Jan Sokol

Ethics, Life and Institutions

An Attempt at Practical Philosophy

KAROLINUM

Ethics, Life and Institutions
An Attempt at Practical Philosophy

Jan Sokol

———

Originally published in Czech under the title
Etika, život, instituce: Pokus o praktickou filosofii,
Prague: Vyšehrad 2014

KAROLINUM PRESS
Ovocný trh 5/560, 116 36 Prague 1
Czech Republic
Karolinum Press is a publishing department of Charles University

© Karolinum Press, 2016
© Jan Sokol, 2016
Translation © Neil Cairns and Markéta Pauzerová
Layout by Jan Šerých
Typeset by Karolinum Press
First English edition

ISBN 978-80-246-3429-6
ISBN 978-80-246-3430-2 (pdf)



Charles University
Karolinum Press 2016

www.karolinum.cz
ebooks@karolinum.cz

Contents

Introduction 7

1. Practical Philosophy 17

2. From Words to Terms 24
2.1 Life 25
Evolution and Evaluation 34
2.2 The Threefold Model of Freedom 42
2.3 Freedom and Power 52
Competition, Rivalry and Enmity 57
2.4 Custom, Morality and Ethics 62
2.5 Relative, Relativity and Relativism 69
2.6 Decision and Responsibility 73
2.7 Justice 78

3. Main Ideas of Practical Philosophy 83
3.1 The world in balance 87
Retribution and Compensation 90
The Golden Rule 94
Kant and the Categorical Imperative 96
3.2 Happiness and Wellbeing 103
Aristotle and Eudaimonia 104
Epicureanism and Hedonism 107
Christianity and Morality 110
Utilitarianism 116
3.3 The Discovery of the Soul 121
Honour and Conscience 123
Perfection of the Soul 128

Autonomy and Heteronomy 132
3.4 The Idea of Good and Ethical Realism 138
Good and Evil 144
What is Evil? 147
3.5 Moral Sense 150
Sentiment and Reason 157

4. The Ethics of Heritage 162
4.1 Ancestors and Descendants 164
4.2 Life as Inheritance 177
4.3 Heir and Steward 188
Private Heir 199
4.4 Institutions and Action in Roles 206
Citizen and Employee 210
Acting in a Role 216
Corruption 224
Institutions as Inheritance 229
4.5 Summary 234

5. Conclusion 237

Bibliography 241
Index 251

Introduction

In a usage that begins with Kant, 'practical' is the name given to that branch of philosophy which concerns itself with action, decision and judgment. It regards man first and foremost as a being which must act, and therefore judge. Against this stands theoretical philosophy, the investigation of existence and all that is. Theoretical philosophy is understood primarily as an instrument of understanding and so it asks what *is* and *is* not, while practical philosophy concerns itself with what is good and bad – what *should* and *should not* be. This fundamental distinction has been with us since ancient times. Socrates himself was primarily concerned with the question of how we ought to live; he repeatedly asks whether people err simply because they do not know any better. If right action were merely a question of correct knowledge, it would be possible to eliminate errors and learn how to live the good life. This question comes up repeatedly in many of Plato's dialogues. The answer is sometimes yes and sometimes no; or the question simply remains unanswered. Aristotle, on the other hand, sees two distinct areas of mental activity, governed by different principles. While only those things which do not change can become known, our actions could always have been different. In practical philosophy, or ethics, our task is not merely to learn and to know, but rather a more fundamental task – to act well (and better), gain skill and, in so doing, to *become good*. It is for this reason that ethics does not distinguish between truthful and untruthful, but rather between good and bad, better and worse. 'Since, then, the present inquiry does not aim at theoretical knowledge like the others (for we are inquiring not in order to know what virtue is but in order to become good, since otherwise our inquiry would have been of no use), we must examine the nature of actions, namely how we ought to do them.'[1]

1 Aristotle, *Nicomachean Ethics* (hereafter *NE*) 1103b26f. The writings of Plato and Aristotle are usually cited with a link to the page (sometimes even the paragraph and row) of the standard

By its very nature, therefore, practical philosophy is a rather delicate and precarious task. Unlike theoretical philosophy, which can aspire to a certain impartiality and neutrality, practical philosophy has to address those areas of life where people occupy some kind of standpoint toward the world and themselves, where decisions and value judgments are made. It seeks to investigate human freedom, a realm which we today consider almost intimate. What gives it the right to do this? Moreover, each new attempt in the centuries-long history of practical philosophy has of necessity something bold, immodest or disproportionate about it. And so the reader has every reason to be sceptical. 'Who does this author think he is – some kind of expert? What could he possibly know about it and how can there even be anything new to say about it? Am I a little child, to be told by somebody else how to live my life?' I cannot allay these doubts here; I can only appeal to the reader's patience in the hope that answers to them will be found in the book.[2] The aim of the book is indeed not a modest one, although it does not wish to moralise and does not claim any particular authority for itself.

