfgang Wieland has mostly analyzed areas of our life-world in which consequentialist concepts of ethics are insufficient. "A good example of values that cannot be accounted for in any balance and must not be made relative to any purpose or benefit are human rights. Particularly, human rights must not be put up for discussion or made relative, not even in exceptional cases, not even for the benefit of expected advantages, no matter how great they may be. That is the meaning of the indefeasibility and inviolability that we use to ascribe to these rights. According to the idea of these rights, no one of his own kind has bestowed them upon the human being and no one can deprive him of them. They would cease to be human rights, if it were possible to account for their benefit in any kind of assessment of consequences of an action."[36] In spite of all the advantages that the thesis of teleological norms give us over other kinds of ethical justifications of norms, we depend on the prudent and practical power of judgment in our life praxis in concretely applying norms or assessing violations of norms.

The faculty of moral judgment is an integral part of both ethical theory and the application of prudential reasoning. The moral power of judgment is required for answering the question of the right conduct in our own lives and it includes more complex questions of the value of life and how to live our lives. As a reflective power of judgment, it should be a cultivated faculty by means of which we should act in an appropriate way in a concrete case, especially where there are *prima facie* conflicts between several different moral norms and institutional views. In that sense, Kant already spoke of "healthy reason" (*gesunde Vernunft*).[37]

[36] *Ibid*., p. 92.

[37] Kant *Akademie-Ausgabe*, v, p. 169.

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Eco-Ethica After Fukushima in Japan

Noriko Hashimoto

1 Introduction

Eco-ethica is a new ethics for the technological era proposed by Tomonobu Imamichi (1922–2012) in 1965. A research team on Eco-ethica began its activities in 1981 and has continued for 31 years now. As a research team, we focus on how human beings can "live better" or "live together with others" in our systematized, technological age.

The characteristic feature of the twentieth century is a revolutionary development of technology for a convenient and happy life: Imamichi named this developing technology 'technological cohesion or conjuncture', parallel to Heidegger's concept of a Ziel-Zusammenhang (cohesion of goals). It remains a function of tools and results that diminish the time for the process – namely, the timeframe for getting effective results.

Nowadays, it is going in two entirely opposite directions, towards the macro and the micro: on the one hand, towards the cosmic, intersidereal space and, on the other hand, towards microscopic nanospace or femtospace. The most symbolical fact of the twentieth century is that human beings went to the moon and stood on its surface. This was the victory of human beings over the planet through technological cohesion or conjuncture. We saw the flag of the United States on the television screen and recognize the power of research in America.

But, now in the twenty-first century, we acknowledge research projects conducted by various countries (or states), and projects involving international space stations are being carried out with astronauts working 3–6 months in space. The astronauts can restore mechanical arms or fix problems outside of the station. We can watch their progress from a computer screen. Astronauts could teach

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children by computer with wireless mechanisms for educating the children about new discoveries. These children will be able to see how to live in the space station with zero gravity and how animals live in weightlessness.

Moreover, the structure of DNA has been clarified, and we have begun to apply these research results to criminal investigations. We can now predict future diseases by analyzing genes on a computer screen. Moreover, without being conscious of it, we can eat genetically-modified foods.

I believe that all this means that it is necessary to rethink our technological cohesion or conjuncture.

2 Practical Syllogism

Imamichi clarified two types of practical syllogism: one is the Aristotelian, which applies to ordinary life – for example, in the case of individual human acts –, and the other participates in group decisions (for instance, in a committee) in the technological era.

With respect to the Aristotelian syllogism in the *Nicomachean Ethics*, Imamichi took up its "classical formation":

A. (major) A is desirable
(minor) p, q, r, and s will realize the desired A
According to the principle of *kalista* (the most beautiful) and *laista* (easiest),
(conclusion) I choose p as the means to achieve the desired A.

B. (major) We have means P
(minor) P can realize a, b, c, and d as a goal
According to the principle of efficiency (in particular, the economically efficient),
(conclusion) we choose a as our goal by means P.

In Imamichi's syllogism in the second scheme (B), P is "power in the form of systematic, atomic and electromagnetic energy or capital in economics". The Aristotelian subject is "I" and the conclusion (act) is an ideal one: the minor means it can be expressed as a possibility. By contrast, in Imamichi's syllogism, the subject is plural, "we", and the minor premise is stated with assurance, and the principle is economic efficiency. Imamichi said that substitution of the grammatical subject "we" for the Aristotelian "I" reflects a transposition of earlier ethics of the individual into one of a group. Thus, it is possible to conceive it as "Nosism" (egoism in plural): then the subject of decision-making is "we" (Latin: *nos*) and it often means not having responsibility for the results.

3 Technological Cohesion or Conjuncture

Nearly 25 years ago, I spoke at the International Symposium of Eco-ethica about the fashion among young people to wear a "Walkman". The "Walkman" was sold by SONY, and young people were using the "Walkman" to enjoy their favorite music,

but we could not hear a sound from the outside. It was said in Japan that the eyes of young men are like fish eyes; they concentrated only on the music and had experiences of ecstasy without consciousness of the outside. They always kept silent, lost interest in others, and did not communicate with other persons.

Once Prof. Minsky came to Japan and participated in a Fukushima Seminar, which was organized by Prof. Kenzo Tange, Prof. Keiichi Oshima, and Prof. Imamichi, aiming at a symbiosis between technology and art, and he lectured on virtual reality, using Google to show a three-dimensional screen on a computer supported by SONY. I remember I said to Prof. Minsky: this machine is very interesting, but to use Google on a computer makes a person concentrate only on the outside, and as the result I wonder if they will lose the most important thing: to concentrate on the inner world, namely, consciousness. The "walkman" was renovated to liberate the rhythm of sound; but, in the train, the rhythm spoils other people's concentration. In my case, whenever I hear these sound rhythms, they occupy the rhythm of my thinking all day long. Now not only young people but adults use mobile phones everywhere.

We can define technological cohesion or conjuncture as the circumstances created by a complex, systematized series of machines controlled by computer, machines that keep a person alive by stimulating the heart and preventing it from stopping or make possible gene manipulation against some disease. But they also concern the inner circumstances of human existence and aim at making life better and longer.

Now, mobile phones or iPads give us a chance to think about technological cohesion or conjuncture from a different perspective. We can consider the mobile phone or iPad in following ways:

1. we can think them as a convenient tool for communicating with others;
2. we can learn from it that we are members of a network;
3. we can feel we belong to a community;
4. but, on the other hand, we can also conceive of the mobile phone or iPad as a symbol of solitude if no one communicates with us;
5. mobile phones or iPads can function in two different ways: by making the world broader or making it smaller,

   (a) they permit wider international relationships and provide us with the possibility of philoxenia (love of strangers);
   (b) they can make it smaller when they only create a one-way relationship or an artificial relationship with a particular person.

It is dangerous for a person to think only of himself or herself.

I can imagine a person who uses a mobile phone or an iPad as surrounded by a little capsule with transparent walls, and he or she breaks through the transparent wall to make contact with the other in only one direction: from outside the capsule, we can see inside because of its transparence, but from the inside he or she cannot see but can only hear the voice of the other with whom he or she wants to speak. We have a mobile phone or an iPad as a communication tool to contact a specific invisible other. At the same time, it is a tool for escaping the face-to-face relationship.

In Japan, many people use mobile phones on the train, and it creates imaginary worlds in which each person has a transparent capsule around himself or herself to maintain his or her own space. There is no more Dasein because they cannot understand their Being-in-the-World. As a result, the technological conjuncture makes each person isolated from the world.

What, then, is a mobile phone? According to Imamichi, the mobile phone is a symbol of "decreased technological conjuncture" – namely, the fact that a tool itself becomes a virtual circumstance in having possibilities to become a real technological conjuncture from the inside for obtaining information. This means that a technological conjuncture has the following three dimensions:

1. the technological conjuncture is a circumstance parallel to nature;
2. the technological conjuncture may be in one's body like an artificial heart, etc.;
3. the technological conjuncture strengthens, for instance, the mobile phone or iPad as a tool.

4 Inter-Subjectivity

The phenomenon of the mobile phone suggests to us the possibilities of a newly-established relationship between several persons. Originally, the telephone created an interpersonal relation: as Watsuji interpreted the Chinese characters 間柄, which suggests that ethics is established between persons, i.e., *ethica inter homines*.

The Italian philosopher Marco M. Olivetti, who was a part of the Eco-ethica symposia until his death in 2008, believed in the importance of an "ethical community" from the beginning, when inter-subjectivity was positively discussed. He claimed:

> By 'ethical community', I mean that situation of life in society in which the relationship between subjects is governed by ethical laws in the form of public laws.
>
> It is in this situation that subjects are constituted as 'persons', and only in such a situation can the subject be thought of as a 'person'.

However, he believed that the situations of life in society that we experience, or that we know as facts, do not, and apparently cannot, correspond to the characteristics of the "ethical community". He thought that ethics must be established in subject-subject relations; while science, inasmuch as it is based on the gnoseo-ontological subject-object relationship, can and must be conceived in the absence of a plurality of subjects. Thus, he claimed that ethics in the modern sense can only be conceived on a basis of the subject-subject relationship, i.e., on the basis of a constitutive inter-subjectivity.

According to Olivetti, ethics exists because of the responsibility that exists vis-à-vis the other subject(s), characterized as the subject being called to respond to duty, and duty must be an asymmetrical duty for the other, the behavior of acting subject (ego) to the other (alter ego).

Olivetti developed his thought through an analysis of the *loquor* (I speak) and my belonging to a discourse community. It is making concrete the incarnation of

the ought (you shall) through an asymmetrical structure of this duty. And he said "You ought; therefore, you are – this is humanism".

But what must we do to realize our duty and the incarnation of ought for other living animals? According to Olivetti, human beings have a duty towards other living animals as subjects. His theory worked at realizing this ought. Therefore, the title of Peter Kemp's article on Olivetti's thought in Eco-ethica, n° 1, was "The Exceptionality of the Ought".

In developing Olivetti's thoughts, I think we can see possibilities for an *ethica ad rem,* towards things (Latin: *rem*). Prof. Imamichi explained this expression "ethica ad rem" by saying that it comes from the experience of a relationship of a persona to the work of art. Given our attitude towards works of art, we should consider our attitude towards other valuable things.

> The French philosopher Étienne Souriau (1892–1979) suggested that, in dialogue with a work of art, it (the work of art) responds to our inner questions. He said, in his last book, *L'Avenir de la philosophie* [The Future of Philosophy] published in 1982 that we accept the powerful order "Don't kill the work of art", and he wanted to stress thereby the coincidence between aesthetics and ethics.

By developing technological conjuncture day by day, we create many artifacts, and a new question occurs: Is the value of a work of art like that of the mobile phone? No, because we can easily get a new mobile phone. Therefore, the mobile phone doesn't say "Don't kill me".

5 What Happened at "Fukushima" (Nuclear Facilities)

When the powerful earthquake happened in Tokyo, I didn't know anything about the damage from the tsunami: we could not receive any information, and we only knew that "something had happened".

At the waterfront in Miyako-shi (宮古市), a strong, solid, and tall breakwater had been built. It was 10 m high and 2.5 km long. People living along the coast had admired it as an advanced product of technology. We believed we were protected against a tsunami. Unfortunately, the height of the tsunami was more than 10 m, probably 20 m in reality, so water easily passed not only beyond the breakwater but also crushed it, and the debris disappeared.

This breakwater was the symbol of the most advanced technology. Building a powerful breakwater wall was described as a "victory against nature at the forefront of modern technology". We were proud of this high technology with sensors, and we invited many Asian technologists to see the "victory of technology".

Yet, we lost a number of firemen who went too close the water gates. We know that the most dangerous place in a bay is at the bottom and at the mouth of a river. This is because the bay sometimes makes the tsunami higher as it pushes through to the upper reaches of the river. On this occasion, it reached 20 km from the seacoast, where one or two elementary schools on a hill were crushed by the tsunami, and many children were lost: we could not imagine that the speed and magnifying power

of the tsunami could grow so rapidly and be so destructive. However, the teachers let the boys and girls gather at the playground. They could not decide what to do. They gave no directions to the children to escape before the tsunami came. They simply did not have any experience with this sort of phenomenon, which brought all kinds of wood, bricks, rubbish, cars, and human bodies up the river.

We, the Japanese people, did not know what happened at the Fukushima Nuclear Facilities, because the government and those responsible did not share any information with us. Suddenly, high radioactivity levels next to the prefecture of Fukushima were being detected. The government announced without prior warning that a tank at the nuclear facilities was filled with hydrogen gas, and there was a danger of an explosion. The government said that the first reactor of the Fukushima Nuclear Facilities had been cooled by seawater. But then a hydrogen explosion took place in the third reactor, and we could see the ruined nuclear power structure.

The wind was blowing to the northwest and, tragically, old people were taken to hospitals in the northwest only 30 km from the nuclear facilities due to the lack of information. Lack of accurate information made people move to more dangerous places. The Ministry of Environmental Affairs had received details on the radioactivity from the U.S. Army, but they neglected to send it on to the Minister. Even now, the region at the northwest of the nuclear facilities is still radioactive.

One month after the earthquake, the government and the electricity company responsible for the nuclear facilities endowed a film about the status of the facilities after the tsunami. The water at the nuclear facilities was more than 2 m high, and this caused the reactor to malfunction, because the ability to cool the reactor down had been destroyed by the water. This was because the Fukushima Nuclear Facilities imitated the American system where all electric switches are located in lower areas. Nuclear energy specialists had warned us about the possibilities of a meltdown, and we could imagine this. Still, we had not expected to be informed that the meltdown of the nuclear reactors had already occurred. We know now that discussions had taken place about the possibility of a tsunami, but the electric company never came up with a plan in case of an accident.

6 Reality in Tokyo on the Night of March 11: Problems of the Megalopolis

Modern technology ceased to be useful in the urgent situation of the aftermath of a strong earthquake: mobile phones were useless because everyone tried to call each other at the same time. The system stopped working because it was overloaded. In my case, the first time I could use my mobile phone after the earthquake was at four a.m. the next morning on an international call. But we could not make domestic calls for 2 or 3 days. Roads around Tokyo were full of cars moving very slowly.

In an urgent situation like this one, people want to do the same thing at the same time. In our technological world, we are accustomed to a very convenient life. People wanted to go back to their homes to check on the safety of the people there,

and they rushed to the train and subway stations. However, almost all of the train companies decided to stop their services because of safety concerns and the need to check all the facilities after the earthquake. Every station was full, crowded with masses of people. Finally, they decided to go back to their own homes on foot through main thoroughfares and small streets. All the roads were full of people in the darkness. In the stores, we could not find the most basic items – for example, instant foods, batteries for flashlights, and so on. I stayed one night in my department at the University with small tremors occurring the whole time. My university took in 8,000 people who could not go back to their homes, and we took care of them, giving those people blankets to keep warm, bottles of water, and some food.

The biggest problem in such an urgent situation was that these masses of people were acting without any information. In Tokyo, we had removed public telephone boxes because of the growth of the mobile phone system. Now, we recognized the differences in quality of service of different telephone companies. If a family had decided upon a place to meet in case of an earthquake, they could not get there. All attempts at escape were futile, but people still felt obliged to try.

Moreover, I recognized the danger of the sort of rumors that spread in a crisis. After a strong earthquake in Tokyo more than 80 years ago, there were numerous tragedies in which people were killed as a result of rumors.

To understand how the technological conjuncture operates, it is important to know that the electric companies lied intentionally and systematically. They were unable to enter the nuclear facilities, but they announced officially that there was no possibility of an explosion there. Some of us knew from the information coming from foreign countries that one reactor had already exploded; but, in the countryside, there were many old people who had not heard this and refused to move elsewhere.

When I went to the private university in Sendai, an abbess told me that the lack of information in some situations might be a good thing, because it made it possible for them to help people, whereas when they knew the details, they could not always help people as they want. However, in the case of radioactivity, everyone needed to know the truth. We wanted to know what had taken place, but radioactivity is invisible and odorless. We were looking for shadows.

7 After Fukushima

All the seacoasts of the north part of Pacific Ocean were full of debris, but we have the concept of *ethica ad rem* to understand these phenomena. Many people found keepsakes: for example, a watch that had belonged to someone's father, shreds from the clothes of a mother who died in the tsunami, and so on. For strangers, these things are not important. Yet, for those who suffer the loss, these things carry their own special memories. Such objects are saturated with memories. The essential nature of the thing had not changed, but its meaning had changed into something more significant.

We can imagine that, in this case, we have an *ethica ad rem*, because the meaning of things changes. It means that people could create new meaning by attaching a new memory to things. For instance, a pine tree survived the tsunami, and people considered this pine tree to be a symbol of the survivors who escaped the tsunami. They imagine this symbolic pine tree as a suffering and saved person. We understand this pine tree to have a very special existence.

In retrospect, I would like to point out some of the phenomena and experiences we need the project of Eco-ethica to develop.

1. After the disaster of March 11, 2011, I feel that the Japanese people's way of thinking has been changed. I cannot clearly say that ethical attitudes have changed, but the ordinary way of thinking has certainly changed. Every Japanese person feels in his or her heart that the Japanese owe or feel a responsibility for this disaster and a powerful responsibility for the future generation. And we must as a people do something for those who have had such a tragic experience in the world.

   For example, we should try not to use too much electricity; in particular, we should use fewer lamps in our homes and public places. We should reduce bright lights and brightly-lit advertisements, which are a symbol of economic prosperity. In Japan, only 2 years ago, it was a symbol of happiness to keep on the switch to the television, the entrance lights, the computer. Now, because of Fukushima, we should try to switch them off. We must make an effort to stop wasting energy. Many Japanese are trying to re-conceive how we use electricity.
2. At the time of the hydrogen explosion in the third reactor, the wind was blowing to the northwest from the sea. People within the 30 km surrounding the Fukushima Nuclear Facilities should have been evacuated, but:

   (a) old people didn't want to leave, even after being warned of the danger;
   (b) handicapped people could not get any information (although attitudes are now changing, the traditional thinking among the Japanese people was that, if they received a handicapped child, they were being punished; such children were hidden away from the public);
   (c) special facilities for the aged built in the countryside were threatened. Their children often used the distance as an excuse for not visiting them more frequently. At the moment of the tsunami, doctors and nurses were few, and they had few means to take care of the old. They moved old people to other hospitals (belonging to the same company or group). They had no information concerning the direction of wind, and unfortunately they moved them to the northwest, into the most dangerous area. Half of those moved suffered harm to their health (but we could not count the number of dead people, only the shift in radioactivity). In Tohoku, in February and at the beginning of March, the temperature was −15 °C.

   I learned of the direction of the wind from foreign media. The Office of Environmental Affairs had received detailed information about the radioactivity from the U.S. Army, but they neglected to send it to the Minister. It was

the custom after World War ii to keep the information from the U.S. Army secret. But what is the responsibility of a public servant in such situations?

3. A year and a half has passed since the earthquake of March 11. The inhabitants who lost their houses now live in small temporary shelters. Many men or women who lost their entire family in the tsunami have only their memories. Many people 50 years of age or older have lost hope and keep their distance from the community; a number of suicides have occurred in the mistaken belief that they are contributing to the rebirth of the community.
4. People want to communicate with others about making a new community. Every person has a desire "to be with the other". For example, my neighbors came to my house and proposed that we help each other in time of earthquake, and they asked me to provide them with fresh water from our well. Here, a face-to-face relationship is re-established. In the case of technological conjuncture or cohesion, face-to-face communication takes place through a computer screen.

   For example, on a train on the Yamanote line, I found that almost all the students and businessmen or women had their iPhones or mobile phones out and were staring at the little screen, communicating with others at a distance. This is a big difference from the time when we could see world phenomena through the fourth wall, i.e., television. At that time, television could open its window to the world. Now, this little screen is the topos through which people communicate with each other at a long distance. But each human existence is like an atom with no care for one's neighbors.
5. Earthquake specialists had predicted that, before the year 2040, we would have a powerful earthquake in Tokyo. People in Tokyo had to prepare for such an earthquake and subsequent tsunami. My house was built just after the Kansai earthquake, when the construction standards law had been changed. First, I had wanted to build a kitchen, dining room, and living room in one large room, but it was deemed necessary to put walls between the rooms to strengthen the structure of the house. And in my kitchen, for example, I installed earthquake sensors: if the machine registers any trembling, it will automatically lock all the shelves.
6. Ten years after the Kansai earthquake, I wrote a report on how to restore a community, so that a city or town in a good community could easily recover from a catastrophe. The characteristics of a good community are composed over generations. It has a democratic structure with good leaders.

8 Fulfilling Ethics Through Politics

Let me give you a list of problems to be discussed in the domain of Eco-ethica concerning the phenomena mentioned above.

1. Is there a basis for ethics in our way of living? Is there the possibility for new ethics?

   As a people that has experienced a disaster, we as human beings must contribute something to ethical thought for future generations.

We have a responsibility for changing energy policies from electricity produced by nuclear facilities to other systems (thermal energy, wind energy, etc.).

2. The lack of information dissemination must be considered an urgent problem.

   How do we change our attitudes toward the other – for example, toward the aged, the handicapped, and hospital patients?

   Here there is a conflict with traditional ideas, because the responsibility to relate information in an urgent situation must relate to a kind of business ethics.
3. How to regain hope.

