Jan Sokol

Ethics, Life and Institutions

An Attempt at Practical Philosophy

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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]

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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]

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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.

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

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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

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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

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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:

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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]

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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,

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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)