In spite of all of these difficulties and doubts, practical philosophy currently enjoys considerable public interest, which, while perhaps unexpected, is probably not coincidental. The achievements of modern science, technology, economics and organisation have enormously broadened the scope of human possibilities; and millions of people around the world are dedicated to the continued expansion of these possibilities. However, there are also a growing number of people who are troubled by the use we make of these incredible possibilities. Among the first of these were the physicists who, after the explosion of the first atomic bomb, were genuinely horrified by the forces they had unleashed. And the expansion of such possibilities has only gathered pace since then, giving the ancient question – 'how ought we to live?' – a new meaning and a new urgency, as attested to by the rich literature, the plethora of ethical codices and commissions and even our everyday public debate.[3]

---

edition, which in modern translations is given in the margins. – The literature cited here is meant to serve as a prompt to independent study, not as an appeal to a higher authority or an alibi for the author. It should however help us keep in mind one of the theses of this book, namely that we rarely invent completely new ideas, but rather live from that which we have inherited.

2 Rousseau answers a similar question: 'I would not take it upon myself to try to teach people, if others did not keep on leading them astray.' Cited in Spaemann, *Basic Moral Concepts*.

3 The Illinois Institute of Technology database of ethical codes for various professions (http://ethics.iit.edu.research/codes-ethics-collection) lists over 850 of them. While I certainly do not underestimate the practical importance of these professional 'ethics', they are beyond the scope of this book.

This book will certainly not be able to solve all the questions, doubts and disagreements that lie at the heart of these debates; it cannot relieve people of the need to make (or, for that matter, the pleasure and responsibility of making) their own moral evaluations and judgments; and it cannot deputise for them in these questions. We will not be dealing here with the specific problems of, say, medical ethics, or the moral demands on economics and politics as they are formulated by various social ethics. This is partly because I have no expertise in this area, but also to avoid weakening the philosophical, universal aim of the book: to point out what needs to be considered by everybody in his or her actions, and why. Any reader seeking more than this degree of clarification and orientation will most likely be disappointed. Wishing to remain philosophical, the book sets itself goals that are both more limited and more general – although it would also like to be worthy of the name 'practical' in the title.

It aims to pursue in particular the following goals:

- To contribute to a more lucid distinction between morally significant phenomena, in order that we may think and talk about them more precisely and meaningfully.
- To strengthen our awareness of the fact that morality is not merely a private quality of each individual, but rather that it plays out primarily in relationships between people.
- To remind us of the altered situation in which we, as acting people, find ourselves today: an interconnected, globalised world in which institutions and organisations play an ever more important role.
- To meet the urgent need for common starting points or fundamentals of a universal and *panhuman* morality, as called for by these profound transformations.[4]

To help us in this task, we will make use of two sources, which I consider complementary, neither of which our predecessors had at their disposal:

- An overview of thought-traditions and carefully examined historical experience, so that we do not lose sight of what has been achieved in the past, and;
- The findings of sciences, mainly biology and anthropology. It is for this reason that the concept and idea of *life* will play such a key role in this book.

4 Compare Ulrich Beck, *The Reinvention of Politics*; on the need to justify ethical judgment A. Honneth, *Pathologie des Sozialen*.

* * *

Man is clearly a social animal and cannot live in any other way than in some kind of group or community.[5] Even the task of biological reproduction cannot be achieved without one other person, and, in order to succeed in the world, we have to rely on an ever greater number of these others. Some two hundred years ago, even in Europe, every village was self-sufficient, with its own blacksmith, cobbler and carpenter, mayor, teacher and priest – and later even doctor. People would occasionally need to go to the city, to go to market, or on a faraway pilgrimage. But there the village's dependence on other people would end; everything else had to be provided for at home.

Today most of us live in cities surrounded by thousands of people all like each other, and in amorphous states, where there are millions of us. When in the mid-20th century the creators of 'real socialism'[6] attempted to create the self-sufficient state by limiting our dependence on the outside world as much as possible, it was already plain that this was impossible; the state had to import petrol or iron ore anyway. And since then our 'relationships' (or, more accurately, our dependence on the work of other people) have on the one hand become dramatically deeper while on the other spreading out across a 'global' network across the entire world. The fact that these relationships are entirely anonymous, mediated in large part by money, does not change this. When as children we would visit our grandmother we would admire a small hand-painted Italian pot – from so far away! Now if we wish to impress our guests we would do so with plums or radishes from our own garden. If you take a minute to look around you, at what you wearing today or at the objects on your table, you can draw your own conclusions. Whatever name may be written on these objects – Levi's, Adidas, or IBM – we can be fairly sure that they have come from China.

More and more, we are acquiring, not only things, but activities ('services') in exchange for money from entirely unknown people rather than performing these activities ourselves. Fewer and fewer people do their own sewing, knitting and cooking, or organise their own entertainment or holidays; more and more, we are entrusting the care of our children

5 'Who cannot live in a society, or is so self-sufficing that he has no need to do so, is no part of a state, but rather a beast or a god.' Aristotle, *Politics*, 1253a. So too are humans caught between the two fatal temptations of headless mass collectivity, and of the illusive absolute of our own ego.