   Along to the Pacific coast, rice fields have been ruined by salt water. Agriculture and homes have been destroyed. Some towns and villages decided to move to higher ground to create a city guarded from a tsunami. It must be conceived as a project for Urbanica (the philosophy of the city).
4. In spite of the desire of "be with", people are rejected by their real neighbors, and they connect to the other only at distance through a technological conjuncture or cohesion. This means that technological conjuncture or cohesion has become our circumstance (being-in-the-world) – parallel to nature and systematized tools (communication and information "ready-to-hand").

   Our mobile phone or iPad is like a small capsule for sending and receiving an electric wave in a specified direction. Thus, the iPhone is a most convenient tool for education.
5. The role of law – Standardized laws for construction should provide stricter safety precautions.
6. "How to create a community" for happiness? Let us listen to Aristotle: Ethics must be achieved through politics. The aim of politics is *eudaimonia* (happiness), and the aim of ethics for the individual is "the good" and to live well (*eu zen*).

Values That Work: A Practical Approach to Value-Based Management in Private and Public Organizations

Tor Dahl

1 Introduction

We currently live in a paradoxical period in management. The paradox is that while the employees' knowledge is increasing, and their expectations as to independence and freedom are greater than ever, management's control regime is being strengthened.

This contrast leads to uninspired employees. The consequence is that in most cases they adapt to the control measures, with the result being passivity and reduced commitment, an increased rate of sickness and staff turnover. Absence due to sickness is usually higher among younger people than older employees, which may indicate that the younger employees find the controlling management style less acceptable.

Knowledgeable and well-informed employees are more than ever an organization's most important strategic resource. Knowledge is possessed by a steadily increasing number of employees, who are able and eager to contribute. This knowledge should therefore be utilized, and the employees ought to be given opportunities to display their creativity and enthusiasm. Indeed, the participative employee has become a strategic factor.

Furthermore, the employees must be rewarded for their initiative and effort. In many companies the owners have instead taken active control in order to increase profits, often on a short-term basis, with the intention of improving the return on their investments. Highly educated and knowledgeable employees are not motivated to greater achievements to the benefit of the investors only.

Increased centralization and stronger corporate governance by company boards of directors and top management have resulted in more control and less leadership through involvement of and empowerment to the employees. The gap between the board of directors and top management on the one side and the employees who meet the market

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on the other, is thereby increased. The customers are becoming more remote, and the service level is reduced. When the national economies are getting worse, and private businesses are having financial difficulties, the consequences are often the same.

The transition from the industrial society to the knowledge society in the Western world took place in the early part of the 1980s. At that time, a number of companies began involving their workers and went into the process of value-based management, but this management style largely came to a sudden stop at the end of that decade when the recession started. The strengthening of corporate governance after the turn of this century also postponed the development of the new leadership style. With the expected weak development of Western national economies in the coming years, it is most probable that this situation will lead to more top down management and less involvement of employees.

In this article I will share my 40 years of experience as a corporate top executive. My experiences are mainly from the international staffing company Manpower Inc., as head of the operations in Norway, the Nordic countries and Europe. During the last few years I have had responsibility for the company's international management projects, including the development and implementation of corporate global values.

Manpower Inc. has been the leading company in the staffing industry and among the most prominent in the service industry. This international corporation is doing business in 82 countries with 4,500 branch offices that generate annual sales of 22 billion dollars. The growth in both sales and profits has been very strong ever since the company was founded in 1948. Before the wave of company mergers in the staffing industry during the 1990s, Manpower was double the size of its largest competitor.

Manpower has been recognized for its great respect for and confidence in people and for its decentralized operations. This confidence has given the employees freedom to show initiative and innovation. Furthermore, the company has been a pioneer in the staffing industry in showing the courage to experiment. The bureaucracy has been at a minimum, and the energy and efficiency have been high. Furthermore, high priority has been given to the customers' needs and to establishing close and confident relationships.

2 The Knowledge Society

In the early part of the 1980s the Western world went through a paradigm transition. The new reality, which most often was called the knowledge society, replaced how people thought and acted in the industrial society. The new society was given several names. Many called it the information society, as information technology was made available to everybody later during the 1980s, but it was the importance of increased professional and technical knowledge among a greater number of people that made the biggest difference.

In the feudal agricultural society, *the most crucial thing in life* was to survival. In the industrial society, the objective was to increase the standard of living. Money

was the only target. In the knowledge society, people go for a qualitative and meaningful life through growth both on the job and during leisure time.

It is the actual purpose and meaning of the work that should give inspiration, energy, and commitment among the employees. The management expert Charles Garfield once said that it is impossible to motivate people. They have to motivate themselves. The motivation comes from within through the meaning and purpose of the job. It is Garfield who said that "*Everything that counts*, *cannot be counted*, *and also that everything that can be counted*, *does not count*."

The cultivatable land was the *most important strategic resource* in the agricultural society, while technology, machines, energy, and capital were critical for development in the industrial society. People were considered to be a resource that could be consumed. In the knowledge society, the employees with knowledge and ideas are the most important strategic resource for progress.

The strategic advantage in the agricultural society was to be able to provide enough food, while standardization and mass production were the most significant priorities in the industrial society. In the knowledge society, the most important challenges are customer orientation in order to satisfy individual and personal product and service quality demands and needs, and to meet shorter terms of delivery.

Equality regarding both social differences and gender is a prominent trait of the knowledge society. Those who have the best solutions, independent of position, are listened to. Management is no longer a superior race with a parking space closest to the entrance, with its own elevator and executive restaurant.

The hero in the agricultural society was the landowner, while the industrial factory owner had that role in the industrial society. The visionary thinker, who gives direction and objectives, is the new hero in the knowledge society. These leaders understand that leadership is performed with and between people, when managers and employees meet. This is when the managers earn the authority and power that they need to lead.

The parish was *the world* for most people in the agricultural society. In the industrial society the company set the limitations, and the hierarchy was strong. Unlimited knowledge networks are of primary importance in the knowledge society. Furthermore, alliances are significant in order to generate synergies.

Barter was prominent in the *economy* of the agricultural society. The mass economy with money as the only objective had the highest priority in the industrial society, while in the knowledge society it is more important for a company to focus on how money is spent as a means of reaching its objectives.

3 From Administration to Leadership

The knowledge society requires a new type of management. Management through rules and control, which dominated the industrial society, is being replaced in the knowledge society by value-based leadership and democratic processes. The main

differences between management in the industrial society and the knowledge society can be described as follows:

- Autocratic decisions and the use of power and fear are replaced by participation and involvement. Greater alignment and commitment are thereby obtained.
- Control and lack of trust are substituted with confidence in the employees.
- The employees no longer experience distance and alienation, but identify instead with the decisions and with the company.
- Obedience, discipline, passivity, and limitations are superseded by development, initiative, commitment and possibilities.
- Authoritarian management and status symbols are being reduced. Authority and influence must be earned through the managers' own capabilities and by showing the employees respect for what they say, how they behave, and their actions.
- Bureaucracy and hierarchies are replaced by networks and flexible organizations. Informal contact and shorter decision channels lead to faster responses and actions.

The administrator as watchman is replaced by leaders who create possibilities. Leadership is most often defined as a process whereby an individual influences a group of individuals to achieve a common goal. The leaders should therefore inform, support, and coach the employees, and tell them why the work is important, not only make rules and give instructions. The leaders ought to apply their psychological and pedagogic insight and wisdom to initiate creative and strategic processes, and to direct the employees' energy towards common goals.

Leadership must be given focus and continuous attention. It is important that leadership is discussed at all levels. Furthermore, leaders and employees must talk about how they can cooperate, and how they can improve their relationship to do a better job together. Openness and honesty is of utmost importance in a confident and secure environment.

Objectives and priorities must be clear and well understood. The employees must know which strategies they should follow. A sense of security is obtained through long range plans, firm policies and predictability. Furthermore, reorganizations must be avoided as much as possible, as they create unrest among the employees. Consequently, the energy and attention are expended internally, while the customers are suffering.

When confidence in the employees is increased, followed by reduced control and supervision, flatter organizational models can be introduced, and a larger number of employees can thereby report to each manager. In Manpower, we found that when the managers controlled less and empowered the employees, their respect and influence increased. The managers got more time to engage in the development of the organization and to do important tasks related to the employees and the company's customers.

It is easy to lose sight of important issues when focusing only on profit targets. Managing only for profit is like playing tennis with your eyes on the scoreboard and not on the ball. High performance in every step of the process is what counts the most. As an example, the world's best downhill skier who has won the most championship medals, Kjetil Andrè Aamodt, missed the second gate in the second run

during the slalom race at the Lillehammer Winter Olympics in 1994. When asked why he failed, his reply was that "I was so occupied with winning the gold medal, that I forgot how to ski. Instead of giving my full attention to the task of skiing and passing every single gate in the most efficient way, my only focus was on my target of winning the gold medal".

A professional leader is a many-sided and versatile person with several dimensions, qualities and talents, who is not chasing in a one-dimensional way towards the largest possible profit within the shortest time period. The leader must conduct a balanced life in harmony with her/himself, her/his family, and friends and society. It is important to contribute in society to something that is larger than oneself and one's self-interest. The leader must be conscious of her/his own personal, mental self-development, and be inspired by and learn from art and culture like literature, theatre, film, and music. Versatility can also be developed through having friends other than business associates, representing areas in society other than one's own. In addition, it is of utmost importance to be in good physical shape.

In the companies' search for talent in the present labor market, the reality is instead that talented people search for good leaders. If the employees are not satisfied with the manager, they will likely find another person who can fulfill their needs. Competent employees want to work for managers who give them possibilities for development and challenges under professional guidance, and to work together with inspiring colleagues in a company with a good reputation.

In Manpower we developed the following definition for leadership: "*Leadership is to create results by providing an environment wherein everyone can succeed. The responsibility of the leaders is to disclose, take care of and realize the possibilities for growth and development in each employee, so that both the personal and the corporate objectives can be achieved. This is how everybody can succeed and be winners*".

The good working life is really self-realization through mastering challenging tasks with a meaningful content. To work in companies producing products or services of general benefit to the public creates a strong driving force and motivation. Most people are usually loyal and committed to what is experienced as valuable and desirable, and with which they can identify. Any company ought to have a purpose or a mission that is emotionally appealing. As an example, the Manpower mission is that "*We find the best in everyone and put it to work*". The company's purpose is to find tasks that each applicant has the abilities, skills, and knowledge to perform.

4 Self-Fulfilling Prophecies

Management based on human and psychological criteria began in many ways with Theory X and Theory Y as presented in the book *The Human Side of the Enterprise* (1960) by Douglas McGregor. His theories described decentralized, participative, and involving management styles, and emphasized that people become the way they are being treated. It is comparable to how Eliza Doolittle was treated in the musical

play "My Fair Lady", based on *Pygmalion* (1912) by George Bernhard Shaw. Eliza says to Professor Higgins that "when you treat me like a flower girl, I will remain a flower girl, but if you treat me like a lady, I will become a lady."

It is all about self-fulfilling prophecies. The employees' behavior reflects their managers' expectations, which is directing their performance and career development. The employees will act in accordance with what they suppose their managers expect of them, and work hard to meet these expectations. On first hand, high performance expectations have not only consequences for each employee, but also for a company's ability as a whole to generate good results.

On the other hand, if the expectations are low or negative to the employees' performance, self-fulfilling prophecies can lead to dramatic consequences. It is therefore important to stimulate the development of self-confidence among the employees. They must be convinced of how important they are for the work they are doing and for the common objectives of the organization.

The confident and involving management style came as a counterweight to Fredrick W. Taylor's theories, as described in his 1911 book *The Principles of Scientific Management*. These principles changed the way workers were managed in the industrial society in order to increase productivity by taming the workers by means of detailed and authoritarian rules. According to Taylor's theory, workers are quite stupid and cannot think for themselves. They should therefore do what they are told, while management will think, plan, and show the workers how the job is to be performed. Since the workers cannot be trusted, they must be controlled. Charles Chaplin's film from the mid-1930s, "Modern Times", is a splendid parody of Taylor's scientific management style.

Manpower's "product" or service is people at work. It was therefore considered of paramount importance to satisfy the needs and wishes of the employees. Abraham Maslow's hierarchy of needs was used as a basis, where motivation and commitment are created when the needs of people are met. We identified which needs are met through our different actions, making us aware of how we treated each other. We trained ourselves to inform, coach, encourage, and give feedback and recognition in our daily work. This was how we developed our self-awareness and pride.

It is also important to look at the balance between work and private life. Work is our actual job and professional career. Private life concerns our family and friends. Other factors are our physical and mental conditions, intellectual challenges, and our relationship to the society in which we live. There should be a continuous combination of the development of professional and human skills in an organizational and personal environment.

5 "Intrapreneurship"

Organizational patterns have changed in many companies during the last several years. We are moving away from rigid organizational charts with separate position boxes and firm job descriptions. Organizational charts today look more like the

airlines' route maps with hubs in route systems, and different colors for the airlines' own routes and collaborating airlines. It has been necessary for many companies to loosen strict structures to increase flexibility and productivity.

Innovation and entrepreneurship have become important to success. Entrepreneurship inside a company is often called "intrapreneurship". Employees are becoming entrepreneurial by being given the freedom to take initiative and be given opportunities to develop their performance and skills by working in smaller, independent units, and not in large centralized and impersonal organizations. Small decentralized units also promote identification with the work, leading to greater commitment and accountability.

A big challenge for a company is to function as large and small at the same time. A company ought to operate like a network of units in a federation, where independent and competent employees are given a chance to perform quite freely, and where a centralized bureaucracy is not defining limitations. It is important to be organized in a simple way in order to react quickly to new and often local challenges. This requires informal organizations and short decision-making processes.

Federations are both centralized and decentralized at the same time. Decisions that concern the whole organization should be made centrally, while everything else can be delegated to the operational units. The core areas are corporate values and culture, finance, objectives, and strategies. Power and authority in the daily work must be as close as possible to where the action is taking place. The employees must be trusted in taking their own decisions. The opposite of centralization is empowerment, i.e., to give authority and responsibility to the employees.

Milton Friedman's thesis from 1973 that "*The only purpose of business is to satisfy its shareholders*" is not true anymore. Actually, it has never really been true. Thirty years later, even Friedman said that "*The use of money as the only target has not been a success*." Business organizations have many more participants to relate to than shareholders; first and foremost are the employees and customers. It is no longer sufficient to pay taxes and behave decently. Private companies also have a responsibility to the society in which they do business. They must therefore contribute actively to this society, and in this way make themselves attractive for the environment. This is particularly important in attracting and keeping competent workers.

In Manpower we said that "*Joint efforts and common interests give synergies and strength and are preconditions for success in the long run. We must therefore give priority to the units before the individuals and put the company's interests before the units. Furthermore, the interests of the society and the company must be compatible*".

The shareholders cannot expect that the employees have their interests in mind at work. The employees are not motivated to work harder when asked to put in an extra effort to satisfy the shareholders' greedy demand for higher profits, to make the return on their investments as high as possible during the shortest period of time. The shareholders do contribute with their money, but only to a small degree with their time and competence. Companies with creative ideas will, in the future, not be short of money. Money will be invested in those companies with the best ideas and which behave decently and show responsibility for the society.

In Manpower we said that "*Financial results are a consequence of our professional capability and efficiency. Satisfactory financial results give opportunities for growth and development for our employees and the company, in addition to independence*".

6 Operational Systems and Administrative Structures

A firm corporate culture and pattern for actions is a precondition for value-based management and democratic processes. In addition, a foundation of well-established systems and administrative structures are necessary. While the systems and structures give security and a platform on which to work, the corporate culture functions as a framework within which the employees can operate. Without these preconditions the consequences could be anarchy or employees who are not working in the interest of the company.

The starting point must be the belief that people are trustworthy, and that the employees primarily wish to develop and make use of their competences, and contribute in favor of the company's values, vision and mission. The management must not, however, be naïve, but be aware that the employees may have their own agendas based on their skills, backgrounds, career plans and personalities. Certain elements of top down management are therefore necessary to keep the business on track.

The objective should be that organizations become as self-managed as possible. The strength and firmness in the corporate culture is decisive in establishing how much freedom and independence can be given. Operational systems and administrative structures do also make the company more predictable. Examples of such systems and structures are concrete strategies and guidelines, budgets, monthly up-to-date financial statements, quality production systems, action plans, and criteria as to how the performance of managers and employees are measured.

7 Learning and Development

Some 250 years ago, the American statesman Benjamin Franklin said that

if you tell me, I will forget.
if you teach me, I will remember,
if you involve me, I will learn.

And I might add, if you respect and reward me, I will stay.

Work should consist of learning and development. A company is not just a place to go to work every day, but a place to learn. A learning organization has certain characteristic features:

– Ample access to and flow of information.
– Encouragement to take initiative.

– Forgiveness of failures and mistakes. It is better to fail than to refrain from action and thereby lose opportunities.
– A culture of openness and security.
– Dialogue and guidance available to all.
– Employees involved in the decisions and the development of the company.

The tasks that are performed by each employee must be in accordance with her/his skills, talents, aptitudes, abilities, and intelligence. We are born with some qualities, and others can be developed during our working life through learning and experiences. There are many types of intelligence, such as IQ, i.e., logical intelligence; EI, i.e., emotional intelligence to handle one's own emotions and to have empathy and intuition; and social competence, i.e., to handle relations and cooperation with other people. Other abilities and intelligences are a particular sense for numbers and analytic matters, practical matters, languages, music, and to understand contexts, synergies, and overall strategies.

Company management should prepare, guide, and encourage learning, but it is the employee her/himself who must want to learn, who must be aware of opportunities when they arise (opportunities arise as a consequence of hard work and great enthusiasm in what one is performing), and who finally must be aware and understand when she/he is at the right place at the right time.

Coaching in day-to-day work towards targets is a particularly efficient way of learning. Coaching includes guidance, advice, support, corrective actions, feedback, and recognition. Coaching must start at the top of the organization and flow down in the organization. Coaching is situational depending upon what is needed. Employees who are given new work assignments must be guided and not just be thrown into deep water.

A change of jobs involves much learning, particularly when transferring from work in operations to staff work in the administration or the other way around. Staff work gives broader perspectives and strategic competence, while operational work involves greater understanding of realities and financial results. To manage or participate in project work is particularly challenging, because it means becoming more versatile and trying out management skills. Another useful learning area is to experience best practice in other departments or companies. It requires considerable self-esteem, humility, ingenuity and wisdom to get the most out of learning from best practice.

8 The Gore-Tex Company

When visiting the Gore-Tex Company in New Jersey in the United States on a study tour in 1986 about management practices, I was extremely impressed by what I saw and heard. In connection with the company's 50th anniversary in 2008, the then president, Terri Kelly, was interviewed in *The Financial Times*, wherein she stated their formula for success. This formula is just as valid today as it was in 1986:

We have had 50 years of almost continuous growth. “Bill and Vieve Gore” invented in 1958 a corporate culture from scratch. Five decades on, with 8,600 “associates” in place around the world, that culture remains intact. With sales of more than 2.5 billion dollars a year, it is a successful culture, too.

Bill Gore drew inspiration from Douglas McGregor’s book *The Human Side of the Enterprise*, which was published in 1960. He had the vision that everyone participates in the growth of the company, it’s a partnership. Management just never took hold in our company. We don’t like the “manager” word. We get very angry when people call the staff “*employees*”, they are “*associates*”.

The corporate hierarchy at Gore is almost completely flat. No one gets to tell anybody else what to do. Decisions are reached by agreement, not by edict. Business units never grow too large. Bureaucracy is kept to a minimum. Teams are self-organizing.

As the CEO you have to be willing to almost give up power. I have really to earn authority every day. You have to sell your ideas even if you’re the CEO. You have to explain the rationale behind your decisions. The decision process is not too long. It may take longer to reach a decision, but once it is in place, it is pursued energetically. If there isn’t true support for the decision, it gets undermined along the way, in fact, it may never come to fruition.

Leaders emerge through a democratic process, rather than being appointed from the top. Peer appraisal is crucial. We vote with our feet. If you call a meeting and people show up, you’re a leader.

Newcomers may find this style of doing business too alien. However, the denial that “command and control” management might on occasion be necessary, could rather result in confusion when decisive action is required.

9 Involving the Employees

Freedom requires involvement and commitment. For many years the following philosophy has been successfully practiced at Manpower:

All employees need
to have the right qualifications and be given sufficient information to do a good job. This competence is the foundation for
dialogue, *participation*, *and involvement* in cases concerning the operation of the company. Through dialogue and participation the employees are given
confidence. Thereby
self-confidence and self-esteem are developed.

As self-confidence is increased, additional confidence on a more demanding level can be gained. In this way, self-confidence can be developed step by step. People grow both mentally and technically by being taken seriously and asked for advice.

Participation and involvement lead to
identification with decisions that are made and with the company. Thereby attachment and loyalty to the company are increased. Identification leads the employees to take more *initiative* and be more
committed to decisions in which the employees have participated. As such, the employees will take more
responsibility and be more accountable.

This philosophy has lead to both better decisions and greater understanding among the employees. It is quite common to believe that this management style is a result of indecisiveness and uncertainty, and that it is more complying, i.e., a sort of "buddy management style". Actually, involvement is a sign of strength and not irresolution. Furthermore, participation is more demanding for the employees. It is quite a different way of management. This procedure may look more human and time-consuming, but in reality, *even if nice guys may appear to finish last*, *they're usually running in a different race*.

Greater self-esteem and humility are required by a manager to listen actively to the employees. My definition of humility is that

People with humility don't think less of themselves.
They just think about themselves less.

10 A Decision Must Be Carried Through

Many managers overestimate the importance of fast decisions, and at the same time they often underestimate the alignment and support by the employees and the realization of the decision. A decision without support from employees whom the decision concerns has little significance. The decision is never better than the acceptance and support it is given.

It is not sufficient to make decisions only based on management's own knowledge and considerations. To obtain the best results, management must therefore invite input and contributions from those with the capability and relevant knowledge. When the employees are getting involved through their own participation, they become jointly responsible. They will also provide support from their co-workers and answer questions and give explanations to objections from their co-workers. They are thereby assisting in the implementation of the decisions. These employees become some sort of "missionaries" in carrying through the decisions.

An objection against employee participation is that the process is too time-consuming. The total time period in making and carrying through a decision is, however, often shorter through participation, because the implementation period is usually considerably reduced. It is imperative that the participation is structured and made efficient in order not to lose time. When "fires" and other acute crises break out, someone has immediately to take charge and make fast decisions. Such "fires" are, however, very rare.

It is always important to explain the purpose and rationale of any decision, so that the employees understand why it is necessary. This is particularly important in countries such as Norway, where people are more equal, and where we have a long tradition of participation. In many countries, employees are generally more used to accepting decisions from above without too many questions.

11 Trusting People

Manpower has internationally been a multi-cultural and unusually decentralized organization, where the employees in each country have been shown great confidence. Their views and opinions have been respected and listened to, and decisions are taken as close as possible to the markets and the customers. It is the local staff who is most familiar with the local market, the mentality and the customers. By having been shown such great confidence, the employees have adapted the business operation to the local circumstances, which has given the employees a strong identification with the company.

It is decisive to keep one's promises to maintain this confidence. "We say what we do, and we do what we say", as Manpower's international CEO for almost 30 years, Mitchell Fromstein, used to say. It was not acceptable not to keep one's promises. Nobody likes bad surprises. Confidence and credibility are obtained by keeping one's promises, take agreements seriously, meeting one's commitments and "walk the talk". Confidence in each other is deeply rooted in American society, particularly in the Midwest, and goes back to the founding fathers and frontier culture.

Manpower has in many ways functioned as a federation of quite independent countries. In many countries, the local managers have run company subsidiaries as if they were their own. Apart from the financial and quality areas, where continuous follow-up has taken place, control measures have been at a minimum. The international headquarters in Milwaukee, Wisconsin, has consisted of only a few executives with a very small staff responsible for a corporation operating some 4,500 branch offices in more than 80 countries.

A good example of respect for local circumstances was shown to the management of Manpower France, that already at the end of the 1960s negotiated an agreement with the left-wing trade union CGT. At that time, neither unions nor staffing companies trusted each other, particularly in the United States. This union agreement has been one of the main factors for the very successful development of Manpower France.

In my own experience, most people who are given confidence live up to expectations. My own "Law of Trust" is as follows: "*Most people can be trusted, and the very few who cheat other people, have also a morale. They would rather cheat other cheaters than cheat those who show them confidence*". Therefore, there will be extremely few that do not stick to their promises. On the other side of the coin, an organization with many rules and lots of control to catch those few who are not worthy of the confidence that is given, is a paralyzed organization.

In Manpower we said that "*People are to be trusted, and they search for a purpose in their work. By showing each other respect and confidence and taking each other seriously, we create increased self-confidence. This leads to secure and committed employees, who take bold initiatives and thereby contribute to growth and development for themselves and the company*."

When people are given respect and consideration, their willingness to take responsibility is almost without limitations. In Manpower the loyalty has been

strengthened through trust, and the staff turnover and absence have been extremely low. This stability has not only strengthened the continuity, the corporate culture and human and personal relations internally, but also the relationships with the customers.

12 Participative Planning

The planning process for the coming year in Manpower Norway is a practical example of a core business area with heavy employee involvement. Great emphasis was put on making plans to which the employees become committed. These plans were made annually, for only 1 year, as it is difficult to remain committed for a longer period. Furthermore, the time period from when an idea was conceived to its approval and implementation was very short, making the company flexible.

The top national management group started the planning process at its annual strategy meeting, where key overall priorities were established. In advance, input was obtained from both our own employees and external sources such as customers and market experts. A short (no more than two pages), concrete, and easily understandable document with corporate objectives and strategies was worked out. This document was then discussed with all branch managers at a big annual management conference.

The branch managers then involved all employees of each branch in the planning process. Each particular branch made its own plans, including local targets, priorities, action plans and budgets for sales, local operational expenses which the employees themselves could influence and be responsible for, and, finally, operational profit. The branches were coached and advised by the regional directors. Through this process the employees experienced ownership of the plans that they themselves had made.

The top group of three executives, including the national CEO, then visited each of the almost 80 branches at more than 40 different locations all over Norway together with the director for each region. At each branch, the plans were presented and discussed during a meeting lasting for a maximum of 3 h. A binding agreement with all employees present concluded the meeting. All supporting staff departments, such as accounting, office administration, IT, marketing, HR, and business development, also made equivalent plans following the same procedures.

This involved planning process created a very strong identification with and commitment to the plans among the employees at each branch office. The employees took responsibility for the plans to be carried out and the results that were to be achieved. This planning process was demanding and time-consuming for everybody, but considerable awareness and learning was gained. The 4–5 weeks' trip to all the branches by the top executive group was a fantastic way of "management by walking around" to get to know the local circumstances and the employees of the organization. We then knew what was going on.

13 Quality Development

High, stable and steadily improved product and service quality are of fundamental importance in building credibility with customers. The basis for quality is how the employees produce in accordance with the production systems. In the service industry the behavior of employees in respecting the customers' needs and expectations are also of great importance.

Active service quality is to delight the customers by performing better than the customers expect. Surveys in the retail business show that more than two-thirds of the customers go away because of indifferent, not poor, behavior by the employees. Other surveys in the service industry show that more than 90 % of the quality experience depends on courtesy, conduct, kind assistance, empathy, appearance, and availability. Less than 10 % comes from the delivery of the actual professional service performance, i.e., what the supplier actually does for the customers. When the actual service performance is taken for granted, behavior has the greatest importance. The airline industry is a good example. The passengers take it for granted that the airplanes will reach the destination on time, and the airlines are therefore measured by the friendliness of the staff.

The co-author of the management book *In Search of Excellence*, Tom Peters, once said that "*Quality improvements come from people on the job*, *not from some genius in management*". Therefore, if the company is to succeed, it is of vital importance to raise the quality level by ensuring that the employees are listened to, involved, and enthusiastic. Happy and satisfied employees treat the customers better.

14 Customer Orientation

The most important issue for any business is to create, keep, and develop good customer relations. If you do not take care of your customers, somebody else will. As the management expert Peter Drucker wrote already in his 1955 book *Management Practices*: "*The purpose of business is to create customers*".

The companies' relations to their customers have gone through several stages during the last 50–60 years. After World War II, with scarcity of products and services, companies were production-oriented, caring little for the customers' needs. Then followed the sales orientation period, with tough sales methods. The marketing expert Philip Kotler had great success with his book *Marketing Warfare*. The art of selling, defined as making the customers 'come back and buy more', was quite unknown.

In the 1970s and 1980s came the market orientation period with general market research surveys, but with little attention to the individual customer. It was not before the late 1980s and into the 1990s that customers were invited to express their needs and expectations by participating in the development of products and services and in the delivery process. Close and long-term customer relations are built by satisfying customers' needs and creating additional value in order for them to obtain

cost savings. Such relations lead to sole delivery agreements and partnerships, and sometimes to strategic alliances and joint ventures based on common values, corporate cultures, and attitudes.

In Manpower we defined customer relations as follows: "*Satisfied customers is our strongest driving force. Our development and success are dependent on our customers' satisfaction with our staffing services. Our customers must therefore be given maximum attention. In close cooperation with our customers we obtain relevant knowledge, so that we can serve them rationally, individually and the way they want*".

15 Development and Implementation of Corporate Values

The greatest challenge in both management of staff and upbringing of children is to find the right balance between limitations and freedom. Values are the foundation in developing a corporate culture which promotes specific attitudes and behavior as the basis for actions. Value norms give freedom to employees in decentralized organizations to operate within cultural frameworks and company priorities so as to develop opportunities, solve problems, make decisions, and actively take actions. Such values will inspire, support, and guide the employees in their day-to-day work in achieving company objectives, understanding what is desirable, appropriate, and important.

Secular and operational corporate values must be ethical to be respected. Such values are not some abstract talk about ethics, but are shown in the interaction between people and in the connections between people and their environment. It concerns meeting other people with confidence, and having expectations without prejudices and predisposed attitudes, so that the relationship is constructive. Furthermore, values must be developed with a long-term perspective, and they must stay firm even if economic and business cycles and other short-term conditions change.

Values are of no significance if the values are not followed by actions. Values must therefore be communicated by words, behaviors, and actions. Managers at all levels must at all time have in mind which message they give the employees through their behavior, and they must live and act accordingly. They must "walk the talk". It is also of great importance that the managers use descriptive and positive examples that illustrate the values. Values must be discussed with the employees as to how they should be practiced in their daily work to avoid values becoming only theoretical and of little practical importance.

Albert Schweitzer once said that "*Leadership is example*". People inside and outside the organization hardly hear what is said, but they observe what is done. First and foremost, the managing director in particular, but also all other top managers, must identify completely with the values and practice them in their daily work. It is therefore important that they are actively involved in the development and the implementation of values. Furthermore, all decisions must be in accordance with values.

The corporate culture is considerably strengthened by having values integrated and illustrated at company celebrations, through special events and sponsorships, which

external partners the company cooperates with, the type of social responsibility issues the company is involved in, and what actions it supports. Such celebrations, events and actions make the priorities clearer, they increase commitment among the employees, and they add fun and pride to the working environment. Also, the location and the interior decoration of a company's premises should reflect the corporate culture. In this way, the premises may be looked upon as a "corporate home", where the culture is being cultivated.

In Manpower, we celebrated various achievements, such as when reaching sales, customer and quality targets. The entertainment was provided both by the employees themselves and by professional musicians, choirs and actors. The biggest event in Norway was the annual Manpower Cross Country Running Relay with 25,000 participants. More than 500 Manpower employees took part. In France, all 5,000 Manpower employees spent a weekend in Cairo for a big celebration, which took place next to the pyramids. Some of these events became legendary.

Strong positive and negative reactions to company values among employees is a healthy sign that the values are being taken seriously. Corporate values can be contrary to some employees' own convictions, and they should decide for themselves if they can accept and are able to live with such values. The question of confidence in others may be such an issue for people who have been brought up and taught to be sceptical and that nobody can be trusted. Corporate values are not "the icing on the cake", but the actual cake. There are many examples of corporate values not being taken seriously, but looked upon as trendy and a way to dress up companies.

Corporate values are most significant in difficult financial periods when the going gets tough. This is when it is proved that the values are an integrated and credible part of the organization. Employees who experience problems in their daily work have much to contribute in suggesting ways for decreasing costs, increasing productivity, and finding new market opportunities.

The need for solidarity is the highest during periods of crisis, and the employees should therefore feel that the whole organization is in it together. It is during periods of crisis that the foundation for an upswing is made, and when market shares change the most. Manpower's market share in Norway increased by 10 % points during and after the recession around 1990. We believed that it was more important to provide for growth than maximum savings, and we were more innovative and bold than ever.

16 The Manpower Global Values

Manpower's international management style up to 2000 could be called "Management by the Campfire". The company had an informal and unbureaucratic organization, based on some core values and long-term strategies. Lines of communications were short, the organization was slim and flat, and the decision process was fast. This provided for continuity and credibility. Top management was visible, pronounced and explicit, and from 1948 to 1999 the international corporation had only two CEOs. The long-range policies gave stability and security.

When the third CEO was hired in 1999, he wanted to unite the international operation of 4,500 branch offices in 82 countries more strongly to obtain significant synergies, without losing the entrepreneurship, adaptability and identification. A set of corporate international values was therefore developed, and I was given the assignment of heading up this project in very close cooperation with the CEO and a core group of nine senior executives from six countries. An advisory group of almost 40 executives from more than 30 major countries expressed their opinions during the process. In addition, almost 400 employees from all over the world were consulted in groups of 10–15.

The values had to be in agreement with the company's vision and strategies. They should be based on reality, but at the same time be something to stretch for. These values should be unique for Manpower, and they should be both rational and have an emotional heartfelt appeal. Furthermore, they should be ethical, few in number, easy to remember and last for several years. The values should be applied in all Manpower countries, but we allowed for local adaptations so as not to violate any country's culture.

The values development process lasted for more than one year. Eventually three primary values were identified, with people, knowledge and innovation being the core success factors for the years to come.

People

We CARE about people and the role of work in their lives

- *We respect all of our people as individuals, enabling and trusting them to meet the needs of colleagues, clients and the community.*
- *We are committed to delivering professional service according to our high quality and ethical standards.*
- *We recognize everyone's contribution to our success.*
- *We help people develop their careers through planning, work experience, coaching and training.*

Knowledge

We learn and grow by SHARING knowledge and resources

- *We actively listen to our people and clients and act upon this information to improve our relationships.*
- *We pursue the adoption of the best practices worldwide.*
- *We share one global identity and act as one company while recognizing the diversity of national cultures and working environments.*
- *We reward team behavior.*

Innovation

We DARE to innovate and be pioneers

- *We thrive on our entrepreneurial spirit and speed of response.*
- *We take risks, knowing that we will not always succeed.*
- *We are willing to challenge each other and not accept the status quo.*
- *We lead by example.*

These values were launched in all Manpower countries by means of festive and lively events, followed up by competitions both nationally and internationally. All employees in all the Manpower countries were invited to contribute with real value-based stories. The CEO himself selected ten winners among the contributors, inviting them for a cruise in the Caribbean. The winners came from very different countries like Bolivia, France and Norway.

The implementation of values is a demanding procedure. It was therefore important to define and give examples of behavior and actions related to the new values. Furthermore, we identified the differences between the new values and the current realities in the different countries, and we worked with how the deviations should be addressed. We were also aware of resistance and obstacles.

The values were continuously communicated. The most important means of communication is the power of top management's behavior and actions as leading examples, i.e., that they are visible, explicit, and available to the employees. International and national management listened, explained, guided, and used positive and descriptive examples and stories to illustrate the values. Living the values was recognized and rewarded, and special activities and events were used to strengthen their understanding.

In the integration process the human resource procedures and tools were adapted to fit these values. These procedures included recruiting and selection of employees, employee and management evaluation systems, training and systems for recognition and rewards. Acceptable management behavior was also described. Furthermore, we discussed which activities were of particular importance to make the values function in practice.

Professor Warren Bennis, Douglas McGregor's most prominent student, once gave me an example of being totally value-driven. The story is from a movie, taking place in a small western town more than one hundred years ago. The location is the town's saloon where the sheriff, played by John Wayne, and a handful of friendly cowboys sit around a table. Then they hear noise from a gang of bad guys riding down the dusty main street, passing the saloon. This is when John Wayne quietly stands up and says these famous words: "*A man's gotta do what a man's gotta do*".

The sheriff walks through the swinging saloon door, while the friendly cowboys without any encouragement stand up and follow the sheriff into the main street. The cowboys did not need any order, as they knew what they were supposed to do. That was how they beat the bad guys. This loyalty, just knowing what is the right thing to do in a given situation, shows the utmost of being value-based.

17 Corporate Social Responsibility (CSR)

Manpower has a long tradition of taking an active part in the development of the societies in which the company is doing business. As an extension and illustration of the new global values, a common international CSR program was necessary. The

Manpower Corporate Social Responsibility Charter defined Manpower's role in society is to make people employable and able to find work. Our objective was defined as "*To occupy a* CSR *leadership role in the area of work and employability both in the staffing industry and the wider market place*".

Anyone with extra money can support a range of social activities. A company's social responsibility activities program should be an integrated part of the business and its reputation, and also have a business purpose, to avoid its being cancelled in difficult periods when the resources are limited. It was therefore logical for Manpower to choose the social area in which we are the most competent, i.e., to train and provide work for people. Manpower can normally select employees among the best applicants. With a view to a future shortage of applicants, it is useful to practice in providing work for the less attractive.

Manpower's CSR program therefore stipulates that each country selects one or more minority groups of less attractive workers. Such groups can be immigrants, older people, people with different handicaps, young and unskilled people, or long-term unemployed for whom the labor offices have given up finding work. A special program is then made for the chosen group(s), including training and adaptation to work.

Social responsibility in business has grown in importance during the last several years. CSR was given high priority in Europe after the EU's summit meeting in Lisbon in March 2000, where CSR was the main issue. It was stated that greediness in business had gone too far, and that solidarity should be promoted. At the same time, many prominent business executives stated that companies are now also having partners other than the shareholders.

Ethics and social responsibility have become competitive advantages, as a good and respectable social reputation is an asset in attracting and keeping competent employees. Many people want to contribute to a better society, and having worked for a company with a social reputation serves as a good future reference. A growing number of companies, government institutions, and private individuals also take the suppliers' ethics and social responsibility into consideration. In many countries it is required that the annual reports also describe the social activities in which the companies are involved.

Furthermore, many investors do consider companies' attitude to social responsibility before they decide where to invest their money, and many finance analysts request social responsibility statements. Companies which are concerned with society are usually more stable, serious, sustainable, and have a longer term view. Many companies' shareholder value has dramatically and suddenly been reduced when unserious and unethical actions have been discovered.

Many organizations all over the world are actively working for a more sustainable development. The World Business Council for Sustainable Development is working for an increased consciousness about global challenges. A core group of business executives, called "The Tomorrow's Leaders Group", has drawn up a manifesto stating that it sees shareholder value as a goal on how successfully companies deliver values in society, rather than a goal in itself. Furthermore, the manifesto states that these companies succeed by helping the society to succeed.

In Europe, several organizations work actively in order to stimulate business by taking on a greater social responsibility and making the world a better place in which to live. Among the most active organizations is the EU-supported CSR Europe, where leading companies like IBM, Microsoft, Volkswagen, ABB and Manpower are members. An important task for CSR Europe is that social responsibility should be a separate study area at universities and business schools. In addition, CSR should be made an integral part of studies like finance, marketing, and human resource management at business schools and also be included in executive training.

18 Image or Branding

A good and respectable image and reputation, or brand in modern terminology, has been getting more attention during the last several years. Already during the 1950s a company's image was referred to as "the hidden persuader", and considered an asset in influencing the market.

A reputation consists of both the factual knowledge and the heartfelt emotions that the brand is creating of a company's products and services. Great corporate brands today are built from the inside out, showing a company's identity and everything it stands for and exposes, being in a way its "personality" or "soul". The branding must therefore be honest, based on how the organization's values are practiced, aligning people management processes and leadership behaviors.

A company's "corporate brand" is not only important in relation to its customers, but just as much with regard to suppliers, politicians, and government institutions. "Employer branding", i.e., the impression employees and potential applicants have of a company, is steadily getting more important in keeping and attracting competent people. "Employer branding" must consequently be rooted in the fabric of the actual working experience. People want to work for companies that they feel they can identify with, and they consider which training and career development opportunities that are offered in order to be attractive in the labor market. Competent people are just as much concerned with what an employer can do for them, as to what they can to for the company. Through the CVs they are building, they create their own work-related and personal brand.

Positioning a company through visualization of the brand is demanding, and many mistakes are made. A good example is the British flag carrier, British Airways, which wanted to appear just as fresh and cool as Virgin Airlines. The British flag on the airplanes were replaced by psychedelic colors, but the passengers protested, and British Airways had to revert to the flag logo.

For more than 40 years Manpower in Europe used Leonardo da Vinci's drawing of the perfect man as the company's symbol or logotype. The drawing shows a man with the ideal proportions in a square and a circle. Five hundred years ago Leonardo named the drawing "De Divina Proportione". The drawing was almost forgotten back in 1964, when it was "rediscovered" by the marketing director of Manpower Europe.

As Manpower's symbol, the da Vinci drawing showed that the company focused on the human being and our professional attitude to our work. We also found that Leonardo da Vinci's credo, "Hostinato Rigore", was in line with our respect for people and the seriousness we put into our work in selecting the right person for the job at the right time. The symbol and the credo did, therefore, illustrate what the company stood for and the message we wanted to convey to the public about ourselves and our profession. This has given the company much positive response, and the symbol was considered by many among the best in the world. It did not go out of fashion, and its strictness makes a strong contrast to a world of smartness and noisy communications.

Architectural Ethics: A Phenomenological Perspective

Beata Sirowy

The essence of architecture lies not in its usefulness – the purely practical solutions it offers to the human need of shelter – but in the way it meets the much profounder spiritual need to shape our habitat. Mario Botta

This chapter begins by identifying some ethical difficulties in contemporary architecture.

It then argues that architectural ethics should be grounded by philosophical commitments and presents phenomenology as a theoretical framework allowing for a broad, non-reductive conceptualization of architecture as a part of the lifeworld. Consequently, it theorizes architectural ethics within the phenomenological concept of practice, and argues for the importance of context in architecture. The article concludes with an example of architectural practice (the Rural Studio) that reflects phenomenological ideas.

1 Architecture and Ethics – A Difficult Relationship

Tom Spector in the introduction to his book *The Ethical Architect* (2001) states: "Architects live and work today in a functioning but weakened profession that lacks a dominant design ethics" (Spector 2001: ix). He argues that architecture's moral mission reached the peak of its decline at the time when the critiques of modernism, formulated by Jane Jacobs (1961), Robert Venturi (1966), Bruce Allsopp (1974) and other theorists, revealed the problematicity of the movement's moral pretensions.