6 Real Socialism has been the self-designation of the East European regimes before 1989.

to kindergartens. Only a truly exceptional individual could survive on a desert island; today's explorers and adventurers, travelling to the remotest corners of the earth, where cars and televisions are unknown, do not set out without their radio transmitters and satnavs. These devices (products of the work of thousands of unknown people) provide them with the all-important security of orientation and contact with 'civilisation' – that enormous human community which is, in reality, our home.

A fine home that is, you may object, where the majority of people speak languages we don't understand, where nobody is waiting to welcome us and where people are more interested in our money than our unique personalities – if they notice us at all. The sceptic Heidegger accurately observed that, while modern technology and society may have broken down distances, they cannot offer any closeness. That is definitely true, and yet millions of migrants the world over today and every day are proving that it is preferable to eke out a grim existence in vast slums, feeding off the waste of rich societies, than to starve to death in the supposed 'closeness' of their traditional rural homes.

This new situation of global possibilities and global dangers, which curious, conquest-minded Europeans have been building since the 15th century,[7] is not one that we are 'by nature' equipped for. The instinctive barriers between 'us' and 'them', just like our personal safe zones, are not compatible with life in big cities, and this leads to constant stress, which can only be weakened and suppressed through learning and experience.[8] The incomprehensible language and habits of foreigners outrage the settled natives, but are far worse for the unfortunate immigrant, who has no option but to live among 'foreigners'.

The attractive and yet oppressive openness of the modern rich world, often associated with the loss of closeness, homeland and firm ground beneath our feet, awakens an almost spontaneous dual response. As the world changes rapidly, it forces us to adapt and to make decisions for ourselves as the tried-and-trusted models are often lacking. Since the early modern era, the response of most Europeans to this growing dependence on millions of strangers, without whom we would not survive, to the feeling of being lost among enormous crowds and masses, has been a greater emphasis on his personal, individual autonomy. In opposition to the ever smaller degree of genuine self-sufficiency, we emphasise our

7 The Portuguese occupied Madeira in 1420 and the Azores in 1427; these were the first European colonies in the modern sense of the word.

8 According to ethologists, man, like other creatures, has his 'zone of distance', and if a stranger steps in, this can be perceived as an attack.

personal autonomy and individual freedom, which is no longer under threat from the state so much as from the reality of uniform consumption and mass culture, unwittingly cultivated by school and television. It is naturally harder to resist the pressure of the billions-strong global majority than in the times when society was formed of thousands of free members of elites, who everyone else imitated and obeyed without resistance. Those who wish to fight against this pressure at all costs may perhaps flirt with the idea of using explosives; but even that is unlikely to help them.

The second, more recent reaction to European globalism is less utopian than enlightened individualism, and perhaps more effective. It consists in seeking out and defending whatever remnants can be found of real or supposed 'closeness' – from folkloristic peculiarities to national or regional loyalty. The somewhat spoiled modern European starts to feel revulsion towards the globalised world, and has no wish to become a 'world citizen'. He instead holds onto his own homeland, language and culture and defends them from the onslaught of globalisation, which he perceives as a threat to his special status. Nazi ideology was able to latch onto the mass horror that Germans felt about military defeat and economic collapse, and it offered the people a tangible image of 'foreigners' as enemies. Communist ideology also had to underpin revolutionary fervour with the idea of a powerful internal and external enemy, in order to sustain the necessary social momentum. The concept of the enemy is an important one, and we shall return to it.

But justice requires us to provide a corrective to this overly dark picture of individualistic and collectivistic defence of European man against global reality. Enlightened and liberal individualism is not merely an instinctive reaction against a looming danger. It also signifies a fundamental breakthrough in human freedom – the ideal of freedom for each individual person. It is here that the concept of human rights and freedoms, the first attempt at a panhuman formulation of the foundations of the future global society, first arose. No matter how much we may criticise it, we cannot abandon it – not even in practical philosophy.

The Romantic stress on everything local, different and national has likewise been open to abuse, and yet it remains an important component of human life in society. Just as enlightened individualism is a constant antidote to tyranny and absolutism of all kinds, so Romantic particularism expresses an equally important resistance against the attempt to reduce human society to a set of identical, atomised and mutually indifferent individuals – and to treat it accordingly.

We can illustrate the factual significance of these two streams of thought with an example from political philosophy. One of the most significant intellectual feats of the early modern age is the idea of the social contract. Although we understand this as an attempt at a new way of thinking rather than an historical event, it provides us with a certain model of society, which establishes and runs itself without the need for any external authority. It follows from this that, while an organised society doubtless requires some kind of authority, it is able to secure this for itself and no government can claim to be the only possible one (and therefore irreplaceable).

All theories of the social contract, however, share the same weakness: the very term *contract* presupposes that people can trust each other and that they will keep their promises. Without this fundamental trust in the given word (which must operate without the support of government, power and law) the term 'contract' has no meaning.[9] And so the social contract can hypothetically create a state, but it must presuppose an organised society, whose members can rely on each other.

But we also now know that relations of such elementary mutual trust come into being in small, transparent societies, which tend to be 'closed' rather than 'open'. It is precisely in such places – where people have lived together for a long time and reached agreement on much more than merely enlightened postulates of equality and freedom of the individual – that firm relations of friendship and trust can emerge over time. It was in societies such as these, bound as they were by a common culture – usually language, religion, custom and habits, and perhaps also a common bond to a certain place or countryside – that there emerged the prerequisites for the foundation of the good society. And we can imagine the creation of some kind of 'social contract' (and a corresponding power or government which has no need to suppress freedom because freedom does not threaten it) as belonging among these prerequisites. It is societies such as these which have, throughout history, become models and crystallising cores for wider and more varied societies.

As Europeans, we are fortunate in that our ancestors (voluntarily or by necessity) set about this arduous task of finding a way of living, and even living freely, in the confusion of these large and varied societies – often at the cost of great societal conflict and human suffering. The method that they arrived at (the same method, incidentally, that the Roman Caesars adopted centuries before them) is based on three main principles:

9 See P. Barša, *Imanance a společenské pouto* (*Immanence and the social bond*), p. 13.

- The state must compensate for the loss of this cultural and intellectual 'glue' through strengthening its institutional rule – especially in administration and record-keeping, finance, policing and the military.[10]
- It must promote and support the new 'civic virtues', especially discipline and tolerance, and it must strictly enforce the observance of this reduced social order.[11]
- It must surrender those things which would be unacceptable to a large part of the society – for example, a state religion – and confine itself to a commonly agreed 'civic minimum'.[12]

This method has – despite all of the historical catastrophes – proved remarkably successful. It helped to radically reduce the proportion of violent death and to improve the conditions of life.[13] It has withstood the onslaught of totalitarian ideologies and it continues today in its task of reducing the compulsory minimum of civic accord even further. Of course the societies which have emerged in this way are very different from pre-modern societies. The main difference is that they are extremely large and complex, strongly individualised and usually rich. Life in such societies is organised through increasingly complex institutions, which understandably has a homogenising effect, with the result that people in such societies become more and more alike (or at least more interchangeable).

This similarity is mostly in the realm of 'external' things – speech, behaviour, clothing – whereas on the 'inside' people jealously guard their own identity and their deepest convictions, which they would rather keep secret. To this ever-advancing 'inner' individualisation, which began more than two thousand years ago with the 'discovery of the soul'[14]

---

10 That modern states have nonetheless been threatened by this 'emptying out' is demonstrated by the fate of the 'right of the subjected against the ruler'. While medieval political thought, starting with John of Salisbury (†1180) took this right as a given, it disappears from modern thought for a long time, in the light of the religious and civil wars of the 15th, 16th and 17th centuries. Jeremy Bentham was horrified by any idea of the 'right to rebel'.

11 Compulsory school attendance belongs in this category. See Gellner, *Nations and Nationalism*.

12 This is the political sense of Hobbes' and Spinoza's critiques of revealed religion. But in the case of Bodin, Locke and Spinoza there is also a connection with tolerance. The French *laicité*, the effort to exclude elements of religion from public life, belongs in this context. See Kohen, *In Defence of Human Rights*. Against this, not only the theorists of the so-called Islamic State, but also Leo Strauss and others insist that politics must be founded upon an absolute religious background, even at the cost of dividing the world into friends and enemies (Carl Schmitt).

13 See S. Pinker, *The Better Angels of our Nature*. However surprising, the thesis of the book is well documented. On the other hand, its overall optimism might seem somewhat premature.

14 See B. Snell, *The Discovery of the Mind*. (In German: *Die Entdeckung des Geistes*) and Ch. 3.3. below.

and which continues unabated underneath the surface layers of mass uniformity and globalisation, we are indebted for many, many things; we will remind ourselves of this at a later point. At the same time, however, there has emerged (at least among more observant people, and among the young) a threefold unpleasant feeling, or perhaps rather three questions:

- The accumulated wealth of human possibilities and resources raises the urgent question: what are we to do with it all?
- Can we find it within ourselves, within the relaxed confines of free societies, to keep ourselves in check, or are our societies already headed for disaster?
- Do we have the creative power and imagination to give our lives some meaning in this spiritual void, or do we need to content ourselves with a comfortable existence, devoid of any prospects?[15]

This last question, in all its urgency, comprises the entire content of Nietzsche's work and nobody has put the question more poignantly. This book is for those who also feel the urgency of the question but who are not content with Nietzsche's precocious attempts at answering it – whether it be Superman, eternal return or immoralism. People who consider these questions to have been answered – either by tradition or through their own efforts – should probably not expect to find too much in this book; while those who do not even ask such questions would most likely regard the whole enterprise as ridiculous and a waste of time.