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For instance, Bruce Allsopp in *Towards a Humane Architecture* (1974) identifies the major fallacy of modern architectural thought in the deeply grounded presumption that if architects design what they conceive – by their own standards of pure architecture – the best, the public *ought* to grow to like it. Allsopp blames the state of "inward-looking professionalism" for the loss of respect for common people, not only in architecture, but also in other disciplines. Members of various professions develop their standards of judgment, criticism, and conversation peculiar to their group. "Thus a surgeon can perform an excellent operation, though the patient dies, and an architect can design a students' hostel which is the cynosure of professional admiration but creates detestable living conditions" (Allsopp 1974: 3–4). Such criticisms exposed the modernist ideal of solving societal problems through design in all its weaknesses and contradictions. At this point "the architecture profession fell into a state of ethical disarray" (Spector 2001: viii).

The voices of 1960s and 1970s remain valid today. A look at more recent architectural discourse indicates that not much attention is directed toward ethical concerns. One can identify numerous theorists promoting a vision of architecture as an intellectualized, abstract exploration of form (Eisenman 1984; Tschumi 1994). Others suggest that architecture should investigate intelligence, projection, and innovation, following the "creativity of the marketplace" and seemingly staying away from a fruitless social critique. Efficacy, performativity, and pragmatism are key issues here (Koolhas and Mau 1995; Somol and Whiting 2002). In both the aesthetic and the pragmatist approach, architects tend to see architecture as an autonomous discipline, reducing its dependency on external conditions – such as social, cultural, and political factors. Accordingly, the gap between architecture and the world of its users expands. As Karsten Harries argues, architectural artifacts created with a shallow regard for human reality always appear as arbitrary choices and fail to provide meaningful settings for human existence (Harries 1983).

Is there a way out of these difficulties? Architectural ethics indubitably needs a more prominent place within architectural discourse. As Wasserman et al. point out, "architecture, in its many manifestations, is as much an ethical discipline as a design discipline" (Wasserman et al. 2000: 31). As a *sine qua non* of architecture is its human purpose, an ethical reflection in architecture should be grounded by an effort to understand human ways of being, and the very role of architecture in the human world.

The way of conceptualizing human existence and architecture is dependent upon an adopted philosophical framework – a conceptual position which is often taken for granted and not explicitly referred to in architectural research. If there emerge ethical difficulties, it is likely that this view is somehow inadequate. This happened, for instance, in the case of the modern movement, based on the ideas of positivism, such as dualism and reductionism. In order to minimize the ethical difficulties in architecture, we thus need a philosophical framework that gives a multi-dimensional picture of architecture in the human world, among others acknowledging its social and cultural embedding. From this point we can more substantially address the questions of ethics.

By way of illustration, in this chapter I will approach architectural ethics from a phenomenological perspective, referring primarily to the works of Martin Heidegger[1] and Hans-Georg Gadamer. I will argue that phenomenology – allowing for and demanding a non-reductionist account of the human environment – provides viable foundations for ethical discourse in architecture.

I will begin with a brief introduction to phenomenology, and then concentrate on two themes. Firstly, I will sketch a phenomenological account of architecture as a part of the lifeworld. Secondly, I will pay more specific attention to a phenomenological way of framing the relationship between theory and practice. As Guba and Lincoln emphasize, the conceptualization of this relationship very much determines the way of approaching ethical issues within any given framework (Guba & Lincoln 1994). I will conclude with an example of architectural practice that reflects phenomenological ideas.

2 Phenomenology: A Brief Introduction

Phenomenology as a philosophical movement was initiated at the very beginning of the twentieth century as a reaction to objectivist tendencies in modern science and philosophy. It was an alternative way of looking at the world in the sense that it was interested not in the "objective" properties of things, but in how we relate to things in the real-world.

Edmund Husserl, the father of phenomenology, describes it as a "return to the things themselves" – a return to the world which is more basic than scientific conceptualization. In *The Crisis of European Sciences* (1936), Husserl argues that the fundamental crisis of Western culture is a result of the dominance of natural sciences and their model of rationality over other discourses, especially philosophy. The roots of the problem may be traced back to Galileo's assumption that "to be" means "to be mathematizable" – modern science identified its aim in overcoming the ambiguity of everyday experience through mathematization of nature. One consequence of this situation is a mistaken understanding of humans' place in the world. According to Husserl, "this science has nothing to say to us. It excludes in principle

[1] It may be argued that even though Martin Heidegger did not develop an explicit ethics, he clearly indicates a way of grounding ethical reflection in ontology. In "Letter on Humanism" (1947), referring to the Greek concept of *ethos*, he sees the ethical way of being as cultivating "what belongs to man in his essence" (Heidegger 1977a: 233). In this perspective ethical reflection is inseparable from the reflection on the conditions of human life (on the "essence" of our being-in-the-world). Heidegger states: "If the name 'ethics,' in keeping with the basic meaning of the word *ethos* […] then that thinking which thinks the truth of Being as the primordial element of man […] is in itself the original ethics." (Heidegger 1977a: 235) Accordingly, ethical discourse in architecture should be based on a wider project of understanding of human existence, supplemented with a thorough reflection on architecture's role in the human world.

precisely the questions which man […] finds the most burning: questions of the meaning or the meaninglessness of the whole of this human existence" (Husserl 1970: 6).

In Husserl's (1936) view, the way out of the crisis would be to reconstruct the basis of philosophy and the intellectual life on the foundation of phenomenology. Starting from our personal engagement with the world would allow us to talk about the world in a far more universal way than science does. Ontologically, the most basic reality is here not the reality described by science, but the *lifeworld*, a world filled with human meanings and values. It is the social, cultural, historical realm in which we are born, and which develops with us. The concept of lifeworld implies an epistemology in which the question of meaning is most important. Accordingly, *lived experience* (a first-person experience of the world) is the primary source of knowledge. Human beings make a sense of the world from within lived experience, not detached from it. Hence, the disengaged, "expert knowledge" is not considered as a privileged form of rationality. As Merleau-Ponty (1945) asserts, "The world is not what I think, but what I live through" (Merleau-Ponty 2002: xviii).

Giving the priority to the lifeworld and lived experience, phenomenology is not in principle opposed to natural scientific approaches. Science is one of human accomplishments, and as such also belongs to the lifeworld. Yet, as Husserl emphasizes, science should be understood in terms of its basis in human experience – various scientific theories are artificially constituted by idealizing and structuring the pre-logical, pre-scientific lifeworld. "The concrete life-world […] is the grounding soil of the 'scientifically true' world" (Husserl 1970: 130). Thus, phenomenology does not seek to exclude scientific rationality, but rather aims to incorporate it into the human world in a way that does not dominate other perspectives.

Methodological emphasis in phenomenology is either on *description* or on *interpretation* of lived experience.[2] Interpretive (hermeneutic) tradition, primarily referred to in this chapter, emerged from the works of Heidegger and was further developed by such thinkers as Gadamer and Ricœur. In this perspective, interpretation is not an "additional procedure"; it constitutes the basic structure of our being-in-the-world. Hermeneutic phenomenology emphasizes our embeddedness in the world of language and social relationships, and the historicity of all understanding – understanding is never separable from the historical and temporal horizon of the human being. The fact that we are situated within traditions does not mean that we are limited in our freedom. On the contrary, traditions – rather than limiting us – open us up to what is to be understood.

> The horizon of the present cannot be formed without the past. There is no more an isolated horizon of the present itself than there are historical horizons which have to be acquired. *Rather, understanding is always the fusion of these horizons supposedly existing by themselves.* (Gadamer 2004: 305).

[2]There can be distinguished two major phenomenological traditions: descriptive and interpretive (hermeneutic). Descriptive phenomenology refers primarily to the early works of Husserl. Interpretive tradition emerged from the works of Heidegger – in his view, phenomenology went beyond the description of lived experience and aimed at its ontological interpretation.

What follows is that meaning is never complete – it can be considered as a collection of significations continuously emerging from new interpretations. Meaning is therefore open to interpretations that may come from future perspectives.

3 Architecture as a Part of the Lifeworld

In the lecture *Building, Dwelling, Thinking* (1951) Heidegger conceptualizes buildings as material expressions of the meanings of the lifeworld.[3] Accordingly, he argues that the essential task of architecture is not solely appeasing the "hunger" of houses, but preserving the lifeworld of its inhabitants. The activity of building lets us gather elements of our existential space and concretize them, embody them in our environment. Consequently, it helps us to find our place in the world, to express our values. Heidegger also suggests that buildings should respond to given physical settings, such as topography and climate. The famous example of a peasant cottage in the Black Forest illustrates the activity of building that emerged from the lifeworld of farmers and provided a meaningful setting for their dwelling.

> Let us think for a while of a farmhouse in the Black Forest, which was built some two hundred years ago by the dwelling of peasants. Here the self-sufficiency of the power to let earth and heaven, divinities and mortals enter *in simple oneness* into things, ordered the house. It placed the farm on the wind-sheltered mountain slope looking south, among the meadows close to the spring. It gave it the wide overhanging shingle roof whose proper slope bears up under the burden of snow, and which, reaching deep down, shields the chambers against the storms of the long winter nights. It did not forget the altar corner behind the community table; it made room in its chamber for the hallowed places of childbed and the "tree of the dead" – for that is what they call a coffin there: the *Totenbaum* – and in this way it designed for the different generations under one roof the character of their journey through time. A craft which, itself sprung from dwelling, still uses its tools and frames as things, built the farmhouse. (Heidegger 1977b: 338)

The critics of phenomenology often argue that Heidegger displays here nostalgic tastes, longing for some idyllic, pre-technological conditions (Lyotard 1988; Don Ihde 1993). The Black Forest example can indeed have some romantic connotations. Yet, Heidegger is not calling here for a return to traditional/vernacular ways of building, he is also far from providing stylistic suggestions. The aim of this example is rather to indicate how building may respond meaningfully to a specific way of life and a given physical settings by integrating different and sometimes heterogeneous conditions. Heidegger explicitly states that his intention is to illustrate "by a dwelling that *has been* how it was able to build" (Heidegger 1977b: 338).

[3] Although Heidegger does not use the term "lifeworld," this concept may be identified, for instance, when one looks closer at Heidegger's description of the fourfold (*Geviert*). The elements of the fourfold (the divinities, the sky, the mortals, the earth) may be linked to the spiritual, cultural, social, and environmental aspects of the human world. The fourfold is defined in opposition to the idea of *Gestell* (an imposition of techno-scientific, instrumental rationality upon the world as a whole).

It is clear here that this way of dwelling no longer exists. Thus, the task for architects is not to repeat past solutions, but to find meaningful expressions for contemporary ways of life, at the same time responding to the past and opening up towards future possibilities. This task is essentially the task of interpretation. Sigfried Giedion (1962) succinctly expresses a similar thought: "Contemporary architecture worthy of the name sees its main task as the interpretation of a way of life valid for our period" (Giedion 2002: xxxiii).

It seems that contemporary architectural artifacts too seldom respond to the meanings of the lifeworld and the lived experience of its inhabitants (Pérez-Gómez 1983; Harries 1997; Vesely 2004). Instead, they most typically embody an individualistic vision of an architect, or an instrumental, pragmatic solution of a problem. In the first case, architecture follows the subjectivistic path of modern aesthetics; in the second case – it is driven by the dualist and reductionist approach of modern science. In both cases, architecture avoids a deeper engagement with given realities. This problem will be further thematized in relation to a phenomenological concept of practice.

4 Bridging the Gap Between Architectural Theory and Practice

An important issue influencing an ethical standpoint in any given conceptual framework is the way of defining practice and specifying its priorities (Guba and Lincoln 1994). Today practice is often being reduced to an application of certain theories/rules. In this context it is worthwhile to refer to Gadamer who, discussing science, asks: "Is the application of science as such practice? Is all practice the application of science?" and answers:

> Even if the application of science enters into all practice, the two are still not identical. For practice means not only the making of whatever one can make; it is also choice and decision between possibilities. Practice always has a relationship to a person's 'being.' (Gadamer 1993: 3–4)

In this perspective, ethical concerns are an inseparable part of any practice. Architectural theory was representing this way of thinking for many centuries. Perhaps the earliest example is the Vitruvian treatise, *De Architectura*, written in the first century AD. Although Vitruvius deals extensively with the formal aspects of architecture, he makes it clear that architecture is ultimately for the good of the society in general, and for the health, enjoyment, and security of individuals in particular.[4]

[4]For instance, in Book I, Chapter II, Vitruvius discusses the fundamental principles of architecture: Order, Arrangement, Eurythmy, Symmetry, Propriety, and Economy. While the former four principles refer to the formal properties of an architectural object, the latter two deal foremost with the ways of using architectural artifacts and the given cultural/economic/physical context of architecture.Vitruvius defines "propriety" as "this perfection of style which comes when a work is authoritatively constructed on approved principles. It arises from prescription, from usage, or from nature.

He sought to address the ethos of architecture, declaring that quality depends foremost on the social relevance of the architect's work, not on the form or workmanship of the work itself.[5]

The separation of theory and practice, and the following instrumental view of practice can be associated with the modern transformations, i.e., a change in the worldview which may be described as a transition from the focus on the subject and its destiny, to the investigation of the objective world. The development of this approach has been among others related to the works of Galileo and Descartes. A continuation of this tendency in a more radical form was nineteenth century positivism, rejecting any metaphysical speculation, and limiting the sources of knowledge to the sense experience, supplemented with logic and mathematics. Architecture has been following these transformations. Before the Enlightenment, architects never considered formal language as the sole source of meaning. Architectural form was not an autonomous invention, but an embodiment of a certain style of life, an expression of culture. During the Enlightenment architecture was first redefined in terms of its own, intrinsic principles and – similar to modern science – has been devoid of a reference to the lifeworld (Pérez-Gómez 1983). Practice has been reduced to a system of rational prescriptive rules, focused foremost on the efficiency of the solutions, losing sight of the actual needs of people – the users of architecture. This has created a substantial tension between theory and practice.

> Theory may work smoothly on a formal level, but it is unable to come to terms with reality. Correlatively, practice has been transformed into a process of production, without existential meaning, clearly defined aims, or reference to human values. (Pérez-Gómez 1983: 8)

In this context, Gadamer's reflections on technology and science are very relevant. In the essay "What is practice?" Gadamer argues that contemporary science develops "into a knowledge of manipulable relationships by means of isolating experimentation" and thus follows the path of technology (Gadamer 1981: 70). In the pre-modern period, the user's needs and choices were the main criteria for what would be made. Modern technology first makes the things, and then creates the needs, building "a consumer awakening and need-stimulating industry" around us (Gadamer 1981: 71). As a result, we lose freedom and flexibility in

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From prescription, in the case of hypaethral edifices, open to the sky, in honour of Jupiter Lightning, the Heaven, the Sun, or the Moon. […] Propriety arises from usage when buildings having magnificent interiors are provided with elegant entrance-courts to correspond; for there will be no propriety in the spectacle of an elegant interior approached by a low, mean entrance. […] Finally, propriety will be due to natural causes […] in using an eastern light for bedrooms and libraries, a western light in winter for baths and winter apartments, and a northern light for picture galleries and other places in which a steady light is needed. Economy in Vitruvius' view "denotes the proper management of materials and of site, as well as a thrifty balancing of cost and common sense in the construction of works." (Vitruvius, *De Architectura*: Book I, Chapter II.)

[5]The famous Vitruvian triad (*firmitas*, *utilitas*, *venustas*, i.e. firmness, commodity, and delight; or: durability, convenience, and beauty – depending on the translation) may be related to Aristotle's subcategorization of "science" (*dianoia*) as theoretical, practical, and poetical. *De Architectura*, understood through this perspective, points at three interrelated, irreducible dimensions of architecture: theoretical, ethical, and creative aspects.

relation to the world; our choices are diminishing. The development of computer technology serves here as a good example. Technology changes more rapidly than its users can or need to absorb. The standards are not set by the users, but rather imposed on them. We are convinced that we have to follow the developments of technology, even though it limits our freedom and induces more pressure in our everyday life. This tendency may be also observed in architecture, for example, when expensive high-tech solutions are introduced without assessing their appropriateness from a user perspective.

According to Gadamer, we have lost the crucial link between knowledge of the world and knowledge of what it means to be human. The major consequence of this process is "the degeneration of practice into technique" and its "general decline into social irrationality" (Gadamer 1981: 74). As he argues, modern civilization lacks the ability to address and consider questions about life and reality as a whole. In order to overcome the crisis, we need to rehabilitate the concept of practice, and restore a connection between what is good for humans and scientific development. Phenomenology proves its relevance in this context.

4.1 Phenomenology and the Ideal of Phronesis

The basic assumptions of phenomenology – the foundational character of lived experience and the primordiality of the lifeworld – imply inseparable relation between theory and practice in any domain of human activity. Yet, the connection between knowledge and practice is not a structuring relation. The practical significance of phenomenology lies not in easily applicable problem-solving strategies, but rather in the formative nature of phenomenological knowledge. It enhances our perceptiveness, influences our relationships with others, and provides us with embodied, situational forms of understanding (Gadamer 1960). In this understanding, "theory […] does not produce specific answers to individual problems, but it does greatly facilitate asking the right questions" (Madison 2001: 5). This ability to bridge the gap between theory and the lifeworld can be associated with Aristotle's ideal of *phronesis* or practical wisdom – the central concept of Aristotelian ethics.

In *Metaphysics*, Aristotle states "all science (*dianoia*) is either practical, poetical or theoretical" (*Metaphysics* 1025b25).[6] In Aristotle's view, "theoretical sciences" are concerned with things of invariable cause (this is where physics, mathematics, metaphysics belong). Both "practical sciences" and "poetical sciences" are dealing with the things of variable cause, i.e. "things which admit of being other than they

[6]This use of the term "science" carries a different meaning than that covered today by the term "scientific method." Generally speaking, Aristotle makes science coextensive with reasoning. In the early Greek understanding, science (*dianoia*) referred to the capacity for, process of, or result of discursive thinking, in contrast with the immediate apprehension that is characteristic of *noesis* (understanding as the ability to sense, or know something immediately; intuitive thinking).

are," the realm of coming-to-be (Aristotle NE: VI, 3). Speaking more specifically, "poetical sciences" are sciences concerned with producing an end result; we could describe them therefore as productive sciences or *techne*, skills.[7] The "practical sciences," which are of our major interest, are concerned with the human good and the principles of right action (here Aristotle situates politics and ethics).

The ideal of practical sciences is practical wisdom, *phronesis*. It is concerned with the human sphere, i.e. things about which it is possible to deliberate (as Aristotle observes, no one deliberates about things of invariable cause, such as the objects of mathematics). Aristotle describes *phronesis* as follows:

> Regarding practical wisdom we shall get at the truth by considering who are the persons we credit with it. Now it is thought to be the mark of a man of practical wisdom to be able to deliberate well about what is good and expedient for himself, not in some particular respect, e.g. about what sorts of thing conduce to health or to strength, but about what sorts of thing conduce to the good life in general. […] It is for this reason that we think Pericles and men like him have practical wisdom, *viz.* because they can see what is good for themselves and what is good for men in general; we consider that those can do this who are good at managing households or states. (Aristotle NE: VI, 5)

Practical wisdom may be briefly characterized as "a true and reasoned state or capacity to act with regard to the things that are good or bad for man" (Aristotle NE: VI, 5). Here, knowledge and action are intimately connected and "practical wisdom issues commands, since its end is what ought to be done or not to be done; but understanding only judges" (Aristotle NE: VI, 8).

Aristotle argues that practical wisdom (unlike philosophic/ theoretical wisdom) is always context-dependent, e.g. "what is healthy or good is different for men and for fishes, but what is white or straight is always the same" (Aristotle NE: VI, 8). Furthermore, those who have theoretical wisdom do not necessarily possess practical wisdom:

> This is why we say Anaxagoras, Thales, and men like them have philosophic but not practical wisdom, when we see them ignorant of what is to their own advantage, and why we say that they know things that are remarkable, admirable, difficult, and divine, but useless; *viz.* because it is not human goods that they seek. (Aristotle NE: VI, 8)

Practical wisdom is not concerned with universals. It requires an extensive experience of particulars, which is typically gained throughout the years. As Aristotle puts it, "while young men become geometricians and mathematicians and wise in matters like these, it is thought that a young man of practical wisdom cannot be found […] for it is length of time that gives experience" (Aristotle NE: VI, 8).

There is an essential ethical dimension in the concept of practical wisdom: Aristotle considers *phronesis* an "intellectual virtue." Gadamer (1960) explains:

[7] The term *poiesis* is here central – in the Greek understanding it referred generally to the activity of making; not only the act of creating a work of art, but any everyday object such as a chair or a building. Since *poiesis* is defined by its external product, the human capability for "making" is perfected not in the activity of making itself, but in the quality, *pathos*, or usefulness of its product.