Practical philosophy came into being at a time when people realised that the traditional answers were insufficient and when they could no longer even rely on the automatic agreement of their fellow-citizens. If they did not want to accept the naive, and perhaps cynical, celebration of force, as embodied by Plato's Callicles,[16] they had no option but to set out on the problematic search for meaning – and moreover a meaning which all people could accept as their own. Having nothing but human reason (supposedly common to us all) to aid them, their labours must have resembled those of a man trying to lift himself up out of the swamp by pulling at his own hair. Even we today cannot avoid this comparison,

15 Nietzsche called this, contemptuously, 'little comfort' or also 'nihilism'.

16 'What do we do with the best and strongest among us? We capture them young, like lions, mould them and turn them into slaves by chanting spells and incantations over them which insist that they have to be equal to other and that equality is admirable and right. But I'm sure that if a man is born in whom nature is strong enough, he'll shake off all these limitations, shatter them to pieces and win his freedom ... and then natural right will blaze forth.' (Plato, *Gorgias*, 484a)

but if we can rid ourselves of a certain pedantry that even philosophy suffers from, we can also benefit from the findings of the empirical sciences, especially biology.[17]

These findings have played a significant part in the remarkable transformation of our picture of the world and our own position in it. The universe is in fact not eternal, rather it has a beginning (albeit one that is unknowable to us) and probably an end as well.[18] In contrast to the older ideas of diversity, as expressed by the Aristotelian families and species or the systematisation of Linnaeus, we now see the universe as a gigantic process of irreversible changes, within which this diversity has come into being. The individual categories of being are not to be found lying alongside each other in their insurmountable difference, but rather they signify certain stages of the process which binds them all together. The universe therefore presents itself to us as 'historical', and even man, in so many ways exceptional, nonetheless belongs to it; not only because he comes from it and lives in it, but also (and mainly) because he has the Earth more and more in his power. These are facts which practical philosophy cannot ignore today.

17 Attempts to establish human morality on the ordering of the Universe can be found in many cultures. (See Lovin – Reynolds, *Cosmogony and Ethical Order*) But whereas they sought there arguments for the immutability of the moral order, we shall be looking after scientific explanations of its developement.

18 The Big Bang theory, on which contemporary cosmology is based, speaks of a 'singularity' which evades direct observation.

1. Practical Philosophy

'For here the point is no less than how we ought to live.'
Plato, *Republic* 352d

Socrates' question forms the basis of practical philosophy and defines its terms and goals. But it raises a whole range of sceptical objections. What more is there to be said about it in the third millennium? It is clearly too brief and all of its five words – 'how ought we to live?' – raise further questions. What is 'to live'? Why 'ought' anyone do anything? And even if they 'ought' to do something, what exactly? And where to look for it? These questions are at the heart of this book and we will be returning to them throughout.

Each new attempt at practical philosophy must both remain philosophy and yet also validate itself through its results. In this context 'practical' means that it should be of some help to its readers or listeners in the difficult task that lies before them as people: namely, to lead their lives responsibly. That is, in such a way that they do not attempt to squirm out of the task and that they realise that it really does matter how they perform it. This can be expressed in the form of a metaphor, as if they would have to answer the question, why they did or did not do this or that.[19] That there is certain hopelessness to such a task is a point we need not labour; but I should perhaps explain why I wish to undertake it at all. There are two reasons: the first is that, over the last twenty years of living in a free society I have come to realise that if people stop talking about certain things, it is as if these things no longer exist. It is therefore essential to talk about them so that they are not forgotten about. There

19 This is what Sartre means by his famously paradoxical statement that man is 'condemned to freedom'. The question 'before whom' or 'to whom' man must answer is, at this stage, not yet asked. See below, Ch. 2.6.

is no shortage of critical observers of contemporary societies and their complaints often convey the impression that the general public has simply forgotten about moral questions. If a suspect politician can declare his case to be settled purely because he was not punished, it is as if there is no other aspect to be considered other than that of court procedure.[20] It is as if not being found guilty of a crime is in itself a qualification for public office.[21] This is surely not the case, because even in modern societies people somehow manage to live and to pursue goals; and, given that they have managed to do this without murdering each other, it is evident that their actions are being guided by something. Nonetheless in the public idea of society something substantial is definitely missing.

The second reason links directly to the first one. We do not speak about what it is that we are guided by in our actions, because we do not know how to. We do not have the words for it, or to put it more precisely, the words we do have are worn down through severe neglect. Whether we respond positively or negatively to Socrates' eternal questioning about whether the good life can be taught, one thing is clear – we must learn to speak about it. And so the first task of practical philosophy, in my opinion, must be an attempt to sharpen our linguistic tools, in order that we may distinguish better. I remember watching a televised debate on the topic of morality a couple of years ago. The panel was made up of distinguished, educated people. After a while, the entire debate became focused on whether we ought to give up our seats on the tram to older people. Now I am certainly not opposed to that, but it is surely a warning sign when a gathering of such distinguished people can confuse morality with politeness.

This fundamental task of distinguishing and sharpening words so that they may serve as terms is the subject of the second chapter of this book. The point is not to find out what the correct word for such and such a thing is, but rather to learn what we need to distinguish from what, so that our speech has some meaning. Of course, *distinguishing* is not the same as *separating*. Practical philosophy cannot be axiomatic, for the simple reason that it seeks to be practical. If it is to deal with how we lead our lives, it cannot sharply separate and sort its themes into discrete categories, as mathematics or bureaucracy do. Only in mathematics or in civil administration is it possible for us to define precisely delineated sets

20 It is surely unnecessary to add that the judicial system, according to the presumption of innocence, must regard these cases as closed.

21 I will just add as an aside here that many important politicians have spent periods in prison on their road to power: not only Hitler and Stalin, but also Nelson Mandela or Václav Havel.

with no overlap, such as *even numbers* or *people born in 1968*. Practical philosophy cannot aspire to the logically necessary judgments and proofs, which are the preserve of the axiomatic sciences and of administration.[22] But already in law, which must also strive for the same degree of precision, the sorting of human activity into legal categories is the hardest task of both prosecutor and judge – and those in the dock often have the impression that they have failed in it.

Moral theories, which will be the theme of chapter three, cannot therefore be understood as self-sufficient and mutually exclusive systems – even if Hobbes, Spinoza or Kant thought so. Bernard Williams ironically refers to this conception of moral theories as an 'aggressive weapon' against the 'prejudices' of others and compares defenders of this approach to superpowers who only feel secure when they are able to destroy their opponents.[23] But in this book, we shall conceive of the various moral theories as frequently complementary ways of looking at situations of action and judgment (which are of course rarely straightforward), which can clarify, or perhaps support, certain types of decision. My own contribution, which is the topic of chapter four, should also be read in this light.

In his *Nicomachean Ethics*, Aristotle introduces the important distinction between that which is relevant to practical ethics and that which is not.[24] In one regard in particular he restricts the realm of the morally significant quite narrowly; no citizen of Lacedaemon, in his view, contemplates how other communities should be run. So here 'contemplation' is restricted to the viewpoint of action, which seems to have been the case in the strictly segregated *poleis* of ancient Greece, whereas today we can no longer be so sure of this. After all, dictatorial and terrorist regimes are a menace not only to their own subjects. Aristotle correctly summarises that practical philosophy should concern 'that which is in our power and which we may carry out' – but 'our power' is substantially greater and further-reaching today than it was then.

A different, and altogether more radical, attempt at separating out that which does not concern moral thought was sketched out by David Hume: no 'ought' can follow on directly from an 'is', from a statement of

---

22 Aristotle states at the very beginning of the *Nicomachean Ethics* that 'it is the mark of an educated man to look for precision in each class of things just so far as the nature of the subject admits' (*NE*, 1094b). William Sweet also states that ethics cannot provide proof, but only suggestions of how to act. (*The Bases of Ethics*, p. 11)

23 Williams, *Ethics and the Limits of Philosophy*, p. 85 f.

24 *NE*, III.5, 1112a22–31; also *NE* 1139a.

facts.[25] This attractively simple idea is the subject of various polemics to this day, and from it Immanuel Kant constructed his concept of the 'two kingdoms': the 'kingdom of necessity', where the laws of nature hold sway, and the 'kingdom of ends' or freedom, in which we lead our lives through our own decisions. Descartes also arrived at a similar idea, but in his quest for precision the realm of what really matters shrunk almost to vanishing point; nothing that depends on others can, according to him, have any significance for one's own judgment.[26]

This general tendency to limit our responsibility to that which can undoubtedly and from without be 'ascribed' to us is, in my opinion, an expression of a certain conception of man which Nietzsche called 'otherworldly'; a person is put into the world and must somehow make the best he can of it, and is responsible only for those things that he himself has caused and what he could have prevented, whereas he can respond to the farther consequences of his action (or inaction) with a shrug of the shoulders: 'nothing to do with me'. While the law courts doubtless have to operate in this way, our understanding of our own responsibility needs to be much broader. For we know from bitter experience that consequences (whether we caused them or not) will fall upon us and our descendants. Moral thought cannot, therefore, proceed along the lines of the defendant seeking only to exculpate himself, but rather like the public prosecutor, actively seeking and facing up to potential threats.[27]

This 'exculpating' tendency we have just mentioned goes hand in hand with a narrower conception of free action, which culminated with Kant's conviction that only decisions and 'good will' have any moral significance. This stems from a strongly idealised conception of the acting person, who has through his decision created a kind of absolute beginning, brought about by nothing, leading on from nothing and connected to nothing. A free person, in this conception, may be strictly bound by his (highly abstract) 'categorical' responsibility but in reality does not suffer from hunger, is in no pain and in need of nothing and need not give too much consideration to anything. Here, however, I would like to conceive of action as something that is conditional on various things, limited in possibilities, very often brought about by external events, something more like an answer to a call, or a means towards some fur-

25 Hume, *Treatise*, III.I.I.

26 Descartes, *Passions of the Soul*, II, art. 146.

27 This corresponds to the contemporary concept of precautionary principle which would find no place in Kant's 'kingdom of ends'.

ther end.[28] Even moral theories can, for the most part, be understood as partial and historic attempts to respond to a challenge; Kant himself is a shining example of this.

Practical philosophy, if it wishes to be worthy of the name, must take notice of how people live their lives, make decisions and act – as is implied, albeit silently, by Socrates' question. It cannot simply limit itself to that area in which we voluntarily limit our behaviour, which can be expressed in rules and which I will call morality. It should instead take account of both the various conditionalities and social contexts, which I will call custom, and also goals and consequences, the positive motives to action. Indeed it is not always easy to distinguish between means and ends – and their interrelation plays an important role in moral evaluation.