> Although practicing this virtue means that one distinguishes what should be done from what should not, it is not simply practical shrewdness and general cleverness. The distinction between what should and should not be done includes the distinction between the proper and the improper and thus presupposes a moral attitude. (Gadamer 2004: 20)

What is the relationship between the idea of *phronesis* and phenomenological concepts? Referring to Aristotle, Gadamer defines *phronesis* as "the reasonableness of practical knowing" (Gadamer 2004: 21). By this, he means an ability to apply a general law to a specific case, and in this sense, *phronesis* refers to a problem of interpretation, thus it is one of the core concepts of hermeneutic phenomenology. Furthermore, phenomenology, similar to Aristotelian practical science, "must arise from practice itself and, with all types of generalizations that it brings to explicit consciousness, be related back to practice" (Gadamer 1981: 92). Consequently, an emphasis is put on the "practicality" of our being-in-the-world rather than on a theoretical apprehension. As Gadamer maintains, understanding is not a task in itself, but should always involve applying the meaning understood in a specific context (Gadamer 2004: 328). "What man needs is not just the persistent posing of ultimate questions, but the sense of what is feasible, what is possible, what is correct, here and now" (Gadamer 2004: xxxiv).

It seems that the concept of *phronesis* is particularly relevant in the context of professional ethics. The source of current crisis in many professions, including architecture, may be identified in the domination of models from the natural sciences (a "development" of Aristotelian theoretical sciences) in the field of human sciences, and the consequent underestimation of practical wisdom. One of the aspects of this process is the increasing reliance on experts and organizational planning. We believe that experts can handle practical, political, and economic decisions, and while it is true that they may have the theoretical knowledge or technical skills, they may not have the practical and political experiences necessary to determine the good of the society (Gadamer 1981: 72). In the collection of essays *The Enigma of Health: The Art of Healing in a Scientific Age* (1993) Gadamer illustrates the problem by examining the paradoxical nature of Western medicine, which chooses the body-object as its investigative starting point, when in fact it deals with subjects. He suggests that this tension between knowledge and practice can be overcome by a model of medicine as the art of understanding and dialogue, capable of bringing together its various constituent parts: theory, "know-how," and the knowledge of how to be human (Gadamer 1993). This is equally relevant for architecture as well as for any other domain of professional activity.

5 The Example of the Rural Studio

This section indicates possible ways of integrating phenomenological concepts in architectural practice. The example discussed here is the Rural Studio, a non-commercial, non-profit oriented, in many ways experimental design-build program, established as a part of architectural curriculum at Auburn University (Alabama, U.S.). The designers are mostly undergraduate students, working under the direction

of more experienced practitioners. However, this is not a regular educational situation; the character of the studio is in many ways more similar to work than school. The students are dealing with subcontractors and suppliers, and are on-site every day with no other classes for one semester. The Rural Studio does not directly refer to phenomenological ideas; nevertheless, the phenomenological way of thinking is profound here – the design practice is very much focused on responding to the given contexts, including the lifeworld of users.

In presenting the Rural Studio, it is essential to introduce its founder, Samuel "Sambo" Mockbee (23 December 1944–30 December 2001), "the mind and the soul of the Rural Studio" (Dean and Hursley 2002: 3). Mockbee was born in Meridian, Mississippi. He enrolled at Auburn University and graduated from the School of Architecture in 1974. After an internship in Columbus, Georgia, he returned to Mississippi in 1977 and entered into cooperation with his classmate and friend Thomas Goodman. The firm "Mockbee Goodman Architects" quickly established a reputation for innovative design through the utilization of local materials to create works referring to vernacular motifs. The firm won more than 25 state and regional design awards during a period of 6 years.

In 1983, Mockbee began an architectural association with Coleman Coker. This cooperation confirmed Mockbee's position as "a strong and important new voice coming from the South." In her book *Mockbee Coker: Thought and Process* (1995), Lori Ryker describes the design approach of the two architects:

> It is not a rational understanding of the South they seek, but a blurring of knowable and resolute truths caused by the intimacy of place, nature and personal experience. Their observations of overreliance on scientific truths and subjection of personal views effect in their belief that Western society is searching for unnecessary clarity and therefore, reduced refinement and understanding of the world around them. (Ryker 1995: 18)

In their architecture, Mockbee and Coker combined references to local forms, landscape, and narratives with ideas and forms holding universal meanings. They believed that contemporary society is experiencing "a loss of knowing the subtleties of life and seldom provides unique responses to the varied ways people live" (Ryker 1995: 18.) In this context, they argued for the need to extend the definition of architectural responsibility (limited most commonly to technical and economical issues) so as to emphasize the social and cultural obligations of architects.

At the time of his cooperation with Coker, Mockbee had begun to bring into focus a personal understanding and recognition of the social, economic, and cultural ambiguities that existed in the late twentieth century South.[8] That experience, coupled with his interest in the existing cultural heritage of the region and a desire to

[8] Mockbee recollects, "I'd like to explain a little about my background – about being blessed and cursed as a Southerner […] As Southerners our heritage is part of our character. My great grandfather rode with the Mississippi Partisan Rangers under Colonel W. C. Falkner and later General Forrest. These were my heroes growing up in the segregated South of the 1950s and the early 1960s. […] Later I came to realize the contradictions that existed in my world. That I came from an isolated area where lies were being confronted with the truth. That I came from the American South which was attached to fiction and false values and a willingness to justify cruelty and injustice in the name of those values" (Mockbee 1998).

improve the living and working conditions of the South's most impoverished citizens, established both boundaries and opportunities for his further work in the Rural Studio, which he initiated in 1993 along with Dennis K. Ruth (then head of the Auburn Architectural School). In order to pursue this project, Mockbee abandoned a full-time, prosperous commercial architectural practice. He recollects, "Even though my career had been developing successfully, I did not feel that I was maturing as a responsible architectural citizen" (Mockbee 1998).

In Mockbee's own words, the Rural Studio was a "collaging of different experiences" he had over the years thinking how he could pursue "architecture, social improvement, education, arts, and ideas about environment" (Mockbee in: Dean an Hursley 2002: 5). On its website, the Rural Studio defines its mission as follows:

> The Rural Studio seeks solutions to the needs of the community within the community's own context, not from outside it. Abstract ideas based upon knowledge and studies are transformed into workable solutions forged by real human contact, personal realization, and a gained appreciation for the culture.

What makes the Rural Studio's approach distinct from many other socially responsible architectural practices is the conviction that everyone, rich or poor, deserves not just a shelter, but an inspiring, individually-tailored home. As Mockbee used to say, "the goal is not to have a warm, dry house, but to have a warm, dry house with a spirit to it" (Mockbee in: Dean and Hursley 2002: 17).

5.1 Architectural Design Process as an Interpretation of the Lifeworld

Robert Ivy, a friend of Mockbee, recollects: "A born storyteller, Sambo was in a sense an interpreter of people, place, and history" (Ivy 2002). Indeed, according to Mockbee, "architecture must be made where it is and out of what exists there" (Mockbee 1998).

The problem of interpreting the contradictions inherent in the South was central for Mockbee, even going back to the early years of his career. It was also the central issue for the Rural Studio project, which attempted to "capture the spirit of place and people in a new way" (Ivy 2002). Taking into account both local particularities and an expanding, global culture, Mockbee and his students developed new interpretations of Southern traditions, mythologies, and allegories; they reinterpreted and assembled many local symbols into their work. In an interview for the *Architectural Record*, Mockbee emphasizes the importance of a profound knowledge of local context:

> ar: You've stayed close to your Southern roots. Can you get an appropriate design from an architect who isn't rooted in place?
> sm: I'm not going to say that someone like Frank Gehry can't build something beautiful in a culture and place he doesn't know well. For the rest of us mere mortals, the best way to make real architecture is by letting a building evolve out of the culture and place. (Mockbee in: Dean 2001)

Yet, the fact of not being from a given place is not a "crippling deficiency that will render one incapable of inspiration." What is particularly important in such circumstances is "using one's talent, intellect and energy in order to gain an appreciation and affection for people and place" (Mockbee 1998). At the same time, Mockbee advocates a dialogue with contemporary, global phenomena:

> I don't want to be pigeonholed as a regionalist, yet I am, and I certainly don't want to get marked as a local colorist. I pay attention to my region; I keep my eyes open. Then I see how I can take that and, using modern technology, reinterpret certain principles that are going to be true 200 years from now. (Mockbee in: Dean 2001)

Mockbee emphasizes that he and the Rural Studio did not try to be "southern" (e.g., by using historical or vernacular references in a theatrical way) they just ended up that way because they were trying to be authentic and to respond to given circumstances. In this matter, there is a lot to be learned from history and tradition. Dick Hudgens, an architect who teaches the history of architecture at the Rural Studio, maintains:

> Some of the houses we see, that we tour, were built right before the Civil War. […] And the houses had to work with the climate without any kind of artificial systems. And I think a lot of architecture students today tend to take artificial systems for granted and don't consider orientation, climate, and sun angles, and prevailing winds, and things like that. And so these houses are great a document on how to build with simple systems to work with the climate. (Hudgens in: Tippett 2007)

Responding to the local conditions, almost all of the Rural Studio's buildings have exaggerated, protective roofs. This is because the region's annual average rainfall is very high, "so flat roofs just aren't going to do it" (Mockbee in: Dean and Hursley 2002: 9). The climate conditions are different from the American West, for instance, where architects can concentrate more on sculptural forms. Mockbee turned the limitations of the climate into opportunities; he often "overstated" his roofs. This brings our attention to the sustainability concerns, which are an integral part of the Rural Studio's design processes. Andrew Freear, one of the instructors, describes the sustainability-based approach of the Rural Studio as sustainability with a small "s".

> There's always a lot of questions. People come and see the work and say, well, you know, why aren't you using composting toilets? Or why aren't you using solar panels? And the truth of the matter is, is not just that the sort of the huge sort of upfront costs of things like that. But the fact of the matter is that I am better off making sure that if I put in a septic system, that the local people can fix it if it fails. And for me, that's sustainability with a small "s". It's not trying to reinvent the wheel. It's simply recognizing the capabilities of local people when they're dealing with essential services. (Freear in: Tippett 2007)

Sustainable solutions emerge here from a careful consideration of users' reality. Sustainability is not defined in terms of technologically advanced solutions, but rather focusing on lifestyles and a given context; i.e., asking what is feasible for the user (such as low-maintenance materials) and what is locally available. Architects are also learning from architectural solutions of the past, e.g. the ways of responding to the climatic conditions of the South in antebellum houses. This approach exemplifies the Aristotelian ideal of *phronesis*.

The respect for the lived experience of a client is another key characteristics of the Rural Studio's design approach. Mockbee believed that "everybody, rich or poor, wants […] not only a warm dry room but a shelter for the soul" (Mockbee in: Tippett 2007). Behind this statement, which may seem idealistic, there is a deep conviction that every client, regardless of his or her economic situation or personal background, deserves attention. The Rural Studio designers spend a considerable amount of time getting know the individual needs and preferences of their clients. In many cases, they live in and become a part of the community in which they are working. Furthermore, the architects usually have an ongoing relationship with the client. As Mockbee states, "I don't think you're successful if you can't call your client back up and say, I'm coming out to see the house" (Mockbee in: Hudson 2001). Nevertheless, communication with clients is not always straightforward. An effort is often required by the architects to initiate a dialogue.

> We work with people who don't know what an architect does, so we have to educate them as to what an architect can bring to a situation. We educate them to understand drawings, to engage in a conversation about spaces, to engage in […] the question of, what do you want? when people have never been asked what they want. We make lots of models. We make lots of perspectives, so people can begin, or at least try to begin, to imagine themselves in that place, because they have never been asked to do that before. They've never been asked to imagine before. (Freear in: Tippett 2007)

Clearly, to the designers working with the Rural Studio it appeared that for their clients, a house was not just a shelter or a functional object fulfilling their basic physical needs, but an important source of identity.

The emphasis on the social and environmental responsibility of architects may suggest that a creative aspect of architectural design is left behind. Nevertheless, the Rural Studio's architecture is not just a pragmatic activity, which fulfills concrete social needs. Bruce Lindsey, one of the instructors, referring to his experience with the Rural Studio recollects that "it really showed me that you don't have to suspend the expressive and innovative aspects of architectural design to work in the community" (Lindsey in: Heathcott 2007). Mockbee explicitly accentuated that a creative dimension is an essential aspect of the design process. Creativity, however, was not viewed by him as a self-expression, but as a way of getting a profound insight into the lives of community. In this perspective, art is "an agency of understanding", it may help architects to enter into the lifeworld of their clients. Referring to the series of large murals that he created in an attempt to "extend the study of architecture into […] a wider human landscape" Mockbee asserts:

> I am interested in what might prompt and make possible a process of entering a taboo landscape, in my case, the economic poverty of the Deep South; also in developing a discourse beyond merely looking at the effects of poverty but also at how architects can step over the threshold of injustice and address the true needs of a neglected American family and particularly the needs of their children. (Mockbee 1998)

In Mockbee's view, the paintings engaged and revealed "the spirit of a noble subculture and its authenticity," while at the same time establishing a discourse "between those of us who have become mentally and morally stalled in modern obligations and these families who have no prospect of such obligations" (Mockbee 1998).

Ryker observes that when viewed in a series, the murals record and support the local sub-culture based on the stories of life, love, and death. Furthermore, the pictures portray not only the actuality of a situation, but present a spiritual narrative, "combining the observable with a personal mythology based on Mockbee's view of the world" (Ryker 1995: 93). Hence, the murals are by no means an attempt to aestheticise poverty. Mockbee believed that contemporary consumerist culture and modern technology alienated people from their collective memory. Art may be viewed as a means to overcome this alienation, to meaningfully incorporate the past into the present. Accordingly, he viewed each mural as a link to the collective memory, which is fading from the lives of those preoccupied with the issues of profitable developments. The pictures sustain and support the lifeworld of the people from which they grow. Furthermore, they ultimately help individuals to realize their innermost potential, and in this they sustain dwelling.

> The murals offer a supportive position through their themes, and in their local installation offer a magical and hopeful vision of the people portrayed. The murals are noble in that […] they are intended to bring spiritual good into the lives of others without question or pretence. (Ryker 1995: 93)

Mockbee's experiences from the period of creating murals were echoed in his later work with the Rural Studio. Art remained an essential part of the design process. Apart from providing an insight into the lifeworld of clients, artistic explorations (particularly drawing and painting) were essential to the development of architectural form.

Summing up, the Rural Studio's focus on the situatedness of a given design and an effort to reinterpretate the cultural and historical heritage of the South echoes phenomenological assertions regarding the primordiality of the lifeworld and hermeneutic nature of our being. Mockbee shared Heidegger's view that contemporary, technologized, efficiency-oriented culture deprives human beings of the most important aspects of their lives. He also believed that the most important task of architecture is not to provide shelter, but to make "dwelling" possible, to enable individuals to realize their potential. In this perspective, the role of the architect is to help inhabitants to recover the lost dimensions of their existence. By reinterpreting tradition in the contemporary context, architects may assist inhabitants in developing a more authentic mode of being, a non-reductive relationship with reality. Architectural form is here not an autonomous invention, but an embodiment of both a client's values and an expression of culture. The individuality of design solutions is one consequence of such a view of design.

6 Towards an Ethical Practice

It seems that in using elements of phenomenology we can import relevant ethical underpinnings into architectural theory and practice. As Heidegger and Gadamer teach us, we do not understand in abstraction from the world, but always in a specific cultural, historical, and social context, in relation to our own being. We are thus unable

to "view buildings apart from any consideration of dwelling" (Harries 1983 in: Seamon (ed.) 1993: 43–44). Accordingly, architectural interventions should always account for the contextuality of lived experience and allow us to attain a perspective attached to local concerns, everyday practices, shared histories, and traditions. In this perspective, the design process is not primarily guided by abstract objectives, but responds to the lifeworld and the ways of life of the users of architecture.

The example of the Rural Studio suggests that an architectural practice addressing the issues of lifeworld and lived experience is inevitably an ethical practice. Architecture is here a "social art," a socially responsive activity which must rest on the cultural base of its time and place, manifesting care for the individuals and their environment. Mockbee used to tell his students that as architects, "their goodness is more important than their greatness, their compassion more eventful than their passion" (Dean and Hursley 2002: 3). He believed that the architectural profession should challenge the status quo by making responsible social and environmental design choices.

> The professional challenge, whether one is an architect in the rural American South or elsewhere in the world, is how to avoid being so stunned by the power of modern technology and economic affluence that one does not lose sight of the fact that people and place matter. (Mockbee 1998)

Yet, changing the prevailing, disengaged attitude within the architectural profession is not an easy task. How do we make architecture more humane? How do we increase architects'sensitivity towards users' perspectives? The role of architectural education is here crucial – it is where the values of professional practice are first established. In the documentary film *The Rural Studio*, Mockbee maintains that at some point it becomes necessary for students "to leave the classroom of the university and enter the classroom of a community" (Mockbee in: Tippet 2007). Only by encountering the clients and the design settings will they start to understand the power that architecture has and the responsibility that they have.

Mockbee's emphasis on the practical aspects of architectural education reflects a phenomenological assumption that practical engagement with the world is primary to the scientific rationality. As Gadamer (1960) asserts, understanding is not a task in itself, but always should involve applying the meaning understood in a specific settings. *Phronesis*, practical reason is here essential. It requires the experience of particulars, typically gained throughout years of conduct. Nevertheless, the majority of architectural schools seem to undervalue the role of the practical dimension in education.

Phenomenology inspires a reformulation of architectural practice and calls for a departure from the traditional professional-client contract, where an architect holds the unquestioned authority of an expert or a genius-artist. Instead, it suggests the idea of an architect as a partner in a dialogue, a responsible member of a community concerned with the common good, a sense-maker. Hence, an architect is a person who exemplifies an ethical commitment. As Heidegger emphasizes, "Only if we are capable of dwelling, only then can we build" (Heidegger 1977b: 338).

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Médecine et philosophie morale (1990–2010)

Valérie Gateau and Anne Fagot-Largeault

1 Introduction

Jusqu'aux années 1960 l'éthique médicale est une affaire interne à la profession (règles de bonne conduite à l'égard du malade et de ses proches, secret médical). Le grand ébranlement des années 1967–1971 fait émerger à la fois une vague de révolte contre des pratiques de recherche scientifique jugées attentatoires aux droits humains, et un mouvement *bioéthique* soucieux d'éveiller une réflexion collective sur les nouveaux problèmes soulevés par les avancées des sciences du vivant. Les médecins, durement attaqués à plusieurs reprises dans la grande presse américaine pour des programmes d'étude abusifs, et déjà conscients du caractère discutable de certaines recherches cliniques (Beecher 1966), lancent un premier texte régulateur (la déclaration d'Helsinki[1]), et appellent à l'aide. Théologiens, philosophes et

[1] Association Médicale Mondiale – World Medical Association (wma), Declaration of Helsinki, *Recommendations guiding physicians in biomedical research involving human subjects*, adopted by the 18th World Medical Assembly, Helsinki, Finland, June 1964, and amended by the 29th wma, Tokyo, Japan, Oct 1975 ; 35th wma, Venice, Italy, Oct 1983 ; 41st wma, Hong Kong, Sep. 1989; the 48th General Assembly, Somerset West, Republic of South Africa, Oct 1996 ; and the 52nd wma, Edinburgh, Scotland, Oct. 2000. <http://www.wma.net/=.

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juristes répondent à l'appel. Au cours des années 1970–1980 sont formulés les trois grands principes d'une éthique bio-médicale (ou bioéthique) *rationnelle* : (1) principe de respect de l'*autonomie* du sujet moral – et de protection des personnes vulnérables, (2) principe de *bienfaisance*, (3) principe de *justice*. La bioéthique ainsi lancée est clairement une *philosophie morale*, comme le dit Tom L. Beauchamp qui a participé à la rédaction du texte fondateur[2] : « *l'idée nous est venue dans ces années-là que les principes universels issus de la philosophie morale peuvent être intéressants théoriquement et pratiquement utiles en éthique médicale* ».[3] Ces principes, qui font alors mondialement consensus, sont déclinés dans les directives internationales.[4] De nombreux ouvrages de référence les commentent.[5]

Vers la fin des années 1980, la bioéthique s'est institutionnalisée : elle a ses centres de recherche, ses congrès, ses publications, et bientôt ses formations dédiées. Grands hôpitaux, institutions scientifiques, États et administrations, ont leurs comités d'éthique. Les grands thèmes sur lesquels les éthiciens sont invités à réfléchir sont, à cette époque, d'une part la recherche sur des sujets humains (en biologie, en médecine, dans les sciences sociales) ; et d'autre part les nouveaux modes de procréation : fécondation *in vitro*, statut de l'embryon humain, diagnostic prénatal ou pré-implantatoire. Au plan théorique le *principlisme* fournit aux praticiens ou aux membres des comités une méthode de réflexion « de haut en bas » (*top-down*) : il s'agit de déduire des grands principes la conduite à tenir dans les cas particuliers. L'éthique concrète est une éthique *appliquée* : elle applique les principes, formulés initialement aux États-Unis, et auxquels les Européens, fiers de leurs systèmes de santé protecteurs (l'État-providence), ajoutent parfois un principe

[2] National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, *The Belmont Report : Ethical Principles and Guidelines for Research Involving Human Subjects*, 1978, Washington d.c. : us Govt Printing Office (dhew) ; tr. fr. in : Médecine et expérimentation, *Cahiers de bioéthique*, 4, Québec, Presses de l'Université Laval, 1982, 233–250.

[3] « *Frameworks drawn from moral philosophy suggested that bioethics could be given universal, principled moral foundations as well as practical methods of inquiry. […] Thus there arose in the late 1970s and early 1980s the idea that universal principles drawn from moral philosophy could be made theorically interesting and practically relevant in medical ethics* », in : Beauchamp Tom L. 'Does Ethical Theory Have a Future in Bioethics ? ', *Journal of Law, Medicine and Ethics*, 2004, 209–217 (p. 210).