As I have already mentioned, I shall use, more than is common, the findings of science, particularly of the life sciences. This may seem like a paradox; after all, we have already spoken of Hume's distinction between what is – the subject matter of science – and that which I should or should not do. This objection has been lent support by Max Weber's demand that science should avoid evaluations, which in turn has led to an even more radical claim, that of a supposed 'value-free' science. And because science today shapes our public discourse to such an extent, there has developed the slightly vague notion that reality itself is neutral as regards values and that a moral viewpoint is a kind of superstructure that has been grafted onto it. There are, I believe, several grave misunderstandings at work here.

First of all, it is clear that practical philosophy is about people, or – as Kant has it – about all rational and free beings. Bulls can no longer be put on trial for lacerating anyone, as was the case in the late Middle Ages.[29] So in that sense only man and his actions can be the focus of moral evaluation and judgment, primarily his own. But it does not by any means follow from this that we should regard everything else that surrounds us, and from which we live, as valueless or morally irrelevant.

Man is – like all other creatures – first and foremost living, and he relates everything to his own life. So he naturally judges the things around him as either beneficial or harmful – as good or bad, in a sense. This we obviously cannot change, but we should nonetheless judge in the light

28 We will return later to Heidegger's conception of human existence as 'thrown projection'.

29 Modern society deals with such animals in a different way and without anything as awkward as morality getting in the way. Of course the animal's owner or other 'responsible person' could still find himself in court.

of knowledge, and with the necessary distance. Having a snake in your sleeping bag is clearly a bad thing, and something has to be done about it. But it does not follow (as we should all know by now) that snakes as such are an evil which we need to exterminate. Funnily enough, we owe our knowledge of this to science, which, with all its detachment, managed to notice that even snakes can be good for something (provided they are not in your sleeping bag).

Scientists also relate their activities to their own lives, whether it be that they are slaking their thirst for knowledge, fulfilling their potential, seeking to excel in some way, or even simply earning a living. Only against the background of this natural evaluating stance, and of their attachment towards their own scientific work, does Weber's call for scientists to maintain the greatest possible distance towards their subject make sense, because only then can their results be universally valid and acceptable. That this is not a natural state is clear from the fact that Weber puts the point across to scientists in the form of a demand. No one needs to order them to eat or sleep. Objectivity as a relationship towards a thing is not some sort of 'zero state' of the thing itself but rather a strict cultural demand made of scientists – namely that they attempt, for a large part of their lives, to put aside their natural attitudes to the world and to approach their subjects as if they had no bearing on their lives, in order to benefit the rest of us. Plato spoke of the necessity to study things 'according to themselves' (*kata to auto*) and not in relation to our own needs and interests.

This example illustrates a certain division of the moral world, to which we will devote more attention later. I criticised Kant's division into two 'kingdoms' as it makes us look upon non-human reality as morally insignificant. Moral beings do not live in their exclusive kingdom of ends, limited only to moral beings. People on the other hand live only one life and their ends are mixed together with those of other people, and also infringe into the broader non-human reality. But because man alone is able to think, and to be responsible, he must take this responsibility upon himself even for those who do not speak. One of the important new moral demands of the present time states that man cannot separate himself from non-human reality, especially that of living things, as was propounded by early modern moral codes, but must rather draw the conclusions that follow from his belonging to the whole of nature. We will return repeatedly to this important question.

Classical moral theories presuppose that each person acts for himself and acts freely only towards that which belongs to him. This was always

a considerable simplification, for actions as a rule influence the lives of others; in the context of modern societies it is more of a mistake than an oversimplification.[30] Today almost all of us spend part of our lives as free citizens, enjoying our privacy and our 'free time'. However we are only able to earn this life by spending the other half of our life going to work – by hiring ourselves out into the service of others, usually organisations. Even in this environment we remain to some extent ourselves, but nonetheless we act according to the commands of others and the authority and resources which we deploy do not belong to us. This fundamental difference between the free life of a private citizen and that of an employee who is only conditionally responsible for his actions, has led some social theorists to the hasty conclusion that there is no need for morals in large organisations. Sombre experience has taught us that we cannot agree with this; however it is the case that the moral problems of people in institutional roles are of a different character and must be measured according to different criteria. This is another theme that we will be returning to.

30 A good example here is that of a voter on election day, whose actions, albeit on a small scale, have an impact on everyone.

2. From Words to Terms

He learns well who distinguishes well
Bene docuit qui bene distinguit

Words are the only tools that philosophers have at their disposal, and we must therefore take good care of them, to ensure that they can function as terms – our only tools for the communication of thought, blunt tools though they often are.[31] They would perhaps be a good deal better if we treated them better, if we distinguished better between them rather than mixing them together. It really is not a matter of indifference what we call things, even if some people may think it is. Before we set out on the difficult path into the thicket of practical philosophy – 'where nothing indicates the presence of game'[32] – we should clarify as far as we can what our main terms are, what they mean and what they do not mean, how they differ from each other and why.