[4] Organisation Mondiale de la Santé – World Medical Organization (oms-who) & Conseil International des Organisations Médicales Scientifiques (cioms), *Déclaration de Manille*, 1981 ; *Directives internationales pour la recherche biomédicale sur des sujets humains / Proposed International Guidelines for Biomedical Research Involving Human Subjects*, Genève, cioms, 1982 ; revised, *International Ethical Guidelines for Biomedical Research Involving Human Subjects*, Genève, cioms, 1993. <http://www.cioms.ch/draftguidelines=.

[5] Beauchamp T. L. & Childress J. F. (1979) *Principles of Biomedical Ethics*. Oxford : Oxford University Press, 3rd ed 1989 ; revised edition, 2001. – Howard-Jones N. & Bankowski Z. (1979) *Medical Experimentation and the Protection of human Rights*, *XIIth* cioms *Round Table Conference*. Geneva : oms-cioms. – Veatch Robert M. (1981) *A Theory of Medical Ethics*. New York : Basic Books. – Fagot-Largeault A. (1985) *L'homme bio-éthique. Pour une déontologie de la recherche sur le vivant*. Paris : Maloine. – Engelhardt Jr. H. Tristram (1986) *The Foundations of Bioethics*. Oxford : University Press. – Hottois Gilbert & Parizeau Marie-Hélène (éds) (1993) *Les mots de la bioéthique. Un vocabulaire encyclopédique*. Bruxelles : De Boeck.

de *solidarité* – quand ils ne proposent pas un principlisme « à l'européenne », centré sur les principes de : dignité, autonomie, vulnérabilité et intégrité.[6]

Bien installée jusque-là dans la réflexion éthique en médecine, la philosophie se voit critiquée, voire attaquée, à partir des années 1990. L'arrivée massive des sciences sociales sur le terrain de l'éthique bio-médicale rencontre alors le besoin ressenti par les médecins et professionnels du soin d'une démarche bio-éthique plus pragmatique, sensible à la diversité des situations concrètes, bref, une démarche « de bas en haut » (*bottom-up*). Le contexte scientifique a lui aussi changé, avec le déchiffrement du génome humain, la recherche sur les cellules souches humaines, le vieillissement des populations et les problèmes de fin de vie. Quittant leur piédestal normatif, les philosophes se prêtent alors à des tentatives de construction éthique, pluridisciplinaire ou transdisciplinaire, et redécouvrent des attitudes morales éloignées du principlisme (morales du sentiment, éthiques narratives, éthiques de genre ou d'ethnie…). Après une phase de désarroi et d'éparpillement théorique, l'approche philosophique tend à devenir à la fois plus politique, et plus épistémologique : on repense les théories de la justice sous l'angle de l'équité des systèmes de santé, on remet en question la vocation normative de la discipline, avec un retour vers la méta-éthique. C'est ce cheminement que nous allons suivre ici.

2 Le « tournant empirique »[7] de la bioéthique

Les recherches « empiriques » en bioéthique sont toutes celles qui recourent aux « méthodes de recherche des sciences sociales (comme l'anthropologie, l'épidémiologie, la psychologie et la sociologie) pour l'examen direct de problèmes bioéthiques (Sugarman 2004) ». Les publications de ce genre, qui en 1980 comptent pour moins de 5 % du total des publications de la discipline (Sugarman et al. 2001), atteignent environ 25 % en 1999.[8] Dans une étude qui couvre cette période, Jeremy Sugarman[9] distingue huit types d'enquêtes empiriques : (1) celles, purement descriptives, qui apportent des informations sur les croyances ou comportements des patients, ou des médecins, (2) celles qui testent l'effectivité des normes établies (ex. les préférences des patients sont-elles respectées en réanimation ?), (3) celles qui rapportent des faits pertinents pour l'argumentation morale (ex. est-il exact que la révélation d'un diagnostic de cancer ou de mort probable est pour le patient un choc qui va aggraver son état ?), (4) des études historiques visant à tester la validité des arguments dits de la « pente glissante », (5) celles qui testent les conséquences probables ou effectives des choix normatifs, (6) celles qui testent les propositions normatives en concurrence

[6] Kemp Peter (Dir.) (2004) *Le discours bioéthique*. Paris : Cerf. – Häyry Matti 'Ethics Committees, Principles and Consequences', *Journal of Medical Ethics*, 1998, 24 : 81–85 ; 'European Values in Bioethics : Why, What and How to Be Used ? ', *Theoretical Medicine*, 2003, vol. 24, pp. 199–214.

[7] Hartogh Govert A. den (1999) 'Empirie en Theorievorming in de Ethiek', *Kennis & Metode*. Tijdschrift voor empirische filosofie 23, pp. 172–177.

[8] Sugarman J., 'The Future of Empirical Research in Bioethics', *op. cit.*, 2004, table 2, p. 227.

[9] *op. cit.*, 2004.

sur un thème donné (ex. les personnes de confiance prennent-elles ou non les décisions voulues par ceux qui leur font confiance ?), (7) des descriptions de cas singuliers, (8) des recherches visant à mettre en évidence les effets d'un choix normatif particulier. D'autres auteurs dressent des classifications un peu différentes,[10] mais tous font le même constat. Les sciences sociales investissent la bioéthique. Elles y introduisent un doute sur l'universalisme des théories morales qu'elles cherchent à contextualiser, et une volonté de proposer une « éthique en acte » qui apporterait des réponses adaptées aux conditions réelles dans lesquelles les questions se posent aux personnes qui sont dans la pratique (médecins, patients, décideurs).

Ces travaux venant des sciences humaines ne sont pas dépourvus de toute ambition normative, ne serait-ce que parce qu'ils sapent les grands principes acceptés jusque-là. La notion de 'consentement éclairé', par exemple, résiste mal à des études qui montrent que dans une majorité de cas la personne qui a apposé sa signature au bas d'un formulaire décrivant l'essai auquel elle va participer, n'a en réalité pas compris ce qu'est une *recherche*, ni à quoi précisément elle s'engage. Or les philosophes ont fait de l'expression du consentement « libre et éclairé » une pratique découlant directement du principe d'autonomie de la personne. Le principe prend un mauvais coup si sa mise en application est illusoire.

L'arrivée des sciences humaines sur le terrain normatif est déconcertante pour les philosophes, parce qu'ils ont été convaincus de l'écart entre « être » et « devoir être » (*is/ought distinction*), c'est-à-dire qu'ils ont admis le postulat que de prémisses descriptives il est impossible de tirer un énoncé normatif. Sur cette base, la bioéthique première définissait clairement les rôles : philosophes et théologiens énonçaient les règles, tandis que les sciences sociales décrivaient les pratiques. Les sciences sociales étaient les « auxiliaires » de la réflexion morale menée par les philosophes. Que la philosophie soit désormais en *concurrence* avec les sciences sociales sur le terrain de la réflexion fondamentale en bioéthique, que le chemin de *l'être* puisse mener au *devoir être*, qu'on attende des philosophes qu'ils développent une bioéthique *empirique* … c'est une révolution.

Selon une étude de Pascal Borry et al. (2005), au début des années 1990, trois éléments concomitants expliquent l'**émergence** d'une bioéthique empirique : l'attente exprimée par *médecins et soignants*, le développement d'une *éthique clinique*, et le succès de l'Evidence Based Medicine (ebm). Premier élément : les attentes des cliniciens. Si la bioéthique philosophique a produit nombre de prescriptions, guides, recommandations et 'feuilles de route' pour moraliser les pratiques, il persiste des écarts majeurs entre normes et pratiques auxquels elle ne propose pas de solution. Par exemple, dans le cas des décisions d'abstention ou d'arrêt thérapeutique en réanimation (*witholding/withdrawing life sustaining treatment*), les médecins réanimateurs ont été embarqués par les philosophes dans d'interminables débats théoriques sur le rôle du patient dans la décision, ou sur la pertinence de la distinction « abstention/arrêt », sans que cela leur soit d'une aide quelconque en pratique (Arnold and Forrow 1993). Ils sont maintenant parmi les premiers à rechercher eux-mêmes des données

[10]Voir par exemple Solomon M. 'Realizing Bioethics' Goals in Practice : Ten Ways *is* can help *ought*', *Hastings Center Report*, 2005, 35 (4) : 40–47.

empiriques décrivant les habitudes et leurs variations d'un pays ou d'un service à l'autre. L'idée de traduire des principes et règles dans des instruments pratiques les rendant utilisables pour les jugements et décisions quotidiens semble alors vouée à l'échec. Le modèle philosophique de la bioéthique est perçu comme trop abstrait, trop général, trop spéculatif, et surtout éloigné de la réalité clinique, insuffisamment sensible à la particularité des situations, incapable de prendre en compte la nature des maladies et le contexte clinique dans lequel les problèmes se posent. L'éthique 'top/down' finit par ressembler à un « *exercice abstrait, mené autour d'un 'sherry' dans la salle de cours d'une tour d'ivoire académique* ».[11]

Second élément : il émerge autour de 1990 une *éthique clinique* ou « *au chevet du patient* » (*ethics at the bedside*), qui prend la relation médecin/malade pour point de départ et se construit en marge du modèle rationaliste de la bioéthique. L'initiative de ce mouvement a été la plupart du temps le fait de médecins formés aux méthodes de l'épidémiologie, qui se sont essayés à l'usage de ces méthodes pour estimer la fréquence des problèmes éthiques, l'impact pratique des règles éthiques et la manière dont les décisions sont prises. Ils s'adressent aux services de santé pour les aider à collecter et analyser les données pertinentes.[12] L'éthique clinique est une *pratique* de style casuistique plus qu'une école de pensée (Jonsen et al. 1998). Elle s'est développée dans les établissements de soin (hôpitaux, unités de soins de longue durée, résidences médicalisées pour personnes âgées ou atteintes de la maladie d'Alzheimer, structures d'accueil pour personnes handicapées[13]). Sur des cas difficiles dans lesquels une décision médicale doit être prise, les soignants se réunissent, éventuellement avec des membres du Comité d'éthique de l'institution, pour confronter les points de vue et discuter de ce que pourrait être la *meilleure décision*. Philosophes et/ou éthiciens spécialistes des sciences humaines et sociales sont souvent invités à se joindre à ces groupes de réflexion.

Troisième élément : le succès de la médecine « fondée sur des faits prouvés » (*EBM*) incite à reconnaître que dans le cadre de la médecine traditionnelle les patients n'ont pas toujours bénéficié des meilleurs traitements, et que les décisions fondées sur l'intuition, la tradition, les observations non systématiques ou l'expérience clinique ne sont pas nécessairement les meilleures. On en vient donc à admettre que les décisions médicales sont meilleures si elles sont fondées sur l'examen des preuves scientifiques disponibles, et qu'il serait *injuste* (donc, contraire à l'éthique) de priver les malades de la meilleure médecine possible. L'exigence relative aux méthodologies de recherche augmente : un résultat isolé ne fait pas preuve, les résultats empiriques doivent passer le test des « méta-analyses » qui, comparant les publications scientifiques, compulsent des données en très grand nombre. L'*EBM*

[11] Wilkie T., 'Navigating the Moral Maze : The Bioethics Program', *Welcome News*, 1998, vol. 14 ; cité par Bennet Rebecca & Cribb Alan (2003) 'The Relevance of Empirical Research to Bioethics : Reviewing the Debate', in *Scratching the Surface of Bioethics*, *op. cit.*, 9–18 (p. 11).

[12] Borry P. *et al*, *op. cit.*, 2005, p. 65–66.

[13] Association des établissements de réadaptation en déficience physique du Québec (aerdpq), *L'éthique clinique : un portrait en évolution…*, rédigé par Dion-Labrie M., avec la collaboration des membres du Comité provincial d'éthique, 2008, isbn : 978-2-921625-54-8, en ligne.

incite à l'introduction systématique de la preuve scientifique dans toutes les interventions de santé, afin d'améliorer la qualité des soins. L'*EBM* gagne l'éthique. À partir de 1995, l'expression *evidence-based* fait son entrée dans la littérature bioéthique. Mais qu'est-ce qu'une éthique « fondée sur des faits prouvés » ?

On conçoit que cette évolution empirique ait pu désarçonner les philosophes. La bioéthique *philosophique* sera-t-elle balayée par le courant empirique ? Renée Fox et Tom Beauchamp s'inquiètent de son avenir. Beauchamp (2004) exhorte les philosophes à cesser leurs disputes verbales, et à s'investir dans des travaux théoriques innovants, susceptibles de *faire sens* dans la pratique. Il note que la bioéthique des débuts – largement philosophique – se trouve aujourd'hui empêtrée dans des conflits délétères, qu'il s'est développé dans les années 1990 des courants nouveaux et plus « appliqués » : casuistique, éthiques féministes, éthiques cliniques, sociologie de l'éthique. Il va jusqu'à prédire un divorce entre philosophie et bioéthique si rien ne change, et appelle les philosophes à initier *en urgence* un travail méthodologique sérieux permettant de relier, de connecter, d'articuler théories morales et pratiques biomédicales. Renée Fox (Fox and Swazey 2005), de son côté, appelle à une interdisciplinarité réelle et à la fin des guerres idéologiques (*culture wars*).

3 Renouveau réflexif et tentatives d'intégration empirique-normatif. Pluridisciplinarité, transdisciplinarité

Au début des années 2000 le sociologue Robert Zussman (Zussman 2000), étudiant l'apport des travaux sociologiques à la bioéthique, note que même les philosophes se sont mis à pratiquer différentes formes de recherche empirique, dont ils incorporent les résultats à leurs exposés d'éthique médicale. Erica Haimes (2002), sociologue elle aussi, constate la multiplication en éthique des investigations empiriques, et s'interroge sur les conditions d'une collaboration fructueuse entre éthiciens et spécialistes des sciences sociales. Il s'agit pour les éthiciens de formation philosophique de tempérer leurs ambitions normatives, et pour les sociologues et autres pratiquants de sciences humaines traditionnellement plutôt descriptives, de légitimer leur intervention dans le champ des normes.[14] De fait, un grand effort est fourni durant quelques années pour rapprocher collecte de données empiriques et positionnements normatifs. À titre d'exemple, de 1995 à 2004 aux Pays-Bas, l'Organisation Nationale de la Recherche Scientifique finance un projet de recherche qui examine les liens entre empirique, normatif et politique dans différents thèmes bioéthiques (Leget et al. 2009). En 2001, l'Organisation Mondiale de la Santé (WHO) organise une conférence sur le thème « *Interfaces between bioethics and the empirical social sciences* (Lolas and Agar 2002) ». Entre 2000 et 2003, l'Union Européenne finance un projet sur les méthodes empiriques

[14] Hedgecoe A. M., 'Critical Bioethics : Beyond the Social Science Critique of Applied Ethics', *Bioethics*, 2004, 18 (2) : 120–143 (p. 131). – Levitt Mairi, 'Better Together ? Sociological and Philosophical Perspectives on Bioethics', in *Scratching the Surface of Bioethics*, *op. cit.*, 2003, p. 20–25.

en bioéthique, coordonné par Søren Holm (Holm and Jonas 2004). De 2002 à 2004 la philosophe finlandaise Tuija Takala dirige un programme de recherche sur l'identité bioéthique et la place des approches empiriques dans la discipline (Häyry and Takala 2003). De 2002 à 2003, en Belgique, le Fond National pour la Recherche Scientifique (FNRS) finance un projet sur les relations entre approches normatives et empiriques en bioéthique.[15] En 2005, l'ouvrage *Bioethics and Social Reality* (Häyry et al. 2005) propose une réflexion collective sur les liens entre normatif, empirique et politique en bioéthique. En 2009, un numéro de la revue *Bioethics*[16] est consacré aux différentes tentatives d'intégration des recherches empiriques aux propositions normatives en bioéthique. En 2011, l'ouvrage *Cutting Through the surface : Philosophical approaches to bioethics* (Takala et al. 2009) propose de faire le point sur les relations « troubles » qu'entretiennent théories et pratiques dans la réflexion éthique. En 2012 enfin, le *Cambridge Quarterly of Healthcare Ethics* consacre un numéro entier à l'éthique dite « empirique ».[17] Au total, les thèmes 'être et devoir être', 'distinction entre faits et valeurs', 'pratique et théorie', deviennent des thèmes majeurs en bioéthique, et renvoient à une grande quantité de publications de sociologues, philosophes, théologiens, anthropologues, et autres chercheurs soucieux d'y voir clair dans leur propre démarche.[18]

L'enjeu réflexif est de taille, car la bioéthique est devenue informe. Sans méthodologie bien définie, rassemblant tant de disciplines croisées qu'il devient difficile de juger de la pertinence des contributions, relativement inconsciente des conflits d'intérêts sous-jacents, courant derrière les nouveautés technologiques pour « donner un avis » au plus vite, elle risque d'être un lieu d'incompréhension, d'erreur, ou de manipulation politique.[19] Il devient urgent de se consacrer aux nouveaux défis, ainsi identifiés : travailler à une forme d'interdisciplinarité qui assure une *égale dignité* à toutes les disciplines ; mieux *intégrer* les données empiriques à l'éthique normative ; et surtout maintenir une forme d'objectivité et de *rationalité*. En rapport avec ces préoccupations, un nouveau courant de publications explore différents modes d'intégration des données, censés offrir de meilleures façons d'articuler normatif et empirique, et ouvrir la voie à une meilleure harmonisation des disciplines concourant à la bioéthique.

Dans ces publications, une première orientation peut être dite *pluridisciplinaire*. Elle propose des « modèles bioéthiques » élaborés conjointement par des

[15] Leget C. *et al*, *op. cit*.

[16] *Bioethics*, 2009, 23 (4).

[17] 'Special Section : Empirical Ethics', *Cambridge Quarterly of Healthcare Ethics*, vol. 21 n° 4, October 2012.

[18] Voir : De Vries Raymond '(Bio)Ethics and Evidence : From Collaboration to Co-operation', in Gastmans C., Dierickx K., Nys H., Schotsmans P. (eds) (2007) *New Pathways for European Bioethics*. Antwerpen : Intersentia, p. 7–20. – Marshall P. A. & Koenig B. A. 'Bioéthique et anthropologie ; situer le bien dans la pratique médicale', *Anthropologie et sociétés*, 2000, 24 (2) : 35–55. – De Vries R. & Gordijn B. 'Empirical Ethics and its Alleged Meta-Ethical Fallacies', *Bioethics*, 2009, 23 (4) : 193–201.

[19] Hellsten Sirkku K. 'Why "Definitions" Matter in Defining Bioethics ? ', in *Cutting Through the Surface : Philosophical Approaches to Bioethics*, *op. cit.*, 2009, pp. 9–18.

philosophes et sociologues travaillant ensemble. Un bon exemple de ce type de modèle est celui proposé par Carlo Leget, Pascal Borry et Raymond De Vries.[20] L'objectif des auteurs est de sortir de la confrontation stérile qui oppose des sociologues réputés *relativistes* à des philosophes présumés *dogmatiques*. Leur thèse est que ces disciplines sont *complémentaires*, et qu'elles devraient ensemble constituer une *éthique critique appliquée*, où la fonction critique de chaque discipline serait une chance pour l'autre. Le modèle se présente comme un guide pour une collaboration qui maintient les perspectives disciplinaires. La première étape est l'identification des questions morales, qui peut être philosophique – par exemple par l'analyse des termes comme « contraire à la dignité humaine », ou sociologique – par exemple lorsque des données empiriques mettent en évidence des conflits de valeurs. Elle se poursuit par l'énoncé du problème, qui correspond pour les philosophes à la clarification conceptuelle et pour les sociologues à l'élucidation des pratiques. Il revient ensuite à la philosophie d'évaluer les données pertinentes pour la décision morale, et à la sociologie de tester les conséquences pratiques des choix possibles. L'équilibre normatif est alors jugé par les philosophes, car c'est la théorie morale qui doit guider le choix. Cette décision normative est enfin confirmée ou infirmée par les sociologues qui documentent ses conséquences. Ce modèle propose donc une bioéthique pluridisciplinaire, dans laquelle chercheurs en sciences sociales et philosophes (ou théologiens) élaborent des stratégies de recherche et des propositions normatives autour d'un objet commun (par exemple, le diagnostic prénatal de la trisomie 21). L'intérêt de ce type de modèle est qu'il permet à la fois un enrichissement critique d'une discipline à l'autre, et une évaluation rigoureuse des données produites au sein de chaque discipline (jugement par les pairs de la méthode, des résultats et de la théorisation). Mais ce modèle reste finalement assez proche du modèle initial de la bioéthique dans lequel les sociologues *décrivent* et les philosophes *décident*. Il est donc à craindre qu'il conduise aux mêmes difficultés.

Une seconde orientation peut être dite intégrative ou *transdisciplinaire*. Un bon exemple est celui proposé par les philosophes Jonathan Ives et Heather Draper (Ives and Draper 2009). Leur objectif est de définir une méthode pour intégrer *légitimement* les données empiriques aux théories morales. Formuler un jugement normatif pertinent en bioéthique suppose, en effet, que l'on connaisse la réalité empirique, et non pas seulement « pour la forme ». Il faut donc que chaque discipline puisse s'approprier et reformuler les concepts et méthodes issus des autres disciplines pour tester ses hypothèses propres. Ives et Draper exposent leur démarche à propos d'une étude empirique qu'ils ont effectuée (à l'aide de méthodes sociologiques) sur ce qui doit fonder la responsabilité paternelle dans le contexte des familles recomposées. Leur hypothèse initiale était que cette responsabilité ne se fonde pas sur le lien génétique. Mais l'interview des pères montre qu'il y a des arguments pour défendre le lien génétique comme l'un des fondements de la responsabilité paternelle : les pères divorcés qui ne voient plus leurs enfants attachent une grande importance au

[20] Nous présentons ici un résumé détaillé de la proposition de Leget *et al*, *op. cit.*, 2009. Pour un autre modèle de ce type, voir : Levitt M., 'Better Together ? Sociological and Philosophical Perspectives on Bioethics', in *Scratching the Surface of Bioethics*, *op. cit.*, 2003, p. 20–25.

lien génétique qui est le seul à faire encore d'eux des pères. La documentation issue du terrain informe donc sur la bonne manière de définir la paternité, et sur les conséquences possibles des choix normatifs (si l'on élimine le lien génétique des fondements de la responsabilité paternelle, ces pères sont lésés). Lorsqu'on veut décider comment fonder moralement la responsabilité paternelle, se demander ce qu'est un père est la première tâche philosophique : c'est de l'élucidation conceptuelle en contexte. Cette élucidation permet de montrer que le concept a, de fait, plusieurs sens (être père, c'est : aller chercher ses enfants à l'école, être leur géniteur, être le mari ou compagnon de leur mère…) ; elle permet aussi de montrer que ces sens ont plus ou moins de valeur (le lien génétique est peu valorisé, sauf pour les pères privés de leurs enfants). Les auteurs admettent que cette position va plutôt à l'encontre de la tradition en philosophie morale puisqu'en philosophie on cherche d'abord à *réduire* les concepts, alors que dans leur perspective il s'agit d'aboutir à un *concept multiple* qui n'oublie aucun sens de ce que c'est qu'être père. Mais Ives et Draper argumentent que cette méthode est adaptée à l'objectif d'un jugement normatif éclairé. Une fois effectuée la clarification conceptuelle « en contexte », il reste à intégrer effectivement recherche empirique et positionnement normatif. Pour les auteurs, la solution se trouve au niveau méta-éthique. Dans la mesure où la philosophie morale est habituée à accorder de l'importance aux intuitions morales dans la mise en balance des théories normatives (notamment kantienne et utilitariste), il faut faire de même en bioéthique. Pour les questions liées aux fondements de la paternité, les auteurs tentent donc de mettre en lumière – par la documentation de terrain – les *intuitions morales* des pères sur ce que cela *devrait être* d'être un père, puis ils identifient les intuitions les plus fortes (celles auxquelles les pères sont le moins disposés à renoncer), et enfin ils jugent si ces intuitions peuvent départager les théories morales en concurrence. Ce modèle présente selon les auteurs deux avantages. D'une part, il permet de raisonner à partir des intuitions morales des personnes concernées par les problèmes et non à partir des intuitions morales des seuls philosophes. D'autre part, il propose une méthode légitime pour combiner données empiriques et éthique normative, sciences sociales et sciences normatives. Mais il présente aussi deux inconvénients. D'abord il suppose qu'on renonce à produire une théorie qui détermine ce qui est bien *en soi* ou objectivement, et que l'on considère comme valides des intuitions qu'on ne partage pas. Ensuite, cela pose clairement le problème de l'usage des méthodes qualitatives en éthique : si l'on veut départager des théories morales sur la base des *intuitions* morales, on ne peut pas se contenter de données qualitatives issues des intuitions morales d'une quinzaine de personnes (ici, les pères). Pour que ce modèle fonctionne, il faudrait qu'il produise des données généralisables et donc des données quantitatives. Il faudrait entrer dans une forme « d'evidence-based ethics » qui documenterait des intuitions morales « représentatives » et statistiquement généralisables. Évidemment, cela a toutes les chances de provoquer de vives réactions : « *But this will not be easy to do, and is likely to provoke the same reactions from some philosophers as the possibility of assessing ethics by multiple-choice questions* ».[21]

[21] Ives J. & Draper H., *op. cit*.

Les inconvénients du modèle précédent expliquent pour une part l'élaboration de modèles d'intégration que l'on peut qualifier « d'anti-relativistes ». Un exemple intéressant est celui proposé par Eve Garrard et Stephen Wilkinson (Garrard and Wilkinson 2005). Le but des auteurs est à la fois d'intégrer les données empiriques à l'éthique normative et de lutter contre le relativisme moral auxquels peuvent conduire les modèles intuitionnistes. Pour Garrard et Wilkinson, déterminer *comment* intégrer les recherches empiriques à l'éthique normative revient à distinguer les données qui sont *pertinentes* pour l'éthique normative et celles qui *constituent une part* de l'éthique normative. Seules celles qui constituent une part de l'éthique doivent être intégrées à l'éthique normative appliquée. Les données empiriques qui constituent une part de l'éthique sont celles qui déterminent *directement* les faits moraux. Par exemple, savoir dans quelle mesure un traitement contre la douleur soulage réellement la souffrance ou non constitue une part de la décision éthique parce que ce fait détermine la justesse de la décision. S'il soulage c'est bien de le donner, s'il ne soulage pas c'est mal. C'est sur la base de ce critère que les auteurs proposent de distinguer, en bioéthique, les données empiriques pertinentes pour l'éthique et celles qui constituent l'éthique. Pour cela, ils examinent les différents types de données empiriques générées en bioéthique. Les premières sont celles des sciences biologiques et médicales. Elles sont évidemment essentielles en bioéthique (puisqu'elles indiquent les taux de succès des différentes techniques, les années de survie après une intervention, etc.). Mais elles ne constituent pas l'éthique et n'en font pas partie, parce qu'elles ne peuvent jamais *régler* une question. De fait, on peut être d'accord sur le fait qu'être né d'une *fécondation in vitro* (*FIV*) aura des conséquences sur le bien-être de l'enfant, et pour autant ne pas être d'accord sur ce qu'il convient de faire (permettre ou interdire la *FIV*). Ces données ne sont donc pas de l'éthique et ne doivent pas être intégrées à l'éthique normative. Les auteurs examinent ensuite les données empiriques produites par les sciences sociales. Ils commencent par celles qui sont issues de la sociologie de l'éthique qui a pour objet les comportements et attitudes des éthiciens. Une enquête en sociologie de l'éthique pourrait par exemple montrer que 90 % des bioéthiciens nord-américains sont des hommes blancs, catholiques et de classes sociales élevées (Myser 2003). Ces données sont *pertinentes* pour l'éthique parce qu'elles obligent à être attentif aux biais qui peuvent influencer les décisions, mais elles ne *constituent pas* une part de l'éthique parce qu'elles ne donnent pas de *raison* d'accepter ou de rejeter les arguments moraux des bioéthiciens (ils pourraient être tous blancs, catholiques, riches et avoir raison !). Ces données ne doivent donc pas être intégrées à l'éthique normative. En sciences sociales, il y a aussi beaucoup de recherches sur les attitudes du public. Elles portent sur ce que le public « pense de » (la gestation pour autrui, la greffe de visage, etc.). Pour les auteurs, si l'on est relativiste, alors ces données sont proprement de l'éthique et la bioéthique est une branche de la sociologie. Si au contraire on s'oppose au relativisme moral, alors il faut rejeter ces données qui conduisent le plus souvent à des positions conformistes et conservatrices. Garrard et Wilkinson examinent ensuite les données issues des consultations citoyennes. Faire participer les citoyens aux délibérations éthiques, est-ce que cela entre dans l'éthique normative ? Là encore, la réponse est négative, parce que le but

de ces consultations est politique (démocratiser les choix bioéthiques). Or sur un plan éthique, même si une enquête montrait que 80 % des gens s'opposent par exemple au choix du sexe, on pourrait encore argumenter qu'ils le font pour de *mauvaises raisons*. Ces données ne sont donc pas pertinentes pour l'éthique. Restent les recherches qui visent les conséquences psychiques et sociales éventuelles des choix normatifs. Pour les auteurs, ce sont les seules qui sont utiles à l'éthique normative, car elles visent à « tester les conséquences potentielles ou actuelles » des choix normatifs. Elles indiquent par exemple quelles conséquences auraient l'autorisation du choix du sexe ou la levée de l'anonymat dans le don de gamète. C'est donc ici que se situe le principal apport des sciences sociales en bioéthique, parce que ces données offrent des informations sur les effets sociaux des choix normatifs et permettent même de tester les arguments dits « de la pente glissante » (ex. « autoriser le choix du sexe dans certains cas aboutirait irrésistiblement à l'autoriser dans tous les cas »). Pour autant, elles ne déterminent pas directement les choix éthiques : elles sont donc pertinentes mais ne doivent pas être *intégrées* à l'éthique normative. Finalement les auteurs concluent que les données empiriques issues des sciences sociales n'ont pas vocation à être intégrées à l'éthique normative. Le rôle des sociologues en bioéthique est donc périphérique, ils restent les « petites mains » de la philosophie, et c'est dans ce contexte seulement qu'ils sont intéressants. Ce résultat pose question pour l'interdisciplinarité bioéthique : difficile en effet de travailler avec quelqu'un qui vous considère *au mieux* comme un auxiliaire !

Ces tentatives pluri- ou trans-disciplinaires sont assez décevantes. D'abord, à l'exception du modèle intégratif (dont les attendus méthodologiques sont difficilement tenables), elles restent proches du modèle initial de la bioéthique – en plus paternaliste – puisque seuls les experts philosophes sont censés avoir la légitimité de prendre les décisions morales. Ensuite, elles ne montrent pas de façon convaincante que les solutions proposées par une équipe composée de chercheurs de diverses disciplines sont, en pratique, meilleures que les solutions proposées par une équipe monodisciplinaire. Leur intérêt est de se confronter directement à la question de la rationalité ou de l'objectivité, et surtout de mettre en évidence l'intrication de plus en plus forte, en bioéthique, entre morale, sciences sociales et politique.

4 Fragmentation

Indépendamment des efforts d'ouverture aux sciences sociales, la communauté philosophique, déstabilisée par la critique du principlisme, a été sensible aux appels à la *contextualisation* des jugements moraux venus du monde médical. Cela est d'autant plus compréhensible que, sous le regard perspicace des professionnels de la philosophie, les grands principes de la bioéthique initiale sont très loin de constituer un système cohérent. Le principe d'autonomie est de source kantienne, le principe de bienfaisance se rattache à l'utilitarisme des morales du bien (et à la grande tradition médicale du *primum non nocere*), le principe de justice ouvre la

morale médicale vers la philosophie politique. La bioéthique première est, somme toute, un *collage* de morceaux disparates, un mélange d'Aristote, Kant et Rawls. Une fois décortiqué ce noyau, le philosophe se sent libre de développer des approches normatives plus souples, plus aimables, intégrant le contexte médico-social. Aussi voit-on germer des styles philosophiques nouveaux : casuistique, éthique narrative, éthique clinique, éthiques féministes, sans compter les éthiques se voulant particulières à un domaine : neuroéthique,[22] roboéthique,[23] etc.

La ***casuistique*** est introduite explicitement dans la bioéthique américaine à la fin des années 1980 par le théologien Albert Jonsen et le philosophe Stephen Toulmin (Jonsen 1991). Prenant acte de l'importance du savoir pratique et du raisonnement concret dans les décisions cliniques, ils proposent une méthode d'analyse éthique qui se veut, sinon a-théorique, du moins modeste au plan théorique (Arras 1991). L'éthicien sera attentif aux aspects individuels, contextuels et vécus des cas envisagés, et raisonnera par analyse de cas similaires, puis par analogie. La méthode s'articule autour de trois concepts : *morphologie* (étude de la structure du cas), *taxinomie* (identification du type de cas dans une série de cas appropriés), et *cinétique* (cheminement moral d'un cas paradigmatique vers un cas particulier dans lequel le jugement issu du cas paradigmatique est nuancé par la prise en compte des données contextuelles). La décision finale sur le cas s'exprime ensuite sous forme de règles ou maximes générales, mais non universelles, puisqu'elles ne sont tenues pour bonnes que dans la situation précise de l'agent et de l'action. Il faut bien dire que cette nouvelle approche ne fait pas l'unanimité chez les philosophes (Delfosse 2001). Elle est critiquée pour ses faiblesses épistémologiques, pour son manque d'efficacité (elle ne semble pas donner de meilleurs résultats que l'approche fondée sur les principes) ; de plus, on la soupçonne de favoriser le conservatisme moral, puisqu'elle consiste à infléchir les grands principes dans un sens qui favorise les préférences des acteurs.

L'***éthique narrative*** se développe au cours des années 1990 dans le sillage du renouveau méthodologique ouvert par Jonsen et Toulmin.[24] Elle vise à éclairer – par le récit des divers acteurs d'une situation médicale – les valeurs et normes qui guident l'action *en situation*, et attache de l'importance à l'expérience affective des individus en tant qu'elle est une modalité d'investissement dans les événements. L'éthique narrative fait appel aux ressources méthodologiques de l'histoire, de la sociologie, de la psychologie, de la philosophie et de la littérature. Elle se développe selon trois orientations principales. La première conçoit l'éthique narrative comme une contribution à la *casuistique*, où il s'agit d'analyser les situations telles qu'elles sont exprimées dans les récits des acteurs. La seconde propose de considérer les récits des acteurs comme autant de *perspectives* éthiques constitutives

[22] Baertschi Bernard (2005) *De la bioéthique à la neuroéthique*, 2005, en ligne : www.contrepointphilosophique.ch/. Evers Kathinka (2009) *Neuroéthique. Quand la matière s'éveille*. Paris : Odile Jacob.

[23] Voir : *Euron Roboethics Roadmap*, en ligne.

[24] Pour un exposé succinct, voir : Benaroyo L., 'Éthique narrative', in *Nouvelle encyclopédie de bioéthique*, *op. cit.*, p. 407–409.

d'une situation de soin, sur la base desquelles il s'agit de formuler un jugement éthique circonstancié. Cette seconde approche est conçue comme un complément descriptif au principlisme normatif. La troisième accorde un statut éthique à la narration dans le cadre du *processus thérapeutique*. Elle repose sur une conception de l'identité personnelle inspirée de Paul Ricœur et propose l'approche narrative de la souffrance comme une possibilité de rétablissement de l'identité personnelle atteinte par la maladie, en faisant de l'empathie et de la compassion du soignant les tonalités essentielles de la relation soignant/soigné. Cette troisième variété d'éthique narrative est cultivée, entre autres, dans les services de soins palliatifs, où l'on en vient à considérer que pour une personne à l'approche de la mort, la récapitulation de sa vie est comme une ultime thérapie, tandis que pour les soignants, le fait de pouvoir exprimer leur vécu dans un « groupe de parole » permet de travailler plus paisiblement dans des circonstances éprouvantes (décès d'un patient auquel on s'était attaché, par exemple). On est alors aux frontières d'une psychanalyse ou d'un psychodrame, qui n'a de proprement éthique que le fait de *faire du bien* aux acteurs ou narrateurs. Il va sans dire que l'éthique narrative, sous ses différentes formes, ne suscite pas chez les philosophes intéressés par l'éthique un enthousiasme unanime. On la critique pour son caractère limité : malades et mourants ne sont pas tous en état de verbaliser leurs pensées intimes, et chez les soignants, l'envie de s'exprimer pour se décharger d'un souci ne saurait être une obligation. De plus, comme toute éthique contextualisée, cette éthique du *récit de vie* peut être soupçonnée de recéler nombre de biais : histoires inauthentiques, conservatisme, relativisme moral, ou conflits d'autorité lorsque psychologue et philosophe sont ensemble en position d'écoute.

Au cours des années 2000 la confusion des méthodes et la multiplication d'approches divergentes finit par faire douter de la possibilité d'une position philosophique cohérente et argumentée en bioéthique. Les débats bioéthiques (dans les comités dédiés, ou dans des consultations publiques[25]) génèrent des positions normatives conflictuelles, qui laissent les cliniciens désemparés. De la gestion des fins de vie à la procuration des organes, en passant par la gestation pour autrui et les critères d'accès aux protocoles de recherche, les différentes *perspectives* mènent à des choix incompatibles entre eux, alors même que chacun est, à première vue, correctement argumenté. Et la multiplication des approches

[25] En 2007 la Haute autorité britannique en charge de la régulation des activités d'assistance médicale à la procréation et de la recherche sur l'embryon (hfea) organisa une consultation publique visant à décider si l'on pouvait, ou non, autoriser des chercheurs à créer par transfert de noyau des cellules souches hybrides homme-animal, composées d'un ovocyte de vache énucléé, et d'un noyau de cellule humaine. La consultation publique sur les « implications éthiques et sociales de créer de telles entités » fut plutôt favorable à la proposition. L'autorisation fut accordée. Il s'agit, en somme, d'une décision éthique prise à la majorité, dont Shirley Harrison, présidente de la hfea, reconnut le caractère 'politique' : « *We have gained a valuable insight into public opinion as a result of this consultation and this has enabled us to make a policy decision based on robust evidence* ». Voir : hfea *Hybrids and Chimeras. A Report on the Findings of the Consultation*. uk, October 2007, en ligne.

philosophiques fait douter de l'unité[26] de la discipline *bioéthique*, d'autant qu'aux conflits intradisciplinaires s'ajoutent les heurts entre disciplines. Sociologues et philosophes s'opposent avec vigueur.[27] Les philosophes ont argumenté que confondre le plan normatif et le plan descriptif, en prétendant tirer une conclusion normative de prémisses descriptives, c'est commettre une faute de raisonnement, appelée *erreur méta-éthique*. Pour convaincre de la justesse de leur position, ils en appellent aux exemples les plus caricaturaux : torture de chatons, génocides, pédophilie sont des pratiques qui existent (*is*) : doit-on en déduire qu'elles doivent exister (*ought*) ? [28] Il n'y a pas de différence entre faits et valeurs, répartissent les sociologues ; en réalité faits et valeurs sont intriqués, les valeurs déterminent l'interprétation des faits et inversement ; nous proposons des « principes passerelles » qui opèrent la transition d'un plan à l'autre (De Vries and Gordijn 2004) ; donc nous ne commettons pas cette prétendue erreur de raisonnement, puisqu'il n'y a pas de réel écart entre le plan descriptif et le plan normatif. Et les sociologues de dénoncer le caractère paradoxal de la position philosophique, qui consiste à postuler *a priori* un écart infranchissable de ce qui est, à ce qui doit être, et à refuser de prendre en considération les preuves empiriques, issues de travaux sociologiques, qui démontrent *a posteriori* leur erreur.

Essayons de trouver un terrain d'entente, lance De Vries.[29] De fait, la plupart des acteurs de la bioéthique (toutes tendances confondues) ont des points d'ancrage communs (Turner 2009) : intérêt pour les situations concrètes (partagé même par les plus théoriciens), attachement aux valeurs morales (humanisme), objets d'étude fournis par les retombées de la recherche technoscientifique sur la vie des gens. Mais les difficultés demeurent. D'abord, même quand il y a collaboration effective entre chercheurs de plusieurs disciplines, il n'est pas sûr que cette collaboration offre aux cliniciens de meilleures réponses que les approches disciplinaires.[30] Ensuite, sur un objet partagé (par exemple, les dons d'organes entre vivants – rein, foie), des approches méthodologiques différentes peuvent entraîner des dissonances cognitives, et surtout des difficultés pour juger, s'approprier ou critiquer les apports des autres disciplines. Enfin, même si les perspectives sont

[26] « *If bioethics is capacious enough to include libertarians, communitarians, deontologists, neo-kantians, utilitarians, neo-aristotelians, virtue theorists, feminists, rawlsians, habermasians, narrative theorists, interpretivists, principlists, casuists, civic republicans, liberal egalitarians and religious ethicists of every persuasion, does bioethics exist as something other than a loosely connected assemblage of conflicts over norms, principles, practices and policies ?* » : Turner L., 'Does Bioethics Exist ? ', *Journal of Medical Ethics*, 2009, 35 : 778–780.

[27] Sur les conflits entre philosophes et sociologues, voir notamment : Bennet R. & Cribb A. 'The Relevance of Empirical Research to Bioethics : Reviewing the Debate', in *Scratching the Surface of Bioethics, op. cit.*, 2003, p. 9–18. – Levitt M. 'Better Together ? Sociological and Philosophical Perspectives on Bioethics', in *Scratching the Surface of Bioethics*, *op. cit.*, 2003, p. 20–25.

[28] Garrard E. & Wilkinson S. 'Mind the Gap : The Use of Empirical Evidence in Bioethics', *op. cit.*, 2005, p. 77–89.

[29] De Vries R., '(Bio)Ethics and Evidence : From Collaboration to Co-operation', *op. cit.*, 2007, p. 7–20.

[30] Sur cette question des sociologues se sont exprimés. Voir : Borry P., Schotsmans P., Dierickx K. 'The Birth of Empirical Turn in Bioethics', *op. cit.*, 2005.

proches, il est parfois difficile de s'accorder sur ce qui compte ou doit compter dans la décision : face aux mêmes situations et avec les mêmes données, philosophes et sociologues n'aboutissent pas forcément aux mêmes conclusions pratiques. Le champ bioéthique reste disparate, et plutôt chaotique, ce qui ne facilite pas la transmission des acquis de la discipline. Imaginons quel peut être l'embarras d'une université qui souhaite que sa Faculté de médecine ait un 'éthicien'. Qui doit-elle embaucher : un historien du mouvement bioéthique, un sociologue des mœurs, un philosophe spécialisé en philosophie morale et politique, un psychologue proche des milieux de la procréation médicalement assistée, un anthropologue disciple de Levi-Strauss ? Certains pays, comme la Norvège, ont mis au point une formation doctorale destinée à des médecins ou biologistes déjà titulaires de leur doctorat scientifique, et désireux de compléter leur bagage scientifique par une initiation aux problématiques de la bioéthique. Mais comment faire pour enseigner une *méthode* qui permette d'approcher les problèmes sans avoir une *doctrine* d'arrière-plan ?