We have already said that distinguishing does not mean the same as dividing or separating. In the realm we are entering into, the meanings of terms cannot be strictly separated as in mathematics; they are not terms which arise out of definitions, but instead commonplace everyday words which people invented when they needed them. We have often treated these words shoddily, with the result that they have become confused and mixed up. This is less of a problem in common speech, which always takes place in some sort of context – the person receiving the communication can figure out what is being said or can ask. But, as Plato observed, as soon as something is written down, it stands alone by itself

31 'Those who wish to speak without terms may do so elsewhere but in philosophy they do not have that right.' Hegel, *Outlines of the Philosophy of Right*. Introduction.

32 Emmanuel Levinas, *Totality and Infinity*. Introduction.

and if we need clarification there is no one we can ask.[33] We therefore have no option but to attempt precision and accuracy, of course only to the extent that it is possible in the given subject area. We have already heard that 'we must not expect more precision than the subject-matter admits of'.[34] That the intricate sphere of human life and action does not permit of any great precision does not mean that we should give up on it.

2.1 Life

The world and life are one.[35]

When Immanuel Kant finally published his anthropology lectures in 1798, he was able to sum up the whole sphere of the physiological study of man (or 'what nature has made of man') in a few sentences, reaching the conclusion that 'all theorising about causes is nothing but a waste of time' and concentrating on purely 'pragmatic' observation.[36] This has radically changed over the last two hundred years; now we cannot avoid or ignore the findings of the natural sciences, not even in practical philosophy.[37] For example, as we will see, the life sciences have discovered and re-established the term 'human nature', with a meaning which extends far beyond the boundaries of the empirical sciences.[38]

Let us start with the term *life*, which has perhaps not received the attention it deserves from philosophers but will play a key role here. It is a very common word, one which we use daily, and so we perhaps overlook the fact that it has two very different – albeit related – meanings. It can mean both 'my life' and 'all life, life as such'. The first meaning can be interpreted as something internal and private, whereas the second pertains to everything that lives, and not only at the present moment,

33 Plato, *Phaedrus*, 275d.

34 Aristotle, *NE*, 1094b.

35 Wittgenstein, *Tractacus logico-philosophicus*, 5.621. On the 24th of June 1916, Wittgenstein wrote in his diary 'The world and life are one. Physiological life of course is not "life" and neither is psychological life. Life is the world.'

36 Kant, *Anthropologie in pragmatischer Hinsicht*. Preface. Akademische Ausgabe, (AA) VII, p. 119.

37 For more on the idea of life in the Western tradition, see Pichot, *Histoire de la notion de vie.*

38 Looking for a source of law, Cicero says: 'How much has been bestowed upon men by nature, and how great a capacity for the noblest enterprises is implanted in the mind of man, for the sake of cultivating and perfecting which we were born and sent to the world, and what beautiful association, what natural fellowship binds men together by reciprocal charities: and when we have explained these grand and universal principles of morals, then the true fountain of laws and rights can be discovered.'(Cicero, *De Legibus*, I.16.)

but also *diachronically*, stretching back into the past, from where all life originates, and into the future, which awaits it. The Spanish philosopher José Ortega y Gasset observed this duality and distinguished between *biographical* and *biological* life. We will start with the first of these.

Long ago, before there were banks, highwaymen would attack travellers in the forest with the cry 'Your money or your life!' The unfortunate victim of course knew that it was his own life that was being referred to, and it would never occur to him to start discussing biology with his tormentor. We use the word with this meaning in many other, more common situations too: 'bet your life!', 'I swear on my mother's life', but also 'lifelong' or 'life insurance'. Of course the life being referred to here is mine, yours, his, hers, theirs – an individual, unique life, from birth to death. Even the expression 'eternal life' is commonly understood to mean the continuation of this individual life. My life, or to put it more philosophically, *existence*, is the thing that children take joy in and which adults toil for. As great Romantic literature, from Goethe's *Werther* to Kafka's *Metamorphosis*, revealed the hidden recesses of our inner life, its expressive power bewitched philosophers – starting with Kierkegaard – to the extent that they were almost unable to see anything else. Even the sober Husserl was convinced that the self-exploration of the subject and his experiences was the key to everything else (to say nothing of those less sober thinkers, from Sartre and the existentialists to the postmodernists). Even Wittgenstein, in the quote above, understood 'the world' as 'his own world' – and life as his own life. But could that sentence not also mean something else?

Their enchantment with the depths of their inner lives was doubtless sincere, and is something we all went through in our youth. Those who have read Dostoyevsky or Proust will have learned to honour the abysses of passions, suffering and longing which accompany human lives. We will remain grateful to these great writers for their insight, and will not forget them, even if we perhaps also feel that this is not the whole story of life. However, the other, alternative picture of man, the direct counterpart to the melancholic enchantment with the tragic depths of one's own life, was too harsh and ugly for readers – or even philosophers – to stomach. Science had entered the scene, so drastically and scandalously, that there was nothing to do but ignore it – or, to use Freudian language, to *suppress* it.

The horror and revulsion aroused by Darwin's *Origin of Man* in 1871 were not of a metaphysical nature and could only secondarily be explained by religious feelings. Lamarck had written something very