L'approche qui marque le plus fortement une *rupture* avec la bioéthique 'classique', et qui a passagèrement *réconcilié* tout le monde, est à la fin du 20e siècle celle des **éthiques du soin** (*care ethics*), parce qu'elles sont initialement *féminines* (sans être féministes), et qu'elles donnent au *sentiment* priorité sur la raison. Ce nouveau style éthique, promu par les travaux de deux femmes dans les années 1980, a été accueilli avec soulagement par nombre de médecins, infirmiers, travailleurs sociaux, chercheurs de terrain, qui avaient été déboussolés par les querelles théoriques entre éthiciens. Il donne lieu à un grand nombre de publications en Europe au début du 21e siècle.[31] Voyons ce qui rend attractive cette approche en philosophie morale.

Carol Gilligan (1982), critiquant les travaux de Kohlberg sur le développement du sens moral chez les enfants, pense pouvoir affirmer que garçons et filles n'appréhendent pas les questions morales de la même façon. Les garçons raisonnent à partir de règles générales ; les filles tendent à contextualiser leurs jugements, et sont plus sensibles que les garçons aux particularités des situations réelles. Nel Noddings (1984) promeut l'idée que s'occuper d'autres que soi, en *prendre soin* (*caring for others*) est avant tout une vertu de la femme, ou de la mère, qui oublie sa propre fatigue pour s'occuper de ses enfants, se dévouer à ses proches, être attentive aux besoins d'autrui ; les femmes auraient donc un rôle spécial à jouer dans l'éducation morale des jeunes. Certes, la question de savoir s'il y a une *morale féminine* différente de la morale masculine est agitée depuis longtemps dans les milieux féministes, et elle a été le plus souvent résolue par la négative : John Stuart Mill déjà

[31] Voir : Veatch Robert M. 'The Place of Care in Ethical Theory', *Journal of Medicine and Philosophy*, 1998, 23 (2) : 210–224. – Held Virginia (2005) *The Ethics of Care*. Oxford : Oxford University Press. – Laugier Sandra 'Le care : enjeux politiques d'une éthique féministe', *Raison publique*, avril 2007, 6 : 29–47. – Garrau Marie 'Care (Éthiques et politiques du)', in *Dictionnaire de théorie politique* (DicoPo), 2008, *online*

http://www.dicopo.fr/spip.php?article101. – Molinier Pascale, Laugier Sandra, Paperman Patricia (2009) Qu'est-ce *que le care ? Souci des autres, sensibilité, responsabilité*. Paris : Payot. – Worms Frédéric (2010) *Le moment du soin. A quoi tenons-nous ?* Paris : puf.

déclarait tout net que la spécialisation des femmes dans le service d'autrui est liée, non à une prétendue *nature féminine*, mais à un formatage culturel. L'éthique du soin a donc rapidement renoncé à son identification féminine, pour rejoindre la famille des morales qui identifient la *conscience morale* avec une *sensibilité* morale. « *Trop souvent la raison nous trompe* », écrivait Jean-Jacques Rousseau ; « *les actes de la conscience ne sont pas des jugements, mais des sentiments* ».[32] Les éthiques du soin se sont développées comme des éthiques du ressenti, de l'empathie : quand vous cherchez ce que vous devez faire, « suivez votre cœur ». Sous cette forme elles ont séduit tous ceux qui tiennent à ce qu'on n'oublie pas que le soin, pour être bénéfique, doit aussi être donné avec *amour*. Leurs limites n'ont été perçues que secondairement.

Renoncer à la gouvernance de la raison pratique, c'est tourner le dos à Kant, et à la tradition post-kantienne avec ses théoriciens de la justice comme John Rawls, pour qui le paradigme de la relation morale était le *contrat* entre des sujets moraux présumés égaux. Quand le nouveau paradigme est la relation de soin, celle des parents à leurs enfants, ou des soignants aux soignés, c'est un paradigme *inégalitaire*. On en trouve un exemple dans le *droit d'ingérence* revendiqué par les organisations humanitaires qui vont assister des populations présumées incapables de prendre soin d'elles-mêmes. Avec la fiction de l'égalité entre tous les êtres humains, on abandonne aussi la visée universelle des principes de l'éthique. Les théoriciens du *care* admettent sans difficulté que toutes les règles morales souffrent des exceptions, au gré des situations dans lesquelles elles s'appliquent : c'est ce qu'on nomme *contextualisation* (Carse 1998). Ainsi, on peut poser qu'en général il ne faut pas tuer son prochain, tout en admettant que dans certains cas particuliers la morale autorise à interrompre la vie (d'un malade, d'un nouveau-né handicapé, d'un ennemi menaçant). Enfin, l'ontologie sous-jacente à la philosophie du soin, loin de poser l'individu humain comme libre et autonome, insiste sur la *vulnérabilité* des êtres individuels, et sur leur *dépendance* mutuelle : c'est une ontologie *relationnelle*. L'évolution de la bioéthique vers une éthique du care est donc un tournant philosophique majeur, même s'il est possible de lui chercher des antécédents, chez David Hume,[33] Adam Smith,[34] Arthur Schopenhauer,[35] ou Hans Jonas.[36] Il n'est plus question d'argumenter, pour légitimer une décision éthique. Désormais, à la question « que faire dans ce cas ? », il est répondu : « fais comme tu le *sens* ».

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[32] Rousseau Jean-Jacques, *Émile ou de l'éducation*, 1762, Livre 4 ('Profession de foi du vicaire savoyard').

[33] Hume David (1748) *An Enquiry Concerning the Principles of Morals*, section 3.

[34] Smith Adam (1759) *The Theory of Moral Sentiments*, revised 1761, 1790 ; ed. by Raphael D. D. & Macfie A. L., Oxford : oup, 1976. (I, i, chap. 1, §1.)

[35] Schopenhauer Arthur (1841) *Über die Grundlage der Moral*.

[36] Jonas Hans (1979) *Das Prinzip Verantwortung. Versuch einer Ethik für die technologische Zivilisation*. Frankfurt-am-Main : Suhrkamp. Engl. transl. H. Jonas & D. Herr, *The Imperative of Responsibility. In Search of an Ethics for the Technological Age*. Chicago : University Press, 1984. Trad. fr. J. Greisch, *Le principe responsabilité. Une éthique pour la civilisation technologique*. Paris : Cerf, 1990.

Robert Veatch[37] s'est tôt interrogé sur l'apport des éthiques du soin à la réflexion éthique en général : faut-il comprendre qu'elles exigent des décideurs individuels qu'ils soient vertueux, ou opèrent-elles un déplacement de la moralité individuelle vers la moralité collective ?

5 De la philosophie morale à la philosophie politique, de l'éthique à la méta-éthique

La relation humaine paradigmatique des éthiques du soin est, comme il a été dit, une relation inégalitaire : parent/enfant, soignant/soigné, maître/élève, patron/employé, etc. Une relation inégalitaire est une relation de pouvoir. Une relation de pouvoir comporte un risque d'abus de pouvoir. Une philosophie morale qui insiste sur l'étroite interdépendance des êtres humains se doit de réfléchir sur ce risque, dans la mesure où les abus de pouvoir sont susceptibles d'engendrer un fort *sentiment d'injustice*.

La vogue des éthiques du soin a pu être vécue, en milieu hospitalier par exemple, comme un retour au traditionnel paternalisme médical, après une époque où l'on avait poussé trop loin une idéologie égalitaire qui avait conféré aux malades en état de faiblesse des responsabilités qu'ils ne pouvaient ni ne voulaient assumer. La tendance au paternalisme est inhérente aux situations de soin. Elle est acceptable si les acteurs sont vertueux. Il y a un bon paternalisme,[38] comme il y a de bons parents. L'État-providence a été en Europe un État *maternant* que les peuples supportent assez bien. Mais il existe, comme on sait, des dérives du paternalisme, soit que le fort exploite ou maltraite le faible, soit que le faible ruse avec le fort pour lui extorquer des avantages indus. Il y a des enfants battus par leurs parents, et des parents tyrannisés par leur progéniture en crise d'adolescence. Il y a des médecins qui exigent de leurs malades des honoraires exorbitants, et des malades capricieux qui abusent du temps de leur médecin traitant. Certes, les modèles produits par les éthiques du care évoquent la bientraitance, le dévouement, l'amour du prochain. Mais il serait imprudent de postuler que les acteurs sont toujours bons, aimants et dévoués.

Pour rétablir la justice au sein d'une relation inégalitaire, une solution bien connue est la compensation financière. C'est ce que développe Martin Vial dans un livre intitulé « la révolution du soin (Vial 2008) », qui traite de la transformation des *services à la personne* en un secteur économique visible et performant. Selon cet auteur, avec l'accès des femmes à la vie professionnelle, l'accroissement de la durée de vie, et les exigences d'une génération de seniors exigeante sur sa qualité de vie, la demande de services ne cesse de croître (ménage, repassage, soins corporels, soins infirmiers à domicile, kinésithérapie, tutorat des enfants, soutien psychologique,

[37] op. cit., 1998.

[38] Sur les limites d'un paternalisme acceptable, voir une discussion dans : Ogien Ruwen (2007) *L'éthique aujourd'hui. Maximalistes et minimalistes*. Paris : Gallimard, chap. 6 et 7.

visite médicale de routine auprès du patient qui ne peut se déplacer, etc). Ce secteur a longtemps été plus ou moins livré au bénévolat, ou à des transactions privées, insécurisantes pour les prestataires de service comme pour les bénéficiaires. Il est temps de faire de ces soins un secteur économique visible, performant, créateur d'emplois et générateur de profits. C'est ce qu'ont compris les compagnies d'assurances, qui investissent dans ce domaine. L'offre de services sera bientôt gérée par des opérateurs en réseau. Les bénéficiaires prendront l'habitude de signaler leurs besoins par un *clic* sur le clavier de leur ordinateur ou de leur téléphone portable. Les services seront de niveau professionnel, standardisés, fournis par des prestataires interchangeables, bien formés, bien rétribués, fiers de leur statut. La qualité de la prestation sera évaluée par des enquêtes de satisfaction auprès des bénéficiaires. Le coût de ces services a été calculé. Il sera plus élevé que leur prix actuel, mais sur un marché concurrentiel il sera plus juste, plus transparent. Et quand le coût de la main-d'œuvre humaine sera trop élevé, on fera appel à des robots domestiques, par exemple pour la surveillance des personnes atteintes de maladie d'Alzheimer.

Cette intrusion de l'économie dans la sphère privée suscite la réflexion de la sociologue Viviana Zelizer (2005), qui montre la complexité de la chose. D'un côté, « ce qu'on fait pour de l'argent, on ne le fait pas par amour », et l'appât du profit peut même attirer des donneurs de soin malhonnêtes dont l'escroquerie sera facilitée par la *vulnérabilité* de ceux qui ont besoin d'aide. D'un autre côté, Zelizer montre que les familles savent généralement protéger leur intimité contre la marchandisation des tâches domestiques ; et la création d'un marché du soin (*care market*) peut être présentée de façon vertueuse comme une entreprise de réhabilitation du coût des soins, qui donnera plus de dignité à d'humbles travaux trop souvent méprisés, comme ceux de l'aide-soignante. Résumons : valoriser le travail des donneurs de soin est juste et souhaitable, exposer ceux qui reçoivent des soins à être exploités par des prestataires sans scrupules est une injustice. Compter sur la déontologie des prestataires est insuffisant. La conclusion s'impose. L'important n'est pas d'avoir de la compassion pour ceux qui souffrent et qui ont besoin d'être secourus. L'important est de réfléchir à la manière dont le marché du soin sera régulé.

Dans un article solidement informé, Marie Garrau[39] montre que la « seconde génération » des philosophes du soin opère un glissement *de l'éthique au politique*, et aborde les questions de *care* en termes de justice sociale.[40] Eva Kittay (1997) propose d'ajouter aux deux principes de justice de Rawls un troisième principe, stipulant que l'aide aux personnes dépendantes doit être répartie équitablement.

[39] Garrau Marie 'Care (Éthiques et politiques du)', in *Dictionnaire de théorie politique* (DicoPo), 2008, *online* http://www.dicopo.fr/spip.php?article101.

[40] Sur la politisation de la bioéthique, voir : Tronto Joan (1993) *Moral Boundaries : a Political Argument for an Ethic of Care* ; trad. fr. par Hervé Maury, *Un monde vulnérable, pour une politique du care*. Paris : La Découverte, 2009. – Holm S. 'Bioethics Down Under – Medical Ethics Engages with Political Philosophy', *Journal of Medical Ethics*, 2005, vol. 31 (1) : 1–1. – Turner Leigh 'Politics, Bioethics and Science Policy', hec *Forum*, 2008, 20 (1) : 29–47. – Brown M. 'Three Ways to Politicize Bioethics', *American Journal of Bioethics*, 2009, 9 (2) : 43–54.

J. C. Tronto[41] pose que s'occuper des plus démunis est une obligation *citoyenne*. Il ne suffit pas de pensionner les déshérités, et de les laisser à leur solitude, ce dont s'est parfois contenté l'État-providence. Les pouvoirs publics, et l'ensemble des citoyens, doivent encadrer, surveiller l'économie du care, et aussi accompagner (Guérin 2010) les personnes dépendantes en favorisant leur intégration dans le tissu social. J. Evans cherche un 'compromis' entre technologie et démocratie (Evans 2006). Martha Nussbaum (2011), s'inspirant des travaux d'Amartya Sen,[42] développe l'idée que le soin attentif des autres consiste moins à leur assurer un *bien-être*, qu'à leur permettre de développer leurs *capacités d'être* et d'agir par eux-mêmes. Bref, en une génération la philosophie du *care* est passée d'une méditation sur le colloque singulier (de la mère à son nouveau-né, du médecin à son patient), au projet d'une réorganisation de la vie collective (Boris and Salazar 2010) qui, tenant compte de la fragilité des êtres individuels, se propose de les soutenir et de les valoriser, en les tenant insérés dans un tissu social que l'on veillera à raccommoder chaque fois qu'il se déchire.

Il est clair que cette philosophie du soin parvenue à maturité est une forme de résistance à l'individualisme forcené des sociétés libérales. La sollicitude pour les gens y est comprise dans le cadre d'une action politique dirigée contre une conception concurrentielle de la vie sociale, et pour l'entr'aide mutuelle. C'est une philosophie militante, dont les objectifs débordent de beaucoup la médecine, même si elle trouve des applications dans le champ médical, par exemple lorsqu'il s'agit de concevoir le type de lieu de vie souhaitable pour les personnes âgées dépendantes. En faisant valoir que le bien-être des populations ne se mesure pas seulement à l'accumulation des richesses (produit intérieur brut : PIB), qu'il faut y ajouter des indicateurs de la qualité de vie, et de la qualité de l'environnement, les travaux d'Amartya Sen ont influencé le programme des Nations Unies pour le développement humain.[43] Dans la même ligne, constatant que « le champ de la bioéthique s'est considérablement étendu », l'UNESCO s'est attelée à la tâche de dégager des « normes universelles en matière de bioéthique », qui visent à compléter la *Déclaration universelle des droits de l'homme* de 1948, en tenant compte du « pluralisme de la bioéthique » : c'est la *Déclaration universelle sur la bioéthique et les droits de l'homme*.[44] Cette Déclaration « s'adresse aux États. Elle permet aussi, dans

[41] Tronto Joan C. 'Care as the Work of Citizens. A Modest Proposal', in Friedman M. (Dir.) (2005) *Women and Citizenship*. Oxford University Press, p. 130–145. Voir aussi : Tronto Joan (1993) *Moral Boundaries : a Political Argument for an Ethics of Care*. New York : Routledge ; trad. fr. H. Maury, *Un monde vulnérable. Pour une politique du care*. Paris : La Découverte, 2009.

[42] Sen Amartya (2009) *The Idea of Justice* (in memory of John Rawls). uk : Allen Lane ; Penguin Books, 2010.

[43] United Nations Development Programme (undp), Human Development Report 2010, 20th Anniversary Edition, *The Real Wealth of Nations : Pathways to Human Development*, http://hdr.undp.org/en/reports/global/ hdr2010/. Programme des Nations Unies pour le développement (pnud), Édition du 20e anniversaire, *La vraie richesse des nations : Les chemins du développement humain*, http://hdr.undp.org/fr/

[44] Unesco (United Nations Educational, Scientific and Cultural Organization / Organisation des Nations Unies pour l'éducation, la science et la culture) *Universal Declaration on Bioethics and Human Rights / Déclaration universelle sur la bioéthique et les droits de l'homme*, 19 octobre 2005.

la mesure appropriée et pertinente, de guider les décisions ou pratiques des individus, des groupes, des communautés, des institutions et des sociétés, publiques et privées » (Art. 2). Elle fait le grand écart en cherchant à concilier universalisme et respect de la diversité des cultures : « Il devrait être tenu dûment compte de l'importance de la diversité culturelle et du pluralisme. Toutefois, ces considérations ne doivent pas être invoquées pour porter atteinte à la dignité humaine, aux droits de l'homme et aux libertés fondamentales ou aux principes énoncés dans la présente Déclaration, ni pour en limiter la portée. » (Art. 12).

L'aveu d'un « pluralisme » de la bioéthique est un souci pour ceux qui sont appelés à enseigner cette discipline – est-ce bien *une* discipline ? Certes, il existe au début du 21e siècle des ouvrages de référence qui constituent un *corpus* sur lequel l'enseignant peut s'appuyer : certains sont plus ou moins fidèles au principlisme initial,[45] d'autres offrent, sous forme d'anthologie ou d'encyclopédie, une revue de la diversité du mouvement bioéthique.[46] Mais un doute subsiste sur la possibilité d'une bioéthique globale.[47] Aussi voit-on de jeunes philosophes prendre une distance, aussi bien à l'égard de positions normatives trop dogmatiques, qu'à l'égard d'un relativisme vulnérable aux manipulations de toutes sortes.[48] Il s'agit de réfléchir sur les concepts, les méthodes, les types d'arguments, dont on dispose pour aborder les problématiques communément reconnues comme appartenant au domaine bioéthique. Il s'agit aussi d'apprendre à identifier les postures éthiques, et de ne pas se laisser prendre aux pièges des modes passagères. On discerne ici le retour à une *méta-éthique* prudente, qui prend ses distances par rapport aux morales du sentiment, sans les condamner tout à fait, et reconnaît l'apport de la philosophie analytique, sans vouloir s'enfermer dans un rationalisme strict. La philosophie n'est pas une médecine. Que peut-elle apporter aux médecins ? Certains philosophes optent pour un pragmatisme de fond (Maesschalck 2010), parce qu'il y a une demande d'éthique dans nos sociétés, que l'éthique philosophique est devenue un métier, et que l'important est de faire son métier avec conscience. D'autres optent pour une épistémologie,[49] dont la tâche serait d'expliciter les modes de fonctionnement

[45] Gillon R. (ed.) (1994) *Principles of Health Care Ethics*. New York : John Wiley and Sons. – Kuhse Helga & Singer Peter (eds) (1999) *Bioethics. An Anthology*. Oxford : Blackwell, repr., 2001.

[46] Hottois Gilbert & Missa Jean-Noël (Dir.), (2001) *Nouvelle Encyclopédie de bioéthique*. Bruxelles : De Boeck. – Post Stephen G. *Encyclopedia of Bioethics*. New York : Macmillian, Thomson, 5 vols, 3rd ed., 2003.

[47] Cahiers du Mouvement Universel de la Responsabilité Scientifique (murs), spécial : *Ethique : une ou plurielle ?* , 2004, 43. – Moreno Jonathan D. 'The End of the Great Bioethics Compromise', *Hastings Center Report*, 2005, 35 (1) : 14–15.

[48] Un constat désabusé de relativisme : « Bioethics as an academic discipline has gradually lost some of his earlier reflective age. It now has a tendency to fall into epistemological and ethical relativism and uncritically support all possible approaches to the issues which it deals. It no longer matters whether different views are validly argued for or not. Whether they rely on analytical, empirical or intuitive method of verification, they are all considered "equally valuable" and thus "equally right" ». (Hellsten Sirkku K "Why 'Definitions' Matter in Defining Bioethics ? ", in *Cutting through the Surface : Philosophical Approaches to Bioethics*, *op. cit*., 2009.

[49] Takala *et al*., *op. cit*., 2009.

des équipes où coopèrent philosophie et sciences sociales, et de mettre en évidence la spécificité de l'apport philosophique. Cette distanciation ne signifie pas que le philosophe se retire sur sa montagne, et refuse d'avoir à connaître les dilemmes quotidiens auxquels le médecin doit faire face. Elle signifie plutôt que la philosophie n'est pas identifiable comme une science humaine et sociale parmi d'autres, et qu'elle a besoin de se repenser comme philosophie, pour être au clair sur ce qu'elle peut, ou ne peut pas, apporter à une société actuellement en quête de repères éthiques.

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